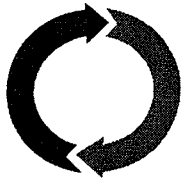


**CRRA
BOARD MEETING
May 28, 2009**



**CONNECTICUT
RESOURCES
RECOVERY
AUTHORITY**

**100 Constitution Plaza • Hartford • Connecticut • 06103 • Telephone (860)757-7700
Fax (860)757-7745**

MEMORANDUM

TO: CRRA Board of Directors
FROM: Moira Kenney, Secretary to the Board/Paralegal
DATE: May 22, 2009
RE: Notice of Meeting

There will be a regular meeting of the Connecticut Resources Recovery Authority Board of Directors on Thursday, May 28, 2009 at 9:30 a.m. The meeting will be held in the Board Room of 100 Constitution Plaza, Hartford, Connecticut. The meeting will also be available to the public via video conference at the 1410 Honeyspot Road ext. Board room, Second Floor, Stratford, CT.

Please notify this office of your attendance at (860) 757-7787 at your earliest convenience.

Connecticut Resources Recovery Authority
Board of Directors Meeting

Agenda

May 28, 2009

9:30 AM

I. Pledge of Allegiance

II. Public Portion

A ½ hour public portion will be held and the Board will accept written testimony and allow individuals to speak for a limit of three minutes. The regular meeting will commence if there is no public input.

III. Minutes

1. Board Action will be sought for the approval of the April 23, 2009, Regular Board Meeting Minutes (Attachment 1).

1.a Action Items

2. Board Action will be sought for the approval of the corrected minutes of the January 29, 2009, Regular Board Meeting Minutes (Attachment 2).

IV. Finance

1. Finance Committee Update
2. Board Action will be sought for approval of Independent Auditing Services (Attachment 3).
3. Board Action will be sought for approval of SWEROC Budget FY2010 (Attachment 4). (*Contingent Upon Prior Approval of D. 2)
4. Board Action will be sought for approval of Workers Compensation/Employee Liability (Attachment 5).
5. CAFR Award (Attachment 6).

V. Chairman's, President's and Committee Reports

A. Chairman's Report

1. Board Action will be sought for the Resolution Recognizing East Haven High School Students for Winning the Connecticut Student Film Festival (Attachment 7).

B. President's Report

1. Discussion Item Letter to Governor Rell

C. Organizational Synergy & Human Resources Committee

1. Board Action will be sought for the Resolution Regarding the Human Resources Consulting Service Agreements (Attachment 8).

D. Policies & Procurement Committee

1. Board Action will be sought for the Resolution Regarding Construction Quality Assurance Services to Support Completion of Closure of the Phase 1 Ash Area of the Hartford Landfill (Attachment 9).
2. Board Action will be sought for the Resolution Regarding the Fourth Amendment to the Stratford Regional Recycling Facility Operating Agreement and Second Amendment to the Lease Agreement (Attachment 10).
3. Board Action will be sought for the Resolution Regarding FY 2010 Projected Legal Expenditures (Attachment 11).

VI. Executive Session

An Executive Session will be held to discuss pending litigation, real estate acquisition, pending RFP's, and personnel matters with appropriate staff.

TAB 1

CONNECTICUT RESOURCES RECOVERY AUTHORITY

FOUR HUNDRED AND FORTY-SIXTH APRIL 23, 2009

A Regular meeting of the Connecticut Resources Recovery Authority Board of Directors was held on Thursday, March 26, 2009, at 100 Constitution Plaza, Hartford, Connecticut. Those present were:

Chairman Michael Pace

Directors: David B. Damer
 Alan Desmarais
 Michael Jarjura (present beginning 11:15 a.m.)
 Mark Lauretti (present by phone until arriving in person at 10:32 a.m.)
 Timothy Griswold
 Theodore Martland
 Raymond O'Brien
 Linda Savitsky
 Steve Edwards, Bridgeport Project Ad-Hoc
 Warren Howe, Wallingford Project Ad-Hoc
 Geno Zandri, Wallingford Project Ad-Hoc

Present from CRRA management:

Tom Kirk, President
Jim Bolduc, Chief Financial Officer
Dave Bodendorf, Senior Environmental Engineer
Michael Bzdyra, Government Relations Liaison
Tom Gaffey, Director of Recycling and Enforcement
Laurie Hunt, Director of Legal Services
Trevor Nichols, Senior Operations Analyst
Paul Nonnenmacher, Director of Public Affairs (present by telephone)
Mike Tracey, Director of Operations
Lisa Bremmer, Executive Assistant
Moirra Kenney, Secretary to the Board/Paralegal

Also present were: Shawn Duffy of FCR; Bob Gross of Wallingford; John Pizzimenti of USA Hauling & Recycling; Jim Sandler of Sandler and Mara; and Jerry Tyminski of SCRRA.

Chairman Pace called the meeting to order at 9:48 a.m. and noted that there was a quorum.

PLEDGE OF ALLEGIANCE

Chairman Pace requested that everyone stand for the Pledge of Allegiance, whereupon the Pledge of Allegiance was recited.

PUBLIC PORTION

Chairman Pace said that the agenda allowed for a public portion in which the Board would accept written testimony and allow individuals to speak for a limit of three minutes.

Chairman Pace asked Mr. Sandler if he cared to speak. Mr. Sandler declined.

Mr. Gross said that the Wallingford trash-to-energy plant turbine has to be updated. He said because it is not operating at 100% efficiency it takes more steam to produce electricity. Mr. Gross asked how this affects Wallingford, the residents and the five communities financially.

Mr. Kirk said that the short answer is yes. He explained there is a revenue penalty because the production in kilowatts (which is sold) is reduced on a unit basis. Mr. Kirk said assuming that the plant makes the same amount of steam there is a small reduction in the electric revenue. He said that management is discussing this issue with the operator in terms of contractual restrictions and minimal performance levels.

Chairman Pace said that the maintenance of the turbine is the responsibility of Covanta.

Mr. Tracey said that CRRA is well aware of the issue with the turbine and that a letter was sent out to Covanta about three weeks ago regarding the issue. Mr. Tracey said that he believed the turbine was supposed to be serviced this fall and that Covanta has opted to push that service back even further. Mr. Tracey said that management did not think that this was a good idea and had indicated as such to Covanta as well as informing the Wallingford Policy Board of the situation as well.

Chairman Pace said that management has brought the issue to the Wallingford Policy Board's attention. Mr. Gross asked out of the Policy Board and CRRA who has the bigger say concerning this issue. Mr. Kirk said the larger say would be the CRRA Board. He said management has been tracking production and that they disagree with Covanta's decision to push back the scheduled maintenance.

Mr. Gross asked if the cost to the five communities will come out of the tip fee stabilization fund. Mr. Kirk said it either reduces the tip fee stabilization fund or increases the tip fee.

Mr. Gross said some of the trash to the Wallingford plant has been diverted which also affects the revenue for the plant. He said it was his understanding that CRRA has had a difficult time receiving cooperation from Covanta to look at the plant and asked if there are any other steps that management can take.

Chairman Pace said that management has taken aggressive action to investigate the diversion. He said that he has been party to a meeting which discussed the problems and issues that CRRA is experiencing. Chairman Pace referred Mr. Gross's repeated line of questions concerning this matter to Mr. Tracey. Mr. Gross asked if the expense that the turbines issues are costing the five communities can be provided by Mr. Tracey. Mr. Tracey said that he believes that Mr. Gross's questions can be answered after some investigative work.

APPROVAL OF THE MINUTES OF THE MARCH 26, 2009, REGULAR BOARD MEETING

Chairman Pace requested a motion to approve the minutes of the March 26, 2009, Regular Board Meeting. Vice-Chairman O'Brien made a motion to approve the minutes, which was seconded by Director Martland.

The minutes were approved as amended and discussed by roll call.

| Directors | Aye | Nay | Abstain |
|----------------------------------|------------|------------|----------------|
| Michael Pace, Chairman | X | | |
| Dave Damer | X | | |
| Alan Desmarais | X | | |
| Timothy Griswold | X | | |
| Mark Lauretti | X | | |
| Theodore Martland | X | | |
| Raymond O'Brien | X | | |
| Linda Savitsky | X | | |
| | | | |
| Ad-Hocs | | | |
| | | | |
| Steve Edwards, Bridgeport | X | | |
| Warren C, Howe, Jr., Wallingford | X | | |
| Geno Zandri, Wallingford | X | | |

FINANCE COMMITTEE UPDATE

Director Savitsky said that the Finance Committee had met by telephone the prior week due to a brief agenda. She said that there were two items which were discussed in detail by the Finance Committee. Director Savitsky said that an amended version of the resolution contained in the Board package concerning the Wallingford reserve and distribution was being handed out as the Board package copy contained a typo.

Director Savitsky said that CRRA's auditor Carlin Charron & Rosen issued a report contained within the write-up detailing the components necessary to shut down a project. She said the original resolution contained a change due to a request from the Wallingford Policy Board.

AMENDED RESOLUTION REGARDING THE WALLINGFORD RESERVE AND DISTRIBUTION

Chairman Pace requested a motion to approve the above referenced motion. Vice-Chairman O'Brien made a motion to approve the amended resolution which was handed out concerning the Wallingford reserve and distribution.

Director Desmarais seconded the motion.

Mr. Bolduc said that the total number in the resolution has not changed and is still \$26 million. He explained the only major change from this resolution and the one included in the Board package was that a column was added for the tons delivered. Mr. Bolduc said that the changes were made at the request of the Wallingford Policy Board which wanted to change the original method for distribution. He said that in addition the dollars were rounded to whole dollars instead of decimal points at the request of the CRRA Finance Committee.

Vice-Chairman O'Brien clarified the changes for Director Lauretti. Chairman Pace stated for the record that Director Lauretti is a member of the Finance Committee and the clarification serves to explain the document because he has called in on his way to CRRA and does not have the document in front of him. Chairman Pace said that as a member of the Finance Committee that Director Lauretti is well aware of these changes.

Mr. Bolduc said that the Wallingford Policy Board and the Finance Committee reviewed the methodology for the distribution of the three accounts. He said that this resolution is only dealing with two of the accounts because the tip fee stabilization account cannot by contract be distributed until post the conclusion of the project on June 30, 2010. He said at that point a similar closing and audit process will be undertaken similar to the steps taken for closing the Bridgeport Project.

Mr. Bolduc said that the Wallingford Policy Board tweaked the methodology primarily because the original submission used percentages and whole numbers without using decimal points and that a small level of precision was lost. Mr. Bolduc said that the Policy Board thought to get that level of precision a comparable dollar per ton basis was needed. He said as a result the numbers were tweaked and that methodology and resolution are detailed in the amended handout which was distributed.

Mr. Bolduc said assuming that this resolution is approved the dollars need to be moved out of the State Treasurers' STIFF account and that the distribution would be set up tomorrow with the wire transfers occurring on Monday. He said the dollars will continue accruing interest and that an option to release the funds by check was also extended to the Wallingford communities. Mr. Bolduc said that management has notified the Treasurer's Office of their intent to remove the \$26 million.

Director Savitsky said that she was impressed with management's proposed timeline and that the CEO's and CFO's of the five communities should be pleased.

Director Howe and Director Zandri said that they had read the resolution thoroughly and are in favor.

Director Damer asked if the Board was voting on two separate resolutions. Mr. Bolduc said that there are two resolutions the first for transferring the funds and the second for distributing it.

Director Savitsky suggested that the two resolutions be split for clarity.

**WITHDRAWAL OF THE ORIGINAL MOTION TO APPROVE THE AMENDED
RESOLUTION REGARDING THE WALLINGFORD RESERVE AND DISTRIBUTION**

The maker of the motion (Vice-Chairman O'Brien) and Director Desmarais (who seconded the motion) agreed to withdraw the motion to approve the amended resolution regarding the Wallingford reserve and distribution.

AMENDED RESOLUTION REGARDING THE WALLINGFORD DISTRIBUTION

Chairman Pace requested a motion to approve the above referenced motion. Director Savitsky made the motion, which was seconded by Vice-Chairman O'Brien.

WHEREAS, the balance as of January 31, 2009 in the Wallingford Project Operating Account ("Operating Account") was \$18,470,574; and

WHEREAS, the Board of Directors, in consultation with and with the unanimous consent of the Wallingford Project Policy Board (the "Policy Board"), has authorized the transfer of \$10,704,005 from the Wallingford Project Future Use/Planning Reserve to the Operating Account, thereby bringing the balance in the Operating Account to \$29,174,579 (the "Undesignated Balance"); and

WHEREAS, the Board of Directors, in consultation with and with the unanimous consent of the Policy Board has unauthorized \$2,500,000 to be retained in the Operating account as working capital; and

WHEREAS, Section 22a-267(6) of the Connecticut General Statutes authorizes the Board of Directors to segregate such Authority revenues as may at any time be adjudged by said directors to be surplus to the needs of the Authority to meet its contractual and other obligations and to provide for its operations or other business purposes, and to equitably redistribute such segregated surplus revenues to some or all of the users of the system in accordance with applicable provisions of the state solid waste management plan; and

WHEREAS, the Authority's Procedures For The Use of Surplus Funds (the "Procedures") authorize the Authority, with respect to unbudgeted surplus funds received from a particular project and subject to the requirements of Section 22a-267(6) of the Connecticut General Statutes, to use the surplus funds as follows:

1. to utilize such unbudgeted surplus funds in accordance with any contract or agreement for the use of such funds; or
2. to appropriate such unbudgeted surplus funds to future budgets for such project; or
3. upon approval of a majority of directors present, to utilize the funds in a way other than as so expressly specified in the Procedures; and

WHEREAS, the Board of Directors has adjudged that \$26,674,579 of the Undesignated Balance is surplus to the needs of the Authority to meet its contractual and other obligations and to provide for its operations or other business purposes (the "Surplus Revenues") relative to the

Project and the Authority's independent auditor has certified that the amount of the Undesignated Balance identified as Surplus Revenues is represented by cash and/or investments; and

WHEREAS, the Policy Board has unanimously requested that the Surplus Revenues be equitably distributed to the Wallingford Project member towns, consisting of the towns of Cheshire, Hamden, Meriden, North Haven, and Wallingford, Connecticut (the "Towns");

NOW THEREFORE, IT IS HEREBY

RESOLVED: That \$26,674,579 of the Undesignated Balance in the Operating Account is adjudged by the Board of Directors to be surplus to the needs of the Authority to meet its contractual and other obligations and to provide for its operations or other business purposes relative to the Wallingford Project; and it is

FURTHER RESOLVED: That such \$26,674,579 shall be equitably distributed to the Towns based on the relative amounts of Acceptable Solid Waste delivered by each Town during the time period beginning July 1, 2003 and ending June 30, 2008, and distributed on a comparable dollar per ton basis for each municipality as follows:

FURTHER RESOLVED: That such \$26,674,579 shall be equitably distributed to the Towns based on the relative amounts of Acceptable Solid Waste delivered by each Town during the time period beginning July 1, 2003 and ending June 30, 2008, and distributed on a comparable dollar per ton basis for each municipality as follows:

| Town: | Total Tons delivered FY 2003-2008: | Amount to be Distributed: |
|-------------|---------------------------------------|------------------------------|
| Cheshire | 98,860 | \$3,471,075 |
| Hamden | 171,174 | \$6,010,094 |
| Meriden | 169,569 | \$5,953,740 |
| North Haven | 114,959 | \$4,036,328 |
| Wallingford | 205,159 | \$7,203,342 |
| TOTAL | 759,721 | \$26,674,579 |

and it is

FURTHER RESOLVED: That to the extent the foregoing resolutions constitute a use of surplus funds in a way other than as expressly specified in the Procedures, such alternative use is hereby approved, as permitted by Section 2 of the Procedures.

Mr. Bolduc said that the resolution looks at the reserve and operating funds to ensure the amounts of money in the accounts certified by CRRA's outside auditors are available for distribution. He said the resolution details the procedure of the distribution of surplus funds by state statute. Mr.

Bolduc said included is also an analysis which was done internally that concerns the flow of funds through the reserves and the operating funds.

Mr. Bolduc said the dollars from the future use planning reserve were calculated and withheld to pay remaining and outstanding bills. He explained that as result management said that certain transfers could be made out of the future use fund to the operating account. Mr. Bolduc said that the future use fund is an unrestricted Board designated account and that any money out of that account requires Board action which is what this resolution is providing.

The motion previously made and seconded was approved unanimously.

| Directors | Aye | Nay | Abstain |
|----------------------------------|------------|------------|----------------|
| Michael Pace, Chairman | X | | |
| Dave Damer | X | | |
| Alan Desmarais | X | | |
| Timothy Griswold | X | | |
| Mark Lauretti | X | | |
| Theodore Martland | X | | |
| Raymond O'Brien | X | | |
| Linda Savitsky | X | | |
| | | | |
| Ad-Hocs | | | |
| | | | |
| Steve Edwards, Bridgeport | | | |
| Warren C. Howe, Jr., Wallingford | X | | |
| Geno Zandri, Wallingford | X | | |

RESOLUTION REGARDING THE WALLINGFORD RESERVE

Chairman Pace requested a motion to approve the above referenced motion. Director Martland made the motion, which was seconded by Vice-Chairman O'Brien.

