

CONNECTICUT RESOURCES RECOVERY AUTHORITY

FOUR HUNDRED AND FIFTY-EIGHTH

SEPTEMBER 24, 2009

A Regular meeting of the Connecticut Resources Recovery Authority Board of Directors was held on Thursday, September 24, 2009, in the Board Room of the Garbage Museum at 1410 Honeyspot Road Extension, Stratford, Connecticut, and also by teleconference at 100 Constitution Plaza, Hartford, Connecticut. Those present in Stratford were:

Chairman Michael Pace

Directors: David B. Damer
Mark Lauretti (present until 1:10 p.m.)
Theodore Martland
James Miron (present beginning 10:20 a.m.)
Raymond O'Brien
Linda Savitsky
Stephen Edwards, Bridgeport Project Ad-Hoc
Geno Zandri, Wallingford Project Ad-Hoc

In Hartford:

Directors: Alan Desmarais
Nicholas Mullane

Present from the CRRA staff in Stratford:

Tom Kirk, President
Jim Bolduc, Chief Financial Officer
Peter Egan, Director of Environmental Affairs & Development
Laurie Hunt, Director of Legal Services
Paul Nonnenmacher, Director of Public Affairs
Mike Tracey, Director of Operations
Sotora Montanari, Education Supervisor
Maira Kenney, Secretary to the Board/Paralegal

Present from the CRRA staff in Hartford:

Jeffrey Duvall, Manager of Budgets and Forecasting
Lynn Martin, Risk Manager
Rich Quelle, Senior Engineer
Trevor Nichols, Senior Operations Analyst
Nhan Vo-Le, Director of Accounting
Marianne Carcio, Executive Assistant

Also present in Stratford: Robert Borden of Guilford, Conn. (present only for public portion); JoAnn McCann of Stratford, Conn. (present only for public portion); Anton Mirtshev and William Reynolds

of Bollam, Sheedy & Torani; John Pizzimenti of USA Hauling & Recycling; Cheryl Thibeault of Covanta; and Bettina Theil of *Hersam Acorn Newspapers*.

Also present in Hartford: Bob Gross of Wallingford, Conn. (present only for public portion); Peter Graczykowski of the Town of Vernon; and Jim Sandler of Sandler and Mara.

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. Borden, a fourth grade teacher at Country School in Madison, Connecticut, addressed the Directors in Stratford. He said that his school has been visiting the Garbage Museum from its inception and that the fourth-grade students at the Country School are given charge of the school's recycling program. Mr. Borden said that coming as a class to the Garbage Museum every year provides an education that the teachers can not provide at school. He said the experience is one that the students do not forget and that his own two children recall visiting the museum fondly.

Mr. Borden said that when he heard that the museum was having funding difficulties he took it upon himself to write to Congresswoman Rosa DeLauro for assistance and to get behind efforts to reach the appropriate people for assistance. Mr. Borden said he was able to gain the support of many parents and children and that he circulated a school-wide e-mail urging support to save the museum.

Chairman Pace said the Board of Directors agrees wholeheartedly with Mr. Borden's statements. He said the Board is trying to find the dollars to keep the museum in existence. He said any political support that Mr. Borden can provide would be appreciated. He urged Mr. Borden and other supporters of the museum to contact the legislature and the head of the legislature's Environment Committee with requests for assistance in funding.

Vice-Chairman O'Brien thanked Mr. Borden for his ringing support of Ms. Montanari and her staff.

Director Savitsky said that it is rare and very much appreciated to hear someone address the Board with something that has affected them positively. She said that she sincerely appreciated Mr. Borden's speech.

Chairman Pace noted that letters to the editor are also instrumental in bringing attention to the issue at hand. He said if the youth is not educated the Connecticut Department of Environmental Protection (hereinafter referred to as "CT DEP") can not hope to reach its goal of 58-percent statewide recycling as outlined by the Solid Waste Management Plan (hereinafter referred to as "SWMP").

Vice-Chairman O'Brien informed Mr. Borden that a policy to implement education as a core mission of CRRA was slated for approval by the Board later on the current meeting agenda. Chairman Pace said that when that policy was approved it would be sent to Mr. Borden. He thanked him for his time.

Ms. Montanari thanked Mr. Borden as well, especially for taking time off from his own job to address the Board with his concerns.

Ms. McCann said that she is Stratford's head science teacher for kindergarten through sixth grade and is in charge of writing the curriculum for Stratford. Ms. McCann there is a unit called Earth's Resources in the third-grade lesson plans (a copy of which is attached as "Exhibit A") which has about 28 lessons, the last page of which calls for a trip to the Garbage Museum. She said that she schedules 25 classes to come to the Garbage Museum as part of the education process. Ms. McCann said that Stratford believes children can make a difference and follows the motto of "educate for life" and starts education on recycling early. She said that Stratford is 100-percent in support of the museum and is actually looking for grant money to pay for the buses to come to Stratford.

Chairman Pace asked what the cost per bus is. Ms. McCann said that it is about \$100.00 a bus. He said that the bus companies can be generous with service. Ms. McCann said that Stratford has worked out a deal with the bus service to drop off and pick up the students. She explained there is a savings when the buses do not have to wait around and that the reduced services are at a minimal charge.

Chairman Pace suggested that Ms. McCann contact her legislators to ask for funding in order to help the Board in its efforts to support the museum.

Director Desmarais thanked Ms. McCann for speaking and said as a matter of personal privilege and full disclosure he would like to thank Ms. McCann as his sister as well.

