

**CONNECTICUT RESOURCES RECOVERY AUTHORITY**

**FOUR HUNDRED AND THIRTY-SIXTH**

**APRIL 24, 2008**

A Regular meeting of the Connecticut Resources Recovery Authority Board of Directors was held on Thursday, April 24, 2008, at 100 Constitution Plaza, Hartford, Connecticut. Those present were:

Chairman Michael Pace

Directors:     Mark Cooper  
                  Michael Jarjura (Present beginning 10:16 a.m.)  
                  Edna Karanian  
                  Mark Lauretti (Present beginning 10:03 a.m.)  
                  Theodore Martland  
                  James Miron (Present beginning 10:17 a.m.)  
                  Raymond O'Brien  
                  Linda Savitsky  
                  Steve Edwards, Bridgeport Project Ad-Hoc  
                  Tim Griswold, Mid-CT Project Ad-Hoc  
                  Warren Howe, Jr., Wallingford Project Ad-Hoc  
                  Geno J. Zandri, Jr., Wallingford Project Ad-Hoc

Present from the CRRA staff:

Tom Kirk, President  
Jim Bolduc, Chief Financial Officer  
Michael Bzdyra, Government Relations Liaison  
Jeffrey Duvall, Senior Operations Analyst  
Peter Egan, Director of Environmental Affairs & Development  
Thomas Gaffey, Recycling Director  
Laurie Hunt, Director of Legal Services  
Paul Nonnenmacher, Director of Public Affairs  
Mike Tracey, Director of Operations  
Lisa Bremmer, Executive Assistant  
Moirra Kenney, Secretary to the Board/Paralegal

Also present were: Bob Gross of Wallingford, CT, John Pizzimenti of USA Hauling & Recycling, Cheryl Thibeault of Covanta, Jerry Tyminski of SCRRA, Jonathan Bilmes of the Bristol Resource Recovery Facility Operating Committee, and Dan Uhlinger of *The Hartford Courant*.

Chairman Pace called the meeting to order at 9:38 a.m. and said that a quorum was present.

**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. Mr. Gross of Wallingford asked the Chairman if he could wait to pose his questions regarding the Wallingford Project until that specific agenda item was discussed. Chairman Pace agreed.

**APPROVAL OF THE MINUTES OF THE MARCH 27, 2008, REGULAR BOARD MEETING**

Chairman Pace requested a motion to approve the minutes of the March 27, 2008, Regular Board Meeting. Director O'Brien made a motion to approve the minutes, which was seconded by Director Cooper. The minutes were approved as presented by roll call.

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Mark Cooper	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Linda Savitsky	X		
<b>Ad-Hocs</b>			
Stephen Edwards, Ad-Hoc, Bridgeport	X		
Timothy Griswold, Ad-Hoc, Mid-CT	X		
Warren C. Howe, Jr., Ad-Hoc, Wallingford	X		
Geno J. Zandri, Jr., Wallingford			

**RESOLUTION REGARDING THE WALLINGFORD PROJECT PURCHASE OPTION ACTION ITEMS AND ASSOCIATED BUDGET**

Chairman Pace requested a motion regarding the above-captioned matter. The following motion was made by Director O'Brien:

**WHEREAS:** The Authority, upon request of the Wallingford Policy Board, is reviewing all potential waste disposal options on behalf of the Wallingford Project member towns; and

**WHEREAS:** One of the options under review is the potential purchase of the resource recovery facility in Wallingford; and

**WHEREAS:** This purchase option review requires that funds be disbursed from the Wallingford Future Use Fund to enable the commencement of various tasks required for the review analysis; and

**WHEREAS:** The Wallingford Policy Board approved such expenditures at their April 8, 2008 meeting.

**THEREFORE BE IT RESOLVED:** That the Authority Board of Directors authorizes the President to expend funds related to the studies and activities necessary to ascertain the feasibility of CRRA exercising the Option to Purchase the Wallingford Resources Recovery Facility pursuant to Section 3.02 (d) of the Amended and Restated Waste Disposal Services Contract dated as of February 1, 1990 between CRRA and Wallingford Resource Recovery Associates, L.P., substantially in accordance with the budget as presented and discussed at this meeting.

Director Martland seconded the motion for discussion.