WHEREAS, at its April 2005 meeting, this Board established the Wallingford Future Use/Planning Reserve (the "Future Use Reserve") for the purpose of funding termination costs associated with the Wallingford Project (the "Project"), extension costs associated with the Project, or costs associated with developing a new strategy for the Project's member towns upon termination of the Project on June 30, 2010; and

WHEREAS, the Project member towns, consisting of the towns of Cheshire, Hamden, Meriden, North Haven, and Wallingford, Connecticut (collectively, the "Towns") have all executed new agreements with Covanta for post-Project municipal solid waste disposal services (the "New Agreements") which agreements commence July 1, 2010; and

WHEREAS, at its meeting on January 29, 2009, this Board authorized the creation of a Project Closure Reserve to cover costs associated with the closure/termination of the Project and also authorized the transfer of \$820,000 from the Future Use Reserve to the Project Closure Reserve; and

WHEREAS, the Authority, in light of the New Agreements and in consultation with the Wallingford Project Policy Board (the "Policy Board"), has determined that the purposes for which the Future Use Reserve was established in 2005 have either been concluded or adequate provision has been made for such purpose through the Project Closure Reserve; and

WHEREAS, the current balance in the Future Use Reserve is \$10,894,005, reflecting the transfer of \$820,000 to the Project Closure Reserve; and

WHEREAS, the Authority, in consultation with the Policy Board, has determined that \$190,000 is sufficient to pay certain invoices outstanding as of January 31, 2009, which sums are properly payable from the Future Use Reserve.

NOW THEREFORE, it is

RESOLVED: That \$10,704,005 be transferred from the Future Use Reserve to the Wallingford Project Operating Account, leaving a balance of \$190,000 in the Future Use Reserve; and it is

FURTHER RESOLVED: That the funds remaining in the Future Use Reserve be used to pay certain outstanding invoices totaling \$190,000, as agreed by the Authority and the Policy Board; and it is

FURTHER RESOLVED: That should any funds remain in the Future Use Reserve following payment of such invoices, such funds shall be transferred to the Project Operating Account; and it is

FURTHER RESOLVED: That upon disbursement of all funds in the Future Use Reserve, the Future Use Reserve fund shall be dissolved.

Director Lauretti said that a lengthy discussion was held concerning this matter at the Finance Committee meeting.

Director Damer said that this resolution inserts a third whereas which talks about the consultation between the Board and the Wallingford Policy Board for the operating account.

The motion previously made and seconded was approved unanimously by roll call.

| Directors | Aye | Nay | Abstain |
|----------------------------------|------------|------------|----------------|
| Michael Pace, Chairman | X | | |
| Dave Damer | X | | |
| Alan Desmarais | X | | |
| Timothy Griswold | X | | |
| Mark Lauretti | X | | |
| Theodore Martland | X | | |
| Raymond O'Brien | X | | |
| Linda Savitsky | X | | |
| | | | |
| Ad-Hocs | | | |
| | | | |
| Steve Edwards, Bridgeport | | | |
| Warren C, Howe, Jr., Wallingford | X | | |
| Geno Zandri, Wallingford | X | | |

UPDATE CONCERNING AUDITOR RFP

Director Savitsky said that a package has gone out to the members of the Finance Committee. She said the hiring and retaining of the independent auditor is a Board action and responsibility. She said that management has put together a sizable package containing a schedule of the process. Director Savitsky said that surprisingly only three responses were received to the auditor RFP one from New York and two from Connecticut.

Director Savitsky said that she was recommending to the Finance Committee that before the Board Meeting adjourns they identify a date to hold auditor interviews.

Chairman Pace asked if CRRA's current auditor is up. Director Savitsky said that the current auditor is ineligible because of the time and that a lengthy discussion was held concerning the fact that the six year provision had actually come into effect after their contract had expired. She explained in theory they had one more year that they could have worked for CRRA however, the contract with CRRA did not contain any extension provisions. Director Savitsky said that as a result the Finance Committee decided to go out to bid.

The Finance Committee agreed to meet on May 5, 2009, to perform the interviews.

Director Edwards asked Director Savitsky if she had any idea why only three responses to the RFP were received. She responded that she did not know and that she and Director Desmarais had supplied lists to management containing accounting firms which do work in Connecticut. Director Savitsky said that the largest was precluded because they do work for the MDC.

Mr. Bolduc said that letters were sent out along with the advertisements and that two of the solicitations came in through advertising. He said there was certainly good coverage and that he did not expect the big firms to respond.

CHAIRMAN'S REPORT

Chairman Pace asked Director Griswold to provide the Board with an update concerning the Mid-Connecticut Project Municipal Advisory Committee (hereinafter referred to as 'MAC') meeting which has occurred earlier that day.

Director Griswold said that the meeting was attended by a number of CEO's and town managers from the Mid-Connecticut Project, as well as representatives from the union at MDC. He said during the public comment portion of the meeting there were some comments by Mr. Bironi who is President of the AFSCME-Council 4 and Brian Anderson who is a legislative representative from the union. Director Griswold said those remarks were critical of the CRRA Board. He said that Mr. Sandler (the MDC attorney) also had some similar remarks, copies of which were made available to the Board.

Director Griswold said following those remarks the Committee went through the agenda. He said the group passed the resolutions which were enclosed, one with some modifications. Director Griswold said the resolution which detailed holding off on merit increases for CRRA employees was passed by the group. He said the position of SB 3 passed with some modifications, specifically dropping the reference to the town of Franklin and inserting " following regulatory process through the CT DEP" which prompted a discussion on the state of Solid Waste Management. He said another resolution which was passed was to proceed with the media awareness campaign.

Director Griswold said that Mr. Gaffey had made an excellent presentation concerning the diversion of waste from CRRA facilities to other facilities. He said Mr. Gaffey illustrated the loss of spot waste by demonstrating the lower prices at surrounding facilities. Director Griswold said that Mr. Gaffey recommended that towns have ordinances and other regulations to prohibit trans-diversion and to use permits and the like to stem diversion. He said while CRRA has enforcement to stop diversion there are still millions of dollars that should go to CRRA the cost of which flows to the various towns and cities which pay the bills.

Director Griswold said that there was a good discussion concerning single stream in conjunction with the awareness campaign, as well as some discussion concerning a media campaign being wise before all of the towns were on board. He said it was thought that educating the public is the main concern. He said that many of the Mid-Connecticut Project towns are already participating in the program and that many of the other towns will hopefully get on Board. Director Griswold said he thought it would be wise to have more communication between CRRA and the member towns concerning this particular issue as they have to adopt single stream. Director Griswold said there was also discussion held concerning the trash museum.

Director Laretti asked what the criticism was which was levied against the CRRA Board. Director Griswold said that Mr. Bironi had a communication (of which is attached as "Exhibit A"). Director Griswold shared an excerpt from the communication "We are here to protest the CRRA's attempt to break the lawfully executed contract with our local and our employer, the Metropolitan District Commission. We are here to protest the hypocrisy of CRRA management giving themselves pay raises while attacking the pay, pension and health care of our blue collar members".

Director Griswold read a second excerpt from Mr. Bironi's letter "CRRA 's management continues to be among the highest paid state employees. Yet, CRRA's responsibility has drastically shrunk, with the loss of two of the four facilities that it was supposed to control. Also, CRRA continues

to operate in a clandestine manner at its board meetings. We believe that the board and management have violated both the spirit and the letter of Freedom of Information law”.

Director Desmarais asked Mr. Sandler (MDC's attorney) if Mr. Bironi is the President of the union. Mr. Sandler said that he did not know. Director Desmarais said that the issue that Mr. Sandler addressed was public control of waste to energy facilities and that public control was probably a good public purpose. He said from his discussions with the Board that there is not much disagreement about and that given the choice of public control or private control of the facilities that public is the agreed upon choice.

Chairman Pace said that this continues along the typical strategy of confuse and diffuse by MDC. He said that there are a lot of claims in this communication that are incorrect and that there are also comments routinely made which he would say are equally at question, which is why he asked Mr. Sandler if he had any comments for the Board at the beginning of the meeting.

Director Savitsky asked that those Board members who could not attend the MAC meeting receive a copy of the material being discussed. She said secondly that she is very troubled by the allegations that the Board acts in a clandestine manner. Director Savitsky said that she is offended and that since she has been on the CRRA Board all meetings are held in public with adequate notice in reasonably accessible locations and that the Board does everything in its power including making the Board meetings available in Stratford as well. She said that she is extremely disturbed by a swipe like that which is totally unfounded.

Chairman Pace said that he would solely truly support the Governor's office taking a look at the management and the operation of the Board's of both organizations. Chairman Pace said that he thinks it is well in time for MDC to be looked at. He said he would support their prerogative.

Director Lauretti said that the reason he asked the question concerning what was said was that he did not have an opportunity to attend the meeting. He said that he has wanted to go to one of these meetings for quite some time just because of this. Director Lauretti said when you spend six or seven years at this and people repeatedly take shots and say things that are factually untrue in the public arena he is always of the position of mind to respond and let people know there is another point of view based on fact as opposed to another agenda and that he thinks the Board should have to continue to do that. He asked that he be noticed in advance of future meetings and that he will be happy to attend and to respond to some of these things.

Director Griswold said these comments were made in public comment at the MAC meeting and that they didn't want to get into a debate with the speakers at that point. He said whether this was an effort to communicate from the Union to the CEO's and so forth.

Director Lauretti said even if the comments were made during the public portion there is still a message which is sent by the speaker. Chairman Pace said that MDC's management and at least one member of their Board are putting fear in the union and the workers. He said that is a position this Board is not taking.

Chairman Pace said that he believed the Board members' points had been taken and that he was disappointed when he saw this again because he thinks for the workers (and he has said this on the record before) that CRRA has tried everything it can to keep the workers insulated from the dispute with

MDC and that has never been the CRRA Board's position. He said it has always been with the management of MDC. He said the whole dispute about the post contract costs, some of the towns had asked the Board to see what they could do to work this thing out. He said the Board had tried to work it out. He said he has not seen a formal claim yet he has seen a lot of numbers, a lot of FOIA, and a lot of smoke and mirror things. Chairman Pace said we had come to the table to resolve this and yet this is again using public people to confuse and diffuse what MDC's strategy is and to misrepresent the CRRA. He said that is why he asked Mr. Sandler if he cared to speak at the beginning of the meeting.

Director Desmarais said that he is probably much less upset than some other Board members. He said there is an old saying that in war the first casualty is the truth. He said CRRA is in a discussion with MDC over \$30 plus million dollars and he thinks we have seen the first casualty. Chairman Pace said that was well said.

Director Lauretti said that he does know through experience in the political arena that perception unfortunately carries the day good, bad or indifferent. He said to sit on the sidelines and not respond to some of these things is a mistake. Director Desmarais said he would trust his judgment.

Chairman Pace said he would wonder what it would cost the towns to have MDC continually monitor CRRA.

Mr. Kirk asked Director Lauretti if he had any suggestions on how CRRA should respond to the comments.

Director Lauretti said management has to look at the comments and put the facts before the Board. He said you go there as a representative and say there is another side to this which we want you to hear and here it is, and this is where we disagree.

Mr. Kirk said that he is suggesting that management put together a statement addressing those points made at the MAC meeting. Director Savitsky said that she believes that the CRRA Board has a responsibility to the towns which were not present at the meeting because they are all part of the same Mid-Connecticut group. She said she thinks the Board has a responsibility to them to make them aware of what went on at the meeting and what the Board's response is. She said that she tends to get very uneasy when everyone is screaming and yelling and the person that is being attacked is continually silent. She said she thinks it creates bigger problems. Director Savitsky said there is a point in time when one has to push back and say enough.

Director Desmarais said the Board has not taken a position and is not going to take a position suggesting that any of the pensions for the MDC workers should be removed or eliminated. He said that was stated as a fact and that bothered him the most. Director Desmarais said that this Board was credited with opposing pension for MDC workers and he understands the legal ramification in terms of the fiduciary responsibilities and he is not taking any position nor has he heard any one else take that position. He said the employees stated that as a fact and that is incorrect.

Director Lauretti said when you sit here year after year and one group after another taking shots and taking issue with the credibility of the people that sit on this Board he said he is not going to sit on the sidelines. He asked in what bankruptcy do people recover the kind of monetary gain that CRRA recovered for Mid-Connecticut a \$150 plus million out of the \$220 million. He said that gets shadowed

all the time about the competence of this Board. He said the newspapers don't want to print the other side. Director Lauretti said we have got to create a forum to be heard. This is unfortunately politics 101.

Director Martland said that he wants to agree with what was said and he said he was going to take advantage of his age. He said there was a gentleman named Goebbles who repeated a lie, and repeated a lie and eventually people believed it.

Vice-Chairman O'Brien said that he agrees with Director Lauretti. He said he would come right out and say these things are not true and that these are straight out not factual.

Chairman Pace said that this Board may recognize that every once and awhile he will make a clarification statement of something that happens so that people can write the correct notes. He said this is typical of the strategy of confuse and diffuse. He said he also thinks there is a malicious intent and that it has some legal ramifications. He said this Board's credibility and what goes on with MDC trying to knock it and taking a look at both organizations he would have no problem with the Governor giving us an opinion and would also ask that the Governor give an opinion as to the leadership of the Board and management of MDC.

Director Martland said that this issue relates to the group that is supposed to oversee the CRRA Board. He said his point is that the legislature appointed the Board members.

Director Damer asked how many of the towns were represented at the meeting. Director Griswold said there was probably about a dozen. Director Damer asked if the letter went just to them. Director Griswold said this was a copy of the remarks stated at the meeting and a transcript of what was said. Director Damer asked if we know if a copy was sent to the other towns which were not represented.

Mr. Kirk said managements' practice is to copy these letters and insert them into the minutes as public comment. Director Damer said it seems to him that a written response should be ready to go so that the towns can see. Mr. Kirk said that he would prepare a response. Director Desmarais asked that the response carry the entire Board's signature. He said he is not sure if the fact that the Board is composed predominantly of municipal officials rather than predominantly state appointed political people is well understood out there.

Director Savitsky asked if there had been a date set for the next MDC meetings. Director Griswold said that copies of the letter as well as the planned MDC dates would be distributed to the Board. He said the proposed MAC by-laws require a quorum of 36 people which will not happen. He said everyone was asked to annotate to get the by-laws drafted and that the group will be very realistic on the attendance requirement.

Director Desmarais said there was a request from one of the representatives to allow towns to appoint one representative. He said that pretty much the statement was we will rotate a CEO through this position. Director Griswold said there may be a proxy set-up and that the group would like to require a high level of participation however the down side is if they don't show up they are stuck.

RESOLUTION CONGRATULATING SHELTON INTERMEDIATE SCHOOL

Chairman Pace requested a motion to approve the above referenced motion. Vice-Chairman O'Brien made the motion, which was seconded by Director Martland.

WHEREAS education and public awareness have been proven to increase recycling; and

WHEREAS education of young people about recycling prompts them to spread that message to their parents and other family members; and

WHEREAS since 1993 the Garbage Museum in Stratford, Connecticut, has been teaching people how to protect their environment by recycling and thinking before throwing something into the trash; and

WHEREAS the Garbage Museum has been operated by the Connecticut Resources Recovery Authority since 1997; and

WHEREAS the Garbage Museum has become a favorite destination for students and created a positive image for the Connecticut Resources Recovery Authority; and

WHEREAS a group of students from Shelton Intermediate School created a news report about the Garbage Museum for WTIC-TV's "Fox 61 Student News;" and

WHEREAS the contest judge, upon viewing the segment, commented, "Good job finding a good story and making me care;" and

WHEREAS that segment was awarded First Prize for Best Environmental Story and the Outstanding Achievement Award in the Fox 61 Student News Middle School Division contest; now therefore,

BE IT RESOLVED that the Connecticut Resources Recovery Authority Board of Directors congratulates students **SELINA JOSE, KAITLYN MARISCO** and **CHELSEA RODRIGUES** of Shelton Intermediate School, along with their teacher, **DENNIS DAVID**, for their success in the Fox 61 Student News contest and wish them continued success in all their future endeavors.

Vice- Chairman O'Brien asked that this item be printed on CRRA letterhead and presented to the Shelton Intermediate School.

Director Lauretti said that when you are the Mayor of a City that gets statewide recognition that is always a proud moment. He said Shelton has an active contingency in towns for recycling as well as an anti-litter campaign in Shelton which has organized a week long clean sweep which includes a variety of activities including recycling and litter control throughout the city. Director Lauretti said that when you see awards like this being given out you recognize that people are getting the message.

Vice-Chairman O'Brien said that he has put Mr. Nonnenmacher in touch with a corporate executives with regards to the Stratford museum funding. He asked if it is possible to get a copy of this item and send it down to Atlanta. Mr. Kirk said that management has a video copy as the story was on Channel 61.

Director Lauretti asked if there is a plan to make a formal presentation to the kids at the school. Chairman Pace said he would take Director Lauretti's lead on that. Director Savitsky said as a former native of Shelton she was thrilled to see this. She added that it would be great if someone from the Board could be at that presentation. Chairman Pace said that Vice-Chairman O'Brien could represent the Board.

