

CONNECTICUT RESOURCES RECOVERY AUTHORITY

FOUR HUNDRED AND THIRTY-SIXTH

DEC. 20, 2012

A regular meeting of the Connecticut Resources Recovery Authority Board of Directors was held on Thurs. Dec. 20, 2012, in the Board Room at 100 Constitution Plaza, Hartford, CT 06103. Those present were:

Directors: Chairman Don Stein
John Adams
Dick Barlow
David Damer
Joel Freedman
Timothy Griswold (present by telephone)
Andrew Nunn (present by telephone)
Pedro Segarra (present by telephone)
Scott Shanley
Steve Edwards, Bridgeport Project Ad-Hoc
Mark Tillinger, Bridgeport Ad-Hoc
Bob Painter, Mid-Connecticut Project Ad-Hoc

Present from CRRA in Hartford:

Tom Kirk, President
Jim Bolduc, Chief Financial Officer
Dave Bodendorf, Senior Environmental Engineer
Peter Egan, Director of Environmental Affairs and Operations
Laurie Hunt, Director of Legal Service
Paul Nonnenmacher, Director of Public Affairs
Jim Perras, Government Relation Liaison
Moirra Benacquista, HR Specialist/Board Administrator
Marianne Carcio, Executive Assistant

Others present: Miguel Escalera, Esq., Kainen, Escalera & McHale; Martha Kelly, Connecticut Coalition of Environmental Justice; Jonathan Leibovic, Toxic Action Center; John Pizzimenti, USA Hauling; Cheryl Thibeault, Covanta.

Chairman Stein called the meeting to order at 9:35 a.m. and said a quorum was present.

APPROVAL OF THE MINUTES OF THE SPECIAL NOV. 16, 2012, BOARD MEETING

Chairman Stein requested a motion to approve the minutes of the Special Nov., 16, 2012, Board Meeting. Director Bingham made a motion to approve the minutes which was seconded by Director Adams.

The motion previously made and seconded to approve the minutes was approved by roll call. Chairman Stein, Director Adams, Director Bingham, Director Damer, Director Edwards, Director Freedman, Director Griswold, Director Painter, Director Nunn, Director Segarra, Director Shanley, and Director Tillinger voted yes. Director Barlow abstained.

Directors	Aye	Nay	Abstain
Chairman Donald Stein	X		
John Adams	X		
Dick Barlow			X
Ryan Bingham	X		
David Damer	X		
Joel Freedman	X		
Timothy Griswold	X		
Andrew Nunn	X		
Pedro Segarra	X		
Scott Shanley	X		
Ad-Hocs			
Steve Edwards, Bridgeport	X		
Mark Tillinger, Bridgeport	X		
Bob Painter, Mid-Ct	X		

APPROVAL OF THE MINUTES OF THE SPECIAL DEC. 5, 2012, BOARD MEETING

Chairman Stein requested a motion to approve the minutes of the Special Dec. 5, 2012, Board Meeting. Director Damer made a motion to approve the minutes which was seconded by Director Adams.

The motion previously made and seconded to approve the minutes was approved by roll call. Chairman Stein, Director Adams, Director Bingham, Director Damer, Director Freedman, Director Griswold, Director Painter, Director Nunn, Director Segarra, Director Shanley, and Director Tillinger voted yes. Director Edwards and Director Barlow abstained.

Directors	Aye	Nay	Abstain
Chairman Donald Stein	X		
John Adams	X		
Dick Barlow			X
Ryan Bingham	X		
David Damer	X		
Joel Freedman	X		
Timothy Griswold	X		
Andrew Nunn	X		
Pedro Segarra	X		
Scott Shanley	X		
Ad-Hocs			
Steve Edwards, Bridgeport			X
Mark Tillinger, Bridgeport	X		
Bob Painter, Mid-Ct	X		

APPROVAL OF THE MINUTES OF THE REGULAR NOV. 29, 2012, BOARD MEETING

Chairman Stein requested a motion to approve the minutes of the regular Nov. 29, 2012, Board Meeting. Director Damer made a motion to approve the minutes as amended which was seconded by Director Adams.