Mr. Kirk said the Wallingford Project is expiring in 2010. Mr. Kirk said CRRA is currently considering two options for the Wallingford Plant. Mr. Kirk said firstly a renewal option was being explored. He said management continues to have discussions with Covanta regarding a modified renewal of the existing contract. Mr. Kirk explained the contract would continue to serve the needs of the five towns and CRRA at a negotiated price after reverting to private ownership. Mr. Kirk stated this particular option is at present being negotiated by both parties with an understanding of the time constraint management is facing while debating a concurrent option.

Mr. Kirk explained the concurrent option being considered involves the purchase of the plant by CRRA to be operated as a publicly owned facility. Mr. Kirk explained in order for CRRA to purchase the plant management is obligated to give prior notice to Covanta by December of 2008. Mr. Kirk said the plant would be purchased at market value. He said there were many practical financial and operational considerations which would need to be fully explored prior to CRRA extending an offer to Covanta. Mr. Kirk said research and undertaking of this financial option would need to begin by mid-summer in order for adequate preparation. Mr. Kirk explained management is developing a recommendation for the full Board and the member towns to be presented by mid-summer.

Chairman Pace said the Board had been considering policy issues versus public ownership regarding this project for a considerable amount of time. He stated in the best interests of the municipalities, for which the CRRA Board serves, that public ownership complies with this consideration.

Director Howe asked Mr. Kirk if he had referred to private ownership regarding the Wallingford facility. Mr. Kirk said Covanta had indicated their preference that a renewal contain an option where CRRA relinquishes their option to buy the plant at the end of the renewals' term. He explained Covanta values the right to own the plant after the renewal period. Mr. Kirk said management was in agreement that CRRA would relinquish the right to purchase the plant at the end of the renewal period which would in effect cause the plant to become privately owned. Mr. Kirk said an advantage of public control is the possible implementation of flow control. Mr. Kirk said he would expect the proposal to come before the

Board in the summer to contain terms providing Covanta with ownership after the renewal period. He explained this would involve CRRA relinquishing the ability to purchase the plant at market value.

Director Zandri asked what the target date is for completion of this proposal. Mr. Bolduc explained the Finance Committee's comfort and understanding of the proposal is crucial. Mr. Bolduc said management will be meeting with their bond counsel and economic advisor this week. He explains the details will be discussed with the Finance Committee within the next four to six weeks.

Director O'Brien said two of the tasks discussed were of particular urgency. He said there are three months to complete the engineering analysis and the energy market survey, which are both critical issues regarding the financial outlay. Mr. Kirk agreed, explaining the preliminary work had begun on most of these topics. Mr. Kirk said that management was very comfortable with their present schedule.

Director Zandri said that considerations of the timing required for presenting the appropriate information to each involved community was also crucial. Director Howe noted the Wallingford Policy Board's continued updates on this proposal have provided very important background information for the member communities.

There was substantial discussion by the Board regarding the options and terminology which will most likely be contained in a contract renewal regarding ownership of the Wallingford facility.

Director Savitsky stated communication with the member communities is crucial when moving forward with this proposal. She recommended involving the municipalities with the schedule as soon as possible. Mr. Kirk said Mr. Nonnenmacher, CRRA's Director of Public Affairs, will continue giving proposals to the remaining municipalities. Mr. Kirk said management plans to have draft MSAs available in the fall.

Chairman Pace said it was important to note that the funds for this resolution were coming from the Wallingford reserve fund. Director Edwards asked if the project would be paid for by future users or by the towns who currently contribute to the sinking fund. Mr. Bolduc explained the Wallingford Policy Board had created the fund in anticipation of the project.

## **PUBLIC COMMENT**

Mr. Gross asked approximately how much money the Wallingford plant had out of the fund. Mr. Bolduc said as of the end of February there is roughly \$8.8 million in the Wallingford fund.

Mr. Gross asked if management foresaw a major variance on the current price estimate of the plant. Mr. Kirk said no, as the appraisal was done along the same lines of the appraisal detailed in the contract. He explains management's expectation was for a limited variation on appraisal prices.

Mr. Gross asked when the price of the plant would be made public. Mr. Kirk said management did not intend to make the first appraisal public. He explained if and when a decision was made to purchase the plant, the open dialog provided by the CRRA Board would give the best indication of a purchase price. Mr. Kirk explained if CRRA pursues public ownership instead of a renewal there would be an open process with two evaluations, one by Covanta and one by CRRA. He said a method for

resolving any possible differences would be utilized in negotiations. Chairman Pace explained in order to proceed with negotiations with a public entity it is necessary to keep the first appraisal confidential.