The motion previously made and seconded was approved unanimously by roll call.

| Directors | Aye | Nay | Abstain |
|----------------------------------|-----|-----|---------|
| Michael Pace, Chairman | X | | |
| Dave Damer | X | | |
| Alan Desmarais | X | | |
| Timothy Griswold | X | | |
| Mark Lauretti | X | | |
| Theodore Martland | X | | |
| Raymond O'Brien | X | | |
| Linda Savitsky | X | | |
| | | | |
| Ad-Hocs | | | |
| | | | |
| Steve Edwards, Bridgeport | X | | |
| Warren C, Howe, Jr., Wallingford | | | |
| Geno Zandri, Wallingford | | | |

RESOLUTION REGARDING THE DELIVERY OF COVER SOILS TO THE HARTFORD LANDFILL

Chairman Pace requested a motion to approve the above referenced motion. Vice-Chairman O'Brien made the motion, which was seconded by Director Martland.

RESOLVED: That the President is hereby authorized to enter into a contract with Earth Technology, Inc. for delivery of soil to be used as cover material at the Hartford Landfill, and as approved by the Connecticut Department of Environmental Protection, substantially as discussed and presented at this meeting.

Chairman Pace said that the Board has reviewed similar resolutions over the past few months. Vice-Chairman O'Brien said that these resolutions are very similar to those recently approved.

The motion previously made and seconded was approved unanimously by roll call.

| Directors | Aye | Nay | Abstain |
|----------------------------------|------------|------------|----------------|
| Michael Pace, Chairman | X | | |
| Dave Damer | X | | |
| Alan Desmarais | X | | |
| Timothy Griswold | X | | |
| Mark Lauretti | X | | |
| Theodore Martland | X | | |
| Raymond O'Brien | X | | |
| Linda Savitsky | X | | |
| | | | |
| Ad-Hocs | | | |
| | | | |
| Steve Edwards, Bridgeport | | | |
| Warren C, Howe, Jr., Wallingford | | | |
| Geno Zandri, Wallingford | | | |

RESOLUTION REGARDING THE DELIVERY OF COVER SOILS TO THE HARTFORD LANDFILL

Chairman Pace requested a motion to approve the above referenced motion. Vice-Chairman O'Brien made the motion, which was seconded by Director Martland.

RESOLVED: That the President is hereby authorized to enter into a contract with Earth Technology, Inc. for delivery of soil to be used as cover material at the Hartford Landfill, and as approved by the Connecticut Department of Environmental Protection, substantially as discussed and presented at this meeting.

The motion previously made and seconded was approved unanimously by roll call.

| Directors | Aye | Nay | Abstain |
|----------------------------------|------------|------------|----------------|
| Michael Pace, Chairman | X | | |
| Dave Damer | X | | |
| Alan Desmarais | X | | |
| Timothy Griswold | X | | |
| Mark Lauretti | X | | |
| Theodore Martland | X | | |
| Raymond O'Brien | X | | |
| Linda Savitsky | X | | |
| | | | |
| Ad-Hocs | | | |
| | | | |
| Steve Edwards, Bridgeport | | | |
| Warren C, Howe, Jr., Wallingford | | | |
| Geno Zandri, Wallingford | | | |

RESOLUTION REGARDING THE DELIVERY OF COVER SOILS TO THE HARTFORD LANDFILL

Chairman Pace requested a motion to approve the above referenced motion. Vice-Chairman O'Brien made the motion, which was seconded by Director Martland.

RESOLVED: That the President is hereby authorized to enter into a contract with Earth Technology, Inc. for delivery of soil to be used as cover material at the Hartford Landfill, and as approved by the Connecticut Department of Environmental Protection, substantially as discussed and presented at this meeting.

The motion previously made and seconded was approved unanimously by roll call.

| Directors | Aye | Nay | Abstain |
|----------------------------------|------------|------------|----------------|
| Michael Pace, Chairman | X | | |
| Dave Damer | X | | |
| Alan Desmarais | X | | |
| Timothy Griswold | X | | |
| Mark Lauretti | X | | |
| Theodore Martland | X | | |
| Raymond O'Brien | X | | |
| Linda Savitsky | X | | |
| | | | |
| Ad-Hocs | | | |
| | | | |
| Steve Edwards, Bridgeport | | | |
| Warren C, Howe, Jr., Wallingford | | | |
| Geno Zandri, Wallingford | | | |

RESOLUTION REGARDING CONSULTING SERVICES RELATED TO THE MID-CONN POWER BLOCK FACILITY

Chairman Pace requested a motion to approve the above referenced motion. Vice-Chairman O'Brien made the motion, which was seconded by Director Desmarais.

RESOLVED: That the President is hereby authorized to execute an agreement with the Nels Consulting Services Inc. for the analysis of air flow and air loss at the Mid-Connecticut Project Power Block Facility, substantially as presented and discussed at this meeting.

Vice-Chairman O'Brien said that this resolution was well presented and thoroughly discussed at the Policies and Procurement meeting. He said their was one change from the original resolution which adds a step in the process that will provide for a review of the field measurements and testing before proceeding to ensure adequate review. Vice-Chairman O'Brien said that this is a good and necessary project.

Mr. Kirk said that there was a very thorough review and examination at the Policies and Procurement meeting.

Director Griswold asked if this resolution creates a functioning floor model. Mr. Kirk said yes. He explained the model is a very common approach used in engineering process design to allow management to better understand the flow dynamics and therefore effect engineering changes to minimize very expensive problems.

Vice-Chairman O'Brien said that a good statement of what the objectives are was also added to this resolution. Chairman Pace asked if these are budgeted funds, Vice-Chairman O'Brien replied yes.

The motion previously made and seconded was approved unanimously by roll call.

| Directors | Aye | Nay | Abstain |
|----------------------------------|------------|------------|----------------|
| Michael Pace, Chairman | X | | |
| Dave Damer | X | | |
| Alan Desmarais | X | | |
| Timothy Griswold | X | | |
| Mark Lauretti | X | | |
| Theodore Martland | X | | |
| Raymond O'Brien | X | | |
| Linda Savitsky | X | | |
| | | | |
| Ad-Hocs | | | |
| | | | |
| Steve Edwards, Bridgeport | | | |
| Warren C, Howe, Jr., Wallingford | | | |
| Geno Zandri, Wallingford | | | |

RESOLUTION REGARDING THE PURCHASE OF TWO SPARE FREE TURBINES FOR THE JET TURBINE FACILITY

Chairman Pace requested a motion to approve the above referenced motion. Vice-Chairman O'Brien made the motion, which was seconded by Director Martland.

RESOLVED: That the President is hereby authorized to execute an amendment to the existing agreement with Northeast Generation Services Company, Inc. to purchase two spare free turbines for the Mid-Connecticut Jet Turbine Facility, substantially as presented and discussed at this meeting.

Vice-Chairman O'Brien said that the Policies & Procurement Committee had done a thorough review of the resolution. He thanked Director Damer for his insight and understanding of these problems. He said the Committee also received a review of the consultant reports which led to this resolution. Vice-Chairman O'Brien said this is clearly a worthwhile project and this is a valuable asset

and will protect CRRA's revenue stream between now and 2012. He said CRRA is also setting itself up either to continue generating for the long term or to sell the facility at a profit which may be what CRRA should do to allow for a concentration on waste-to-energy rather than jet-fuel-to-energy.

Vice-Chairman O'Brien said in the financial summary in the second paragraph if one turbine is lost for one month the loss is \$388,000 in just revenue from electricity sales and doesn't count towards the damage to capacity payments and other payments. He said the loss for two months is $\frac{3}{4}$ of a million dollars and that a very thorough evaluation is contained.

Vice-Chairman O'Brien said that management plans to start doing some of the maintenance on the turbines which have not had major overhaul when the spare turbine is available. He said this is a project that CRRA should be doing and has a payback and that CL&P is going to pay the 7% management fee of \$145,000.

Chairman Pace said in the write-up he saw the investment was \$2 million however the equity will go up by more than that amount. Mr. Bolduc said that it has the potential considering market value.

Director Damer said Mr. Tracey did an excellent job answering his questions from the Policies and Procurement meeting by providing the consultants' report and adding information to the write-up. He said his concerns were on the level of confidence management had on the value of this item moving forward. Director Damer said those questions have all been answered and detailed and noted that there is always some risk.

Vice-Chairman O'Brien said that the R.W. Beck report shows very clearly that the net revenue including the capital costs for these turbines through 2012 will be \$11.8 million if it went out to 2028 (which CRRA may be able to move to with a free turbine) it will be a \$112 million payback and that CRRA is protecting that revenue stream by having it.

Mr. Kirk said the discussion held by the Policies & Procurement Committee went into depth concerning the engineering aspects of this resolution. He said that between Vice-Chairman O'Brien and Director Damer (who was a mechanical engineer graduating from WPI) the issue was examined thoroughly from an engineering standpoint.

Director Desmarais said this might be a way to capitalize this asset and use it for funding mechanisms which should be explored.

The motion previously made and seconded was approved unanimously by roll call.

| Directors | Aye | Nay | Abstain |
|----------------------------------|------------|------------|----------------|
| Michael Pace, Chairman | X | | |
| Dave Damer | X | | |
| Alan Desmarais | X | | |
| Timothy Griswold | X | | |
| Mark Lauretti | X | | |
| Theodore Martland | X | | |
| Raymond O'Brien | X | | |
| Linda Savitsky | X | | |
| | | | |
| Ad-Hocs | | | |
| | | | |
| Steve Edwards, Bridgeport | | | |
| Warren C, Howe, Jr., Wallingford | | | |
| Geno Zandri, Wallingford | | | |

RESOLUTION REGARDING THE FOURTH AMENDMENT TO THE AGREEMENT WITH CASELLA WASTE SYSTEMS, INC. AND FCR, LLC. FOR DESIGN, UPGRADE, RETROFIT AND OPERATION/MAINTENANCE SERVICES FOR THE REGIONAL RECYCLING CENTER FOR THE MID-CONNECTICUT PROJECT

Chairman Pace requested a motion to approve the above referenced motion. Vice-Chairman O'Brien made the motion, which was seconded by Director Martland.

WHEREAS: Global recycling markets experienced unprecedented reductions in commodity pricing beginning in October 2008 and continuing into calendar year 2009 that has resulted in significant negative impacts on revenues realized by recycling facility operators and;

WHEREAS: The Operating Agreement between CRRA and FCR, LLC provides CRRA with very favorable per ton rebate revenues for all recyclables delivered to the Mid-Connecticut Regional Recycling Center and receipt of 50% of all commodity sales revenue and;

WHEREAS: CRRA and FCR, LLC have had a very successful long-term partnership including retrofitting the Recycling Center in 2006 and again in 2008 when Single Stream technology was added to the facility and has proven to significantly raise participation and recycling rates in the member municipalities and;

WHEREAS: FCR, LLC has requested temporary financial relief by reducing the per ton rebate payments to CRRA until commodity market pricing returns to more reasonable levels and;

WHEREAS: FCR, LLC has agreed to increase CRRA's share of commodity sales revenue and substantially increase the guaranteed per ton rebate payment for all recyclables delivered well beyond current contract requirements once commingled containers reach an average commodity revenue benchmark of \$80 per ton and;

WHEREAS: the municipalities of the Mid-Connecticut Project will continue to benefit from a very favorable contract and increased recycling opportunities therefore;

RESOLVED: That the President is hereby authorized to execute a fourth amendment to the agreement with Casella Waste Systems, Inc. and FCR, Inc. for the design, upgrade, retrofit and operation/maintenance services for the Mid-Connecticut Regional Recycling Center modify the per ton rebate and commodity revenue sharing payments substantially as presented at this meeting.

Vice-Chairman O'Brien clarified that although the information provided concerning this matter indicated that CRRA will be incurring a loss that it is only partially true. He explained CRRA will be seeing less revenue but recycling will not present a cost to CRRA or to the Mid-Conn Project. Vice-Chairman O'Brien said that according to the analysis by year three CRRA will have recovered any losses. Mr. Kirk said that is correct with reasonable assumptions.

Vice-Chairman O'Brien said that the Board is aware that the bottom has fallen out of the recyclables market and it is unfortunate that the Stratford group was unable to secure a deal like the Mid-Conn Project and that there is no Stratford group.

Mr. Kirk said that as of the prior day there is a Stratford group. Director Edwards said that the SWEROC group had voted the prior day to maintain the facility at a lower rate and unfortunately the group does not have the 50,000-55,000 tons they would like to have but they do expect to have 40,000 tons going forward. Director Edwards said the loss of the Stratford garbage museum is unfortunate but there are currently no funds for its continuation.

Vice-Chairman O'Brien said this is more incentive to approve this resolution in order to keep FCR in the game.

Mr. Gaffey introduced Mr. Duffy who heads FCR which is CRRA's partner in the Hartford Regional Recycling Facility, Mid-Connecticut Recycling Facility and the Southwest Regional Recycling Facility in Stratford. He explained Mr. Duffy started out in the business in Fairfield when it was Fairfield County Redemption and knows a lot about the bottle bill. Mr. Gaffey said that Mr. Duffy is one of the leading experts on recycling and is up from Charlotte, N.C. He said CRRA is still hopeful it will get some stimulus money to retrofit the Stratford Recycling Facility for single stream recycling.

Mr. Gaffey said that Mr. Duffy contacted management when the commodities market crashed shortly after the end of October 2008 and asked for some relief from the current contract with CRRA into November 2008. Mr. Gaffey asked the Board to keep in mind that in his opinion CRRA enjoys the most lucrative public entity contract in America through FCR.

Mr. Gaffey said that CRRA is paid for every ton of recyclables which go over the scale and most facilities in the country are paying their vendor upward from \$50.00-\$60.00 a ton for the same service. He said management wants to help keep FCR healthy and that its parent company Casella (which is also on the agreement) has seen stock prices drop from \$14.00 down to .55 cents back to \$1.70.

Mr. Gaffey said that the contract summary provided contains some updated numbers because it was initially calculated with an amendment going out to May 1, 2009. He explained Mr. Duffy had asked for relief going back to February which led to an agreement between both parties to begin March

1, 2009. Mr. Gaffey said that net present value analysis demonstrates the effect of this amendment from March 1, 2009 going forward. He said that CRRA will be temporarily losing some revenue that it will eventually realize and make out better in the third year than it would under the current contract.

Mr. Nichols said in year one CRRA will lose about \$433,000 against the existing contract based on the modification. He explained the average commodity rate (hereinafter referred to as "ACR") goes up for co-mingled materials and CRRA will almost be at the point of breaking even in year two and by year three all costs will be re-couped. Mr. Nicholas said that the break even point on the ACR is \$80.00 and that is where CRRA will start to gain money back.

Vice-Chairman O'Brien asked what the current equivalent of the \$80.00 ACR is. Mr. Gaffey said it is probably around \$40.00-\$45.00. Mr. Kirk said that is not an unrealistic assumption even though it's around half of the number needed. He said the markets have been up and down for years and the consensus is clear that is expected to recover and the ACR figure with it.

Mr. Kirk said that CRRA does not have to relieve FCR but that from a management standpoint FCR has worked well with CRRA on this and other projects and CRRA continues to work closely with CRRA on solid waste issues. Mr. Kirk said that FCR's parent company owns landfills that CRRA may have interest in utilizing in the future. Mr. Kirk said CRRA has an opportunity to improve their upside down the road and that this sort of arrangement is demonstrative of the kind of flexibility and cooperation that CRRA asks for from contractors.

Director Griswold asked how the financial health of the parent company is. Mr. Duffy said Cassella is still making money. He said that this amendment is to guarantee payments to CRRA even at a reduction which is truly unique in the industry.

Director Martland said that he thinks this is a good business deal.

The Board undertook a substantial discussion concerning the current recycling market.

Director Edwards asked Mr. Duffy how the ACR is at Mid-Conn in comparison to Stratford as one is dual stream versus single stream. Mr. Duffy said the ACR is extremely similar at both. He explained the state of the art facility is run at less than two percent residual and in most cases less than one percent. Mr. Duffy explained the Mid-Conn project has the advantage of rail in Hartford for more volume and the ability to lock into higher fiber prices which are able to support the rebate structure which was implemented. He explained this has been communicated to the Stratford community.

Director Edwards said that it was encouraging that FCR is able to keep the same high ACR with a greater volume or weight without a drop-off. Mr. Duffy said FCR's source of income is based on the quality and recovery of the plant and as a result that is their focus. Director Edwards said that this is a plus for the larger communities looking into single stream.

Director Desmarais said that he does not like the idea of a proposed ACR figure. He said the bigger issue is that CRRA has the obligation to keep the golden goose alive and in that sense a formula should be in place for restructuring. He said in that sense that this contract should be kept alive.

The motion previously made and seconded was approved unanimously by roll call.

| Directors | Aye | Nay | Abstain |
|----------------------------------|-----|-----|---------|
| Michael Pace, Chairman | X | | |
| Dave Damer | X | | |
| Alan Desmarais | X | | |
| Timothy Griswold | X | | |
| Michael Jarjura | X | | |
| Mark Lauretti | X | | |
| Theodore Martland | X | | |
| Raymond O'Brien | X | | |
| Linda Savitsky | X | | |
| | | | |
| Ad-Hocs | | | |
| | | | |
| Steve Edwards, Bridgeport | | | |
| Warren C, Howe, Jr., Wallingford | | | |
| Geno Zandri, Wallingford | | | |

RESOLUTION REGARDING REQUEST FOR SERVICES FOR SINGLE STREAM RECYCLING MARKETING AND PUBLIC RELATIONS CAMPAIGN

Chairman Pace requested a motion to approve the above referenced motion. Vice-Chairman O'Brien made the motion, which was seconded by Director Desmarais.

