

**DURHAM ENERGY COMMITTEE**  
**JANUARY 3, 2011**  
**DURHAM TOWN HALL – COUNCIL CHAMBERS**  
**7:00PM**  
**MINUTES**

Members present: Kevin Gardner, Peter Ejarque, Charles Forcey, Brian Goetz, Robin Mower, Chris Skoglund

Others present: Todd Selig, Town Administrator; George Rief; Jack Bingham

I. **Call to Order**—Meeting was called to order at 7:05pm

II. **Approval of Agenda**

III. **Approval of Minutes**

A. December 13, 2010— Approval of December minutes postponed until February meeting

IV. **PACE (Property Assessed Clean Energy) program**

Chris noted that a challenge to the enabling legislation (HB 1554) is pending in the legislature. Discussion followed about contacting Rep. David Borden (New Castle), who worked on developing HB 1554; Borden is on the Municipal Energy Working Group.

Chris noted that the enabling legislation's requirement that PACE applicants obtain energy audits may not be connected to PACE projects, per se, but rather be about creating an opportunity to inform property owners of what they might need or want to do by way of improvements.

George noted that the proposed application forms require confidential information, which raises a concern about confidentiality and the Right To Know law. Discussion followed How much of the information used to support the funding should become public? A question that would come from the public might very well be, what has the Town done to mitigate the risk?

Answer is that we've got lien holder agreements, mortgage agreements, etc. Something similar to the mortgage agreement should become part of the package or promissory note. THAT would become part of the public record through the process of registering the deed with the Strafford County Registry of Deeds.

What is the private information that must be included? What must be available to the public?

Forcey suggested that a statement of the applicant's meeting the criteria would be adequate, and that the criteria themselves would be available to the public but NOT the actual documents that show how the applicant meets the criteria.

He suggested that we split the application into two parts: Town would be responsible for financials, DEC would be responsible for evaluating whether the project is appropriate.

Kevin commented that the Town would give a loan to the PROPERTY, and does not seek a profit, whereas banks would give a loan to the PERSON and the person would take the loan if leaves the property.

Durham's Town Attorney needs to review: how we go about implementing, what is required from the applicant, checks & balances: give them the program.

Chris indicated that he is will help craft DEC documents.

Brief discussion followed about the projects likely to be applying for the program.

George noted that he recognizes that the DEC sees this as much broader in concept, that it is not just about renewable energy but about energy conservation/savings as well.

Forcey: Peter's project is a model project for the conservation side, i.e., half of it is about insulation. The DEC noted that it is difficult to measure energy output change with this type of project.

George commented that the program sounds like a betterment lien, similar to water and sewer, but Todd Selig responded that he is not sure that is the case.

Kevin noted that we need to map out steps:

a) two-stage application: revise those

b) Q&A handbook / FAQ

c) package for the attorney: HB 1554, Council Communication, Town estimates of administrative cost and bonding capability exposure. What else do we need?

Chris will look into (1) timing issues (retroactive and in *media res*, so to speak) and (2) what happens if the enabling legislation is repealed

Discussion followed about when the DEC would decide that there is a drop dead date by which we will either move forward with PACE or not?

Charles indicated that the DEC needs to remind the community that a PACE Program is only ONE of the approaches to taking these energy efficiency improvement initiatives.

George noted that Holy Rosary Credit Union in Rochester is actively helping to finance these kinds of programs, for example, with a low-interest loan for solar PV systems.

Jack reviewed the banking landscape.

Local financing is seen to be good for the community and the program. A couple of DEC members may meet with the manager of the NH Credit Union to discuss this option.

V. **Brief discussions, status of initiatives**

A. Town Council—Tax exemptions for wind and central wood heating systems

Robin noted that a public hearing will be held at the January 24th meeting of the Town Council. Robin noted that the DEC-initiated amendments to Chapter 38 Building Code passed unanimously

C. Planning Board—Draft Site Plan Review "energy efficiency discussion" checklist reviewed and amended. Robin to send to Town Planner and Planning Board.

D. Follow-up from December meeting with Revolution Energy—Todd Selig and Kevin Gardner will be putting together an RFQ

E. Energy inventory—Corey Johnson will work with the Business Office when he returns in mid-January

F. ORCSD: NH EnergySmart Schools Program—Charles and George may help this along from a grassroots level through personal contacts. **Master Plan Survey**—postponed for lack of time

VII. **New business**

A. Renewable energy consumer options for electric utilities (PSNH, Unitil, National Grid)—postponed for lack of time

VIII. **Master Plan**—postponed for lack of time

IX. Next meeting agreed to be February 15, 2010 (to be confirmed by email)

X. Adjourned at 9:15pm

Minutes taker: Robin Mower