Mr. Gross asked if the five communities could fund the plant utilizing the reserve fund. Mr. Kirk said this was a possibility and that it had been discussed by the Wallingford Policy Board. He said the tipping fee stabilization fund contains the funds necessary for purchasing the plant. Mr. Kirk explained this option would also be considered by the CRRA Board.

Mr. Gross asked if there was a down side to CRRA purchasing the plant. Mr. Kirk said ownership of the plant would involve some ownership risks, operation risks and performance risks some of which may not be insurable. He explained the market risk is the most important factor to consider. Mr. Kirk said the Wallingford plant is not an efficient processor and is the most expensive capacity in the State of Connecticut. He explained the participating towns would be paying a high fee if the plant was operating at a cost above market. Mr. Kirk said contracting with Covanta would insure some risks would be shared. Chairman Pace said the organizational structure in CRRA may also have a future impact on any possible future risks concerning the Wallingford Plant. Mr. Kirk explained that Chairman Pace was correct, especially in consideration of the possible future business plan of CRRA. He explained the concept envisions a statewide rate configuration involving a shared risk over a larger percentage of member towns, which may prove to be advantageous to Wallingford, particularly if the facility is publicly owned.

Director Howe asked who currently owns the Wallingford plant. Mr. Kirk said the plant was currently owned by CRRA. He explained that as of December 31, 2010, the right of ownership to the plant transfers to Covanta for a dollar. Mr. Kirk said CRRA would be exercising an option to purchase effective the end of the current agreement.

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

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Mark Cooper	X		
Michael Jarjura	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
James Miron	X		
Raymond O'Brien	X		
Linda Savitsky	X		
<b>Ad-Hocs</b>			
Stephen Edwards, Ad-Hoc, Bridgeport			
Timothy Griswold, Ad-Hoc, Mid-CT			
Warren C. Howe, Jr., Ad-Hoc, Wallingford	X		
Geno J. Zandri, Jr., Wallingford	X		

**RESOLUTION REGARDING CANCELLATION OF THE AIDS POLICY**

Chairman Pace requested a motion regarding the above-captioned matter. The following motion was made by Director Cooper:

**RESOLVED:** That the AIDS Policy BOD #039 of the Connecticut Resources Recovery Authority be cancelled as approved by the Policies & Procurement Committee at its April 10, 2008 meeting.

Director O’Brien seconded the motion.

Director Cooper explained the AIDS policy was no longer necessary as it is redundant. Mr. Hyfield said the policy is covered in the employee handbook and by the Americans with Disabilities Act.

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

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Mark Cooper	X		
Michael Jarjura	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
James Miron	X		
Raymond O’Brien	X		
Linda Savitsky	X		
<b>Ad-Hocs</b>			
Stephen Edwards, Ad-Hoc, Bridgeport			
Tim Griswold, Ad-Hoc, Mid Connecticut			
Warren H, Howe, Jr., Ad-Hoc, Wallingford			
Geno J. Zandri, Jr., Ad-Hoc, Wallingford			

**RESOLUTION REGARDING THE “NO SMOKING” POLICY**

Chairman Pace requested a motion regarding the above-captioned matter. The following motion was made by Director Cooper:

**RESOLVED:** that the “NO SMOKING” Policy BOD #038 of the Connecticut Resource Recovery Authority be canceled as approved by the Policies and Procurement Committee at its April 10, 2008 meeting.

Director O’Brien seconded the motion.

Director Cooper explained the “No Smoking” policy was no longer necessary as it is redundant. Mr. Hyfield said the policy is also covered in the employee handbook.

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

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Mark Cooper	X		
Michael Jarjura	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
James Miron	X		
Raymond O’Brien	X		
Linda Savitsky	X		
<b>Ad-Hocs</b>			
Stephen Edwards, Ad-Hoc, Bridgeport			
Tim Griswold, Ad-Hoc, Mid Connecticut			
Warren H, Howe, Jr., Ad-Hoc, Wallingford			
Geno J. Zandri, Jr., Ad-Hoc, Wallingford			

**RESOLUTION REGARDING SENIOR MANAGEMENT EMPLOYMENT AGREEMENTS**

Chairman Pace requested a motion regarding the above-captioned matter. The following motion was made by Director Cooper:

**RESOLVED:** That the employment agreements for the President and Chief Financial Officer be adopted as presented and discussed by the Organizational Synergy & Human Resources committee.