RESOLVED: That the President is hereby authorized to approve a Request for Services with Pita Communications LLC for services associated with CRRA's single-stream recycling marketing and public relations campaign substantially as presented and discussed at this meeting.

Chairman Pace said that there had been some discussion concerning this resolution at the prior Board meeting. He said that Director Griswold held a conversation concerning this matter with the MAC Board as well.

Director Griswold said that this matter was favorably received by the MAC Board. Chairman Pace said the Board's prior request was for Director Griswold to get feed-back from the MAC group which he has since done. Director Griswold said the group has adopted this resolution.

Director Edwards said at the last meeting he asked for this resolution to be held off until negotiations were completed he said he is in support now that those negotiations are completed.

Chairman Pace said the Board also wanted the Mid-Conn CEO's to know this was coming before it was undertaken. Mr. Kirk said that CRRA committed to providing each Mid-Conn town's CEO with advice on how CRRA is proceeding with this matter. He said the conclusion of the MAC meeting was that this is important public information.

Mr. Kirk said there were a number of very important questions raised at the last Board meeting and said he is confident that this revised resolution and write-up answers them. Mr. Kirk said the MAC meeting walked through the process of the radio buys with two representatives from Pita

communications. He said that management recognizes it is tough to quantify success with radio advertising. He said that the MAC group was favorably impressed with the presentation such that there is recognition that this is an important job for CRRA as implementers of the Solid Waste Management Plan.

Chairman Paces asked that the public works directors receive these communications as well with a direct e-mail.

Director Martland asked if CRRA goes single stream than in effect Waterbury gains an advantage because they do not pay for the recyclables in trash. Mr. Kirk said this is true as any town that goes to single stream will see a double digit increase in their recycling rate and a corresponding decrease in the amount of garbage they are paying to get rid off.

Director Martland asked if commercial carriers were involved in single stream if it would be an advantage to the town. Mr. Kirk said this is correct.

Vice-Chairman O'Brien asked if the recycling coordinators used by many towns have been identified and notified of this information. Mr. Kirk said that he believes that management has identified most of these representatives.

Director Savitsky said it is impossible to get a perfect mailing list for such information but that management is doing the best it can. She said secondly that she still has an issue with the radio method of communication. She said that she doesn't listen to commercial radio and thinks the Connecticut Public Radio system should be approached to broadcast this as a public service announcement.

Director Savitsky said that she is concerned that a certain demographic is not being reached. She asked if management has also thought about approaching a television program which is required to air public service announcements. Mr. Kirk said that he would try and time this possibility with the radio ads.

Director Desmarais said Pita communications professionals have the job of targeting the largest number of target audience members and that their expertise should be trusted. He said the MAC meeting well received this initiative.

The motion previously made and seconded was approved unanimously by roll call.

| Directors | Aye | Nay | Abstain |
|----------------------------------|-----|-----|---------|
| Michael Pace, Chairman | X | | |
| Dave Damer | X | | |
| Alan Desmarais | X | | |
| Timothy Griswold | X | | |
| Michael Jarjura | X | | |
| Mark Lauretti | X | | |
| Theodore Martland | X | | |
| Raymond O'Brien | X | | |
| Linda Savitsky | X | | |
| | | | |
| Ad-Hocs | | | |
| | | | |
| Steve Edwards, Bridgeport | | | |
| Warren C, Howe, Jr., Wallingford | | | |
| Geno Zandri, Wallingford | | | |

PRESIDENTS REPORT

Mr. Kirk said that the significant water quality test for Franklin landfill is now in progress and that test results for whether the site is suitable for the municipal water supplies will be back in a few weeks.

Mr. Kirk said that the Town of Franklin has formed an advisory non-binding referendum on the landfill and that CRRA is not involved. He said CRRA's position is that they will provide information as its implementation of the Solid Waste management plan and that he does not expect the results of the referendum to be good however it is a non-binding opinion of the town.

Mr. Kirk said that CRRA is in the process of affecting a multiple series of informational advertising of 4-6 ads in the local paper over the next few weeks.

Mr. Kirk said the tonnage diversion problem continues to be a problem and legal actions has taken place in one case and in other cases CRRA is in negotiations with haulers. He said a 433 submittal has been made which is a state statute which requires agencies to provide notice to the controllers of situations where the State has been financially compromised. He said that submittal was made associated with diversion issues.

Mr. Kirk said the surplus has been quantified and well received by the Wallingford towns. He said their participation in the CRRA project has been beneficial and successful.

Mr. Kirk said that the town of East Haven has decided to re-join the SWEROC project. He said the project's agreement has been extended by two years until July 1, 2011, and that management is still optimistic that the project will be on the short list for stimulus programs.

Mr. Kirk said that SB 3 is on the go list for the Senate which means that it will most likely be voted on that day. He said that management is pleased with the comments the bill left with from the

Planning and Development Committee where it passed by ten to seven. Mr. Kirk said that he is not optimistic that it will be killed in the Senate. He said management is cautiously optimistic that it will be thoroughly debated by the House.

Mr. Kirk said that HB 54-74 is a bill that CRRA has been helping with. He explained that Representative Bye is interesting in ensuring that towns are not financially penalized when they recycle down their put-or-pays.

Mr. Kirk said the HB 1058 is the bill concerning the oversight committee. He said an amendment was made that management believes protects the CRRA bond holders and bond indentures and essentially makes that oversight Board an advisory Board.

Director Martland asked if the Board could address people in the legislature concerning the oversight Committee bill. He said the Board was appointed by the legislature to do specific jobs which they do. Director Martland said the Board should decide who should contact whom.

Chairman Pace suggested a letter be written to the Governor's office at this point relating to issues with MDC and others and wrongful allegations. He said CRRA would welcome the Governor's office to investigate the workings and operations and Board leadership and Board actions of both the MDC and CRRA and stands welcome to their advice and consideration.

Director Savitsky said the auditors of public accountants are the legislative investigatory group and that they are in doing what they are supposed to be doing in accordance with the statute. She said it is important to remind people that not only does an independent public auditor come to CRRA for an audit but also the public accountants.

The Board discussed possible methods of communication concerning Chairman Pace's suggestion.

RECESS

Chairman Pace asked the Board to take a brief recess at 11:47 a.m.

The meeting reconvened at 11:53 a.m.

ORGANIZATIONAL SYNERGY & HUMAN RESOURCES COMMITTEE

Director Jarjura said that Organizational and Synergy Committee had met earlier that week and there are two items for presentation to the full Board.

Director Jarjura said as Mr. Kirk and Mr. Bolduc have stated that they will not receive any increases and their evaluations were approved by the Committee which wanted to report to the Board that fact as well as the fact that Director Damer abstained from the vote.

Director Damer noted that he and Mr. Kirk had a prior work relationship as he once reported directly to Mr. Kirk and therefore excused himself from the evaluation.

Director Desmarais asked if any goals or objectives of the CEO and CFO had been illustrated. Director Jarjura said that those were outlined for the benefit of the Committee.

Director Jarjura said that there has been discussion on this matter for 4-5 months. He said the Stratford museum is closing as there is no further funding. He said as of July 1 the two individuals working there will be terminated. Director Jarjura said that two employees have been with CRRA for a considerable amount of time and that the third has already left voluntarily. He said that the Committee wanted to get the approval of the full Board prior to providing any kind of package or transitional payment package.

Director Jarjura said that the Committee met with their designated personnel director and was in concurrence that they wished to offer something but wanted the consensus of the Board. He said he hadn't realized that the CRRA employees do not have sick time or banked days to carry with them at separation. Director Jarjura said once a decision is made it will send a signal to other employees.

Director Jarjura said the Board has already agreed that there will not be merit increases for the other employees. He said they will receive the scheduled cost of living increase but there will not be a merit increase.

Mr. Kirk said that management has the ability through procedures to offer a settlement in exchange for a release and this has been done in the past.

Director Desmarais asked if CRRA was to offer a payment what the funding source would be. Mr. Kirk replied that the funding is in the budget. Mr. Bolduc said it is part of the Bridgeport Project decommission costs but that a decision needs to be made promptly in order to close the audit for the Bridgeport Project.

Director Edwards said a precedent was set when the services of another employee were terminated many years before with a settlement package. Mr. Kirk said the Bridgeport Project acknowledged, voted and accepted that there would be severance arrangement. Director Edwards said it was anticipated that this is a project close-out expense.

Director Edwards requested that the Board receive the consensus of the Executive Committee of the SWEROC group.

After discussion the HR Committee thanked the Board for its insight and perspective and noted that the HR Committee will direct management accordingly.

EXECUTIVE SESSION

Upon inquiry by Chairman Pace no executive session was deemed necessary.

ADJOURNMENT

Chairman Pace requested a motion to adjourn the meeting. The motion made by Director Martland and seconded by Director Griswold was passed unanimously.

The meeting was adjourned at 12:08 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Moira Kenney", with a horizontal line extending to the right across the signature.

Moira Kenney
Secretary to the Board/Paralegal

My name is Gil Bironi and I am a president of a Council 4 AFSCME local union representing many of the Metropolitan District Commission workers at the Mid-CT Project. With me is Brian Anderson one of our legislative representatives. We are here to protest the Connecticut Resources Recovery Authority's attempts to take away our members' jobs. We are here to protest the CRRA's attempt to break the lawfully executed contract with our local and our employer, the Metropolitan District Commission. We are here to protest the hypocrisy of CRRA management giving themselves pay raises while attacking the pay, pension and health care of our blue collar members.

For more than twenty years, the MDC employees, by all accounts, have run and continue to run the Mid-CT Project very well. Our members do a hard and dangerous job. Yet, the CRRA has tried to duck its financial responsibility to its workers by trying to get out of its contractual obligation to pay for the workers' pension and health care benefits. At the same meeting at which CRRA leadership voted to dump their obligation to its workers' pensions and health care and attack the already agreed upon cost of living allowances, it attempted to pass a "market progression adjustment" for its director of operations. That is a euphemism for a pay raise. It did not disclose at the meeting how much money that pay raise was planned to be. CRRA never prints on its websites or minutes how much its executive pay raises or benefits are. This can only be obtained through FOI requests. This is unconscionable for a public agency. CRRA's management continues to be among the highest paid state employees. Yet, CRRA's responsibility has drastically shrunk, with the loss of two of the four facilities that it was supposed to control.

Also, CRRA continues to operate in a clandestine manner at its board meetings. We believe that the board and management have violated both the spirit and the letter of Freedom of Information law. CRRA uses executive session to screen actions from the public. When the CRRA board comes out of executive session, it does not disclose what action it is taking as a board, but simply authorizes CRRA management to proceed with what was discussed in executive session. They are bound by FOI law to disclose to the public what action that they are taking in the minutes. A government agency is not supposed to vote to take an undisclosed activity. That is why minutes exist. That is why a special law was passed to try and make CRRA more transparent. CRRA has still not responded to an FOI request that our union made over a month ago to find out what actions CRRA means to take regarding our pensions (at its January meeting).

An overriding question is where is Governor Rell? She has the responsibility for making sure that CRRA, which is purely an instrumentality of the state, runs properly. Yet, this agency continues to slip back into a shady manner of operation that is reminiscent of the Enron fiasco days. We believe that Governor Rell certainly needs to address the problems with CRRA acting in a clandestine manner during its meetings. Governor Rell also needs to address CRRA management

HANDOUT

APR 22 2009

FROM: Gil Bironi
Mid-Conn Mtn. ①

inability to stop privatization of a valuable state resource while it mouths opposition to privatization, and at the same time works actively for privatization. The public appearance of this couldn't be worse. In the meantime, we hope that the assembled municipal officials will take action to make the CRRA more accountable and transparent and to protect the Mid-CT Project from mismanagement and further privatization. Thank you, we'd be happy to answer any questions.

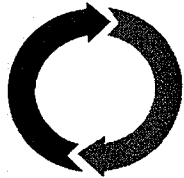
(2)

HANDOUT

APR 22 2009

FROM: Gil Bironi
Mid-Conn Mfg.

TAB 2



**CONNECTICUT
RESOURCES
RECOVERY
AUTHORITY**

**100 Constitution Plaza • Hartford • Connecticut • 06103 • Telephone (860)757-7700
Fax (860)757-7745**

MEMORANDUM

TO: CRRA Board of Directors

FROM: Moira Kenney, Secretary to the Board/Paralegal

DATE: May 28, 2009

RE: Correction to the minutes of the January 29, 2009, Board Meeting

Directors,

It has been brought to my attention that the Board minutes of January 29, 2009, contained a typographical error on page 16 which I have underlined for clarity.

I have since corrected the error, and changed the end of the Executive Session to reflect the correct end time, 12:50 p.m.

Thank you,

Moira Kenney
Secretary to the Board/Paralegal

Mr. Kirk said that the Sports Center encroached on CRRA property by a few feet and an agreement was made so that CRRA did not stop construction (as was within its rights.) He explained the agreement which had been made was not fully utilized until Mayor Lauretti was able to convert the usage into ice time for Shelton High School. Mr. Kirk said that there is a \$1,000.00-a-year CRRA scholarship as well. He said that the scholarship has been awarded annually to a Shelton resident studying environmental science.

Chairman Pace said that he had also received a letter from a young man from West Hartford schools. He said that he had contacted the young man's teacher and that Mr. Nonnenmacher will be contacting him as well to organize a school trip to the plant.

Director Savitsky noted that the CRRA Annual Meeting will take place on March 4, 2009, and encouraged the presence of the CRRA Board of Directors.

EXECUTIVE SESSION

Chairman Pace requested a motion to enter into Executive Session to discuss pending litigation with appropriate staff. The motion made by Director O'Brien and seconded by Director Savitsky was approved unanimously by roll call. Chairman Pace requested that the following people be invited to the Executive Session in addition to the Directors:

Tom Kirk
Jim Bolduc
Peter Egan
Laurie Hunt, Esq.

The Executive Session began at 12:10 p.m. and concluded at 12:10 p.m. Chairman Pace noted that no votes were taken in Executive Session.

The meeting was reconvened at 12:53 p.m., the door was opened, and the Board secretary and all members of the public were invited back in for the continuation of public session.

ADDITION OF ITEM TO THE AGENDA CONCERNING ARBITRATION WITH MDC

Chairman Pace requested a motion to add the above referenced item to the agenda. Vice-Chairman O'Brien made the motion which was seconded by Director Savitsky.

The motion to add an item to the agenda was approved unanimously by roll call.

Mr. Kirk said that the Sports Center encroached on CRRA property by a few feet and an agreement was made so that CRRA did not stop construction (as was within its rights.) He explained the agreement which had been made was not fully utilized until Mayor Lauretti was able to convert the usage into ice time for Shelton High School. Mr. Kirk said that there is a \$1,000.00-a-year CRRA scholarship as well. He said that the scholarship has been awarded annually to a Shelton resident studying environmental science.

Chairman Pace said that he had also received a letter from a young man from West Hartford schools. He said that he had contacted the young man's teacher and that Mr. Nonnenmacher will be contacting him as well to organize a school trip to the plant.

Director Savitsky noted that the CRRA Annual Meeting will take place on March 4, 2009, and encouraged the presence of the CRRA Board of Directors.

EXECUTIVE SESSION

Chairman Pace requested a motion to enter into Executive Session to discuss pending litigation with appropriate staff. The motion made by Director O'Brien and seconded by Director Savitsky was approved unanimously by roll call. Chairman Pace requested that the following people be invited to the Executive Session in addition to the Directors:

Tom Kirk
Jim Bolduc
Peter Egan
Laurie Hunt, Esq.

The Executive Session began at 12:10 p.m. and concluded at 12:50 p.m. Chairman Pace noted that no votes were taken in Executive Session.

The meeting was reconvened at 12:53 p.m., the door was opened, and the Board secretary and all members of the public were invited back in for the continuation of public session.

ADDITION OF ITEM TO THE AGENDA CONCERNING ARBITRATION WITH MDC

Chairman Pace requested a motion to add the above referenced item to the agenda. Vice-Chairman O'Brien made the motion which was seconded by Director Savitsky.

The motion to add an item to the agenda was approved unanimously by roll call.