The motion previously made and seconded to approve the minutes as amended was approved by roll call. Chairman Stein, Director Adams, Director Damer, Director Freedman, Director Griswold, Director Painter, Director Nunn, Director Shanley, and Director Tillinger voted yes. Director Barlow and Director Segarra abstained.

Directors	Aye	Nay	Abstain
Chairman Donald Stein	X		
John Adams	X		
Dick Barlow			X
David Damer	X		
Joel Freedman	X		
Timothy Griswold	X		
Andrew Nunn	X		
Pedro Segarra			X
Scott Shanley	X		
Ad-Hocs			
Steve Edwards, Bridgeport	X		
Mark Tillinger, Bridgeport	X		
Bob Painter, Mid-Ct	X		

PUBLIC COMMENT

Jonathan Leibovic of the Toxic Action Center addressed the Board. He noted Martha Kelly of the Connecticut Coalition of Environmental Justice was also present. Mr. Leibovic asked for clarification on a statement made by Mr. Kirk at the Nov. 29, 2012, CRRA Board meeting. He said Mr. Kirk had stated, "there was significant uncertainty considering how much waste the Authority will have and that auctioning CRRA's power is not currently the best course of action and that would be typical this year given the potential for the innovative solution with the Connecticut Department of Environmental Energy and Protection and the State of Connecticut and the operating profile and waste delivery questions". Mr. Leibovic asked what the uncertainty around the waste stream will be and if that is just a matter of different municipalities signing contracts with Waste Management companies or if there is a decrease in the amount of waste being produced. He said he is particularly interested in the potential CT DEEP solution.

Mr. Kirk said the waste stream issue is due to the fact that tonnage is no longer tied up by contracts and many of the member towns have contracts with other providers. He said the plant is now filled by spot tonnage and noted there is no reduction in the amount of waste produced in the State of Connecticut.

Mr. Leibovic asked for detail on the shortfall revenue. Mr. Kirk said CRRA is experiencing a shortfall in revenue due to the drop in power prices. He said without additional revenue there is also a shortfall for plant operations. Mr. Kirk said it has yet to be determined how that shortfall will be addressed.

Mr. Leibovic asked if the municipalities whose contracts with CRRA have expired have signed contracts with other waste management companies. Chairman Stein said there are 51 towns which have signed with CRRA for continued disposal services. He said some of the proposed innovative solutions have been discussed extensively by the Governor's Working Group. Chairman Stein said CRRA is waiting to hear the results of that Committee's findings to see how that interfaces with CRRA's solution.

POLICIES & PROCUREMENT COMMITTEE REPORTS

RESOLUTION REGARDING APPROVAL OF DELIVERY OF COVER SOILS TO THE HARTFORD LANDFILL

Chairman Stein requested a motion on the above referenced item. The motion was made by Director Damer and seconded by Director Adams.

RESOLVED: That the President is hereby authorized to enter into an agreement with A&S Construction Services, LLC for delivery of soil to be used as contouring and cover material at the Hartford Landfill, as approved by the Connecticut Department of Energy & Environmental Protection, substantiality as discussed and presented at this meeting.

FURTHER RESOLVED: That the revenue received from this contract will be deposited into the Hartford Landfill Closure Reserve.

Director Damer said this resolution is one of the many standard revenue contracts for delivery of soil to the landfill for closure. He said the soil is coming in from construction work at the UConn Health Center for \$20 a ton and will potentially bring in around \$225,000 of revenue.

Director Shanley asked if the revenue will offset the expected direct contribution for the closure or if it is calculated into the closure already? Director Damer said it was his understanding that these funds go into the closure fund. He said any additional source of revenue which comes in over and above the financial requirements for the closure are put towards the solar panel cap and potentially allows CRRA to buy more solar panels.