Director O’Brien seconded the motion.

Director Cooper said the Human Resources Committee had reviewed these agreements at length and had worked with their employment lawyers to make any necessary changes. Director O'Brien stated

he was in agreement with Jim Francis’ statement that the best vote he had cast while serving on the CRRA Board was to hire Tom Kirk and Jim Bolduc.

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

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Mark Cooper	X		
Michael Jarjura	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
James Miron	X		
Raymond O’Brien	X		
Linda Savitsky	X		
<b>Ad-Hocs</b>			
Stephen Edwards, Ad-Hoc, Bridgeport			
Tim Griswold, Ad-Hoc, Mid Connecticut			
Warren H, Howe, Jr., Ad-Hoc, Wallingford			
Geno J. Zandri, Jr., Ad-Hoc, Wallingford			

**RESOLUTION REGARDING MID-CONNECTICUT REGIONAL RECYCLING FACILITY SINGLE STREAM RETROFIT PROJECT**

Chairman Pace requested a motion regarding the above-captioned matter. The following motion was made by Director O’Brien:

**WHEREAS:** The State Solid Waste Management Plan established a target of a 58% diversion rate from the disposal of municipal solid waste by 2024 and;

**WHEREAS:** Connecticut General Statutes charge CRRA with the responsibility of carrying out the provisions of said Plan and;

**WHEREAS:** Single Stream Recycling has proven to significantly raise participation and recycling rates in a number of other cities and towns in the United States and;

**WHEREAS:** A number of Mid-Connecticut Project municipalities and haulers have expressed serious interest in implementing single stream collection systems and;

**WHEREAS:** Conversion of the Mid-Connecticut Regional Recycling facility with additional state-of-the-art sorting equipment and associated conveyors to accept single stream will enable



CRRA to both better meet the recycling needs of our customers and assist in meeting the statewide diversion rate and;

**WHEREAS:** the Mid-Connecticut Project will benefit from increased recycling by realizing substantial costs savings due to significant reduction in annual municipal solid waste export and diversion costs and share those savings with member municipalities and;

**WHEREAS:** the Mid-Connecticut Project municipalities and haulers should realize substantial costs savings in municipal solid waste disposal fees due to increased recycling, therefore;

**RESOLVED:** That the President is hereby authorized to execute a third 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 to install the necessary equipment to accommodate single stream recyclables delivered from the Mid-Connecticut Project municipalities substantially as presented at this meeting.

Director Jarjura seconded the motion

Mr. Gaffey provided the CRRA Board with an extensive presentation on the Mid-Connecticut Regional Recycling Facility retro-fit project presentation on single stream recycling, a copy of which is attached as “Exhibit A”.

There was a lengthy discussion on the possible positive and negative ramifications of implementing the single stream recycling project.

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

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Mark Cooper	X		
Michael Jarjura	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
James Miron	X		
Raymond O'Brien	X		
Linda Savitsky	X		
<b>Ad-Hocs</b>			
Stephen Edwards, Ad-Hoc, Bridgeport			
Tim Griswold, Ad-Hoc, Mid Connecticut	X		
Warren H, Howe, Jr., Ad-Hoc, Wallingford			
Geno J. Zandri, Jr., Ad-Hoc, Wallingford			

**RESOLUTION REGARDING MID-CONNECTICUT RESOURCES RECOVERY FACILITY  
ASH RESIDUE TRANSPORTATION SERVICES**

Chairman Pace requested a motion regarding the above-captioned matter. The following motion was made by Director O’Brien:

**RESOLVED:** That the President is authorized to enter into an agreement with Botticello Inc. for Mid-Connecticut Resources Recovery Facility ash residue transportation services substantially as presented and discussed at this meeting.

Director Jarjura seconded the motion.

Mr. Tracey said management was happy with the current hauler and had had no problems with them.