TAB 3

**RESOLUTION AUTHORIZING A CONTRACT FOR
INDEPENDENT AUDITING SERVICES**

RESOLVED: That the President of the Authority be, and hereby is, authorized to enter into a contract with the auditing firm of _____ as substantially presented at this meeting. This contract will commence on June 1, 2009 and expire on March 31, 2012.

| | Aspen Consulting, dba Achyuta S. Nidadavolu, CPA | UHY, LLP | Bollam, Sheedy, Torani & Co., LLP, CPAs |
|--|---|---|---|
| <i>Contact Person</i> | Achyuta S. Nidadavolu, CPA | John H. Schuyler, Partner | Willard G. Reynolds, Partner |
| <i>Ownership (partnership, sole)</i> | Principal/Owner | LLP | LLP |
| <i>Location</i> | Trumbull, CT | Hartford, CT | Albany, NY |
| <i>Proposal Form completion</i> | Yes | Yes | Yes |
| <i>Annual Audit Fixed Fees</i> | \$40,000 \$44,000 \$48,400 | \$42,900 \$43,800 \$44,700 | \$70,000 \$74,000 \$77,000 |
| <i>Standard Fees by Personnel Levels</i> | \$150 \$100 \$60 | \$250 \$210 \$145 \$90 | \$235-\$300 \$170-\$220 \$160-\$190 \$135-\$155 \$100-\$140 \$120-\$150 \$70 |
| <i>Ancillary Service:</i> <i>- Travel in Firm-Owned Vehicle</i> | Seeking mileage reimb. based on IRS rates, tolls and parking, boarding and loading for travel over 150 miles with client approval, air travel with client approval | No mileage reimb. seeking | 40% of standard |
| <i>- Any other services for which Firm routinely bill</i> | No administrative overheads charged | None | IT system examination \$180/hr; On-call Accounting services & special projects: rates are based on personnel level (see hourly rates above) |
| <i>Client References</i> | Thomson Reuters, Inc. (Interim Controller managing SEC audit processes, Sarbanex-Oxley, policy and procedures documentation); KPMG, LLP (Enterpricewise risk assesment, Sarbanes-Oxley and quality control); and Dolby Laboratories, Inc. (SEC financial reporting) | CT Lottery Corp (audit of financial statements); CT Development Authority (audit of financial statements); and CT Transit (audit of financial statements) | Montgomery Otsego Schohaire Solid Waste Management Authority; Oneida-Herkimer Solid Waste Management Authority; and Clifton Park Water Authority. |
| <i>Background and experience provided</i> | Yes | Yes | Yes |
| <i>Questionnaire concerning Affirmative Action, Small Business Contractors and Occupational Health and Safety completion</i> | Yes | Yes | Yes |
| <i>Third Party Affidavit Provided</i> | Yes - no third party payment | Yes - no third party payment | Yes - no third party payment |
| <i>Certification concerning non-discrimination</i> | Yes | Yes | Yes |
| <i>Proposer's Background Questionnaire completion</i> | None | Yes | Yes |

CRRA - Analysis of Independent Auditor Proposals Matrix - 2009

Printed: 5/18/2009

| | Aspen Consulting, dba Achyuta S. Nidadavolu, CPA | UHY, LLP | Bollam, Sheedy, Torani & Co., LLP, CPAs |
|--|--|--|---|
| <i>Commit to CRRA Audit Schedule</i> | Yes | Yes | Yes |
| <i>Background of Personnel Assigned Provided?</i> | Only Principal/Owner | Yes | Yes |
| <i>Similar Auditing Experience</i> | None | Numerous CT quasi-public entities and non-CT public or quasi-public agencies | Counties, Cities, Towns, Villages, Federal Departments and Agencies, State Agencies, Government Funds, Programs, Fire Districts, and Public Authorities |
| <i>Solid Waste Experience</i> | None | CRRA. Former CRRA auditor (Simione, Scillia, Larrow & Dowling, LLC FY99-FY00 and Scillia, Larrow & Dowling, LLC FY01-FY02) | See Client References above |
| <i>Firm's Research and Analytical Capabilities</i> | Yes | Yes | Yes |
| <i>Info on Audit Approach</i> | Unclear (no indication of engagement planning; interim field work, final field work; and report, review and issuance). No hours provided | Yes - 310 hours | Yes - 500 hours (Firm will absorb the additional hours in year one of the engagement) |
| <i>Conflicts with CRRA</i> | None | None | None |
| <i>Conflicts with Vendors</i> | None | Pepe & Hazard, LLP | None |
| <i>Special Qualifications provided</i> | Yes | Yes | Yes |
| <i>Certificate of Insurance Provided</i> | None | Yes | None |
| <i>Peer Review Provided</i> | None | Yes | Yes |
| <i>Comments</i> | Offices in Trumbull, CT. Small business: 3 total personnel including owner | New England offices in New Haven and Hartford, and in Boston. 90 personnel in CT offices | Offices in Albany, Manhattan and Manhasset, NY. Over 126 total personnel |

TAB 4

**RESOLUTION REGARDING THE ADOPTION OF
THE FISCAL YEAR 2010 SOUTHWEST REGIONAL
RECYCLING
OPERATING BUDGET AND TIP FEE**

WHEREAS: On April 22, 2009, SWEROC approved a two year extension of the Operating Agreement with FCR; and

WHEREAS, CRRA approved same two year Operating Agreement extension and Lease Agreement extension with FCR; and

WHEREAS, Approval of said extension and Amendments enables the continuation of CRRA recycling services to the SWEROC member towns pursuant to state recycling goals; and

WHEREAS: On April 22, 2009 SWEROC accepted the Authority's proposed SouthWest Regional Recycling Operating Budget and SWEROC adopted certain regional expenses totaling \$38,000: now therefore be it

RESOLVED: That the fiscal year 2010 SouthWest Regional Recycling Operating budget totaling \$2,228,000.00 be adopted as presented at this meeting and that a fiscal year 2009 member tipping fee of \$0.00 per ton be adopted; and

FURTHER RESOLVED: That the Southwest Connecticut Regional Recycling Operating Committee budget totaling \$38,000.00 be adopted as presented at this meeting.

CONNECTICUT RESOURCES RECOVERY AUTHORITY
SWEROC

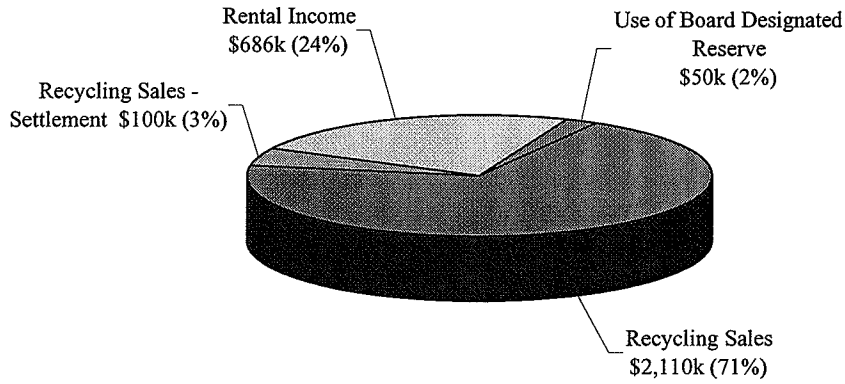
FISCAL YEAR 2010
SOUTHWEST REGIONAL RECYCLING
PROPOSED OPERATING BUDGET

April 28, 2009

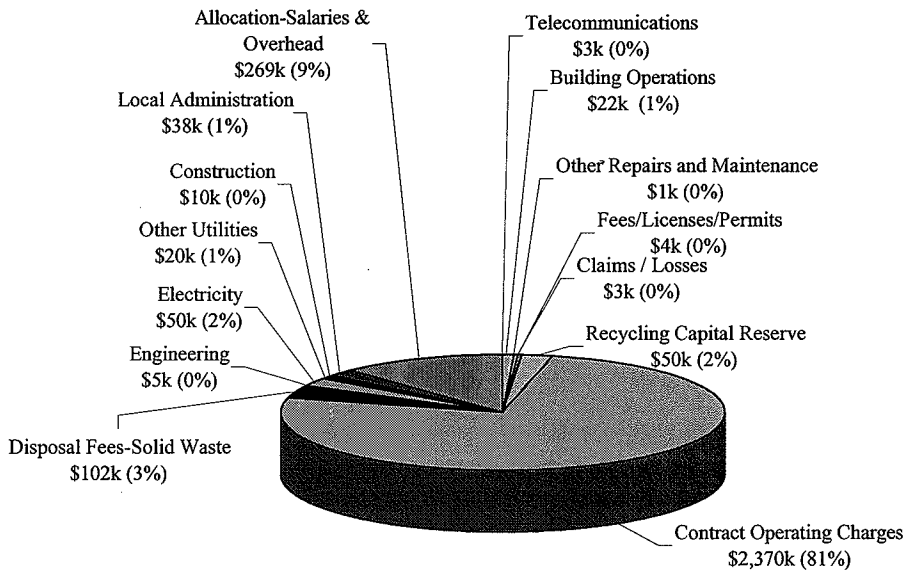
| Revenues | FY09 | FY10 | Increase / Decrease | |
|---------------------------------|-----------------|-----------------|---------------------|-------------|
| | Adopted | Proposed | \$ | % |
| Recycling Sales | \$ 2,526 | \$ 1,550 | \$ (976) | -39% |
| Service Charge | \$ - | \$ - | \$ - | 100% |
| Recycling Sales - Settlement | \$ 150 | \$ 100 | \$ (50) | -33% |
| Rental Income | \$ 1,185 | \$ 528 | \$ (657) | -55% |
| Miscellaneous Income | \$ 5 | \$ - | \$ (5) | -100% |
| Use of Board Designated Reserve | \$ - | \$ 50 | \$ 50 | 100% |
| TOTAL | \$ 3,866 | \$ 2,228 | \$ (1,638) | -42% |

| Expenditures | FY09 | FY10 | Increase / Decrease | |
|----------------------------------|-----------------|-----------------|---------------------|-------------|
| | Adopted | Proposed | \$ | % |
| Telecommunications | \$ 6 | \$ 3 | \$ (3) | -50% |
| Advertising | \$ 10 | \$ - | \$ (10) | -100% |
| Building Operations | \$ 80 | \$ 18 | \$ (62) | -78% |
| Other Repairs and Maintenance | \$ 14 | \$ 1 | \$ (13) | -93% |
| Fees/Licenses/Permits | \$ 4 | \$ 4 | \$ - | 0% |
| Claims / Losses | \$ 3 | \$ 3 | \$ - | 0% |
| Electronic Recycling | \$ 60 | \$ - | \$ (60) | -100% |
| Recycling Capital Reserve | \$ 518 | \$ 50 | \$ (468) | -90% |
| Contract Operating Charges | \$ 2,287 | \$ 1,688 | \$ (599) | -26% |
| Disposal Fees-Solid Waste | \$ 129 | \$ 76 | \$ (53) | -41% |
| Engineering | \$ 20 | \$ 5 | \$ (15) | -75% |
| Electricity | \$ 45 | \$ 45 | \$ - | 0% |
| Other Utilities | \$ 19 | \$ 19 | \$ - | 0% |
| Construction | \$ 20 | \$ 10 | \$ (10) | -50% |
| Local Administration | \$ 38 | \$ 38 | \$ - | 0% |
| Education / Administration | \$ 260 | \$ - | \$ (260) | -100% |
| Allocation - Salaries & Overhead | \$ 354 | \$ 269 | \$ (85) | -24% |
| TOTAL | \$ 3,866 | \$ 2,228 | \$ (1,638) | -42% |

FY10 Proposed Southwest Regional Recycling \$2,946k



by Revenue



by Expenditure

CRRA / SWEROC I

RECYCLING PROGRAM OVERVIEW

MEMBER TIP FEE

| | | ACTUAL FY08 | ADOPTED FY09 | ADOPTED FY10 |
|----------|--------------------|----------------|-----------------|-----------------|
| Tip Fees | Member Recyclables | \$ - | \$ - | \$ - |

BUDGET ASSUMPTIONS

| | | ACTUAL FY08 | ADOPTED FY09 | ADOPTED FY10 |
|----------------------------|--------------------------------------|----------------|-----------------|-----------------|
| Delivery/Processing | SWEROC Minimum Commitment | 55,000 | 55,000 | 40,000 |
| | CRRA Member Recyclables | 49,066 | 47,000 | 40,000 |
| | CRRA Recyclables -Stamford/N. Canaan | 7,725 | 7,600 | 0 |
| | FCR Spot Recyclables | 2,922 | 4,000 | 3,000 |
| | Total | 59,713 | 58,600 | 43,000 |
| Recycling Sales | Per Ton Revenue Sharing (50%) | \$ 57.33 | \$ 47.00 | \$ 38.00 |
| Residue | Recycling Residue Rate | 2.51% | 2.75% | 2.75% |
| Other Operating | Operator Payment (per ton) | \$ 39.75 | \$ 40.78 | \$ 42.19 |
| | Monthly Basic Rent | \$ 54,406 | \$ 54,572 | \$ 43,988 |
| | Monthly Equipment Rent | \$ 41,159 | \$ 41,159 | \$ - |
| | Percentage Rent (per ton) | \$ 9.76 | \$ 10.02 | \$ 10.36 |
| Misc. | Inflation Estimate | 2.59% | 3.50% | 3.00% |

REVENUE & EXPENDITURE SUMMARY

| ACCOUNT | DESCRIPTION | ACTUAL FY08 | ADOPTED FY09 | ADOPTED FY10 |
|---------------------|----------------------------------|---------------------|---------------------|---------------------|
| REVENUES | | | | |
| 34-001-000-42101 | Recycling Sales | \$ 3,256,050 | \$ 2,526,000 | \$ 1,550,000 |
| 34-208-000-42101 | Recycling Sales - Settlement | \$ 25,000 | \$ 150,000 | \$ 100,000 |
| 34-001-000-45101 | Rental Income | \$ 1,190,051 | \$ 1,185,000 | \$ 528,000 |
| 34-001-000-45150 | Miscellaneous Income | \$ 6,295 | \$ 5,000 | \$ - |
| 34-001-000-xxxxx | Use of Board Designated Reserve | \$ - | \$ - | \$ 50,000 |
| | Total Revenues | \$ 4,477,396 | \$ 3,866,000 | \$ 2,228,000 |
| | | | 20% | -42% |
| EXPENDITURES | | | | |
| 34-001-506-52104 | Telecommunications | \$ - | \$ 6,000 | \$ 3,000 |
| 34-001-506-52115 | Advertising | \$ 8,680 | \$ 10,000 | \$ - |
| 34-001-506-52302 | Miscellaneous Services | \$ 99 | \$ - | \$ - |
| 34-001-506-52404 | Building Operations | \$ 79,329 | \$ 80,000 | \$ 18,000 |
| 34-001-506-52409 | Other Repairs and Maintenance | \$ 1,967 | \$ 14,000 | \$ 1,000 |
| 34-001-506-52502 | Fees/Licenses/Permits | \$ 3,000 | \$ 3,500 | \$ 3,500 |
| 34-001-506-52505 | Claims / Losses | \$ - | \$ 2,500 | \$ 2,500 |
| 34-001-506-52617 | Electronic Recycling | \$ 22,302 | \$ 60,000 | \$ - |
| 34-001-506-52660 | Recycling Capital Reserve | \$ 21,000 | \$ 518,000 | \$ 50,000 |
| 34-001-506-52701 | Contract Operating Charges | \$ 2,255,527 | \$ 2,287,000 | \$ 1,688,000 |
| 34-001-506-52710 | Disposal Fees-Solid Waste | \$ 93,991 | \$ 129,000 | \$ 76,000 |
| 34-001-506-52858 | Engineering | \$ 4,954 | \$ 20,000 | \$ 5,000 |
| 34-001-506-53304 | Electricity | \$ 42,102 | \$ 45,000 | \$ 45,000 |
| 34-001-506-53309 | Other Utilities | \$ 18,193 | \$ 19,000 | \$ 19,000 |
| 34-001-506-56605 | Construction | \$ 82,373 | \$ 20,000 | \$ 10,000 |
| 34-001-506-57820 | Local Administration | \$ 20,837 | \$ 38,000 | \$ 38,000 |
| 34-001-508-57821 | Education / Administration | \$ 220,251 | \$ 260,000 | \$ - |
| 34-001-508-xxxxx | Allocation - Salaries & Overhead | \$ 293,822 | \$ 354,000 | \$ 269,000 |
| | Total Expenditures | \$ 3,168,427 | \$ 3,866,000 | \$ 2,228,000 |
| | | | | -42% |
| | SURPLUS/(DEFICIT) | \$ 1,308,969 | \$ - | \$ - |

CRRA / SWEROC I

EXPENDITURES

| ACCOUNT | DESCRIPTION | ACTUAL FY08 | ADOPTED FY09 | PROPOSED FY10 |
|----------------|-----------------------------|------------------------|-------------------------|--------------------------|
| | Auditor | \$ - | \$ 8,000 | \$ 8,000 |
| | Legal Services | \$ 20,837 | \$ 30,000 | \$ 30,000 |
| | Subtotal | \$ 20,837 | \$ 38,000 | \$ 38,000 |
| | Education / Admin. Expenses | \$ 220,251 | \$ 260,000 | \$ - |
| | Subtotal | \$ 220,251 | \$ 260,000 | \$ - |
| | Total | \$ 241,088 | \$ 298,000 | \$ 38,000 |

TAB 5

**RESOLUTION REGARDING THE PURCHASE OF WORKERS
COMPENSATION/EMPLOYERS LIABILITY INSURANCE FOR THE
PERIOD 7/1/09 – 7/1/10**

RESOLVED: That CRRRA purchase Workers Compensation/Employers Liability insurance with a statutory limit and \$1,000,000 limit for Employers Liability, for a premium of \$56,896 from Connecticut Interlocal Risk Management Agency (CIRMA) for the term 7/1/09 – 7/1/10, as discussed at this meeting.