Director Shanley asked if he was correct in stating there was no intention to use funds from the General Fund for the closure for this portion. Mr. Kirk replied yes. Director Segarra asked what the balance in this fund will be after that particular contribution is made. Mr. Kirk said the closure fund is a moving target. Mr. Bodendorf said the soil sales over the last six to seven years have generated several million dollars. Mr. Bolduc said as of the end of Nov. that amount is approximately \$8.6 million. Director Adams noted for the record that there is still room for additional soils and CRRA is interested in further opportunities. Mr. Kirk agreed.

The motion previously made and seconded was approved by roll call. Chairman Stein, Director Adams, Director Barlow, Director Bingham, Director Damer, Director Freedman, Director Griswold, Director Painter, Director Nunn, Director Segarra, and Director Shanley voted yes.

Directors	Aye	Nay	Abstain
Chairman Donald Stein	X		
John Adams	X		
Dick Barlow	X		
Ryan Bingham	X		
David Damer	X		
Joel Freedman	X		
Timothy Griswold	X		
Andrew Nunn	X		
Pedro Segarra	X		
Scott Shanley	X		
Ad-Hocs			
Steve Edwards, Bridgeport			
Mark Tillinger, Bridgeport			
Bob Painter, Mid-Ct	X		

RESOLUTION REGARDING APPROVAL OF AN AGREEMENT FOR THE DIRECT DELIVERY OF ACCEPTABLE SOLID WASTE TO THE MID-CONNECTICUT RESOURCE RECOVERY FACILITY

Chairman Stein requested a motion on the above referenced item. The motion was made by Director Damer and seconded by Director Adams.

RESOLVED: That the President is hereby authorized to execute a Letter Agreement for the direct delivery of Acceptable Solid Waste by the Regional Refuse District One to the South Meadows Resource Recovery Facility.

Chairman Stein said in the interest of full disclosure that he must recuse himself from this vote as Regional Refuse District One (hereinafter referred to as RRDD#1) serves the Town of Barkhamsted. Mr. Kirk said this is a very straightforward agreement with RRDD#1 to replace a long standing letter agreement which has been operating for the past decade. He explained for convenience and cost savings RRDD#1 opted to deliver waste to the facility in its' own trucks instead of utilizing the transfer station. Mr. Kirk said this is beneficial for RRDD#1 and also allows the facility to share in the costs savings due to reduced transportation costs.

Mr. Kirk said this agreement is similar to one CRRA has with Sharon/Salisbury and is beneficial to all parties involved and available to other interested member towns. He said the cost is \$105 for every load of compacted waste. Director Painter asked if RRDD#1 is still paying a tip fee. Mr. Kirk replied yes, he said the tip fee is still paid at the gate however; CRRA reimburses them for some of the transportation costs.

The motion previously made and seconded was approved by roll call. Director Adams, Director Barlow, Director Bingham, Director Damer, Director Freedman, Director Griswold, Director Painter, Director Nunn, Director Segarra, and Director Shanley voted yes. Chairman Stein abstained.

Directors	Aye	Nay	Abstain
Chairman Donald Stein			X
John Adams	X		
Dick Barlow	X		
Ryan Bingham	X		
David Damer	X		
Joel Freedman	X		
Timothy Griswold	X		
Andrew Nunn	X		
Pedro Segarra	X		
Scott Shanley	X		
Ad-Hocs			
Steve Edwards, Bridgeport			
Mark Tillinger, Bridgeport			
Bob Painter, Mid-Ct	X		

RESOLUTION REGARDING REDUCTION IN FORCE PROGRAM

Chairman Stein requested a motion on the above referenced item. The motion was made by Director Tillinger and seconded by Director Adams.