ADDITION TO THE AGENDA CONCERNING AMMENDED JUNE 18, 2009, MINUTES

Chairman Pace requested a motion to add the amended June 18, 2009, minutes to the agenda.

Vice-Chairman O'Brien made the motion which was seconded by Director Martland.

Vice-Chairman O'Brien said that there was a key omission in the actual minutes and not in the resolution which was voted on in the June 18, 2009, meeting. He said that he wanted to re-open the minutes to pass the corrected portion. Vice-Chairman O'Brien explained the importance of this action is to show accordance with court orders which indicate that CRRA is spending from the post-litigation reserve.

The motion to add an item to the agenda was approved unanimously by roll call. Chairman Pace, Vice-Chairman O'Brien, Director Damer, Director Desmarais, Director Lauretti, Director Martland, Director Miron, Director Mullane, Director Savitsky, Director Edwards, and Director Zandri voted yes.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer	X		
Alan Desmarais	X		
Mark Lauretti	X		
Theodore Martland	X		
Jim Miron	X		
Nicholas Mullane	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Stephen Edwards, Bridgeport	X		
Geno Zandri, Jr., Wallingford	X		

PUBLIC PORTION, CONTINUED

Mr. Gross said that his question concerns the money which was refunded to the five communities and specifically to Wallingford. He asked when that money came back to the communities whether the contract contained any stipulation of how those funds could be used. Chairman Pace said that the answer is no. Mr. Kirk said there are no specific restrictions on how the money is to be spent and the return of funds were characterized as an overpayment of tipping fees. He said if there are individual restrictions on how tipping fee refunds must be used by the towns, that is the towns' decision as there is no specific contract restriction over the use of the money.

Mr. Gross said discussions with Mayor Dickinson caused him to believe those restrictions were in the contract at one particular point in time. He said the contract he received was the main contract which didn't cover the tip stabilizations funds or any of the other funds. Mr. Gross asked to see one of those contracts.

Mr. Bolduc said there are no contracts, there are only Board resolutions. He said the only contract in existence is the municipal service agreements with the Towns which is why the other reserve is restricted until the MSA's expire.

Mr. Kirk said that the tip stabilization fund language is in the contract which has been provided to Mr. Gross.

Mr. Gross asked a follow-up question for clarification concerning the Henry Trailer Park. He asked whether CRRA holds title to that park. Mr. Egan said that he believes that is correct. Mr. Gross said that he thought the communities (through the tipping fee) specifically purchased the trailer park for approximately \$1.7 million and then transferred the title over to CRRA for no compensation.

Mr. Egan said that was incorrect. He explained that the towns weren't involved in the transaction. He said that CRRA purchased the property directly from the former property owner in order to gain control over a subsurface leachate plume. He said that CRRA purchased the property directly from the former owner in 2001.

Mr. Gross asked about the source of the funds. Mr. Gross said the funds came out of the CRRRA Wallingford Project. Mr. Gross asked if these funds accumulated from the tip fees. Mr. Kirk answered yes, in part, that Project Revenue contains a number of sources including tipping fees. Chairman Pace confirmed that CRRRA purchased the property.

TOUR OF THE GARBAGE MUSEUM

Chairman Pace said that a brief tour of the museum would take place after lunch.

APPROVAL OF THE ITEM AMMENDING THE JUNE 18, 2009, MINUTES

Chairman Pace requested a motion to approve the amended June 18, 2009, minutes. Vice-Chairman O'Brien made the motion to approve the minutes as amended.

The motion was seconded by Director Martland.

Vice-Chairman O'Brien said that there was a portion of the resolution regarding the funds for legal fees which was included in the resolution which was approved by the Board. He explained however that portion was omitted from the minutes of the June 18, 2009, meeting. Vice-Chairman O'Brien said that resolution reads "further resolved that the President be authorized to spend up to \$50,000 from the post-litigation reserve account for payment of legal expenses that occurred in fiscal year 2010 in connection with the Enron global litigation contingent upon the Attorney General's approval." He said the importance of that resolution is that the court order required that CRRRA does not mandate or spend money out of the budget on Enron-related matters. Vice-Chairman O'Brien said that he wanted to be sure that is clear on the record.

Director Savitsky said with all due respect she is concerned that Vice-Chairman O'Brien is bringing this item to the table as he was not present at the June 18, 2009, meeting.

Chairman Pace said that he asked Vice-Chairman O'Brien, as is custom, to bring this motion to the table for approval. He said for the record that the Chair asked the Vice-Chairman to bring this item to the table as the Chair normally refrains from bringing items to the table in order that the Committee members may do so.

The motion previously made and seconded was approved by roll call. Vice-Chairman O'Brien abstained from the vote as he was not present at the June 18, 2009, meeting. Director Mullane abstained as well as he was also not present at the June 18, 2009, meeting. Chairman Pace, Director Damer, Director Desmarais, Director Lauretti, Director Martland, Director Miron, Director Savitsky, Director Edwards, and Director Zandri voted yes.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer	X		
Alan Desmarais	X		
Mark Lauretti	X		
Theodore Martland	X		
Jim Miron	X		
Nicholas Mullane			X
Raymond O'Brien			X
Linda Savitsky	X		
Ad-Hocs			
Stephen Edwards, Bridgeport	X		
Geno Zandri, Jr., Wallingford	X		

APPROVAL OF THE MINUTES OF THE JULY 23, 2009, REGULAR BOARD MEETING

Chairman Pace requested a motion to approve the minutes of the July 23, 2009, Regular Board Meeting.

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

After some discussion the Directors agreed to table the minutes until next month to allow Ms. Kenney to make several revisions and corrections.