Connecticut Resources Recovery Authority
Workers Compensation/Employers Liability Insurance
5/28/09

I. Current Policy

- Workers Compensation/Employers Liability Policy Expires 7/1/09
- Statutory limit on Workers Compensation/ \$1 million limit on Employers Liability
- Original premium quoted was \$55,777; after application of credits totaling \$1531, premium was \$54,246
- Insurer – Connecticut Interlocal Risk Management Agency (CIRMA)

II. Renewal Policy

- In addition to the incumbent insurer, Aon contacted One Beacon, PMA, Travelers and The Hartford;
- Travelers and The Hartford stated they are not comfortable with some of CRRA's employee classification categories, e.g., garbage inspectors;
- One Beacon and PMA could not provide a competitive premium on a stand alone workers' compensation policy, would only quote as part of a package to provide other insurance, e.g., general liability, etc.; CIRMA provided the only firm quote - \$59,126
- CRRA received premium credits totaling \$2,230 from it's current carrier (resulting from CRRA's loss experience, payroll and risk management activities over the last five years compared to the CIRMA pool as a whole) which can be applied to the new premium and lowering it to \$56,896;
- CRRA has had a very long and beneficial relationship with CIRMA as our workers compensation insurer;
- CIRMA has provided workers compensation insurance to CRRA when there were no other insurers willing to take on CRRA's exposures;
- CIRMA provides safety and loss control services, free seminars on many work-related issues and covers CRRA's unique employee categories.

III. Management Summary & Recommendation

- Workers Compensation insurance is designed to provide compensation for all work-related injuries and diseases. Employers Liability insurance, which is Part Two of the policy, applies to bodily injury by accident or bodily injury by disease. This part will pay all sums we become legally obligated to pay as damages and defense of lawsuits made against us by third parties (e.g., spouses, children siblings of injured employees) as they relate to employment. This Part II has a limit of \$1,000,000 each accident/disease.
- Aon recommends purchasing the Workers Compensation/Employers Liability insurance from the current carrier, CIRMA, as they know CRRA's business well and have provided a very favorable premium quote. Management, in consultation with our broker, recommends securing the Workers Compensation/Employers Liability insurance from CIRMA for the period 7/1/09 – 7/1/10 for an annual premium of \$56,896
- This premium is \$2,650 more than the expiring final premium; the budget for this policy for FY'10 is \$55,777, making this premium \$1,119 over budget.
- Because of savings in other insurance renewals there are sufficient funds to cover this deficit.

TAB 6



Government Finance Officers Association
203 N. LaSalle Street - Suite 2700
Chicago, IL 60601

Phone (312) 977-9700 Fax (312) 977-4806

April 16, 2009

Nhan Vo-Le
Director of Accounting and Financial Reporting
Connecticut Resources Recovery Authority
100 Constitution Plaza, 6th Floor
Hartford CT 06103-1722

Dear Ms. Vo-Le:

We are pleased to notify you that your comprehensive annual financial report (CAFR) for the fiscal year ended June 30, 2008, qualifies for a Certificate of Achievement for Excellence in Financial Reporting. The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

Each entity submitting a report to the Certificate of Achievement review process is provided with a "Summary of Grading" form and a confidential list of comments and suggestions for possible improvements in its financial reporting techniques. Your list has been enclosed. You are strongly encouraged to implement the recommended improvements into the next report and submit it to the program. If it is unclear what must be done to implement a comment or if there appears to be a discrepancy between the comment and the information in the CAFR, please contact the Technical Services Center (312) 977-9700 and ask to speak with a Certificate of Achievement Program in-house reviewer.

Certificate of Achievement program policy requires that written responses to the comments and suggestions for improvement accompany the next fiscal year's submission. Your written responses should provide detail about how you choose to address each item that is contained within this report. These responses will be provided to those Special Review Committee members participating in the review.

When a Certificate of Achievement is awarded to a government, an Award of Financial Reporting Achievement (AFRA) is also presented to the individual(s) or department designated by the government as primarily responsible for its having earned the Certificate. As the designated individual we have enclosed your AFRA.

Your Certificate of Achievement plaque will be shipped to you under separate cover in about eight weeks. We hope that you will arrange for a formal presentation of the Certificate and Award of Financial Reporting Achievement, and that appropriate publicity will be given to this notable achievement. A sample news release has been enclosed. We suggest that you provide copies of it to local newspapers, radio stations and television stations. In addition, details of recent recipients of the Certificate of Achievement and other information about Certificate Program results are available in the "Awards Program" area of our website, www.gfoa.org.

A current holder of a Certificate of Achievement may include a reproduction of the award in its immediately subsequent CAFR. A camera ready copy of your Certificate is enclosed for that purpose. If you reproduce your Certificate in your next report, please refer to the enclosed instructions. A Certificate of Achievement is valid for a period of one year. To continue to participate in the Certificate of Achievement Program it will be necessary for you to submit your next CAFR to our review process.

In order to expedite your submission we have enclosed a Certificate of Achievement Program application form to facilitate a timely submission of your next report. This form should be completed and sent (postmarked) with three copies of your report, three copies of your application, three copies of your written responses to the program's comments and suggestions for improvement from the prior year, and any other pertinent material with the appropriate fee by December 31, 2009.

Your continued interest in and support of the Certificate of Achievement Program is most appreciated. If we may be of any further assistance, please contact Delores Smith (dsmith@gfoa.org or (312) 578-5454).

Sincerely,
Government Finance Officers Association

A handwritten signature in cursive script that reads "Stephen J. Gauthier". The signature is written in dark ink and is positioned above the typed name and title.

Stephen J. Gauthier, Director
Technical Services Center

SJG/ds



Government Finance Officers Association
203 N. LaSalle Street - Suite 2700
Chicago, IL 60601

Phone (312) 977-9700 Fax (312) 977-4806

04/16/2009

NEWS RELEASE

For Information contact:
Stephen Gauthier (312) 977-9700

(Chicago)--The Certificate of Achievement for Excellence in Financial Reporting has been awarded to **Connecticut Resources Recovery Authority** by the Government Finance Officers Association of the United States and Canada (GFOA) for its comprehensive annual financial report (CAFR). The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

An Award of Financial Reporting Achievement has been awarded to the individual(s), department or agency designated by the government as primarily responsible for preparing the award-winning CAFR. This has been presented to:

Nhan Vo-Le, Director of Accounting and Financial Reporting

The CAFR has been judged by an impartial panel to meet the high standards of the program including demonstrating a constructive "spirit of full disclosure" to clearly communicate its financial story and motivate potential users and user groups to read the CAFR.

The GFOA is a nonprofit professional association serving approximately 17,500 government finance professionals with offices in Chicago, IL, and Washington, D.C.

PRESENTATION OF THE CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING

The Certificate of Achievement for Excellence in Financial Reporting is the highest form of recognition in governmental accounting and financial reporting. The Certificate program thereby advocates that recipients be formally recognized for their outstanding accomplishments. If you would like a formal presentation of the Certificate of Achievement plaque, you should contact your GFOA State Representative. The contact information follows:

Mr. James J. Jaskot
Deputy Finance Director
Town of Cheshire
84 South Main St
Cheshire, CT 06410
UNITED STATES

Phone:
(203) 271-6617

Fax:
(203) 271-6664

Email:
jjaskot@cheshirect.org

Certificate of Achievement for Excellence in Financial Reporting

Presented to

Connecticut Resources Recovery Authority

For its Comprehensive Annual
Financial Report
for the Fiscal Year Ended
June 30, 2008

A Certificate of Achievement for Excellence in Financial Reporting is presented by the Government Finance Officers Association of the United States and Canada to government units and public employee retirement systems whose comprehensive annual financial reports (CAFRs) achieve the highest standards in government accounting and financial reporting.



President

Executive Director

TAB 7

RECOMMENDED DRAFT RESOLUTION FOR CRRA BOARD OF DIRECTORS

**RESOLUTION CONGRATULATING
EAST HAVEN HIGH SCHOOL**

WHEREAS the State Solid Waste Management Plan specifically calls for efforts to “build support for programs to engage citizens in actions needed to maximize waste reduction and recycling;” and

WHEREAS since 1993 the Garbage Museum in Stratford, Connecticut, has been teaching people how to protect their environment by recycling and thinking before throwing something into the trash; and

WHEREAS the Garbage Museum has been operated by the Connecticut Resources Recovery Authority since 1997; and

WHEREAS the Garbage Museum has become a favorite destination for students and created a positive image for the Connecticut Resources Recovery Authority; and

WHEREAS a group of students from East Haven High School created a short film about the Garbage Museum and its fight for survival for the Connecticut Student Film Festival; and

WHEREAS their film, “Trash-o-saurus in Trouble,” was honored as Best Documentary; and

WHEREAS the film was selected from all others entered in several categories to be shown at the Connecticut Film Festival in June; now therefore,

BE IT RESOLVED that the Connecticut Resources Recovery Authority Board of Directors congratulates students **ANT PALM, JAKE DEMAIO, KALEE HOYT, MELISSA MORRO, RYAN GOLIA, JEN CUOMO** and **ALBERT KOZIATEK** of East Haven High School, along with their teacher, **JASON MILES**, for their success in the Connecticut Student Film Festival and wish them continued success in all their future endeavors.

Connecticut Resources Recovery Authority

Congratulations to Shelton Intermediate School students for winning the Fox 61 Student News competition

April 23, 2009

EXECUTIVE SUMMARY

For several years, WTIC-TV, also known as Fox 61, has had a segment on its nightly newscast that features stories reported and produced by students from across Connecticut under the title "Fox 61 Student News." Each year, the station sponsors a contest to judge the best of those segments.

Three students from Shelton Intermediate School – Selina Jose, Kaitlyn Marisco and Chelsea Rodrigues, along with their teacher, Dennis David – selected the Garbage Museum as the subject of a segment and, in December 2008, visited the Museum to report their segment. Their segment was broadcast April 15 and cast the Museum, our recycling program and CRRA in a positive light.

Their story on the Garbage Museum won two prizes in the Middle School Division, being selected as Best Environmental Story and winning the Outstanding Achievement Award.

The Trash Museum in Hartford was the subject of an award-winning story reported by students from South Windsor High School in December 2006 and broadcast in March 2007. That story was rebroadcast on March 28, 2009.

Should the Board approve this resolution, management recommends printing it onto CRRA letterhead, having it framed and providing it to the school in recognition of this outstanding achievement.

TAB 8

***HR COMMITTEE DRAFT RESOLUTION RECOMMENDED FOR BOARD
APPROVAL***

**RESOLUTION AUTHORIZING HUMAN RESOURCES CONSULTING SERVICE
AGREEMENTS**

RESOLVED: That the President is hereby authorized and directed to execute, deliver and perform on behalf of the Authority, Human Resources Consulting Services Agreement as were substantially set forth in the RFQ for a period of three years with the firms listed below, as presented and discussed at this meeting. All of the human resources consulting services obtained through the firms below will be obtained on an “on-call” basis.

A. Temporary Staffing Services

CareersInCT.com LLC
Horizon Staffing Services (AAA Human Capital)
Jaci Carroll Staffing Services, Inc.
Lauren & Linium Staffing
Roth Staffing Companies, L.P.
Spec Personnel, LLC
Staffing Now, Inc.

B. Recruiting Services

CPS Human Resource Services
Horizon Staffing Services (AAA Human Capital)
Horton International, LLC
Jaci Carroll Staffing Services, Inc.
Lauren & Linium Staffing
Marchese Consulting LLC
Randi Frank Consulting, LLC
Retensa, LLC

C. General and Miscellaneous HR Consulting Services

CPS Human Resource Services
Horizon Staffing Services (AAA Human Capital)
Kevin F Fahey LLC
Marchese Consulting LLC
Prout Group, The, LLC
Retensa, LLC

**CONNECTICUT RESOURCES RECOVERY AUTHORITY
HUMAN RESOURCES CONSULTING SERVICE AGREEMENTS**

May 27, 2009

Executive Summary

On March 15, 2009 the Authority ran its Request for Qualifications for Human Resources Consulting Services (“RFQ”) in the following newspapers:

Connecticut Post
Hartford Courant
LaVoz Hispania de Connecticut
New Haven Register
New London Day
Northeast Minority News
Waterbury Republican-American

The RFQ was posted on the Authority’s website on March 16. The RFQ also appeared on the State of Connecticut’s Department of Administrative Services website from March 16 – 27.

On March 17 the Authority mailed the RFQ to 19 companies. Notices of Interest were received from 32 companies. On April 16, the due date, 20 proposals were received of which three were late and therefore disqualified.

As in the past, the Authority maintains a broad pool of Human Resources Consulting firms for better and expedient services. Five of the firms selected are women-owned or minority-owned businesses.

**REQUEST FOR QUALIFICATIONS - HUMAN RESOURCES CONSULTING SERVICES
ADMINISTRATIVE REVIEW**

| ITEM (Answer Yes (Y), No (N) or Not Applicable (NA) for each item) | Bayard Advertising | CareersINCT.com LLC | CPS Human Resource Services | Horton Staffing Services (AAA HR) | Horton International, LLC | Jaci Carroll Staffing Services, Inc. | Kevin F Fahy LLC | Lauren & Linum Staffing | Marchese Consulting LLC | Point Staffing Services | Prout Group, The, LLC | Randi Frank Consulting, LLC | Retensa, LLC | RNR Consulting | Roth Staffing Companies, L.P. | Spec Personnel, LLC | Staffing Now, Inc. | Accountemps/Robert Half Internat | The McInnis Companies | SkillMaster by Talent Tree | |
|--|--------------------|---------------------|-----------------------------|-----------------------------------|---------------------------|--------------------------------------|------------------|-------------------------|-------------------------|-------------------------|-----------------------|-----------------------------|--------------|----------------|-------------------------------|---------------------|--------------------|----------------------------------|-----------------------|----------------------------|---|
| 1 Was the bid received by 3:00 p.m., ? | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | |
| 2 Were 1 original (marked as such) and 2 copies received? | N | Y | Y | N | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | N | Y | Y | Y | Y | Y | |
| 3 Was the cover letter meeting the requirements of the RFQ documents received? | N | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | |
| 4 Was the completed (Pgs 3-1, 3-3 & 3-6) and signed (Pg 3-7) SOQ Form received? | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | |
| 5 Was the completed Compensation Form received? | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | |
| 6 Was the completed References Form received? | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | |
| 7 Was the completed Background And Experience Form received? | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | |
| 8 Was the completed Questionnaire Concerning Affirmative Action etc. received? | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | |
| 9 Was the completed Certification Concerning Nondiscrimination received w policies attached? | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | |
| 10 Was the completed Background Questionnaire received? | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | |
| 11 Was a copy of the up-to-date certificate of insurance received? | N | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | |
| 12 Issues and Questions to be Addressed | | | | | | | | | | | | | | | | | | | | | |
| 12.1 ID Individuals and description of background. | N | Y | Y | N | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | |
| 12.2 Summary of Key Strengths | N | Y | Y | N | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | |
| COMPLETENESS OF RFP SUBMISSION | 7 | 12 | 12 | 12 | 9 | 11 | 11 | 12 | 8 | 12 | 12 | 12 | 12 | 12 | 7 | 12 | 7 | 12 | 7 | 12 | X |
| NUMERIC RATING OF RFP SUBMISSION* | 4 | 6 | 6 | 6 | 5 | 6 | 6 | 6 | 4 | 6 | 6 | 6 | 6 | 6 | 4 | 6 | 4 | 6 | 4 | 6 | X |

* "X" means the RFP Submission is disqualified.

