

CONNECTICUT RESOURCES RECOVERY AUTHORITY

FOUR HUNDRED AND SEVENTY-FOURTH APRIL 29, 2010

A regular meeting of the Connecticut Resources Recovery Authority Board of Directors was held on Thursday, April 29, 2010, in the Board Room at CRRA Headquarters, 100 Constitution Plaza, Hartford, Connecticut. Those present in Hartford were:

Chairman Michael Pace

Directors: David B. Damer
 Alan Desmarais
 Timothy Griswold
 Michael Jarjura (present by phone beginning 10:41 a.m. until arriving in person)
 Dot Kelly
 Mark Lauretti (present by phone beginning 9:55 a.m. until his arrival in person at
 10:23 a.m.)
 Theodore Martland
 Nicholas Mullane
 Mark Tillinger, Bridgeport Project Ad-Hoc (present by phone until 10:45 a.m.)
 Warren Howe, Wallingford Project Ad-Hoc

Present from CRRA management:

Tom Kirk, President
Jim Bolduc, Chief Financial Officer
Peter Egan, Director of Environmental Affairs & Development
Paul Nonnenmacher, Director of Public Affairs
Moirra Kenney, Secretary to the Board/Paralegal
Marianne Carcio, Executive Assistant

Also present were: Mark Baldwin, Esq. and Tom Ritter, Esq. of Brown Rudnick; Susan Hemenway of BRRFOC; Jim Sandler, Esq., of Sandler & Mara; John Pizzimenti of USA Hauling & Recycling; and Jerry Tyminski of SCRRA.

Chairman Pace called the meeting to order at 9:48 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. Sandler, Esq. attorney to the Metropolitan District Commission (hereinafter referred to as “MDC”) read a letter which is attached as “Exhibit A”.

Chairman Pace asked Mr. Kirk if Director Martland had requested that his letter be placed in the Board package. Director Martland said that he did not request the letter be contained in the package but rather be distributed to the Board members.

APPROVAL OF THE MARCH 25, 2010, REGULAR BOARD MINUTES

Chairman Pace requested a motion to approve the March 25, 2010, regular meeting minutes. Director Damer made the motion which was seconded by Director Martland.

The motion to approve the minutes was approved by roll call. Chairman Pace, Director Damer, Director Desmarais, Director Howe, Director Griswold, Director Lauretti, Director Martland, and Director Mullane voted yes. Director Kelly and Director Tillinger abstained as they were not present at the last meeting.

Directors	Aye	Nay	Abstain
Chairman Pace	X		
David Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Dot Kelly			X
Mark Lauretti	X		
Theodore Martland	X		
Nicholas Mullane	X		
Ad-Hocs			
Mark Tillinger, Bridgeport			X
Warren Howe, Wallingford	X		

RESOLUTION REGARDING THE CONSOLIDATION OF THE BRIDGEPORT POST PROJECT RESERVES

Chairman Pace requested a motion regarding the above-captioned item. Director Martland made the following motion:

WHEREAS, on March 26, 2009 the Connecticut Resources Recovery Authority’s (the “Authority”) Board of Directors (the “Board”) adopted a resolution authorizing the establishment of a Post Project Reserve and a Risk Reserve relating specifically to the former Bridgeport Project and the remaining expenses associated with the closing of the former Bridgeport Project; and

WHEREAS, upon its review, the Authority established initial funding amounts of \$625,000 for the Bridgeport Post Project Reserve and \$100,000 for the Bridgeport Risk Reserve; and

WHEREAS, on July 23, 2009, the Board adopted a resolution approving and authorizing the transfer of \$725,000 from the Bridgeport Project to the two newly created STIF accounts; and

WHEREAS, the Authority now desires to consolidate the two STIF accounts into one that will pay invoices relating to insurance, legal, general administrative and other expenses associated with completing the remaining tasks and obligations of the former Bridgeport Project; and

WHEREAS, the Authority will continue to review and provide quarterly distribution summary reports relating to the payment of expenses of the former Bridgeport Project to the Finance Committee and Board, but will return any remaining funds to the former Bridgeport Project towns when substantially all items associated with closing the former Bridgeport Project are completed. The Authority will monitor and evaluate the level of funds in the reserve to assure that should they become significantly in excess of estimated obligations, a distribution will be recommended to the Board.

NOW, THEREFORE, it is

RESOLVED: That all funds in the Bridgeport Risk Reserve STIF account be transferred to the Bridgeport Post Project STIF account and the Bridgeport Risk Reserve STIF account be closed.

The motion was seconded by Director Griswold.

Mr. Bolduc said that the Finance Committee proposed a consolidation of the Bridgeport post-project reserve and risk reserve at their last meeting. He said as preparation of the culmination of the Bridgeport Project there were many open items which remained after the Project expired. Mr. Bolduc said that management is working its way through the items, several of which have been completed. He said management provides quarterly reports to the Finance Committee and the SWAB member towns detailing the progress.