MOTION TO TABLE THE MINUTES OF THE JULY 23, 2009, REGULAR BOARD MEETING

Chairman Pace requested a motion to table the above referenced item.

The maker and seconder of the original motion agreed to the motion to table the minutes.

The motion to table the July 23, 2009, minutes was agreed unanimously by roll call. Chairman Pace, Vice-Chairman O'Brien, Director Damer, Director Desmarais, Director Lauretti, Director Martland, Director Miron, Director Mullane, Director Savitsky, Director Edwards, and Director Zandri voted yes.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer	X		
Alan Desmarais	X		
Mark Lauretti	X		
Theodore Martland	X		
Jim Miron	X		
Nicholas Mullane	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Stephen Edwards, Bridgeport	X		
Geno Zandri, Jr., Wallingford	X		

APPROVAL OF THE MINUTES OF THE JULY 30, 2009, REGULAR BOARD MEETING

Chairman Pace requested a motion to approve the minutes of the July 30, 2009, Regular Board Meeting. Vice-Chairman O'Brien made a motion to approve the minutes, which was seconded by Director Martland.

The minutes were approved as presented by roll call. Director Damer abstained as he was not present at the meeting. Chairman Pace, Vice-Chairman O'Brien, Director Desmarais, Director Lauretti, Director Martland, Director Miron, Director Mullane, Director Savitsky, Director Edwards, and Director Zandri voted yes.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer			X
Alan Desmarais	X		
Mark Lauretti	X		
Theodore Martland	X		
Jim Miron	X		
Nicholas Mullane	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Stephen Edwards, Bridgeport	X		
Geno Zandri, Jr., Wallingford	X		

APPROVAL OF THE MINUTES OF THE AUGUST 27, 2009, SPECIAL BOARD MEETING

Chairman Pace requested a motion to approve the minutes of the August 27, 2009, Special Board Meeting. Vice-Chairman O’Brien made a motion to approve the minutes, which was seconded by Director Martland.

The minutes were approved as presented by roll call. Director Savitsky, Director Lauretti, Director Desmarais, and Director Miron abstained as they were not present at the meeting. Chairman Pace, Vice-Chairman O’Brien, Director Damer, Director Martland, Director Mullane, Director Edwards, and Director Zandri voted yes.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer	X		
Alan Desmarais			X
Mark Lauretti			X
Theodore Martland	X		
Jim Miron			X
Nicholas Mullane	X		
Raymond O’Brien	X		
Linda Savitsky			X
Ad-Hocs			
Stephen Edwards, Bridgeport	X		
Geno Zandri, Jr., Wallingford	X		

RESOLUTION REGARDING THE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2009

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

RESOLVED: That the Board hereby approves and endorses the Annual Financial report for the Fiscal Year Ended June 30, 2009, substantially as discussed and presented at this meeting.

Director Damer seconded the motion.

Director Savitsky said that this is the first year of CRRA’s engagement of new auditors. She explained after their appointment by the Board the Finance Committee (as it functions as the Audit Committee) met with the auditors for a pre-audit meeting, subsequent to which the auditors undertook their work. Director Savitsky said following the audit she met with the auditors, Mr. Bolduc and Ms. Vo-Le to review the status of the audit, various deadlines for reports and to discuss how the CRRA properties were to be handled going forward. Director Savitsky said that the auditors came to the September 17, 2009, Finance Committee meeting and made a similar presentation concerning the financials. She said that the Finance Committee recommended to the Board that the financial report for 2009 be accepted based on the condition that certain items will be completed. Director Savitsky said that

Bolam Sheedy & Tornai (hereinafter referred to as “BST”) had an agenda for the Board to refer to during their presentation, a copy of which is attached as “Exhibit B”.

Mr. Reynolds of BST said that he was present to represent the firm along with Anton Mirtshev. He explained the title partner could not attend as he is only just being released from the hospital for pneumonia. Mr. Mirtshev said that he was a CPA and audit manager at BST and that he was in charge of the field work and the overall audit.

Mr. Reynolds said that this was the first year audit, which is always more difficult to undertake than subsequent years. He said that he received ample support from management and that overall the audit went well. Mr. Reynolds said there was some scrambling on BST’s part as the audit selection took place late. He said he has already planned meetings with management to ensure a smoother process the following year. He said the financial statement is audited and that BST’s opinion is rendered in an independent unqualified report. Mr. Reynolds explained the report states that CRRA’s 2009 financial statement presents fairly and that all material respects the financial position and results of the operation of CRRA.

Mr. Reynolds said that the auditors also issue an opinion over internal controls over financial reporting and compliance with laws and regulations where any material weakness and significant deficiencies in those processes are noted. He explained there were no such findings. Mr. Reynolds said management’s discussion and analysis is prepared by management and that CRRA’s is far more extensive, well documented, and thorough than comparable discussions BST has seen. He said that the auditors do review that item to be sure that it does not conflict with any of the information in the financial statement but do not audit the discussion.

Mr. Reynolds said that the financial statement is prepared by CRRA and contains thorough notes due to the many unusual and extensive transactions and matters undertaken by CRRA which the auditors also found extremely well prepared.

Chairman Pace said that the State single audit contains a schedule of State findings and costs for State expenditures. He said there is \$3 million for CT DEP protection for the Hartford landfill closure. Mr. Reynolds said that is a separate report which is required by the State. Chairman Pace said that he just wanted to note that there are no noted material weaknesses.

Mr. Reynolds said that the second report is the single audit for the State which is required when State money is received. He noted if more than \$500,000 of federal money is received CRRA would have also been required to file a federal single audit.