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

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Mark Cooper	X		
Michael Jarjura	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
James Miron	X		
Raymond O’Brien	X		
Linda Savitsky	X		
<b>Ad-Hocs</b>			
Stephen Edwards, Ad-Hoc, Bridgeport			
Tim Griswold, Ad-Hoc, Mid Connecticut	X		
Warren H, Howe, Jr., Ad-Hoc, Wallingford			
Geno J. Zandri, Jr., Ad-Hoc, Wallingford			

**RESOLUTION REGARDING THE REPLACEMENT OF THE LOW SLOPE ROOF AT THE NORWALK TRANSFER STATION**

Chairman Pace requested a motion regarding the above-captioned matter. The following motion was made by Director O'Brien:

**RESOLVED:** That the President is hereby authorized to execute an agreement with new England Masonry and Roofing Company to implement the replacement of the Low Slope Roof at the Norwalk Transfer Station, substantially as presented and discussed at this meeting.

Director Savitsky seconded the motion.

Chairman Pace asked how long ago CRRA received the Norwalk Transfer Station. Mr. Kirk replied that CRRA had received the station in 1984. Mr. Kirk said the roof replacement was only one of many smaller tasks which have been performed over the years to assure each of the towns which own their own transfer stations that CRRA is returning the assets without any disputes regarding maintenance.

Director Jarjura asked why CRRA was not renewing the transfer station agreements. Mr. Kirk explained the towns had indicated their preference in running their transfer stations themselves versus electing to sign a renewal with CRRA.

Director O'Brien asked if management was comfortable that the Bridgeport project will have enough funds to cover all outstanding obligations. Mr. Bolduc replied that the answer was yes. He explained that the transfer station costs were explored at length prior to establishing the FY 09 budget.

Director O'Brien said he wanted it to be clear that in his opinion CRRA had gone above and beyond the call regarding normal wear and tear maintenance. Director Edward said the roof replacement was consistent with the level of transfer station maintenance across-the-board and was also necessary due to some mild leaking.

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

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Mark Cooper	X		
Michael Jarjura	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
James Miron	X		
Raymond O'Brien	X		
Linda Savitsky	X		
<b>Ad-Hocs</b>			
Stephen Edwards, Ad-Hoc, Bridgeport	X		
Tim Griswold, Ad-Hoc, Mid Connecticut			
Warren H. Howe, Jr., Ad-Hoc, Wallingford			
Geno J. Zandri, Jr., Ad-Hoc, Wallingford			

**RESOLUTION REGARDING EXTENSION OF THE ELLINGTON LANDFILL GAS SYSTEM O&M CONTRACT**

Chairman Pace requested a motion regarding the above-captioned matter. The following motion was made by Director O'Brien:

**RESOLVED:** That the President is hereby authorized to extend by five years the contract term with SCS Field Services to provide operation and maintenance services for the landfill gas collection system and thermal oxidizer station at the Ellington Landfill, substantially as discussed and presented at this meeting.

Director Martland seconded the motion.

Director O'Brien said that contrary to CRRA's typical practice, this is a five-year contract. He said the write-up was well written and has his full support.

Mr. Egan said the contract had been awarded four years ago and that the Board had approved an additional one-year extension in 2006. Mr. Egan explained the Board had approved the one-year extension on the condition that management go back out to bid the following winter. Mr. Egan said the write-up showed the bid prices resulting from management's return to market. He said the two proposals were both higher than the cost of the extension. Mr. Egan said as a result management recommends the extension be exercised for the full five-year term.

Mr. Egan explained the operation at the Ellington landfill is routine and that a five-year contract term is normal for these types of operational activities. He said the operator is a qualified company which has been doing a good job and management fully supports the decision for this five-year contract.

Chairman Pace asked where the funds for this contract come from. Mr. Egan explained the funds come from the Mid-Connecticut operating budget this year and in later years it will come from the Ellington landfill post closure reserve. Chairman Pace said he wanted the public to understand these dollars are not an estimate but a result of the net cost of operations.