Mr. Bolduc said that the President of the SWAB Committee, Mr. Edwards, has been made aware of the process and noted that Director Lauretti was present for the discussion held by the Finance Committee. He said the second reserve, titled the Bridgeport risk reserve, concerns outstanding litigation claims and insurance claims. Mr. Bolduc said that the difference between the two reserves is the time table in which the items may be resolved. He said obviously litigation and insurance matters may take longer to resolve and the original intent was to try to track the dollars for activities that CRRA could control, such as closing the landfills.

Mr. Bolduc said there was an expansion of an insurance claim which involved additional dollars which management had not yet reserved and there were some dollars which were freed up involving the Bridgeport closing. Mr. Bolduc said that the Finance Committee agreed that rather than trying to keep these items separate that the two reserves would be consolidated, with CRRA continuing to monitor them. He said as these items are resolved management will monitor the items to be sure excess reserves are not held in the consolidated reserve and as funds become available in excess of claims management will continue the distribution process.

Mr. Bolduc said that an initial distribution of about \$1.5 million was made the prior year and distributions will continue. He said that there are some large and small items coming up, the two largest items which remain being the Stratford recycling capital reserve of about \$700,000 and the Waterbury landfill closure reserve. Mr. Bolduc said that dollars were put aside to close the Waterbury landfill and

activities are currently taking place in those efforts. Mr. Bolduc said that there is another item pertaining to the sale of Waterbury land which is still being negotiated.

Chairman Pace said that Mr. Edwards is aware of these steps, Director Lauretti was present at the Finance Committee meeting, and that Committee thoroughly vetted this topic.

Director Damer asked whether this consolidation is purely for simplification purposes. He asked whether anything will be lost by consolidating the two reserves. Mr. Bolduc said that some of the risk items that were budgeted for escalated and noted this was discussed at the Finance Committee meeting.

Director Desmarais asked if East Haven had completely paid. Mr. Bolduc said that is correct and one hauler has completely paid. He said on the receivables side there is only one issue outstanding.

The motion was approved by roll call. Chairman Pace, Director Damer, Director Desmarais, Director Griswold, Director Lauretti, Director Martland, and Director Mullane voted yes. Director Kelly abstained.

Directors	Aye	Nay	Abstain
Chairman Pace	X		
David Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Dot Kelly			X
Mark Lauretti	X		
Theodore Martland	X		
Nicholas Mullane	X		
Ad-Hocs			
Mark Tillinger, Bridgeport			
Warren Howe, Wallingford			

RESOLUTION REGARDING ESTABLISHMENT OF TRASH MUSEUM BANK ACCOUNT RESERVE

Chairman Pace requested a motion on the above referenced item. Director Martland made the motion which was seconded by Director Mullane.

WHEREAS: The Board of Directors of the Connecticut Resources Recovery Authority (the “Authority”) adopted its Mid-Connecticut Project Budget for Fiscal Year 2011 (“Mid-Conn FY2011 Budget”) on February 25, 2010; and

WHEREAS: the Mid-Conn FY2011 Budget includes funding for certain expenses of the Trash Museum located in Hartford, Connecticut, for the educational benefit and enjoyment of the Mid-Connecticut Project member towns; and

WHEREAS: Management recommends instituting the charging of a fee for groups who visit and utilize the educational resources of the Trash Museum from non-Mid-Connecticut Project towns commencing January 1, 2011; and

WHEREAS: Management will establish a bank account at Bank of America for the Trash Museum separate and apart from other bank accounts already established for the Authority at Bank of America; and

WHEREAS: this separate Trash Museum bank account at Bank of America will receive deposits from sources not included in the adopted Mid-Conn FY2011 budget including fees charged to groups from non-Mid-Connecticut Project towns;

NOW, THEREFORE, it is

RESOLVED: That Management establishes a separate bank account for the Trash Museum and that funds deposited into this account be from revenue sources other than those budgeted therefore in the adopted Mid-Conn FY2011 Budget for use in Trash Museum activities.

Mr. Bolduc said that this item was presented to the Finance Committee. He said the intent is to set up a reserve for some of the funds that the museum personnel are collecting from non-member towns and other sources that are not part of the 2011 tip fee. Mr. Bolduc said that management does account for certain revenues as offset against the expenses of running the Trash Museum in Hartford. He said these dollars would be beyond that and may involve foundation monies or grants.

Mr. Bolduc said that in order to keep track of those additional sources of revenue it would be prudent to have a Board-designated account. He said it is important to understand the distinction if money comes in from a grant foundation with specific requirements that reserve would have to be set up as a restricted reserve under the accounting rules. Mr. Bolduc said that management would not have any discretion as the grantor provides the guidance.

Mr. Bolduc said that monies such as fees for non-member towns and for the dollars not in the budget would have to be earmarked for this specific purpose. He said they would become unrestricted dollars in a Board-designated account so that they could only be used for that purpose.

Chairman Pace said that the Board is trying to keep these museums going forward and is looking to set aside the necessary dollars properly.

Director Kelly said as a new member this is one of the areas where one becomes aware of what is occurring at the Board level and she is a little unsure of the specifics. Chairman Pace said that management will provide a detailed workshop and background day for any of her questions and concerns.