WHEREAS, the Connecticut Resources Recovery Authority (the “Authority”) believes that for business reasons it is prudent to conduct one or more reductions in force; and

WHEREAS, pursuant to the policies of the Authority any employee who is notified that their employment will be terminated pursuant to a reduction in force will be eligible to work a six-month working notice period; and

WHEREAS, the Authority wishes to provide any employee whose employment is terminated pursuant to a reduction in force with the opportunity, after working the six-month working notice period, to receive a termination payment in the amount of two weeks of pay per year of service, with a minimum of 10 weeks of termination pay up to a maximum of 16 weeks of termination pay, plus a maintenance payment for other benefits for the term, plus reimbursement of COBRA health/dental insurance premiums for a minimum of three months or a maximum of four months, depending on years of service, provided the employee executes a separation agreement and release of all claims in favor of the Authority in such a form as the Authority may require;

NOW THEREFORE, it is RESOLVED: That any employee of the Authority whose employment is terminated by the Authority pursuant to a reduction in force shall, after working the six-month working notice period, be given the opportunity to receive a termination payment in the amount of two weeks of pay per year of service, with a minimum of 10 weeks of termination pay up to a maximum of 16 weeks of termination pay, plus reimbursement of COBRA health/dental insurance premiums for a minimum of three months or a maximum of four months, depending on years of service, provided the employee executes a separation agreement and release of all claims in favor of the Authority in such a form as the Authority may require. The opportunity to receive a termination payment in the amount of two weeks of pay per year of service, with a minimum of 10 weeks of termination pay up to a maximum of 16 weeks of termination pay, plus a maintenance payment for other benefits for the term, plus reimbursement of COBRA health/dental insurance premiums for a minimum of three months or a maximum of four months, depending on years of service, shall not be available to any employee that fails to complete the six-month working notice period on account of voluntary resignation, termination for cause, or other reason attributable to the employee.

IT IS FURTHER RESOLVED: that the Authority shall establish an Employee Termination Obligation Reserve and transfer necessary funds from the Mid-Conn Operating Account and Reserves to a designated STIF account to fund the above described termination payments.

IT IS FURTHER RESOLVED: that the President shall make all necessary decisions as regards the implementation of RIF's, termination payments, and execution of release agreements, subject to the oversight of the Organizational Synergy and Human Resources Committee.

Mr. Kirk said this matter has been discussed by the Board in earlier meetings in the event the CRRA finds it necessary to reduce staff. Mr. Kirk said the Organizational Synergy & Human Resources Committee (hereinafter referred to as "OS & HR Committee") agreed that a termination payment would be beneficial to CRRA. He said the risks and costs associated with terminating employees and a possible reduction in force versus a severance is significant and noteworthy.

Mr. Kirk said the Board suggested some changes to how the termination payment would be administered should it be needed. He said the major change was from a flat 3 month payment to recognize length of service, to a variable payment from 10 weeks for a maximum of 16 weeks with the payment proportionate for time served.

Director Freedman said a possible amendment to the policy period to refresh the six month notice period was also discussed. He said no conclusions were met however, it seems appropriate to have that discussion in conjunction with this resolution. Director Freedman asked what the effective date of this policy was. He said in light of CRRA's budgetary issues the Board may want to reconsider the six month notice policy. Director Freedman said the first whereas, which states "the Connecticut Resources Recovery Authority (the "Authority") believes that for business reasons it is prudent to conduct one or more reductions in force" should be amended to "may be prudent".

Director Freedman said an individual employee may be entitled to six months' notice plus sixteen weeks of pay, which is roughly ten months, and is far beyond the scope of private employers. He suggested discussing reducing that six month notice period going forward.

Director Adams said he works in a publically traded company which offers one week severance for each year worked with same day notice. Chairman Stein said his former employee, United Technologies, provided same day notice and the severance packages varied per employee.