REQUEST FOR QUALIFICATIONS - HUMAN RESOURCES CONSULTING SERVICES
QUESTIONS CONCERNING AFFIRMATIVE ACTION, SMALL BUSINESS AND OCCUPATIONAL HEALTH AND SAFETY

| ITEM (Answer Yes (Y), No (N) or Not Applicable (NA) for each item) | Company Name | | | | | | | | | | | | | | | | | | | | |
|---|--------------------|---------------------|-----------------------------|------------------------------------|---------------------------|---------------------------|-------------------------------------|------------------|--------------------------|-------------------------|-------------------------|-----------------------|-----------------------------|--------------|----------------|-------------------------------|---------------------|--------------------|----------------------------------|-----------------------|----------------------------|
| | Bayard Advertising | CareersInCT.com LLC | CPS Human Resource Services | Horizon Staffing Services (AAA Hi) | Horizon Staffing Services | Horton International, LLC | Jac Carroll Staffing Services, Inc. | Kevin F Fahy LLC | Lauren & Linium Staffing | Marchese Consulting LLC | Point Staffing Services | Prout Group, The, LLC | Randi Frank Consulting, LLC | Retensa, LLC | RNR Consulting | Roth Staffing Companies, L.P. | Spec Personnel, LLC | Staffing Now, Inc. | Accountemps/Robert Half Internal | The Michins Companies | SkillMaster by Talent Tree |
| 1 | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N |
| 1A | 185 | 3 | 180 | 30 | | | 1 | | | 12 | | 1 | 20 | 31 | 487 | 14 | 12 | | | | |
| 2 | N | N | N | N | N | N | Y | Y | Y | Y | Y | Y | Y | N | N | Y | N | N | N | N | N |
| 2A | | | | | | | Y | Y | Y | Y | Y | Y | Y | N | N | N | N | N | N | N | N |
| 3 | N | N | N | N | N | N | Y | Y | Y | Y | Y | Y | Y | N | N | N | N | N | N | N | N |
| 3A | | | | | | | Y | Y | Y | Y | Y | Y | Y | N | N | N | N | N | N | N | N |
| 4 | Y | Y | Y | Y | N | N | N | N | N | N | N | N | N | N | N | Y | N | N | N | N | N |
| 4A | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N |
| 4B | | | | | | | N | | | | | | | | | Y | N | N | N | N | N |
| 5 | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N |
| 6 | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N |
| 7 | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N |
| 8 | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N |
| 9 | N | N | Y | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N |
| 9A | | | 1 | | | | | | | | | | | | | | | | | | |
| Affirmative Action, Small Business and Occupational Health & Safety Score | 4 | 5 | 4 | 8 | 4 | 7 | 4 | 6 | 5 | 5 | 5 | 7 | 4 | 4 | 4 | 4 | 5 | 4 | 0 | 0 | 0 |
| NUMERIC RATING OF PROPOSAL | 4 | 5 | 4 | 8 | 4 | 7 | 4 | 6 | 5 | 5 | 5 | 7 | 4 | 4 | 4 | 5 | 4 | 0 | 0 | 0 | 0 |

**REQUEST FOR QUALIFICATIONS - HUMAN RESOURCES CONSULTING SERVICES
TECHNICAL REVIEW - TEMPORARY STAFFING SERVICES**

| COMBINED EVALUATIONS | WEIGHTING VALUE | BID EVALUATION SCALE | | | | | | | | | | | | | | |
|--|-----------------|----------------------|---|--|--|---|--|-------------------------------------|--------------------------------|------|---|------|---|------|---|------|
| | | CareersInCT SCORE | Horizon Staffing Services (AAA Human Capital) RATING | Jaci Carroll Staffing Services, Inc. SCORE | Lauren & Linum Staffing SCORE | Point Staffing Services RATING | Roth Staffing Companies, L.P. SCORE | Spec Personnel, LLC RATING | Staffing Now, Inc. SCORE | | | | | | | |
| 1 Knowledge, capability & experience of SOQ submitter | 0.400 | 5 | 7 | 2.80 | 6 | 2.40 | 7 | 2.80 | 3 | 1.20 | 8 | 3.20 | 6 | 2.40 | 8 | 3.20 |
| 2 Knowledge & experience of staff | 0.400 | 5 | 7 | 2.80 | 6 | 2.40 | 7 | 2.80 | 3 | 1.20 | 7 | 2.80 | 5 | 2.00 | 8 | 3.20 |
| 3 Compensation | 0.100 | 0 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 |
| 4 Completeness of the bid. | 0.050 | 6 | 6 | 0.30 | 5 | 0.25 | 6 | 0.30 | 4 | 0.20 | 6 | 0.30 | 4 | 0.20 | 6 | 0.30 |
| 5 Affirmative Action, Small Business Contractors and Occupational H&S. | 0.050 | 5 | 8 | 0.40 | 7 | 0.35 | 6 | 0.30 | 5 | 0.25 | 4 | 0.20 | 5 | 1.50 | 4 | 0.20 |
| TOTAL | 1.000 | 4.55 | 6.30 | 5.40 | 6.20 | 2.85 | 6.50 | 6.10 | 6.90 | | | | | | | |

BID EVALUATION SCALE

| RATING NUMBER | RATING DESCRIPTION |
|---------------|--------------------|
| 10 | Excellent |
| 8 | Very Good |
| 6 | Good |
| 4 | Acceptable |
| 0 | Unacceptable |

Compensation for FY 2010:

| | | | | | | | | |
|---|---------------|----------|----------|---------------|----------|----------|----------|-------------|
| Accounts Payable Specialist | \$11.00-15.50 | \$ 21.95 | \$ 30.00 | \$25.17-33.01 | N/A | \$ 28.00 | N/A | \$ 24.42 |
| Customer Accounting and Billing Coordinator | \$15.00-26.00 | \$ 23.21 | \$ 30.00 | \$26.46-43.87 | N/A | \$ 28.00 | N/A | \$ 24.42 |
| Scale Operator/Enforcement Specialist | \$23.00-35.00 | \$ 25.16 | \$ 30.00 | \$29.68-41.68 | N/A | \$ 33.00 | \$ 34.45 | \$ 21.30 |
| Administrative Assistant | \$17.00-26.00 | \$ 26.32 | \$ 30.00 | \$29.15-40.82 | \$ 19.50 | \$ 35.00 | N/A | \$ 17.76 |
| General Accountant | \$26.00-39.00 | \$ 30.11 | \$ 35.00 | \$34.43-47.13 | \$ 30.00 | \$ 42.00 | N/A | \$ 26.64 |
| Entry-Level Engineer | \$30.00-42.00 | \$ 30.33 | N/A | \$46.15-61.55 | \$ 45.00 | \$ 44.00 | \$ 37.46 | \$ 26.64 |
| Managerial-Level Employee | \$36.00-46.00 | \$ 36.63 | N/A | \$43.27-57.69 | \$ 55.00 | \$ 72.50 | N/A | \$60 - \$84 |

**REQUEST FOR QUALIFICATIONS - HUMAN RESOURCES CONSULTING SERVICES
TECHNICAL REVIEW - RECRUITING SERVICES**

| COMBINED EVALUATIONS | WEIGHTING VALUE | Bayard Advertising | | CareersInCT.com LLC | | CPS Human Resource Services | | Horizon Staffing Services (AAA Human Capital) | | Horton International, LLC | | Jacl Carroll Staffing Services, Inc. | | Kevin F. Fahey LLC | | Lauren & Linum Staffing | | Marchese Consulting LLC | | Point Staffing Services | | Prout Group, The, LLC | | Randi Frank Consulting, LLC | | Retensa, LLC | | Roth Staffing Companies, L.P. | | |
|--|-----------------|--------------------|-------------|---------------------|-------------|-----------------------------|-------------|---|-------------|---------------------------|-------------|--------------------------------------|-------------|--------------------|-------------|-------------------------|-------------|-------------------------|-------------|-------------------------|-------------|-----------------------|-------------|-----------------------------|-------------|--------------|-------------|-------------------------------|-------------|--|
| | | RATING | SCORE | RATING | SCORE | RATING | SCORE | RATING | SCORE | RATING | SCORE | RATING | SCORE | RATING | SCORE | RATING | SCORE | RATING | SCORE | RATING | SCORE | RATING | SCORE | RATING | SCORE | RATING | SCORE | RATING | SCORE | |
| 1 Knowledge, capability & experience of SOQ submitter | 0.400 | 3.5 | 1.40 | 4 | 1.60 | 9 | 3.60 | 6 | 2.40 | 8 | 3.20 | 5 | 2.00 | 4 | 1.60 | 6 | 2.40 | 8 | 3.20 | 3 | 1.20 | 6 | 2.40 | 8 | 3.20 | 6 | 2.40 | 8 | 3.20 | |
| 2 Knowledge & experience of staff | 0.400 | 3.5 | 1.40 | 4 | 1.60 | 8 | 3.20 | 5 | 2.00 | 8 | 3.20 | 5 | 2.00 | 4 | 1.60 | 6 | 2.40 | 8 | 3.20 | 3 | 1.20 | 6 | 2.40 | 8 | 3.20 | 6 | 2.40 | 7 | 2.80 | |
| 3 Compensation | 0.100 | | 0.00 | | 0.00 | | 0.00 | | 0.00 | | 0.00 | | 0.00 | | 0.00 | | 0.00 | | | | | | | | | | | | | |
| 4 Completeness of the bid. | 0.050 | 4 | 0.20 | 6 | 0.30 | 6 | 0.30 | 6 | 0.30 | 6 | 0.30 | 5 | 0.25 | 6 | 0.30 | 6 | 0.30 | 6 | 0.30 | 4 | 0.20 | 6 | 0.30 | 6 | 0.30 | 6 | 0.30 | 6 | 0.30 | |
| 5 Affirmative Action, Small Business Contractors and Occupational H&S. | 0.050 | 4 | 0.20 | 5 | 0.25 | 4 | 0.20 | 8 | 0.40 | 4 | 0.20 | 7 | 0.35 | 4 | 0.20 | 6 | 0.30 | 5 | 0.25 | 5 | 0.25 | 5 | 0.25 | 7 | 0.35 | 4 | 0.20 | 4 | 0.20 | |
| TOTAL | 1.000 | | 3.20 | | 3.75 | | 7.30 | | 5.10 | | 6.90 | | 4.60 | | 3.70 | | 5.40 | | 6.95 | | 2.85 | | 5.35 | | 7.05 | | 5.30 | | 6.50 | |

| | | | | | | | | | | | | | | |
|--------------|--|----------------|-----|-----|-----|-----|-----|--------|-----|-----|---------|--------|-----|---------|
| Compensation | | based on scope | 10% | 25% | 15% | 33% | 15% | 20-25% | 20% | 18% | 33 1/3% | 15-20% | 18% | 17 1/2% |
|--------------|--|----------------|-----|-----|-----|-----|-----|--------|-----|-----|---------|--------|-----|---------|

BID EVALUATION SCALE

| RATING NUMBER | RATING DESCRIPTION |
|---------------|--------------------|
| 10 | Excellent |
| 8 | Very Good |
| 6 | Good |
| 4 | Acceptable |
| 0 | Unacceptable |

**REQUEST FOR QUALIFICATIONS - HUMAN RESOURCES CONSULTING SERVICES
TECHNICAL REVIEW - GENERAL AND MISC HR CONSULTING SERVICES**

| COMBINED EVALUATIONS | WEIGHTING VALUE | | Bayard Advertising | | CareersInCT.com LLC | | CPS Human Resource Services | | Horizon Staffing Services (AAA Human) | | Kevin F. Fahy LLC | | Marchese Consulting LLC | | Prot Group, The, LLC | | Retensa, LLC | | RNR Consulting | | Roth Staffing Companies, L.P. | |
|----------------------|--|--------------|--------------------|-------------|---------------------|-------------|-----------------------------|-------------|---------------------------------------|-------------|-------------------|-------------|-------------------------|-------------|----------------------|-------------|--------------|-------------|----------------|-------------|-------------------------------|-------------|
| | EVALUATION ITEM | | RATING | SCORE | RATING | SCORE | RATING | SCORE | RATING | SCORE | RATING | SCORE | RATING | SCORE | RATING | SCORE | RATING | SCORE | RATING | SCORE | RATING | SCORE |
| 1 | Knowledge, capability & experience of SOQ submitter | 0.400 | 3.5 | 1.40 | 4 | 1.60 | 9 | 3.60 | 6 | 2.40 | 6 | 2.40 | 8 | 3.20 | 4.5 | 1.80 | 6 | 2.40 | 5.5 | 2.20 | 4 | 1.60 |
| 2 | Knowledge & experience of staff | 0.400 | 3.5 | 1.40 | 4 | 1.60 | 8 | 3.20 | 6 | 2.40 | 6 | 2.40 | 8 | 3.20 | 4.5 | 1.80 | 6 | 2.40 | 5.5 | 2.20 | 4 | 1.60 |
| 3 | Compensation | 0.100 | | 0.00 | | 0.00 | 0.00 | 0.00 | | 0.00 | | 0.00 | 0.00 | 0.00 | | 0.00 | | 0.00 | | 0.00 | | 0.00 |
| 4 | Completeness of the bid. | 0.050 | 4 | 0.20 | 6 | 0.30 | 6 | 0.30 | 6 | 0.30 | 6 | 0.30 | 6 | 0.30 | 6 | 0.30 | 6 | 0.30 | 6 | 0.30 | 6 | 0.30 |
| 5 | Affirmative Action, Small Business Contractors and Occupational H&S. | 0.050 | 4 | 0.20 | 5 | 0.25 | 4 | 0.20 | 8 | 0.40 | 4 | 0.20 | 5 | 0.25 | 5 | 0.25 | 4 | 0.20 | 4 | 0.20 | 4 | 0.20 |
| TOTAL | | 1.000 | | 3.20 | | 3.75 | | 7.30 | | 5.50 | | 5.30 | | 6.95 | | 4.15 | | 5.30 | | 4.90 | | 3.70 |

BID EVALUATION SCALE

| RATING NUMBER | RATING DESCRIPTION |
|---------------|--------------------|
| 10 | Excellent |
| 8 | Very Good |
| 6 | Good |
| 4 | Acceptable |
| 0 | Unacceptable |

| | | | | | | | | | | | |
|-------------------------|-------|----|---|------------|--------|-------|-------|-------|-------|-------|---------|
| Compensation (per hour) | \$195 | \$ | - | \$90 - 220 | varies | \$100 | \$125 | \$250 | \$221 | \$225 | \$72.50 |
|-------------------------|-------|----|---|------------|--------|-------|-------|-------|-------|-------|---------|

TAB 9

**RESOLUTION REGARDING CONSTRUCTION QUALITY
ASSURANCE SERVICES TO SUPPORT COMPLETION OF
CLOSURE OF THE PHASE 1 ASH AREA OF THE
HARTFORD LANDFILL**

RESOLVED: That the President is hereby authorized to enter into a contract with TRC Environmental Corporation to perform Construction Quality Assurance (CQA) services associated with the capping of the remaining un-capped portion of the Phase 1 Ash Area of the CRRA Hartford Landfill, substantially as discussed and presented at this meeting.

Connecticut Resources Recovery Authority

Contract Summary for Contract entitled

Construction Quality Assurance Services CRRA Hartford Landfill Completion of Closure of the Phase 1 Ash Area

Presented to the CRRA Board on: May 28, 2009

Vendor/ Contractor(s): TRC Environmental Corporation

Effective date: Upon Execution

Contract Type/Subject matter: Request for Services (RFS), pursuant to a 3 year engineering services agreement

For construction oversight , documentation, inspection, and reporting services associated with the closure of the remaining un-capped portion of the Phase 1 Lined Ash Area of the CRRA Hartford Landfill.

Facility (ies) Affected: Mid-Connecticut – CRRA Hartford Landfill; Phase 1 Ash Area

Original Contract: 3 Yr Eng Services Agreement (number to be assigned)

Term: Upon completion of services, currently estimated to be 7 months from the date of execution

Contract Dollar Value: \$94,500

Amendment(s): Not applicable

Term Extensions: Not applicable

Scope of Services: TRC will provide construction inspection, documentation, and quality assurance services during the construction phase of the project. In addition, they will provide a construction certification report upon completion of construction in conformance with the CTDEP permit, and the CTDEP approved Construction Quality Assurance and Stormwater Pollution Control Plans.

Other Pertinent Provisions: N/A

**Connecticut Resources Recovery Authority
Mid-Connecticut Project - Hartford Landfill
Construction Quality Assurance Services
Completion of Closure of the Phase 1 Ash Area**

May 28, 2009

Executive Summary

Under solid waste permit SW-0640546, CRRA operated the Phase 1 Ash Area (the "Ash Area"), a roughly 18 acre lined ash monocell at the Hartford Landfill. A 7.2 acre portion of the Ash Area was capped with a synthetic membrane cap during 2007 and 2008. On December 31, 2008, the Ash Area received its final load of ash residue and the area is now ready for final capping. Construction of the final cap will be performed according to plans and technical specifications approved by CTDEP. This closure construction must be inspected and documented as prescribed in a Construction Quality Assurance Plan ("CQAP") also previously approved by CTDEP. CRRA's Environmental Division staff issued a Request for Proposals to provide CQAP services in support of this final capping, received and evaluated the proposals, and selected the bid of TRC Environmental Corporation as the most responsive qualified bid.

This is to request that the CRRA Board of Directors authorize the President to enter into a contract with TRC Environmental Corporation to implement the CQAP. This oversight will ensure that all work will conform to the requirements of closure plan, the applicable regulations, and any guidance or approvals issued by CTDEP.

Discussion

To comply with regulatory and permit requirements, CRRA must employ an independent Construction Quality Assurance Consultant (QAC) to oversee, document, and certify the construction process.

Duties of the QAC include:

- 1) Provide written certification to CTDEP that sedimentation and erosion controls have been installed as required by the Stormwater Pollution Control Plan.
- 2) Review and approve all submittals required to be made by the Construction Contractor.
- 3) Document all construction and QAC activities.

- 4) Coordinate independent testing services where applicable.
- 5) Prepare a final closure certification report upon completion of the construction activities.

In April, 2009, CRRA requested proposals from four of its consultants under the 3-year Engineering Services Agreements to provide engineering services associated with the CQAP for the final closure and capping of the Phase 1 Ash Area. The Request for Proposals was emailed in PDF format to the following consultants on April, 2009: Fuss & O'Neill, Inc. (F&O), Malcolm Pirnie, Inc. (MPI), SCS Engineers, PC (SCS), and TRC Environmental Corporation (TRC). Pertinent documents were made available for the consultant's review on CRRA's website and at CRRA headquarters. To best compare the proposals, the RFP required each consultant to include an allotment of 950 hours for a full time, experienced field inspector. Additional required work hours for management of the project, administrative support, and preparation of the certification report were up to each consultant to provide based on each consultant's experience with such projects.

The following eight criteria were used to evaluate each proposal. Environmental staff assigned grades for each criterion from 0 (unacceptable) to 10 Excellent:

- Qualifications of Firm
- Qualifications of Key Personnel to be used on project
- Past experience with any/all other CRRA projects
- Past experience with landfill closure construction projects in Connecticut
- Conformance of proposal with required scope of work
- Ability to meet schedule
- Familiarity with design requirements and ability to accommodate changes or unforeseen conditions
- Price

Each of the three proposals was found to have adequately addressed the scope of work detailed in the Request for Proposals. The proposals from TRC included an additional work item outside the scope included in the RFP, which is to provide a landfill regrading design using a survey conducted by the contractor prior to placing cap materials. Environmental Division staff recognizes that the regrading design is necessary and therefore added an equivalent number of hours in the F&O and SCS proposals to provide this design service.