Chairman Pace said that this has been going on for many years. He said that the funding for the Garbage museum in Stratford has been under question as that project has wound up. Chairman Pace said that some of the Southwest Division towns do not want to contribute to the cost of operating but would like to see the Garbage museum continue to function. He said that the CRRA Board sees the museum as part of its state-wide mission to provide education and is trying to find the dedicated dollars to fund it without charging the fund to Mid-Conn.

Mr. Kirk said that historically the museums have been funded with subsidies from tipping fees from both projects. He said with the evolution of the Bridgeport Project to its renewal phase the towns did not want to subsidize through the tipping fee any longer. Mr. Kirk said that based on this decision the CRRA Board encouraged management to find ways to make the museum self-supporting with direction to follow a similar plan for post 2013 for the Hartford museum.

Mr. Kirk said that management is creating a reserve for the Hartford museum in order to administer self supporting operations. He said the intent is for the museum to be self-supporting and work off of the fees and donations collected and no longer be subsidized by the tipping fees.

Director Griswold asked if the museum receives if anything ever happened to the museum would the grant funds go back to the donor if they are restricted. Mr. Bolduc said that was correct. He said depending upon the grant documents if the grant is for a specific program the funds would be tracked against the particular program. Mr. Bolduc said a grant with a restriction is like an endowment and would have to follow those rules.

Director Desmarais said that he is going to be abstaining from this vote. Director Kelly said that she will also be abstaining.

The motion was approved by roll call. The Board secretary incorrectly noted that there were not enough votes; however as this vote is a simple majority the motion passed. Chairman Pace, Director Damer, Director Griswold, Director Lauretti, Director Martland, and Director Mullane voted yes. Director Desmarais and Director Kelly abstained.

Directors	Aye	Nay	Abstain
Chairman Pace	X		
David Damer	X		
Alan Desmarais			X
Timothy Griswold	X		
Dot Kelly			X
Director Lauretti	X		
Theodore Martland	X		
Nicholas Mullane	X		
Ad-Hocs			
Mark Tillinger, Bridgeport			
Warren Howe, Wallingford			

HOLD OPEN OF THE VOTE FOR THE RESOLUTION REGARDING ESTABLISHMENT OF TRASH MUSEUM BANK ACCOUNT RESERVE

Chairman Pace said that the Board would hold the vote open on this item. He said that Mayor Jarjura will be joining the call and he would like to provide him with the opportunity to vote as he has been an instrumental part of these discussions for some time.

The Board agreed that this vote would be put aside.

Director Jarjura joined the call. Chairman Pace informed him that the Board had just voted on the resolution regarding the establishment of a Trash Museum bank account reserve and did not have eight votes as Director Jarjura was not on the phone at that time. He said that the vote was open.

Director Kelly asked if the rules of the CRRA Board dictate that eight affirmative votes are needed. Mr. Kirk said that was the case for certain items over \$50,000 and other procedures.

FINAL VOTE ON THE RESOLUTION REGARDING ESTABLISHMENT OF TRASH MUSEUM BANK ACCOUNT RESERVE

Chairman Pace requested a second vote on the above referenced item which Director Martland previously made the motion for which was seconded by Director Griswold.

Director Jarjura voted yes, and Director Kelly changed her vote to yes.

The motion was approved by roll call. Chairman Pace, Director Damer, Director Griswold, Director Jarjura, Director Kelly, Director Lauretti, Director Martland, and Director Mullane voted yes. Director Desmarais abstained.

Directors	Aye	Nay	Abstain
Chairman Pace	X		
David Damer	X		
Alan Desmarais			X
Timothy Griswold	X		
Michael Jarjura	X		
Dot Kelly	X		
Director Lauretti	X		
Theodore Martland	X		
Nicholas Mullane	X		
Ad-Hocs			
Mark Tillinger, Bridgeport			
Warren Howe, Wallingford			

RESOLUTION REGARDING REVISIONS TO THE MID-CONNECTICUT PROJECT PERMITTING, DISPOSAL AND BILLING PROCEDURES

Chairman Pace requested a motion to approve the above referenced item. Director Martland made the motion which was seconded by Director Damer.

RESOLVED: That the Board of Directors hereby approves changes to the MID-CONNECTICUT PROJECT PERMITTING, DISPOSAL AND BILLING PROCEDURES as presented and discussed at this meeting.

Mr. Kirk said that this item was thoroughly vetted by the Policies & Procurement Committee. Director Damer said that the P&P meeting was the first without Committee Chairman O'Brien. He said

that this resolution is a thick package but in actually is relatively simple as there are only a few changes detailed. Director Damer said that CRRA is accepting additional plastics #3-7 at the Mid-Connecticut Project, handling waste that is termed non-processible though the shredder, along with several other minor revisions. He said these changes were noticed 30 days ahead of time and publically noticed. He said in addition notice has been provided to CRRA's customers.

Director Damer said additional comments from the haulers were made and those minor updates are contained in the package as well.

Mr. Egan said the main reason these changes were made is because CRRA will start accepting more types of plastics at the Mid-Connecticut recycling facility. He said the procedures had to be changed to incorporate those changes and management took the opportunity to clarify CRRA will also be accepting non-processible waste and shredding it at the Waste Processing Facility. Mr. Egan said several minor changes were also made to streamline the process regarding review of hauler infractions and the appeal process that the haulers go through. He said that this item was noticed in the Connecticut Law Journal.