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

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Mark Cooper	X		
Michael Jarjura	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
James Miron	X		
Raymond O'Brien	X		
Linda Savitsky	X		
<b>Ad-Hocs</b>			
Stephen Edwards, Ad-Hoc, Bridgeport			
Tim Griswold, Ad-Hoc, Mid Connecticut	X		
Warren H, Howe, Jr., Ad-Hoc, Wallingford			
Geno J. Zandri, Jr., Ad-Hoc, Wallingford			

**RESOLUTION REGARDING THE STANDARD FORM MUNICIPAL SOLID WASTE DELIVERY AGREEMENT FOR THE BRIDGEPORT PROJECT**

Chairman Pace requested a motion regarding the above-captioned matter. The following motion was made by Director O'Brien:

**RESOLVED:** That the President is authorized to execute agreements for delivery of Acceptable Waste to CRRA's Bridgeport Project using the Standard Form Hauler Agreement substantially as presented and discussed at this meeting.

Director Savitsky seconded the motion.

Mr. Duvall said when the agreement had been brought before the Board management proposed a one year agreement as they were unsure of the conditions of Bridgeport. He said the current contract ends December 31, 2008, and management would like the haulers to sign-up for six more months to complete this contract. Mr. Duvall explained the extension is at the current rate of \$72.00 a ton. He explained the extension had been brought before the SWAB Board for discussion. Director Edwards noted the SWAB Board supported the agreement.

Mr. Kirk noted this agreement helps to lower the tip fee in the Bridgeport project.

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

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Mark Cooper	X		
Michael Jarjura	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
James Miron	X		
Raymond O'Brien	X		
Linda Savitsky	X		
<b>Ad-Hocs</b>			
Stephen Edwards, Ad-Hoc, Bridgeport	X		
Tim Griswold, Ad-Hoc, Mid Connecticut			
Warren H, Howe, Jr., Ad-Hoc, Wallingford			
Geno J. Zandri, Jr., Ad-Hoc, Wallingford			

**RESOLUTION REGARDING THREE-YEAR LEGAL SERVICES AGREEMENTS**

Chairman Pace requested a motion regarding the above-captioned matter. The following motion was made by Director O'Brien:

**RESOLVED:** That the President is hereby authorized to execute, deliver, and perform on behalf of this Authority, Legal Services Agreements as were substantially set forth in the Request for Qualifications dated January 28, 2008, for a period of three years commencing on July 1, 2008, and terminating on June 30, 2011, with the law firms listed below. Except for the General Counsel position, all other counsel positions will be "on call."

GENERAL COUNSEL

Halloran & Sage - Primary  
Heneghan, Kennedy & Doyle

MUNICIPAL

Halloran & Sage  
Tyler, Cooper & Alcorn  
Berchem, Moses & Devlin

CONSTRUCTION

Halloran & Sage  
McCarter & English

EMPLOYMENT

Halloran & Sage  
Kainen, Escalera (Primary)

ENERGY/DPUC

Halloran & Sage  
Brown Rudnick  
Pullman & Comley

ENVIRONMENTAL

Halloran & Sage  
Brown Rudnick  
Cohn, Birnbaum & Shea  
Pullman & Comley  
McCarter & English

LITIGATION

Halloran & Sage  
Brown Rudnick  
Cohn, Birnbaum & Shea  
McCarter & English  
Pepe & Hazard  
Perakos & Zitser  
Berchem, Moses & Devlin  
Tyler, Cooper & Alcorn

REAL ESTATE

Halloran & Sage  
Brown Rudnick  
Cohn, Birnbaum & Shea  
Berchem, Moses & Devlin  
McCarter & English

SOLID WASTE

Halloran & Sage  
Tyler, Cooper & Alcorn  
McCarter & English

Director Jarjura seconded the motion.

Director O'Brien said the Policies and Procurement Committee had conducted legal interviews. He said a majority of the listed firms are currently utilized by CRRA. Director O'Brien said the committee discussed whether or not each firm is up for consideration would receive work. He explained the committee ultimately decided the answer was yes with the input of Ms. Hunt.

Ms. Hunt said the Chairman of the Policies and Procurement Committee had requested a list of what CRRA had paid their legal firms in 2006 and 2007 which she then provided for the Board to review. She said she was confident there would be work for each of the selected firms over the next three years.

Director O'Brien said he was personally acquainted with Tyler Cooper & Alcorn as they served as counsel for HRRRA for a number of years while he served on their Board.

Director Miron said that Berchem Moses & Devlin served as the town attorney for Stratford, which he was obligated to disclose. Ms. Hunt said that was not an issue unless there was discussion pertaining to matters related to Stratford.