Chairman Pace noted that the report shows that in 2009 total assets decreased by \$26.3 million. Mr. Reynolds said that he was correct and the assets did decrease this year along with the net assets which is entirely due to the \$26 million distribution to the five member towns.

Director Desmarais said that the MD&A was excellent and asked if a letter of transmittal was necessary to apply for the certificate. Mr. Reynolds said that was not due until December 31, 2009. Mr. Bolduc said that once the Board accepts the audit the letter of transmittal will be filed with the State of Connecticut.

Chairman Pace asked that the statement which says the Metropolitan District Commission “to date the MDC has not taken any action” be removed. Mr. Bolduc said that change will be made.

Chairman Pace clarified that the Board hereby accepts this audit subject to the changes made in discussion.

Director Savitsky said that she and the Board appreciate the effort that went into completing the audit. She said it was a very quick turnaround from when the audit was started.

The motion previously made and seconded was approved unanimously by roll call. Chairman Pace, Vice-Chairman O’Brien, Director Damer, Director Desmarais, Director Lauretti, Director Martland, Director Miron, Director Mullane, and Director Savitsky voted yes.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer	X		
Alan Desmarais	X		
Mark Lauretti	X		
Theodore Martland	X		
Jim Miron	X		
Nicholas Mullane	X		
Raymond O’Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Stephen Edwards, Bridgeport			
Geno Zandri, Jr., Wallingford			

RESOLUTION REGARDING THE PURCHASE OF COMMERCIAL GENERAL LIABILITY, EXCESS LIABILITY, POLLUTION LEGAL LIABILITY AND COMMERCIAL AUTOMOBILE LIABILITY INSURANCE

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

RESOLVED: That CRRA’s Commercial General Liability insurance be purchased from **ACE American Insurance Company** with a \$1,000,000 limit, \$25,000 deductible, for the period 10/1/09 – 10/1/10 for a premium of \$243,931, as discussed at this meeting; and

FURTHER RESOLVED: That CRRA’s \$25 million Umbrella Liability insurance be purchased from **ACE American Insurance Company** for a premium of \$185,621 for the period 10/1/09 – 10/1/10, as discussed at this meeting; and

FURTHER RESOLVED: That CRRA’s Pollution Legal Liability insurance be purchased from **ACE American Insurance Company** with a \$20 million limit, \$1 million retention, for the period 10/1/09 – 10/1/10 for a premium of \$343,366;

FURTHER RESOLVED: That CRRA’s Commercial Automobile Liability insurance be purchased from **ACE American Insurance Company** with a \$1 million limit, liability coverage on all and comprehensive and collision on fifteen (15) passenger vehicles and light trucks with a \$1,000 deductible, for the period 10/1/09 – 10/1/10 for a premium of \$54,010.

Chairman Pace seconded the motion.

Director Savitsky said that this resolution addresses the yearly renewal of one set of CRRA’s insurance requirements. She said that Ms. Martin and the Aon team did an excellent job of presenting insurance recommendations. Director Savitsky said that discussion was held during the Finance Committee meeting to review the proposed recommendations. She explained the write-up in the Board package has marketed and documented the coverage gathered as well as what the different lines of coverage are.

Chairman Pace said that the limits for pollution liability are \$20 million over two years as opposed to \$20 million for year; he asked if that is different from the prior year. Ms. Martin said that currently CRRA has a \$20 million policy for one year for which a renewal has been offered in addition to a second option for a \$20 million policy over two years. The recommendation is that CRRA stay with the \$20 million policy for one year as the two-year policy must share the \$20 million over the two-year period.

Mr. Bolduc explained this is because the upper limits do not compound each other. Ms. Martin said if CRRA went with a two-year policy for \$20 million, that \$20 million would be shared over the two-year period rather than having a \$20 million policy for year one and a \$20 million policy for year two.

Vice-Chairman O’Brien asked that the word “total” be eliminated for accuracy from the last sentence which states “the proposed premiums represent an annualized reduction.” He said he believes the write-up demonstrates that CRRA is getting excellent value from its consultants Aon and Ms. Martin.

Chairman Pace asked Ms. Martin whether CRRA currently insures 15 vehicles. Ms. Martin said that CRRA currently has 38 vehicles, 15 of which are light passenger vehicles for which comprehensive and collision is purchased. Chairman Pace asked if this meant that CRRA increased its vehicles by three from the prior year. Ms. Martin said that the older vehicles were traded in for newer models and this increased the number of vehicles requiring comprehensive and collision. Mr. Bolduc said that there is the same number of vehicles however three more vehicles were required to be covered this year in comparison to the prior year.

Director Martland said that he is disappointed that several of the companies approached for coverage were not interested in offering insurance to CRRA.

Director Savitsky said that this write-up is an excellent document. She said that Ms. Martin puts a substantial effort into its preparation and the risk management program is paying benefits in the rates and markets it has been able to attract.