Director Desmarais said that he was going to abstain from voting.

Director Griswold said that there was frequently discussion by the public concerning whether caps or corks should be left on recyclables. He asked if that issue would be addressed with education. Mr. Kirk said that CRRA does as much as possible to pull those items out and they are handled by the available technology. He said that CRRA educators inform children that those caps and corks should be removed first.

Director Kelly said that Director Griswold's point is excellent. She said that the public is confused by the newest changes. Director Kelly said that the web-site should provide updated information on these changes and revisions. She suggested a press release be provided.

Chairman Pace said that the educators are working on providing updated information. Mr. Kirk said that CRRA tries to provide education through the website and encourages the member towns to link their web sites to CRRA for further information.

Mr. Nonnenmacher said that a news release was put out that Monday and NPR, Fox Connecticut News, *The Hartford Courant*, and a host of other newspapers and radio stations have provided coverage. He said management always stresses that no foam plastics are accepted and urges the public go to the CRRA website for more detailed information as a news story may not contain all the facts. Mr. Nonnenmacher said those press releases do everything they can to drive the public to the CRRA website.

Director Kelly asked what it means when it states in the package that this is not effective if there are any inconsistencies with the Solid Waste Management Services Contract. Mr. Kirk said that the Solid Waste Services Contract is the hauler agreement that CRRA has with each individual hauler which dictates pricing, insurance and other matters. He said it is a foundation for the customers and the point is that procedures can not undo a contract condition that both parties agreed to. Director Kelly asked if there is a place where management feels that is taking place. Mr. Kirk replied no.

Director Kelly said that bulky waste was defined in this item as construction and demolition material and is not addressed. She said that based on this document she could not tell whether CRRA accepted bulky waste. Mr. Kirk said that is a service issue which does not preclude CRRA from taking it. He said that one of the reasons bulky waste is in there is because there are competing definitions by the CT DEP, the industry, and CRRA and other agencies. Mr. Kirk said the towns include construction and demolition in their bulky waste which is not managed similarly to bulky. He said that CRRA does accept bulky waste and these procedures can not be all inclusive.

The motion was approved by roll call. Chairman Pace, Director Damer, Director Griswold, Director Jarjura, Director Kelly, Director Lauretti, Director Martland, Director Mullane, and voted yes. Director Desmarais abstained.

Directors	Aye	Nay	Abstain
Chairman Pace	X		
David Damer	X		
Alan Desmarais			X
Timothy Griswold	X		
Michael Jarjura	X		
Dot Kelly	X		
Director Lauretti	X		
Theodore Martland	X		
Nicholas Mullane	X		
Ad-Hocs			
Mark Tillinger, Bridgeport			
Warren Howe, Wallingford			

RESOLUTION REGARDING ELIMINATION OF THE PERMIT RENEWAL REGISTRATION FEE FOR WASTE HAULING CUSTOMERS

Chairman Pace requested a motion to approve the above referenced item. Director Martland made the motion which was seconded by Director Mullane.

RESOLVED: That the Board of Directors hereby approves the elimination of the annual permit renewal registration fee for waste hauling customers, effective for the fiscal year that begins July 1, 2010.

Mr. Kirk said at the quarterly hauler customer meeting there were questions about how CRRA administers its delivery vehicle registration process. He said it was pointed out that CRRA currently charges \$100.00 to register a truck and an additional \$100.00 annually to renew the truck. Mr. Kirk said that CRRA’s customers are frustrated that when a truck is replaced with two months left in the fiscal year they pay an additional \$100.00.

Mr. Kirk said that frustration prompted management to look at its costs and administration of that process. He said it was concluded that the renewal costs can be eliminated and the \$100.00 registration can be maintained for the time. He said that after the initial registration there is virtually no effort administratively to renew the trucks. Mr. Kirk said that this change has about a \$100,000 impact

to the budget which Mr. Duvall has assured management can be handled through an adjustment to the facility modification reserve. He said it will be a significant benefit to CRRRA customers.

Director Kelly said that as a new Board member this resolution sounds like an excellent idea for CRRRA’s customers and haulers. She said that she would encourage the haulers and others involved in the trash industry to support the Trash and Garbage Museums. Director Kelly said that businesses have a responsibility to not only make money off an area but also to educate the area. She said she thinks the \$100,000 savings is an excellent opportunity for the haulers to contribute.

The motion was approved by roll call. Chairman Pace, Director Damer, Director Griswold, Director Jarjura, Director Lauretti, Director Martland, Director Mullane, and voted yes. Director Desmarais and Director Kelly abstained.

Directors	Aye	Nay	Abstain
Chairman Pace	X		
David Damer	X		
Alan Desmarais			X
Timothy Griswold	X		
Michael Jarjura	X		
Dot Kelly			X
Director Lauretti	X		
Theodore Martland	X		
Nicholas Mullane	X		
Ad-Hocs			
Mark Tillinger, Bridgeport			
Warren Howe, Wallingford			

RESOLUTION REGARDING REDUCTION OF MATTRESS FEES

Chairman Pace requested a motion to approve the above referenced item. The motion was made by Director Damer and seconded by Director Martland.