Director Griswold said he knows that the discussion on this subject matter focuses on the economy and expected time it would take certain employees to find new employment and the likely litigation which would surround any kind of reduction in force. He asked if the six months' notice and termination payment would be contingent upon an employee signing a release. Director Griswold said the release would indemnify CRRA from future claims. He said such a release could not be signed at the outset because no benefits were received at the time the reduction in force was announced. Director Griswold said the offer serves to obtain as much cooperation as possible from the staff and to minimize possible legal action.

Director Freedman said he has no concerns with the current resolution. He said the resolution is to achieve the likelihood of eliminating as much potential litigation as possible. He said the six month notice at the present is a guarantee regardless of litigation.

Director Tillinger said the current language incorporates "after working the six month period". Director Freedman said an employee could still stay for six months and litigate. Director Damer said he would be in favor of not changing the current policy concerning the six month notice period. He suggested putting this resolution in place and making possible changes in the future if circumstances change. Director Damer said the OS & HR Committee had come to the general conclusion that this resolution should be passed with the six month working notice period in place.

Chairman Stein said his concern with this resolution is that the six month working notice would stand along with a severance package on top of that. He said it was his preference if the six month working notice is being reconsidered that this resolution does not reference a specific working notice but a working notice as approved by the Board.

Chairman Stein suggested the severance package item be passed individually and the working notice issue be addressed separately. Director Barlow said he would move to amend the second paragraph to delete the phrase “a six month notice working period” and to add the language “eligible to work a working notice period as provided by the employee handbook”. Chairman Stein said the six month working notice is referenced in the 2nd, 3rd, and 4th paragraph.

Director Tillinger suggested the language “a working notice as determined by the Board”. Director Barlow agreed.

Director Damer said the OS & HR Committee made it clear that this is not a severance package. Mr. Kirk said CRRA’s attorney cautioned against referring to this payment as a severance package. He said severance packages carry an expectation of potential reemployment and this would be in the event of a possible reduction in force and is associated with permanence.

Chairman Stein asked if it would be acceptable to change any reference in the resolution from “six month working notice” to “working notice period consistent with Board policy”. Mr. Kirk said yes. He said striking “six months’ notice” and replacing it with “a working notice policy” would be acceptable.

Director Shanley suggested referencing “as the Board may amend” so there is no date associated with that versus what is currently in the policy. Director Adams suggested “as provided for in the then current employee handbook”.

Director Segarra asked if any of the employees are covered unionized. Mr. Kirk replied no.

Director Shanley said if the resolution specifically references the employee hand book as current it might as well say six months. He said if it is the intent the Board to provided flexibility dependent upon business conditions he would not reference the handbook but say “as defined by the Board, or “as may be amended by the Board”.

Director Damer suggested the mechanism by which the Board adjusts that six month figure be accomplished by amending the handbook. Chairman Stein asked if the Board approves the handbook overall or thorough individual policy approvals. Mr. Kirk said the policies are approved and the handbook is the executed document.

Director Freedman asked Director Barlow to incorporate changing the words in the first whereas from “is” too “may be” in the amendment.

AMENDMENT TO THE RESOLUTION REGARDING REDUCTION IN FORCE PROGRAM

Chairman Stein requested a motion to amend the above referenced motion. The motion to amend the resolution according to the below referenced corrections was made by Director Barlow and seconded by Director Bingham.

Director Barlow said the motion would be amended by changing the first whereas, which states “the Connecticut Resources Recovery Authority (the “Authority”) believes that for business reasons it is

prudent to conduct one or more reductions in force; and”, by substituting the language “may be prudent”.

Director Barlow said in addition the word “six months” within the resolution will be substituted to “a working notice period as defined by the Board as may be amended”.

Director Griswold said it should be made clear that it is not the intention of the Board at this time to change the six month interval. Director Barlow said he would agree that the Board is not changing the working notice at this time but wants to be careful that the Board does not bind its hands by saying there may not be a change.