The motion previously made and seconded was approved unanimously by roll call. Chairman Pace, Vice-Chairman O'Brien, Director Damer, Director Desmarais, Director Lauretti, Director Martland, Director Miron, Director Mullane, and Director Savitsky voted yes.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer	X		
Alan Desmarais	X		
Mark Lauretti	X		
Theodore Martland	X		
Jim Miron	X		
Nicholas Mullane	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Stephen Edwards, Bridgeport			
Geno Zandri, Jr., Wallingford			

RESOLUTION REGARDING THE RECLASSIFICATION OF THE STRATFORD RECYCLING CAPITAL RESERVE

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

WHEREAS, the Connecticut Resources Recovery Authority's (the "Authority") Board of Directors (the "Board") adopted a resolution in October 2005 that established a Recycling Reserve within the Bridgeport Project; and

WHEREAS, the Bridgeport Project officially ended on December 31, 2008; and

WHEREAS, the Recycling component of the former Bridgeport Project survives the Bridgeport Project under the auspices of the Authority and by the operation of FCR; and

WHEREAS, the Authority seeks to make final distribution of Bridgeport Project-related funds to the towns that were member of the former Bridgeport Project; and

WHEREAS, on July 23, 2009, the Board reviewed and approved the consolidation of various activities and assets and accounts relating to the Bridgeport Project in order to set funds aside prior to the final distribution of Bridgeport Project-related funds to the towns that were members of the former Bridgeport Project; and

WHEREAS, the remaining assets and accounts that are necessary for the continuation of other activities of the former Bridgeport Project including, but not limited to, landfill closure and recycling will be reclassified into the Property Division in order to avoid comingling with other Bridgeport Project funds.

NOW, THEREFORE, it is

RESOLVED: that the full amount in the Bridgeport Project Recycling Reserve be transferred to the Property Division and renamed the Stratford Capital Recycling Reserve, pending final disposition from legal.

Vice-Chairman O'Brien seconded the motion.

Mr. Bolduc explained this resolution is one of the housecleaning items which relates to the closure of the Bridgeport Project. He said that two Bridgeport reserves were set up the prior month, one titled the post-project reserve, and the second titled a risk project reserve. Mr. Bolduc said that there are several items which still need to transpire. He explained the post project issues such as the Waterbury landfill acreage, outstanding receivables, and some other insurance issues will most likely take another year to be completely resolved.

Mr. Bolduc said that one of the remaining items which were identified concerns the Stratford recycling capital reserve which amounted to about \$640,000 at the end of July 2009. He said that amount has changed slightly as it is in a Short-Term Investment Fund (hereinafter referred to as "STIF") account. Mr. Bolduc said this reserve was established a few years ago and its ownership is a complicated issue. He said the document that was crafted contains references to SWEROC, SWAB, and CRRA and that management has been working with its attorneys to find who the money belongs to. Mr. Bolduc said the reserve will remain on the sheet containing the other post-project reserve items and will not be part of the initial distribution as the issue has not been resolved legally.

Mr. Bolduc said from an accounting perspective the item needs to be accounted for, isolated, and placed in a separate reserve. He said it will be transferred into the Property Division of CRRA which will be the repository for residual assets and liabilities as the projects culminate. Mr. Bolduc said when the legal issue is resolved this issue will move forward.

Director Edwards asked if he was correct in stating this money will be identified, as he is concerned that money in the Property Division may be co-mingled. Director Edwards said it is important that this money is earmarked.

Mr. Bolduc said the money will show up as a specific line item in the audit report and will be identified exactly as it is within separate STIF accounts. He said Exhibit C in the audit report was created for clarification of each separate item.

Director Edwards said that it is important the integrity of each asset is maintained, the main one being the Waterbury landfill, a major SWAB asset which he does not want CRRA to lose control of.

Director Desmarais said he is comfortable voting after hearing Director Edwards' comments.

The motion previously made and seconded was approved unanimously by roll call. Chairman Pace, Vice-Chairman O'Brien, Director Damer, Director Desmarais, Director Lauretti, Director Martland, Director Miron, Director Mullane, Director Savitsky, and Director Edwards voted yes.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer	X		
Alan Desmarais	X		
Mark Lauretti	X		
Theodore Martland	X		
Jim Miron	X		
Nicholas Mullane	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Stephen Edwards, Bridgeport	X		
Geno Zandri, Jr., Wallingford			

RESOLUTION REGARDING THE FUNDING OF SHELTON LANDFILL POST-CLOSURE RESERVE

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

WHEREAS: On July 1, 2009 the Connecticut Department of Environmental Protection (CT DEP) issued a tentative determination and a draft permit for a stewardship permit for the Shelton landfill which required a 15-percent contingency be added for the entire landfill due to the presence of a hazardous waste cell located within the Shelton landfill; and

WHEREAS, CRRA reviewed the assumptions for the reserve earnings rate and the annual inflation rate and adjusted these rates to account for present economic conditions; and

WHEREAS: Certain work pertaining to the Shelton landfill estimated at \$60,000 was scheduled to be completed in Fiscal Year 2009 and will now be completed in Fiscal Year 2010;

NOW, THEREFORE, it is

RESOLVED: That to meet the additional funding requirements, \$1,360,000 be transferred from the Bridgeport Project Account to the Shelton Landfill Post-Closure Reserve STIF.

Director Miron seconded the motion.

Mr. Bolduc said that this resolution has been tabled by the Board in the past. He explained Mr. Egan's specific e-mail attachment behind the resolution describes one particular cell at the Shelton landfill which has been identified as hazardous. Mr. Bolduc explained that as a result the CT DEP requires a certain amount of funds to be set aside in a post-closure reserve. He said that since that ruling was obtained the reserve was set up and the next step is to make sure the necessary funds are moved into the reserve before any money is distributed.

Mr. Bolduc said the last time this resolution was brought before the Board, the Directors asked that the CT DEP be asked to move on the requirement, which has since been done. He said according to Mr. Egan's e-mail this is not a matter that DEP will negotiate as it is also tied in with federal regulation. Mr. Bolduc said money must be moved out of the remaining Bridgeport funds into the post-closure reserve calculations which are contained in the write-up.