RESOLVED: That the Board of Directors hereby approves a reduction in the fiscal year 2011 Mid-Connecticut Project Budget Mattresses/Box Spring Surcharge from \$45.00 per unit to \$30.00 per unit.

Chairman Pace said at the last Board meeting there was a significant amount of discussion on this item which basically reduces the cost of mattress disposal from \$45.00 to \$30.00.

Mr. Kirk said that this item has a long history. He said that management is comfortable that this service can be provided at this price and is happy to be able to provide the reduction.

Director Kelly asked whether this has been implemented, Mr. Kirk said that this will begin July 1, 2010, and the towns have been notified.

The motion was approved by roll call. Chairman Pace, Director Damer, Director Griswold, Director Jarjura, Director Lauretti, Director Martland, and Director Mullane voted yes. Director Desmarais and Director Kelly abstained.

Directors	Aye	Nay	Abstain
Chairman Pace	X		
David Damer	X		
Alan Desmarais			X
Timothy Griswold	X		
Michael Jarjura	X		
Dot Kelly			X
Director Lauretti	X		
Theodore Martland	X		
Nicholas Mullane	X		
Ad-Hocs			
Mark Tillinger, Bridgeport			
Warren Howe, Wallingford			

RESOLUTION REGARDING WASTE COMPACTION DOZER WORK AT THE MID-CONNECTICUT WASTE PROCESSING FACILITY

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

RESOLVED: That the President is hereby authorized to execute an agreement for waste compaction dozer work at the Mid-Connecticut Waste Processing Facility with Botticello, Inc., substantially as presented and discussed at this meeting.

The motion was seconded by Director Mullane.

Mr. Kirk said that CRRA went out to bid for these services and four bids were received. He said that management recommends the low bidder, Botticello, Inc. for on call services.

Director Kelly said that she would like to explore what the process is if she abstains. She said the reason she would prefer to abstain is that the resolution has 2,000 hours worth of work which is like a full time position worth of work with CRRA providing the equipment and she does not understand the operation.

Director Damer said that her specific question was addressed at the Policies & Procurement Committee meeting to the Committee’s satisfaction. He said CRRA will be in trouble without a dozer operator.

Chairman Pace said that this is an item that she will need to come fully up to speed on, and if the required votes are not received no action will be taken.

Director Kelly said that it looks as if this item does not expire until July 1, 2010.

Mr. Egan said the 2,000 hours is an estimated amount of time. He said that CRRA has not internalized this position for several reasons. He said that years ago the MDC performed this job and due to the economy this piece of work was put out to bid and another contractor was hired to do the work. Mr. Egan said that there are head count restrictions at CRRA and the efficiency of contracting this particular service is why it was bid out.

Mr. Egan said that to hire a CRRA employee for this one activity when there may or may not be 2,000 hours of work does not make sense. He said if the Waste Processing Facility is operating efficiently and effectively and the boilers are operating there is a reduced need for compacting waste as it moves through the facility. Mr. Egan said that over the last few years there have been elevated times and issues at the plant which require more compacting and management does not want to be in a position of paying an employee when there may only be 1,200 hours of work. He said it is an on-call service which gives CRRA the flexibility to spend only what is needed.

Director Damer said that this is not a predictable 40 hours a week job and is not a 9 to 5 job. Director Griswold noted that if the employee was to work over 40 hours it may also be necessary to pay overtime.

Director Mullane asked what kind of equipment this was. Mr. Egan said that it was D6. Director Mullane said that the rate of \$36.00 a hour for a piece of equipment that size is probably below prevailing rate and considering there is no benefit package this on call service is a benefit.

Director Martland said that he would like to emphasize that the hours required for this position are completely different from day to day.

Chairman Pace said that one of the new project models moving forward will have potential to eliminate this position and flat line storage capacity. He said in the interim there is a need for these services and the most responsible low bidder is hired. Chairman Pace said that it is a necessary piece of the business and although he respects a new Board member's thoughts perhaps an intensive sit down is needed to get folks up to speed. He said that the existing committees spend a significant amount of time reviewing these items.

The motion failed. Chairman Pace, Director Damer, Director Griswold, Director Jarjura, Director Martland, and Director Mullane voted yes. Director Desmarais and Director Kelly abstained.

Chairman Pace said that he was leaving the vote open until Director Lauretti is able to vote.

Directors	Aye	Nay	Abstain
Chairman Pace	X		
David Damer	X		
Alan Desmarais			X
Timothy Griswold	X		
Michael Jarjura	X		
Dot Kelly			X
Theodore Martland	X		
Nicholas Mullane	X		

Ad-Hocs			
Mark Tillinger, Bridgeport			
Warren Howe, Wallingford			

FINAL VOTE ON RESOLUTION REGARDING WASTE COMPACTION DOZER WORK AT THE MID-CONNECTICUT WASTE PROCESSING FACILITY

Chairman Pace requested a final vote regarding the above-captioned matter. The motion which was previously made by Director Martland and seconded by Director Mullane was approved by roll call.