Chairman Stein said the resolution as amended does not imply there is a change to the six months’ notice. He said Director Griswold’s request is implicit and Chairman Stein agrees with Director Barlow. Director Shanley added that this resolution is only being passed because CRRA’s financial picture is so murky. He said this is a regrettable responsibility to be considered but necessary.

Director Griswold said the Board does not want to infer that something is planned with this resolution. Chairman Stein agreed. He said however in industry terms up to sixteen weeks of termination, plus 3-4 months of cobra payments, plus vacation time etc. would be considered a very generous package by most industries without including the working notice.

The motion previously made and seconded to amend the motion was approved by roll call. Chairman Stein, Director Adams, Director Barlow, Director Bingham, Director Damer, Director Freedman, Director Griswold, Director Nunn, Director Segarra, Director Shanley voted yes.

Directors	Aye	Nay	Abstain
Chairman Donald Stein	X		
John Adams	X		
Dick Barlow	X		
Ryan Bingham	X		
David Damer	X		
Joel Freedman	X		
Timothy Griswold	X		
Andrew Nunn	X		
Pedro Segarra	X		
Scott Shanley	X		
Ad-Hocs			
Steve Edwards, Bridgeport			
Mark Tillinger, Bridgeport			
Bob Painter, Mid-Ct			

FINAL VOTE ON THE RESOLUTION REGARDING REDUCTION IN FORCE PROGRAM AS AMENDED

Chairman Stein requested a motion on the above referenced item. The motion was originally made by Director Tillinger and seconded by Director Adams.

WHEREAS, the Connecticut Resources Recovery Authority (the “Authority”) believes that for business reasons it may be prudent to conduct one or more reductions in force; and

WHEREAS, pursuant to the policies of the Authority any employee who is notified that their employment will be terminated pursuant to a reduction in force will be eligible to work a working notice period as defined by the Board as may be amended; and

WHEREAS, the Authority wishes to provide any employee whose employment is terminated pursuant to a reduction in force with the opportunity, after working a working notice period as defined by the Board as may be amended, to receive a termination payment in the amount of two weeks of pay per year of service, with a minimum of 10 weeks of termination pay up to a maximum of 16 weeks of termination pay, plus a maintenance payment for other benefits for the term, plus reimbursement of COBRA health/dental insurance premiums for a minimum of three months or a maximum of four months, depending on years of service, provided the employee executes a separation agreement and release of all claims in favor of the Authority in such a form as the Authority may require;

NOW THEREFORE, it is RESOLVED: That any employee of the Authority whose employment is terminated by the Authority pursuant to a reduction in force shall, after working a working notice period as defined by the Board as may be amended, be given the opportunity to receive a termination payment in the amount of two weeks of pay per year of service, with a minimum of 10 weeks of termination pay up to a maximum of 16 weeks of termination pay, plus reimbursement of COBRA health/dental insurance premiums for a minimum of three months or a maximum of four months, depending on years of service, provided the employee executes a separation agreement and release of all claims in favor of the Authority in such a form as the Authority may require. The opportunity to receive a termination payment in the amount of two weeks of pay per year of service, with a minimum of 10 weeks of termination pay up to a maximum of 16 weeks of termination pay, plus a maintenance payment for other benefits for the term, plus reimbursement of COBRA health/dental insurance premiums for a minimum of three months or a maximum of four months, depending on years of service, shall not be available to any employee that fails to complete a working notice period as defined by the Board as may be amended on account of voluntary resignation, termination for cause, or other reason attributable to the employee.

IT IS FURTHER RESOLVED: that the Authority shall establish an Employee Termination Obligation Reserve and transfer necessary funds from the Mid-Conn Operating Account and Reserves to a designated STIF account to fund the above described termination payments.

IT IS FURTHER RESOLVED: that the President shall make all necessary decisions as regards the implementation of RIF’s, termination payments, and execution of release

agreements, subject to the oversight of the Organizational Synergy and Human Resources Committee.