Director Savitsky stated she was concerned there may be an excessive amount of legal firms on the list. Ms. Hunt said with the exception of the firms that CRRA currently utilizes each new firm was specifically chosen for their expertise in a variety of pertinent matters. Mr. Bolduc added that the supplemental package to the Board offered an additional demonstration of how frequently CRRA's current firms are used.

The Board discussed the selection of legal firms.

The motion previously made and seconded was approved by roll call. Director Martland voted nay.

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Mark Cooper	X		
Michael Jarjura	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland		X	
James Miron	X		
Raymond O'Brien	X		
Linda Savitsky	X		
<b>Ad-Hocs</b>			
Stephen Edwards, Ad-Hoc, Bridgeport			
Tim Griswold, Ad-Hoc, Mid Connecticut			
Warren H, Howe, Jr., Ad-Hoc, Wallingford			
Geno J. Zandri, Jr., Ad-Hoc, Wallingford			

**RESOLUTION REGARDING THREE-YEAR BOND COUNSEL LEGAL SERVICES AGREEMENTS**

Chairman Pace requested a motion regarding the above-captioned matter. The following motion was made by Director O'Brien:



**RESOLVED:** That the President is hereby authorized to execute, deliver and perform on behalf of this Authority, Bond Counsel Legal Services Agreements as were substantially set forth in the Request for Qualifications dated January 28, 2008, for a period of three years commencing on July 1, 2008 and terminating on June 30, 2011, with the law firms listed below.

Bond Counsel

Sidley Austin  
Pullman & Comley

Director Jarjura seconded the motion.

Director O'Brien noted that both the Policies & Procurement Committee and the Finance Committee had interviewed the selected firms for bond counsel. He explained the two firms were chosen due to their respective experience and knowledge of the bond market. He said they were both comfortable working individually and in a partnership. Director O'Brien said despite Sidley Austin's high rates their invoices reflect an extremely efficient use of time.

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

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Mark Cooper	X		
Michael Jarjura	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
James Miron	X		
Raymond O'Brien	X		
Linda Savitsky	X		
<b>Ad-Hocs</b>			
Stephen Edwards, Ad-Hoc, Bridgeport			
Tim Griswold, Ad-Hoc, Mid Connecticut			
Warren H, Howe, Jr., Ad-Hoc, Wallingford			
Geno J. Zandri, Jr., Ad-Hoc, Wallingford			

**ADDITION TO THE AGENDA**

Chairman Pace requested a motion to add an item to the agenda.

Director O’Brien seconded the motion to add an item to the agenda.

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

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Mark Cooper	X		
Michael Jarjura	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
James Miron	X		
Raymond O’Brien	X		
Linda Savitsky	X		
<b>Ad-Hocs</b>			
Stephen Edwards, Ad-Hoc, Bridgeport			
Tim Griswold, Ad-Hoc, Mid Connecticut			
Warren H. Howe, Jr., Ad-Hoc, Wallingford			
Geno J. Zandri, Jr., Ad-Hoc, Wallingford			

**CHAIRMAN’S REPORT**

Chairman Pace said he had sent a letter to Governor Rell which outlined CRRA’s plan for dealing with impending litigation, and offered her the assurance that the Board was acting in the best interest of the State of Connecticut.

Director Howe said he had cut out a letter to the editor from the *Meriden Record Journal* written by Cheryl Thibodeau of Covanta which complemented CRRA for their foresight in trash to energy efforts.

Chairman Pace said he had invited Tom Kirk and Jim Bolduc to Old Saybrook for Earth Day, where Tom spoke regarding CRRA’s recycling efforts at a function in Old Saybrook.

Chairman Pace said management is hosting several open house events in Franklin, Connecticut, in an effort to provide the community with an informational meeting where questions and comments are welcome regarding the new ash landfill site.

Mr. Bzdyra said CRRA was invited by Senator Prague to an informational meeting regarding the ash landfill site, hosted by the Environmental Committee. Chairman Pace said that attendees will range from state and local officials and representatives to the CT DEP. Chairman Pace said he felt the meeting was a wonderful opportunity for CRRA to address any questions or issues the committee may have.

Chairman Pace said that he was asking Director O'Brien to consider chairing the Finance Committee. He said that he had also asked Director Savitsky to consider chairing the Policies & Procurement Committee. Chairman Pace said that further information on the topic would be provided in the coming weeks.