The motion passed by roll call. Chairman Pace, Director Damer, Director Griswold, Director Jarjura, Director Kelly, Director Lauretti, Director Martland, and Director Mullane voted yes. Director Desmarais abstained.

Directors	Aye	Nay	Abstain
Chairman Pace	X		
David Damer	X		
Alan Desmarais			X
Timothy Griswold	X		
Michael Jarjura	X		
Dot Kelly	X		
Mark Lauretti	X		
Theodore Martland	X		
Nicholas Mullane	X		
Ad-Hocs			
Mark Tillinger, Bridgeport			
Warren Howe, Wallingford			

RESOLUTION REGARDING COMPUTER INFORMATION CONSULTING SERVICES

Chairman Pace requested a motion to approve the above referenced item. The motion was made by Director Desmarais and seconded by Director Mullane.

RESOLVED: That the Board of Directors hereby approves the agreement for computer information consulting services with Walker Systems Support previously executed by the President, substantially as presented and discussed at this meeting.

Mr. Egan said that this item involves the Information Technology consulting services contract which was bid out. He said that management’s good-faith estimate was for less than \$50,000 a year and after nine months in this fiscal year management believes it will exceed the \$50,000 threshold and wants Board authorization for approval of this contract just in case.

Mr. Egan said that management does not expect to exceed \$60,000. He said that Walker is engaged for a number of routine services from supporting the IT manger on vacation to supporting the

IT manger with troubleshooting and maintenance matters. Mr. Egan said there is a scope of work referred to as routine or normal services and as necessary Walker is brought in for non-routine services. He said this may include additional programming activities associated with the enforcement database, and performing a security audit that CRRA’s auditor requested.

The motion was approved by roll call. Chairman Pace, Director Damer, Director Desmarais, Director Griswold, Director Jarjura, Director Lauretti, Director Martland, and Director Mullane voted yes. Director Kelly abstained.

Directors	Aye	Nay	Abstain
Chairman Pace	X		
David Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Michael Jarjura	X		
Dot Kelly			X
Director Lauretti	X		
Theodore Martland	X		
Nicholas Mullane	X		
Ad-Hocs			
Mark Tillinger, Bridgeport			
Warren Howe, Wallingford			

RESOLUTION REGARDING EMERGENCY PROCUREMENTS FOR RENTAL OF A CATERPILLAR D8 DOZER FOR COMPACTION

Chairman Pace requested a motion to approve the above referenced item. The motion was made by Director Damer and seconded by Director Jarjura.

RESOLVED: That the CRRA Board of Directors ratifies the Emergency Procurement as substantially presented and discussed at this meeting.

Mr. Kirk said that there was a breakdown and as a result repairs were required. He said that management took advantage of the situation to perform some other necessary maintenance on the machine. Mr. Kirk said that it was not a scheduled maintenance event and was done under the emergency procurement resulting in management asking the Board’s acknowledgement of this repair. He said that the total cost was approximately \$16,500.

Chairman Pace explained to Director Kelly that this was not a scheduled event and management returns to the Board for approval of emergency procurements.

Director Griswold asked whether there was a savings on the outside operator costs. Mr. Kirk said that the bulldozer operator is an on-call service and management was able to get through this process without calling for an operator.

The motion was approved by roll call. Chairman Pace, Director Damer, Director Griswold, Director Jarjura, Director Lauretti, Director Martland, and Director Mullane voted yes. Director Desmarais and Director Kelly abstained.

Directors	Aye	Nay	Abstain
Chairman Pace	X		
David Damer	X		
Alan Desmarais			X
Timothy Griswold	X		
Michael Jarjura	X		
Dot Kelly			X
Director Lauretti	X		
Theodore Martland	X		
Nicholas Mullane	X		
Ad-Hocs			
Mark Tillinger, Bridgeport			
Warren Howe, Wallingford			

DISCUSSION CONCERNING METALS RECYCLING/MARKETING PROCUREMENT

Mr. Kirk said that this is a notice to the Board. He said that the Policies & Procurement Committee requested that management notify the Board that it exercised an option which was previously approved by the full Board.

Chairman Pace said that the Board approves of the decision.

PRESIDENT’S REPORT

Chairman Pace asked Mr. Kirk to address Director Martland’s letter which was included in the package.

Mr. Kirk said that he misunderstood direction and mistakenly included the letter in the Board meeting package. He said the proper approach for this should have been to distribute copies to the Board members.

Chairman Pace said that it is his understanding that Director Martland wanted copies of his letter to be distributed to the Board, which was done. He said the attorney for MDC takes exception firstly to the letter and secondly that it is contained in the package. Chairman Pace said how the letter is distributed to the Board members is a matter of information and obviously the intent was not to offend anyone.

Mr. Kirk said management did receive separate correspondence from MDC that management will respond to which contains commentary similar to Attorney Sandler’s comments.

CHAIRMAN'S REPORT

Chairman Pace said that efforts to reconstitute or change the CRRA Board are ongoing and lobbyists and other folks are working on this effort. He said he does not know whether the Board may change or other options may take effect. Chairman Pace that there may be further discussion in the future.