In 2007, during the first phase of the Phase 1 Ash Area closure, a materials failure necessitated suspension of construction activities, and investigation, and subsequent re-design of the side slope drainage system. TRC, as both the CQA Consultant and the Designer was able to react quickly and effectively to this unforeseen circumstance and ultimately provide a design change that kept the project on budget.

Environmental Division staff considered and weighed accordingly the fact that TRC is also the designer of this project and is therefore more easily able to accommodate changes and unforeseen field conditions, making it more likely the project will stay on schedule and on budget.

The overall evaluation score for each bidder was:

- TRC - 9.50**
- SCS - 9.05**
- F&O - 8.30**
- MPI - Did not provide a proposal**

A copy of the evaluation form is attached to this resolution.

Each consultant was required to include in its proposal a detailed breakdown of man hours and associated costs. Environmental division staff analyzed the detailed man hour and pricing information, which is attached to this resolution in tabular form. The following table outlines each firm's proposal price and man hour breakdown and includes hours for each firm to provide the landfill regrading design.

| Bidder | Proposal Price (includes regrading design) | Estimated Total Hours | Average Hourly Rate |
|---------------|---|------------------------------|----------------------------|
| SCS | \$83,033 | 1,246 | \$62 |
| TRC | \$94,483 | 1,181 | \$78 |
| F&O | \$175,933 | 1,551 | \$112 |
| MPI | N/A | N/A | N/A |

The proposal provided by F&O was substantially higher in price than the two low bids and was therefore not reviewed in depth.

The proposal provided by SCS was found to have allotted 770 of the 950 full time field inspector hours to a subcontractor, as opposed to the TRC proposal to use experienced, in-house staff for all of the full time field inspector duties. The full time inspector assigned by TRC to this project was found to have 12 years of similar experience, including experience last year overseeing the construction of the Waterbury Landfill Cap Construction project for CRRA. CRRA staff found this individual to be diligent in their inspection duties and responsive to both CRRA and the Contractor.

Although the TRC proposal is slightly more costly than the SCS proposal, Environmental Division Staff firmly believe TRC is the best choice for the project for two main reasons. First, TRC and its designated in-house inspector have a greater and more relevant level of landfill closure experience. This experience will likely result in the project running more smoothly, which will serve to minimize the potential for additional construction costs. By employing a subcontractor for the majority of the full time inspection services, SCS will not be as responsive to unforeseen circumstances which could result in higher overall costs to the project. On a project of this magnitude, estimated to be \$3,000,000, an increase in construction costs of only 1% is \$30,000. Second, any field changes or issues with the design plans will be more efficiently and economically addressed because TRC is the designer of the project.

After careful consideration of all factors, including the qualifications of both consultants, the qualifications of personnel assigned to the project, the proposed pricing, and the familiarity with the design, environmental division staff believe TRC Environmental Corporation is the best qualified Consultant to provide Construction Quality Assurance Services to CRRA for this important construction project.

Financial Summary

CRRA would pay TRC on a time-and-materials basis not to exceed a total project cost of \$94,483.

The estimated payment schedule by CRRA fiscal year would be as follows:

| Fiscal Year | Estimated Payment |
|--------------------|--------------------------|
| 2009 | \$ 4,483 |
| 2010 | \$ 90,000 |

CRRA has sufficient funds in the Hartford Landfill Closure Reserve to cover the cost of this project.

TAB 10

**RESOLUTION REGARDING THE FOURTH
AMENDMENT TO THE AGREEMENT WITH FCR, LLC
FOR THE OPERATION OF AN INTERMEDIATE
PROCESSING CENTER TO SERVE THE
MUNICIPALITIES OF THE SOUTHWEST REGIONAL
RECYCLING OPERATING COMMITTEE
AND SECOND AMENDMENT TO THE LEASE
AGREEMENT**

WHEREAS: The current Operating & Lease Agreement with FCR, LLC to Operate the Southwest Regional Recycling Center expires July 1, 2009 and;

WHEREAS: The Operating Agreement between CRRA, SWEROC and FCR, LLC provides for extension options and;

WHEREAS: SWEROC approved a two-year extension of the Operating and Lease Agreements with modifications included in the Amendments to said Agreements and the related Fiscal Year 2010 budget at its meeting held on April 22, 2009 and;

WHEREAS: Approval of said extension and Amendments enables the continuation of recycling services to the SWEROC member towns pursuant to state recycling goals and;

WHEREAS: CRRA and SWEROC during the two-year period may work with FCR on retrofitting the facility to accommodate single stream recycling to increase recycling rates for SWEROC towns similar to the experience at CRRA's Mid-Connecticut Regional Recycling Center ;

RESOLVED: That the President is hereby authorized to execute a fourth amendment to the Operating Agreement and second amendment to the Lease Agreement with FCR, LLC to provide for a two-year extension for the operation of the Southwest Regional Recycling Facility.

**Connecticut Resources Recovery Authority
Southwest Regional Recycling Center**

**Fourth Amendment to Agreement with FCR, LLC
For The Operation Of An Intermediate Processing Center To Serve
The Municipalities of the Southwest Regional Recycling
Operating Committee
and
Second Amendment To Lease Agreement**

May 28, 2009

EXECUTIVE SUMMARY

The current Agreement with FCR, LLC to Operate the Southwest Regional Recycling Center expires July 1, 2009. This Fourth Amendment extends the Operating Agreement of the Southwest Regional Recycling Center with FCR, LLC, CRRA and the Southwest Regional Recycling Operating Committee (SWEROC) for two years until July 1 2011. It allows for an option to extend the Agreement an additional seven years which is consistent with the terms and extension options included in the base Agreement as amended.

SWEROC BACKGROUND

SWEROC was created by the contracting communities in 1989 under an Inter-Community Agreement with the purpose of administering the recycling program for the region. Since that time, SWEROC has acted as the governing body in approving annual budgets and contract amendments. SWEROC's administrative duties have evolved over the years with CRRA assuming most of that work outlined in an amendment to the Amended And Restated Agreement between CRRA and SWEROC. That Agreement set forth the responsibilities and duties of each of the parties in achieving the successful operation of the Southwest Connecticut Regional Recycling Program.

In 1999 CRRA assumed the administrative duties including budget oversight and financial variance analysis, vendor contract compliance and enforcement, operation of

the museum and educational programs, scheduling and staffing electronic recycling collections and reconciling all related invoices, reconciling household hazardous waste collections invoices, ordering recycling bins, reconciling bank statements and providing staff support for monthly meetings.

SWEROC's membership currently includes nineteen municipalities. Member municipalities had the right to opt out of the Inter-community Agreement provided they submitted written notice to do so by June 30, 2008. Seven municipalities submitted notice to opt out leaving twelve remaining member municipalities which meets the 400,000 population threshold criteria necessary to keep SWEROC in existence. This amendment provides for recycling services to the remaining twelve member municipalities.

KEY AMENDMENT PROVISIONS

The amendment reduces the minimum tonnage required to be delivered annually from 55,000 tons to 40,000 tons. FCR's current equipment rent payment to CRRA/SWEROC is eliminated (\$41,159). The monthly building lease rate charged to FCR is reduced to \$11.73 per square foot or \$43,988 from the current \$14.88 per square foot or \$55,800. That lease payment will increase by the same CPI escalator included in the base Agreement.

FCR will be allowed to lock-in fixed prices for the sale of old newspaper (ONP) The current estimate of the ONP fixed price is \$75 per ton. In exchange for the fixed ONP price, CRRA and SWEROC yield their right to direct sale of the ONP under the base Agreement. Finally, if and only if the museum remains open, FCR would also be provided two offices on the second floor of the education center for their project manager and support staff. FCR retains current obligations regarding performance securities and local property tax payments.

If CRRA and SWEROC exercise the seven-year renewal option, the notice to do so must state whether the facility will continue to process recyclables under the current "dual stream" method in which case all of the financial terms between the parties under the Agreement as amended, shall remain in effect. If CRRA and SWEROC notify FCR that they will exercise the renewal and notify FCR that they want to process recyclables under the "single stream" method, all financial terms between the parties have to be negotiated and mutually agreed to.

FINANCIAL SUMMARY

At their April 22, 2009 meeting, SWEROC adopted an FY 2010 budget that is based on the 40,000 minimum commitment tons generating \$38.00 per ton from recycling sales revenue and an additional \$10 per ton in spot customer recycling sales revenues from the delivery of 3000 additional spot tons. It should be noted that additional communities and haulers have already expressed interest in delivering recyclables to the Stratford facility.

SWEROC's adopted budget revenues include: Recycling Sales at \$1,550,000; revenues from Dispute Settlements at \$100,000, Rental Income at \$528,000 and the use of reserves of \$50,000.

On the expenditure side of the SWEROC adopted budget, FCR's service charge has been reduced concomitant to the minimum tonnage commitment reduction from 55,000 to 40,000 tons (or from \$2,287,000 in FY09 to \$1,688,000 in FY 2010). Major expense items for services provided by CRRRA have been eliminated, including museum/education operations, electronics recycling and advertising.

With the inclusion of the spot tons revenues, this budget provides the continuation of a \$0 tip fee for recyclables delivered by the SWEROC member towns.

RECOMMENDATION

FCR has been an excellent operator and true partner at both our Stratford and Mid-CT recycling facilities. Management recommends this amendment in order to continue to provide necessary recycling services to the remaining twelve SWEROC towns.

Connecticut Resources Recovery Authority

Contract Summary for Contract entitled

4th AMENDMENT TO AGREEMENT FOR THE STRATFORD REGIONAL RECYCLING FACILITY

and

SECOND AMENDMENT TO LEASE AGREEMENT

Presented to the CRRA Board on: May, 2009

Vendor/ Contractor(s): FCR, LLC

Effective date: July 1, 2009

Contract Type/Subject matter: Existing Agreement, Number 923405

Facility Affected: Stratford Regional Recycling Facility

Term: Two-year agreement from July 1, 2009 through June 30, 2011

Term Extensions: reduced the current 9 year extension option to 7 from the last amendment and provided language for single stream conversion within the two-year extension

Contract Dollar Value: \$38.00/ton member and \$10.00/ton spot rate based on estimated commodity revenue share, lease payments and spot market revenues

Amendment Highlights

- * Allows for a \$0 tip fee charge to members
- Guaranteed volume commitment reduced 55,000 tons to 40,000 tons
- Equipment rent payment eliminated (last year \$41,159/mo.)
- The building lease rate will be reduced to \$11.73 per square foot or \$43,988 per month from \$14.88 per square foot or \$55,800 per month
- If the museum remains open, FCR will be provided the use of the two office spaces and rest rooms on the second floor of the education center located closest to the

Formatted: Indent: Left: 0",
Hanging: 3"

| | |
|-----------------------------|--|
| | glass load out area included in the building lease rate |
| Minimum Annual Commitment | SWEROC/CRRA guarantees annual recyclable deliveries of 40,000 tons of containers and paper |
| Spot Ton Deliveries | Estimated at 3,000 tons of recyclable spot deliveries |
| Performance Securities | Current contract requirements |
| Local Tax payments | Paid by FCR per current contract |
| Other Pertinent Provisions: | FCR can secure a fixed fiber price currently estimated at \$75.00 pt |

TAB 11

RESOLUTION REGARDING FY 2010 PROJECTED LEGAL EXPENDITURES

WHEREAS, CRRA has negotiated three-year Legal Service Agreements with various law firms for the provision of legal services from July 1, 2008 through June 30, 2011; and

WHEREAS, CRRA now seeks Board authorization for projected legal expenditures during the second year of the term of said Agreements;

NOW THEREFORE, it is RESOLVED: That the following amounts be authorized for projected legal fees to be incurred during fiscal year 2010:

| <u>Firm:</u> | <u>Amount:</u> |
|---------------------------|----------------|
| Berchem Moses & Devlin | \$ 25,000 |
| Brown Rudnick | 835,000 |
| Cohn Birnbaum & Shea | 40,000 |
| Halloran & Sage | 1,340,000 |
| Heneghan Kennedy & Doyle | 49,000 |
| Kainen, Escalera & McHale | 300,000 |
| McCarter & English | 75,000 |
| Perakos & Zitser | 40,000 |
| Pepe & Hazard | 600,000 |
| Pullman & Comley | 150,000 |
| Sidley Austin | 150,000 |
| Hinckley, Allen & Snyder | 50,000 |

Further RESOLVED: That the President be authorized to expend up to \$500,000 from the Landfill Development Reserve Account for payment for legal fees incurred in fiscal year 2010 in connection with the Authority's development of a new ash landfill in the State of Connecticut; and

Further RESOLVED: That the President be authorized to expend up to \$450,000 from the Post Litigation Reserve Account for payment of legal expenses incurred in fiscal year 2010 in connection with the Enron Global litigation continuing under the aegis of the Attorney General; and

Further RESOLVED: That the President be authorized to expend up to \$25,000 from the Bridgeport Risk Fund Reserve Account for payment for legal fees incurred in fiscal year 2010 in connection with continuing Bridgeport Project matters.

Connecticut Resources Recovery Authority

AUTHORIZATION TO PAY FY 2010 PROJECTED LEGAL EXPENDITURES

May 28, 2009

Executive Summary

This is to request that the Board authorize the payment of FY 2010 projected legal expenditures for the firms and up to the amounts set forth in the attached resolution.

Discussion

As indicated in the draft resolution attached, a portion of the funds for these expenditures is proposed to come from certain specified reserves. The balance of the funds requested to be authorized is included in the FY 10 Board-approved General Fund and Project legal budgets. Please note that this initial request for authorization does not include all of the funds designated for legal expenses in the Mid-Connecticut Project budget; \$400,000 in budgeted funds is reserved for matters anticipated to arise later during FY10 and for which the choice of appropriate counsel has not yet been determined.

As requested by the P&P Committee in prior years, attached please find a comparison of requested 2010 authorizations with total 2009 authorizations and amounts actually invoiced by each firm for the period from July 1, 2008 to date.

Fiscal Year 2009 and 2010 Comparison

| <u>Law Firm</u> | <u>FY 10 Requested Authorization</u> | <u>FY 09 Authorization</u> | <u>Additional FY 09 Request</u> | <u>FY 09 Total Invoiced to Date</u> |
|---------------------------|--------------------------------------|----------------------------|---------------------------------|-------------------------------------|
| Berchem Moses & Devlin | \$ 25,000.00 | \$ 110,000.00 | | \$ 39,006.00 |
| Brown Rudnick | \$ 835,000.00 | \$ 700,000.00 | | \$ 422,275.00 |
| Cohn Birnbaum & Shea | \$ 40,000.00 | \$ 75,000.00 | | \$ 9,420.00 |
| Halloran & Sage | \$ 1,340,000.00 | \$ 1,710,000.00 | | \$ 818,801.00 |
| Heneghan Kennedy & Doyle | \$ 49,900.00 | \$ 75,000.00 | | \$ 33,191.00 |
| Hinckley Allen Snyder | \$ 50,000.00 | \$ 125,000.00 | | \$ 60,838.00 |
| Kainen, Escalera & McHale | \$ 300,000.00 | \$ 50,000.00 | \$ 175,000.00 | \$ 27,431.00 |
| McCarter & English | \$ 75,000.00 | \$ 825,000.00 | | \$ 31,697.00 |
| Perakos & Zitser | \$ 40,000.00 | \$ 100,000.00 | | \$ 5,640.00 |
| Pepe & Hazard | \$ 600,000.00 | \$ 625,000.00 | \$ 150,000.00 | \$ 314,922.00 |
| Pullman & Comley | \$ 150,000.00 | \$ 300,000.00 | | \$ 49,907.00 |
| Sidley Austin | \$ 150,000.00 | \$ 265,000.00 | | \$ 93,970.00 |
| Total | \$ 3,654,900.00 | \$ 4,960,000.00 | \$ 325,000.00 | \$ 1,907,098.00 |

None of the totals to date are more current than March; a couple are February or earlier.

CONNECTICUT RESOURCES RECOVERY AUTHORITY FISCAL YEAR 2010 LEGAL EXPENDITURE SUMMARY REPORT

| | |
|--------------------------|--|
| Halloran & Sage | Policy and CRRA Board matters, Wallingford Policy Board matters, Future planning, Insurance coverage issues, FOIA matters, Legislative and regulatory issues, Real estate matters, General matters |
| Heneghan Kennedy & Doyle | Contract counsel, General matters |
| Hinckley, Allen & Snyder | Solid Waste counsel matters; arbitration/litigation |
| Kainen Escalera & McHale | Personnel issues, HR Committee matters, Employee training, ERISA matters, MDC separation cost computation and analysis |
| Perakos & Zitser | SWEROC matters, Compliance/litigation matters |
| Cohn Birnbaum & Shea | Environmental issues (South Meadows Remediation) |
| Pepe & Hazard | Enron global case, New Hartford litigation |
| Brown Rudnick | Environmental issues and compliance; landfill matters; local zoning matters; ONE/CHANE lawsuit |
| McCarter & English | Arbitration/litigation matters; construction issues; environmental matters |
| Pullman & Comley | FASB78 issues; bond indenture covenants; Trustee & State Treasurer related matters; Future financing matters; Bond Commission matters; New Hartford litigation issues; environmental matters |
| Sidley Austin | FASB78 issues; bond indenture covenants; Trustee & State Treasurer related matters; Future financing matters |
| Berchem, Moses & Devlin | Lingering Bridgeport Project real estate and related issues; Southwest division matters |