Mr. Bolduc said the resolution is to clean up the balance sheet before making the final distribution which management intends to do in October. He said a letter containing more specificity has been drafted to the towns' CEOs and will be sent out on behalf of Mr. Kirk at the end of the week.

Director Lauretti informed Director Edwards the communication to the towns' CEOs will be done prior to the meeting with the CEOs. He asked that a copy of this resolution be sent to each chief elected official in the project just as an FYI separate from the letter Mr. Bolduc referenced.

Director Edwards said that he has the same reservation as he had when the issue was raised prior. He said that he was concerned that this issue wasn't fully vetted and that \$1.3 million is quite a bit to provide the CT DEP just as a request.

Director Lauretti said that those funds are going into a reserve.

Director Edwards said that the Shelton landfill reserve is CRRA money and not project money. Mr. Bolduc said that it is CRRA money and intended for this purpose. Director Edwards said that the money will be managed and handled by CRRA and that twenty years from now any leftover funds will belong to CRRA.

Director Desmarais suggested the Mr. Egan's memorandum be attached to the letter Director Lauretti requested be sent to the CEOs associated with the project.

Director Lauretti said that he wants the CEOs to be aware that this action took place in order to provide use as a reference when management provides a full explanation of the final reserves and distributions. Chairman Pace said that in addition he has asked Mr. Kirk to provide a cover letter explaining why this information is being mailed out.

The motion previously made and seconded was approved unanimously by roll call. Chairman Pace, Vice-Chairman O'Brien, Director Damer, Director Desmarais, Director Lauretti, Director Martland, Director Miron, Director Mullane, Director Savitsky, and Director Edwards voted yes.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer	X		
Alan Desmarais	X		
Mark Lauretti	X		
Theodore Martland	X		
Jim Miron	X		
Nicholas Mullane	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Stephen Edwards, Bridgeport	X		
Geno Zandri, Jr., Wallingford			

RESOLUTION REGARDING THE PURCHASE OF A RUBBER-TIRED WHEEL LOADER FOR THE MID-CONNECTICUT RESOURCE RECOVERY FACILITY

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

RESOLVED: That the President is hereby authorized to execute an agreement for the purchase of a Rubber-Tired Wheel Loader from Tyler Equipment Corporation to be used at the Mid-Connecticut Resource Recovery Facility substantially as presented and discussed at this meeting.

Director Martland seconded the motion.

Mr. Kirk said that this resolution is very straightforward and details the replacement of a worn-out machine. He explained it is cheaper to buy a new wheel loader than to do an upgrade which would not have included a warranty.

Chairman Pace asked whether the extended warranty is included in the price. Mr. Tracey said that the warranty is a three-year preventative maintenance program which is included in the price.

Vice-Chairman O'Brien said the reasons why two companies did not meet the specs were included in the resolution per his request. He said however the documentation on the specifics of what those companies did not meet should be available from management if the public wants to examine that information in greater detail. Director Edwards said this is especially important considering management's recommendation was not the low bid.

The motion previously made and seconded was approved unanimously by roll call. Chairman Pace, Vice-Chairman O'Brien, Director Damer, Director Desmarais, Director Lauretti, Director Martland, Director Miron, Director Mullane, and Director Savitsky voted yes.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer	X		
Alan Desmarais	X		
Mark Lauretti	X		
Theodore Martland	X		
Jim Miron	X		
Nicholas Mullane	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Stephen Edwards, Bridgeport			
Geno Zandri, Jr., Wallingford			

RESOLUTION REGARDING THE PURCHASE OF A NEW JET FUEL TANK FOR THE JET TURBINE FACILITY

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

RESOLVED: That the President is hereby authorized to execute an agreement with Northeast Generation Services Company, Inc. to purchase a new Jet Fuel Tank for the Mid-Connecticut Jet Turbine Facility, substantially as presented and discussed at this meeting. The funds for this expenditure will be withdrawn from the Jets/Energy Generating Facility reserve account.

Director Martland seconded the motion.

Mr. Kirk said that the recent jet fuel tank inspection indicated that repairs are necessary. He said that estimates have been provided for the repair cost. He noted that management would like to get started on the work as soon as possible.

Vice-Chairman O'Brien said that he had asked two questions at the Policies & Procurement Committee meeting. He said that first of all he had inquired as to what the reserve status is currently at particularly in view of the fact that management is taking money out of the reserve for the boiler pressure parts. Vice-Chairman O'Brien said that secondly he requested the list of the projects which have been deferred in order to complete these repairs be expanded upon.

Mr. Bolduc said that there are several accounts concerning the jets – Energy Generating Facility reserves, the operating account, the \$100,000 remediation account, and lastly the restricted account which is currently being discussed. He said that the restricted account (not including the operating account) contains about \$7.8 million as of July 31, 2009.

Vice-Chairman O'Brien said that between this resolution and the boiler parts resolution CRRA is looking at taking \$2.5 million out of these reserves. He asked where CRRA is in regards to the requirements to maintain the reserve.

Mr. Bolduc said that the Operations Division has looked at this issue relative to what is required concerning adequate numbers based on future projections. He said management is not taking funds out of FY'10. Mr. Bolduc explained the additional dollars for the jet fuel tank and the subsequent tank for pressure parts will cause the deferment of items in FY'11. Mr. Bolduc said that those items include a fuel control system, a PLC upgrade, a vibration detection system and rewinding of one of the generator fields. He said those pertain to the EGF in the original FY'11 budget and will be taken out and postponed.