Chairman Pace said he recently made some Committee appointments. He said Director Desmarais has been a wealth of knowledge and was just appointed as Vice-Chairman of the Finance Committee. Chairman Pace said unfortunately Director Desmarais has informed him that he has to leave the CRRA Board.

Director Desmarais said there is a perceived conflict of interest with a vendor that his new employer uses. He said it is probably best to avoid the appearance of conflict. Chairman Pace asked whether that conflict was raised by that vendor. Director Desmarais replied yes.

Chairman Pace said Director Desmarais has served this Board well and he is sorry to see him leave. He said along with that loss, Vice-Chairman O'Brien, who was for years the right hand of this Board, did his homework, and served the State well, has also left. He said he had come to greatly respect Vice-Chairman O'Brien for not only his intelligence but also his integrity. Chairman Pace said that as a result a new Vice-Chairman is needed and he has requested that Director Jarjura to step into the role of Vice-Chairman.

Chairman Pace said that he has asked Director Mullane to serve on the Policies & Procurement Committee which is important as that Committee thoroughly discusses and examines many topics before they are brought to the full Board. He said that Director Kelly has also been appointed to that Committee.

Chairman Pace said he has asked Director Griswold to serve on the Finance Committee. He said Director Griswold has been with the Board in some capacity since the very beginning and his expertise in Finance will serve the Committee well.

Chairman Pace said lastly, he has asked Director Damer to take over as the Chairman of the Policies & Procurement Committee.

Chairman Pace said a big piece of CRRA's business is purchased under the MDC contract. He said it has come to his attention that MDC is engaged in a major undertaking of perhaps changing its procurement process. He said in the past it was required to award contracts by a competitive bid to the lowest response bidder and that is being changed.

Chairman Pace said that MDC may be changing its procurement process as it sought legislation to potentially waive the competitive bid process and is looking at a federal procurement system called FARS. He said it is his understanding that this 2,000-page document is being reduced substantially and when the legislature allowed MDC to look at going to the FARS by Special Act 08-9 it may not have said to cherry pick the process but rather to take the whole document. Chairman Pace said that this affects CRRA as MDC purchases items on CRRA's behalf. He said CRRA needs to know what that procedure was, what it adheres to and what it intends to change it to currently and after 2012 as to how procurements are done.

Chairman Pace said he is asking Mr. Sandler that CRRA receive any and all documents related to MDC’s investigation into changing its procurement procedures, how they will work, what documents it is working on, any and everyone who is working on this, legal firms, and consultants. He said that it is public money and CRRA needs to know how these procedures will work.

Chairman Pace asked the Board to concur that CRRA understands MDC’s purchasing may change and to ask MDC to advise CRRA if it is moving forward. He said he will ask management to monitor this process.

Director Damer asked whether CRRA has the authority to require its contractors to procure consistent with CRRA’s procurement practices. Mr. Kirk said he is not prepared to answer this at this time and will look into this issue.

Director Martland said it is his understanding that CRRA’s procedures are in the statutes. He said therefore if MDC is doing something inconsistent with what CRRA is required to do on its behalf CRRA would be in violation of its authorization.

Director Desmarais said that answer will be addressed in the contract between CRRA and MDC.

MOTION TO EXPLORE POSSIBILITY OF MDC CONVERTING TO A NEW PROCUREMENT PROCESS

Chairman Pace requested a motion to support exploration and investigation of MDC’s possible conversion to a new procurement process.

The motion was made by Director Martland and seconded by Director Mullane.

The motion was approved by roll call. Chairman Pace, Director Damer, Director Griswold, Director Jarjura, Director Lauretti, Director Martland, and Director Mullane voted yes. Director Desmarais and Director Kelly abstained.

Directors	Aye	Nay	Abstain
Chairman Pace	X		
David Damer	X		
Alan Desmarais			X
Timothy Griswold	X		
Michael Jarjura	X		
Dot Kelly			X
Director Lauretti	X		
Theodore Martland	X		
Nicholas Mullane	X		
Ad-Hocs			
Mark Tillinger, Bridgeport			
Warren Howe, Wallingford			

PRESIDENT'S REPORT

Mr. Kirk said with the suspension of the Franklin landfill and the substantial cost differential associated with taking waste elsewhere, at the direction of the Board, management is exploring other potential possibilities. He said those possibilities include optioning extensions to the existing contract with Waste Management and Wheelabrator, bidding for terms of five, 10 and 15 years, and renegotiating with Waste Management for a better price.

Mr. Kirk said an additional option management is reconsidering is rail transport. He said management intends to do a test of a rail transport of ash to an Ohio landfill and he is not sure if any of these options will present a better deal.

Mr. Kirk said every rail car in New England traveling west has to travel north up to Albany to cross the Hudson which is a cost. He said further discussion involves active bids and will need to take place in executive session but frankly there is not much further to discuss. Mr. Kirk said that management expects to return to the Board with a recommendation soon.

Mr. Kirk said on the MDC CRRA arbitration that most of the information requested over a year ago with regards to the post-expiration cost dispute was received a day prior to the Freedom of Information Act Commission hearing on the issue. He said the data has been provided to CRRA's attorney and its actuarial consultant.