## **PRESIDENT'S REPORT**

Mr. Kirk said that CRRA will host three open house events at the Franklin Elementary School on Wednesday, April 30, from 7-9 p.m., Wednesday, May 7, from 7-9 p.m., and Saturday, May 10, from 2-4 p.m. Mr. Kirk explained there would be seven stations set up at the school with consultants and management available to answer all questions from the public. Mr. Kirk explained any questions that can't be answered on the spot will be recorded and a response will be provided as quickly as possible.

Mr. Kirk said there was a new development in the New Hartford case. He explained a motion was filed to have an injunction against CRRA on the FY'09 budget. Mr. Kirk said this is interesting because the motion was assumed to be part of the existing Enron and New Hartford legislation which was the 2003 budget. He explained the validity of the question will be addressed by CRRA's attorneys. Mr. Kirk said listed in the motions are claims that the member town's were threatened that tipping fees would go up. Mr. Kirk said that of course the towns were informed that CRRA relies on public funds and therefore of course tipping fees would go up if CRRA lost \$36 million in revenues.

Mr. Kirk explained the motion also contained a claim that the towns have no liability for the post-closure monitoring and maintenance of the Hartford landfill, which is clearly incorrect due to the statutory law. He said there was also a claim that CRRA can't use project money for the recycling center which directly contradicts CRRA's mission statement. He said the injunction which asked for the court to lower the tip fee to a new number, is only appropriate if the plaintiffs would suffer irreparable harm, meaning it can't be fixed with money after the fact. Mr. Kirk said CRRA's attorneys state these claims have no validity and should be dismissed. Mr. Kirk said the public should expect continued public maneuvering to highlight the issue in the hopes that CRRA would be pressured to withdraw the appeal.

Mr. Kirk said that management has extended an invitation to MDC to discuss the budget issues and the post-expiration costs they believe they are entitled to. He said the invitation was declined and that MDC had asked for proposal for concepts for CRRA's offer to assist in mitigating the post-expiration costs.

Mr. Kirk said regarding the Wallingford project that a favorable agreement had been made with Wheelabrator. He said that MSAs were being developed for the individual towns and that a first draft of the contract outlining terms and conditions has been received. Mr. Kirk said he expected that item to be up for consideration before the Board in roughly six weeks. The Board discussed the topic at length.

## **EXECUTIVE SESSION**

Chairman Pace requested a motion to enter into Executive Session to discuss pending litigation and personnel matters. The motion made by Director Savitsky and seconded by Director Cooper was approved unanimously. Chairman Pace requested that the following people remain for the Executive Session, in addition to the Board members:

Tom Kirk  
Jim Bolduc  
Laurie Hunt, Esq.  
Paul Nonnenmacher

The Executive Session commenced at 11:50 a.m. At approximately 12:50 p.m. the Board excused the above named invitees and requested that Mr. Hyfield join them in Executive Session to discuss personnel matters. Executive Session concluded at 1:11 p.m. Chairman O'Brien noted that no votes were taken.

## **ADDITIONAL MOTION**

Chairman Pace requested a motion regarding the above-captioned matter. The following motion was made by Director Cooper:

**RESOLVED:** That the salaries for the President (increase of 2.1%) and Chief Financial Officer (increases of 2.1%) be adopted as presented and discussed by the Organizational Synergy & Human Resources Committee and the Executive Committee.

Director O'Brien seconded the motion.

The motion previously made and seconded was approved by roll call. Director Savitsky voted nay.

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Mark Cooper	X		
Michael Jarjura	X		
Edna Karanian	X		
Mark Laretti	X		
Theodore Martland	X		
James Miron	X		
Raymond O'Brien	X		
Linda Savitsky		X	
<b>Ad-Hocs</b>			
Stephen Edwards, Ad-Hoc, Bridgeport			
Tim Griswold, Ad-Hoc, Mid Connecticut			
Warren H, Howe, Jr., Ad-Hoc, Wallingford			
Geno J. Zandri, Jr., Ad-Hoc, Wallingford			

**ADJOURNMENT**

Chairman Pace requested a motion to adjourn the meeting. The motion to adjourn made by Director Cooper and seconded by Director O'Brien was approved unanimously.

There being no other business to discuss, the meeting was adjourned at 1:12 p.m.

Respectfully submitted,

Moira Kenney  
Secretary to the Board/Paralegal