Vice-Chairman O'Brien said that he thought the three items that were being postponed were in the FY'10 budget. Mr. Tracey said that was incorrect. He said that there are not going to be any changes to the expenditures in the FY'10 budget other than these two additions. Mr. Tracey said that the items management feels can be postponed until subsequent years include a fuel controller for the jets and a PLC system for the jets which is were the bulk of the money is (about \$1.9 million).

Mr. Quelle said that he feels comfortable with the items which are being moved out as they are long-term expenses.

Chairman Pace asked whether CRRA is keeping the jets. Mr. Kirk said that this is still an open question. Vice-Chairman O'Brien said it is a question that needs to be resolved. Mr. Kirk said that management recommends addressing the jet issue after ownership issues concerning the plant are resolved. Mr. Kirk said the decision management makes on how to maintain and invest in capital are pending some decisions which have yet to be made.

Director Damer asked whether option two includes the cost of eventually removing the existing tank. Mr. Tracy answered in the affirmative.

Vice-Chairman O'Brien said that the 2011 budget is not that far away. He said that he believes that management needs to make some clear policy decisions concerning CRRA's obligations to the facility. Vice-Chairman O'Brien said that he believes CRRA has an obligation to keep the equipment in good shape until the end of the project. He said whether CRRA sells the jets or not, due to its value as a black-start unit money may need to be spent to maintain its maximum value.

Director Lauretti said at the end of the day whether the project expires and goes away the need doesn't. He said the need for upkeep is a simple decision as far as he is concerned and is completely necessary. Vice-Chairman O'Brien agreed.

The motion previously made and seconded was approved unanimously by roll call. Chairman Pace, Vice-Chairman O'Brien, Director Damer, Director Desmarais, Director Lauretti, Director Martland, Director Miron, Director Mullane, and Director Savitsky voted yes.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer	X		
Alan Desmarais	X		
Mark Lauretti	X		
Theodore Martland	X		
Jim Miron	X		
Nicholas Mullane	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Stephen Edwards, Bridgeport			
Geno Zandri, Jr., Wallingford			

RESOLUTION REGARDING THE DELIVERY OF COVER SOILS TO THE HARTFORD LANDFILL

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

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

Director Martland seconded the motion.

Director Martland said that he is in support of this contract.

Chairman Pace said although he has no relation to the construction company cited in the resolution he will abstain from the vote to avoid any allegation of impropriety.

Mr. Kirk noted that this resolution details a revenue contract which does not incur any costs for CRRA. He said that the Environmental Division does a great job of finding the best value for this service.

The motion previously made and seconded was approved by roll call. Chairman Pace abstained. Vice-Chairman O'Brien, Director Damer, Director Desmarais, Director Lauretti, Director Martland, Director Miron, Director Mullane, and Director Savitsky voted yes.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman			X
David Damer	X		
Alan Desmarais	X		
Mark Lauretti	X		
Theodore Martland	X		
Jim Miron	X		
Nicholas Mullane	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Stephen Edwards, Bridgeport			
Geno Zandri, Jr., Wallingford			

RESOLUTION REGARDING MUNICIPAL GOVERNMENT LIAISON SERVICES AGREEMENT

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

RESOLVED: That the President of CRRA is hereby authorized to execute the Municipal Government Liaison Services Agreement with Brown Rudnick LLP, substantially as presented and discussed at this meeting.

Director Damer seconded the motion.

Director Savitsky asked that this item be tabled until after Executive Session.

The motion to table was seconded by Director Martland.

Chairman Pace asked that this item be passed until after Executive Session, the maker of the motion to table and seconder agreed to withdraw the motion to table and agreed to pass on this item until a later date.

The motion was passed over.

RESOLUTION REGARDING THE CRRA EDUCATION POLICY

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

WHEREAS the State Solid Waste Management Plan's goal is to dramatically increase recycling; and

WHEREAS the Solid Waste Management Plan stresses that education is critical to reaching that goal; and

WHEREAS the Connecticut Resources Recovery Authority's education programs offered through the Trash Museum in Hartford and the Garbage Museum in Stratford have, since 1993, been proven to increase awareness of and participation in recycling by encouraging children to involve their entire families in recycling; therefore be it

RESOLVED: That the Board declares that recycling education is a part of its core mission and hereby adopts the Connecticut Resources Recovery Authority Education Policy substantially as presented and discussed at this meeting.

Director Miron seconded the motion.

Vice-Chairman O'Brien said that the public portion of the meeting contained several ringing endorsements for the museum. He said that the Board and management are aware of the important job which is being done by the museum and its educators. Vice-Chairman O'Brien said that this resolution will make the education policy part of CRRA's core mission specifically for recycling education.

Mr. Bolduc said that he wants everyone to be clear what this resolution will do. He explained that the general fund budget is allocated to each project accordingly, Bridgeport, Wallingford and the Southeast Project. Mr. Bolduc explained that Bridgeport has a \$2.00 cap for charges which is spoken for and that CRRA cannot allocate the payment as it will run as a deficit because it is a fixed amount. Mr. Bolduc said that the Wallingford Project is in the same situation in the next fiscal year and for the Southeast Project the process will charge dollars to the Southeast budget which is not currently part of the allocation. Mr. Bolduc said basically the costs will all come back to the Mid-CT Project, and those are not Mid-Conn project net costs of operation.

Chairman Pace said Mid-Conn can't pay for this and explained this is why he asked those folks present during public comment to solicit funds from the towns and other sources.

Mr. Bolduc said that in November the general fund budget for FY'11 comes to the Board and that decision will be made in the next eight weeks.