Mr. Kirk said the dispute which will be arbitrated is paused while CRRA waits for a judge to rule whether the party-appointed arbitrator is independent. He said that decision should have been received weeks ago and until it is received the arbitration can't proceed.

Mr. Kirk said the post 2013 cost liability Mid-Connecticut Project Special Committee has a statutory requirement to study future options three years before the final bond is scheduled to be paid off. He said that committee has met several times and contains five members of the member towns and five members of CRRA. Mr. Kirk said the committee has primarily addressed options including new technology and traditional disposal systems.

Mr. Kirk said that in reviewing the statute and in discussions with the municipal representatives on the committee there is a desire to look more practically at the future of the project and a renewal of existing contracts to allow public ownership to continue. He said a strict reading of the statute which creates the committee also requires that private ownership of the facility must also be explored and will be added to the scope of work.

Mr. Kirk said there is about another six months before the committee approaches the full Board with a report. He said he feels this is a manageable deadline. He said a portion of the report is essentially done and it is no surprise there are not a lot of great alternatives to the existing process.

Mr. Kirk said the next larger piece of the report will include a more practical and specific discussion with the towns as to how to move forward with the existing facilities and how CRRA can best perform its mission as the towns are very anxious to provide that insight.

Director Griswold said that the Committee has also reviewed the study of Municipal Solid Waste Management Services in Connecticut which discusses the statutes of the business in Connecticut and

was done by the Legislative study group. He said they looked at adequacy costs and sustainability and not surprisingly the instate capacity shortfall is highlighted as 50% of the waste goes to recycling facilities. Director Griswold said recycling is stagnant and the waste is growing but this was prior to the single-stream figures. He said the study pointed out Connecticut's growing dependency on out of State landfills, and also discussed that there is no organic recycling and notes landfill capacity is limited.

Director Griswold said that the committee discussed the responsibility of the CT DEP as it seems conflicted as a regulator and in setting the future. He said the committee agrees that the State of Connecticut is in a quandary.

Chairman Pace said that last month he received an FOIA request from ASCFME reiterating a prior request previously responded to. He said he responded with a letter stating what he believed AFSCME had received and noting he would provide updates in whole or in part which they can decide on. Chairman Pace said they raised some questions concerning the public's interest so he directed management to follow up on an FIOA that was submitted to MDC without a result. He said ASCFME was concerned about the CRRRA Board of Directors' compensation. Chairman Pace said that CRRRA Directors are not compensated and he has never taken any reimbursement funds from this agency. He has asked that the polices for MDC directors' be updated, examined, including what is provided for MDC Directors in terms of compensation.

SHORT RECESS

There was a short recess from 11:18-11:25 a.m.

Mr. Kirk noted that the resolution for projected legal expenditures will be addressed after the Executive Session.

EXECUTIVE SESSION

Chairman Pace requested a motion to enter into Executive Session to discuss pending litigation, real estate acquisition, pending RFP's, and personnel matters with appropriate staff. The motion made by Director Jarjura and seconded by Director Griswold 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
Marc Baldwin, Esq.
Tom Ritter, Esq.

The motion was approved by roll call. Chairman Pace, Director Damer, Director Desmarais, Director Griswold, Director Jarjura, Director Kelly, Director Lauretti, Director Martland, and Director Mullane voted yes.

Directors	Aye	Nay	Abstain
Chairman Pace	X		
David Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Michael Jarjura	X		
Dot Kelly	X		
Director Lauretti	X		
Theodore Martland	X		
Nicholas Mullane	X		
Ad-Hocs			
Mark Tillinger, Bridgeport			
Warren Howe, Wallingford			

The Executive Session began at 11:25 a.m. and concluded at 12:01 p.m. Chairman Pace noted that no votes were taken in Executive Session.

The meeting was reconvened at 12:50 p.m., the door to the Board room was opened, and the Board secretary and all members of the public (of which there were none) were invited back in for the continuation of public session.

RESOLUTION REGARDING ADDITIONAL PROJECTED LEGAL EXPENDITURES

Chairman Pace requested a motion on the above referenced matter.

WHEREAS, CRRA has entered into Legal Service Agreements with various law firms to perform legal services; and

WHEREAS, the Board of Directors has previously authorized certain amounts for payment of fiscal year 2010 projected legal fees; and

WHEREAS, CRRA expects to incur greater than authorized legal expenses for Environmental and Real Estate Counsel services;

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

<u>Firm:</u>	<u>Amount:</u>
Cohn Birnbaum & Shea	\$35,000

The motion was made by Chairman Pace. The motion was seconded by Director Martland.

TABLE OF THE MOTION ON THE RESOLUTION REGARDING ADDITIONAL PROJECTED LEGAL EXPENDITURES

Ms. Kenney stated that there were not enough votes present to pass this item. Chairman Pace said that he would table the motion until the next meeting.

ADJOURNMENT

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

There being no other business to discuss, the meeting was adjourned at 12:54 p.m.

Respectfully submitted,

Moira Kenney
Secretary to the Board/Paralegal