The motion previously made and seconded was approved as amended by roll call. Chairman Stein, Director Adams, Director Barlow, Director Bingham, Director Damer, Director Griswold, Director Nunn, Director Segarra and Director Shanley voted yes. Director Freedman abstained.

Directors	Aye	Nay	Abstain
Chairman Donald Stein	X		
John Adams	X		
Dick Barlow	X		
Ryan Bingham	X		
David Damer	X		
Joel Freedman			X
Timothy Griswold	X		
Andrew Nunn	X		
Pedro Segarra	X		
Scott Shanley	X		
Ad-Hocs			
Steve Edwards, Bridgeport			
Mark Tillinger, Bridgeport			
Bob Painter, Mid-Ct			

PRESIDENT’S REPORT

Mr. Kirk said all CRRA facilities operated without health, environmental safety, or public health impacts over the reporting period. He referred the Board to the supplemental package for the financial report for year to date data up to and including Oct. 2012. Mr. Kirk said it is early to make any conclusive estimates however Mid-Conn is unfavorable due to reduction in member waste deliveries and the number of tons being delivered due to the economy. Mr. Kirk said CRRA is making up the reduction in deliveries with spot waste which comes in at a much lower rate. He said the impact to the revenues is not insubstantial.

Mr. Kirk said there have been favorable administrative and operations expenditures this period associated with the reduced deliveries to the transfer stations and base facility. He said there have been lower metals revenues and reduced revenues from electric sales. Mr. Kirk said the lower electric price is being used in the budget however; there are reduced revenues this particular period year to date due to some unscheduled outages in October and November. Chairman Stein asked for comment on those outages.

Mr. Kirk said the unscheduled outages are pressure part related. He referred the Board to Tab E of the supplemental package and noted that there is a list of all the outages, both scheduled and unscheduled. Mr. Kirk said there has been an increase in tube failures (what are called pressure parts). He said management is making efforts and capital investments to repair the parts however; there is a lot

of surface damage as the tubes are old and corroded. Mr. Kirk said unscheduled outages have substantially improved over the last five years.

Mr. Kirk said recycling sales and expenditures were favorable by a small amount to the year to date budget. He said the Southeast expenses were generally favorable due to timing issues and some unfavorable ash expenses and spot revenue due to poor spot prices.

Mr. Kirk said the Southwest showed a modest delivery surplus of recyclables, lower than anticipated personnel management costs, and small unfavorable expenditures associated with fixed costs of licenses and fees.

Mr. Kirk referred the Board to Tab B in the supplemental package. He said all of the facilities are struggling with fuel shortages due to the poor economy and diversions.

Mr. Kirk said Mid-Conn has not had to reduce loads in the last two periods due to the reduction in capacity at the facility. He explained the appetite of the facility is lower due to the changing of the trolleys on the front end which resulted in reduced consumption of MSW. Mr. Kirk said management is keeping a close eye on facility operation as the change in fuel has caused ash rates and BTU input to increase.

Mr. Kirk said MSW is 7% unfavorable due to disappointing quantities of member waste (supplemented by spot waste) recyclables. Director Barlow asked if the 40-50% reduction in MSW and recyclable deliveries is as a result of member towns which are no longer in the project as of Nov. Mr. Kirk said yes.

Mr. Kirk said 50 plus towns have signed with CRRA which fills the plant to capacity with existing customer tons and spot supplemental waste. He said electric prices are still a problem and will continue to have major financial impacts on FY'13 and FY'14 and the following years. Mr. Kirk said management continues to work with the Governor's office and the CT DEEP for a creative alternative to revenue shortfall. He said legislative proposals have been vetted with the Governor's office and OPM and management is looking forward to warm reception of those ideas with the Legislature in conjunction with the Governor's Working Group.

EXECUTIVE SESSION

Chairman Stein requested a motion to enter into Executive Session to discuss pending litigation, trade secrets, personnel matters, security matters, pending RFP's, and feasibility estimates and evaluations with appropriate staff. The motion, made by Director Damer and seconded by Director Bingham, was approved unanimously. Chairman Stein asked the following people join the Directors in the Executive Session:

Tom Kirk
Peter Egan
Laurie Hunt
Miguel Escalera, Esq.

The Executive Session began at 10:13 a.m. and concluded at 12:25 p.m. Chairman Stein noted that no votes were taken in Executive Session.

The motion previously made and seconded to enter into Executive Session was approved by roll call. Chairman Stein, Director Adams, Director Barlow, Director Bingham, Director Damer, Director Edwards, Director Freedman, Director Griswold. Director Nunn, Director Painter, Director Segarra, Director Shanley, Director Tillinger voted yes.

Directors	Aye	Nay	Abstain
Chairman Donald Stein	X		
John Adams	X		
Dick Barlow	X		
Ryan Bingham	X		
David Damer	X		
Joel Freedman	X		
Timothy Griswold	X		
Andrew Nunn	X		
Pedro Segarra	X		
Scott Shanley	X		
Ad-Hocs			
Steve Edwards, Bridgeport	X		
Mark Tillinger, Bridgeport	X		
Bob Painter, Mid-Ct	X		

MOTION TO ADD AN ITEM TO THE AGENDA REGARDING RESOLUTION TO AMEND THE CRRA WORKING NOTICE POLICY

Chairman Stein requested a motion to add an item to the agenda concerning changes to the employee handbook. The motion to add the below item to the agenda was made by Director Damer and seconded by Director Adams.

BE IT RESOLVED THAT: Effective March 31, 2013, the working notice period contained in CRRA’s Working Notice Policy, Section 25.2 of CRRA’s Employee Handbook, shall be changed for full-time employees from 6 months to 3 months.

The motion previously made and seconded to add an item to the agenda was approved unanimously by roll call. Chairman Stein, Director Adams, Director Barlow, Director Bingham, Director Damer, Director Freedman and Director Shanley voted yes.

Directors	Aye	Nay	Abstain
Chairman Donald Stein	X		
John Adams	X		
Dick Barlow	X		
Ryan Bingham	X		
David Damer	X		
Joel Freedman	X		
Scott Shanley	X		
Ad-Hocs			
Steve Edwards, Bridgeport			
Mark Tillinger, Bridgeport			
Bob Painter, Mid-Ct			

RESOLUTION REGARDING AMENDMENT TO THE CRRA WORKING NOTICE POLICY

Chairman Stein requested a motion on the above referenced item. The motion was made by Director Adams and seconded by Director Freedman.

BE IT RESOLVED THAT: Effective March 31, 2013, the working notice period contained in CRRA’s Working Notice Policy, Section 25.2 of CRRA’s Employee Handbook, shall be changed for full-time employees from 6 months to 3 months.

Director Tillinger asked that management transmit this information to the CRRA employees with a letter from Chairman Stein and President Kirk stating that this action is in response to great financial uncertainty for CRRA.

The motion previously made and seconded was approved unanimously by roll call. Chairman Stein, Director Adams, Director Barlow, Director Bingham, Director Damer, and Director Shanley voted yes. Director Freedman abstained.

Directors	Aye	Nay	Abstain
Chairman Donald Stein	X		
John Adams	X		
Dick Barlow	X		
Ryan Bingham	X		
David Damer	X		
Joel Freedman			X
Scott Shanley	X		
Ad-Hocs			
Steve Edwards, Bridgeport			
Mark Tillinger, Bridgeport			
Bob Painter, Mid-Ct			

ADJOURNMENT

Chairman Stein requested a motion to adjourn the meeting. The motion to adjourn was made by Director Bingham and seconded by Director Adams and was approved unanimously.

There being no other business to discuss, the meeting adjourned at 12:28 p.m.

Respectfully Submitted,

Moira Benacquista
HR Specialist/Board Administrator