Chairman Pace said that there are enough funds to hold the museum in place until June 30 of the present fiscal year FY'10. Mr. Bolduc indicated only through FY'10. He explained that in November of this year the general fund budget is voted on and in December the Southeast budget is voted on for the FY'11 budget.

Director Miron asked what the total costs for the museum are. Mr. Bolduc said the total programs for both Stratford and Hartford are about half a million on an annual basis.

Chairman Pace said that the quarter of a million required this year for the Stratford museum has been taken care of. He suggested that a caveat be attached to this resolution stating that the towns will need to support what school systems are saying is a high value. He said a quarter of a million dollars at a little added cost to the towns is negligible.

Director Damer said that he believes the Garbage Museum's and Trash Museum's continuance is critical and that the education they provide is the most important thing that CRRA does in support of the State Solid Waste Management Plan (hereinafter referred to as "SWMP".) He said, however, he believes

that CRRA should be asking for statewide support of these facilities as opposed to asking members of the projects to cover the costs alone. Director Damer said that in recognition that such funding may not be procured there needs to be a way to keep the museums funded as the education it provides is critical.

Director Lauretti said that he would like to recommend that this item be tabled until the following month in order for management to identify a State grant or stimulus money to keep the museum funded.

Chairman Pace said that he appreciated the suggestion however the State has been asked and the CT DEP has been approached and the answer was no.

Director Miron said that he had contemplated weighing in on the jet turbine resolution given that there is some question surrounding the future of that project as well as the jet technology. He said because that resolution was critical to operations the \$1 million was approved by the Board. Director Miron said that the SWMP's goal of reaching 58-percent recycling by 2024 is difficult to fathom, and can certainly never be accomplished without education. He said the funding being considered is part of CRRA's core mission; he commended Mr. Nonnenmacher and Ms. Montanari for their efforts to obtain funding. Director Miron said that he feels the importance of the education provided by the museum is also part of CRRA's operations and that is sometimes overlooked by the Board. He said recycling efforts and what CRRA can do as the leader of those efforts is the good face of what CRRA does.

Chairman Pace thanked the Mayor of Stratford. He said everyone agrees with these statements however the question remains where the funding for the museum will come from.

Director Savitsky said that the museum is critical to CRRA's mission. She said that when budgets are put together the amount of money spent on legal fees is unconscionable. Director Savitsky said the Board can be more strict about what goes into the general fund budget so that this half a million dollars can be included.

Director Savitsky said that the museum affects all 169 towns and that the Board needs to be sure that all the school districts in the State, not just those adjacent or near to the project come to the museum. She said that she believes the Board needs to get away from making plans based on what funds are available at that moment and consider the greater picture of where the new CRRA will be further down the road. Director Savitsky said that Mr. Borden said it well when he said "it starts with the kids." She said she believes the museum funding should become part of the general fund budget and remain so permanently going forward.

Chairman Pace said that hopefully some ongoing legal issues will be resolved and eventually those costs would be off of CRRA's expenses and can go towards reducing tip fees. He said that support for the museum has not been found from the Southwest towns and under present MSA's CRRA can only charge towns the net cost of operation for services they receive.

Director Edwards said that the Southwest towns have lost half of their tonnage. He said the whole Southwest corner of the towns including Norwalk and Darien left because of the \$2.00 administration fees that CRRA placed on the tip fee. Director Edwards said that adding an additional dollar to the tip fee in order to fund the museum manifests the allegation from the SWEROC towns initially that the tip fee would gradually increase over time due to these costs. He said he does not think

that the Board should place those costs on that tip fee and suggested perhaps approaching Wheelabrator and placing it on those tons in order to obtain the necessary funds.

Director Edwards said that much of the tonnage which has been lost by the project is going in the back door at Wheelabrator which is getting a free ride. Chairman Pace said that CRRA has to deal with this problem in Wallingford as well and it comes down to what is left, which is the Mid-Connecticut Project. Director Edwards said that it is frustrating when project towns use the facility and do not pay for it.

Vice-Chairman O'Brien said that the Project member towns have not been asked to pay for the museum costs. Director Edwards said that is incorrect and that the towns have been asked many times over.

Chairman Pace said that he would like to see a line added to the resolution which states something along the line of "seeking the support of the towns in the Southwest Project."

Director Savitsky said that she does not think only the Southwest towns should be asked. She said that other towns use the facility and there may be towns which bring students that are not part of the CRRA.

Director Miron said that Stratford is part of the Greater Bridgeport Transit Authority for buses. He said that every year a letter is mailed out stating that the pro-rata share for being in the project is X. He said although Stratford is not compelled to pay it (although it does) the buses are still provided for the district. Director Miron said that may be a suitable model to secure funds in a case where the pro-rata costs are billed to each municipality.

Director Edwards said he would rather see it go back to the legislature where a dollar a ton is placed on the burn plant.

Director Miron asked that this request for funding be added to CRRA's legislative agenda. Mr. Kirk said that funding has been requested in the past. Mr. Kirk said that in a recent meeting with the CT DEP despite the fact that the SWMP mentions education no less than 300 times, CRRA's request that the CT DEP use the roughly \$400,000 from Covanta's substitute environmental program (hereinafter referred to as "SEP") violation fine to fund the museums was denied. Chairman Pace said that he personally spoke with the commissioner in this regard but was unsuccessful.

Ms. Montanari said that Mr. Borden (who spoke during public session) is from a Mid-Conn town and chooses to come to the Stratford museum despite the cost and availability of a free trip to the Hartford museum.

Mr. Nonnenmacher said that there is already a two-tiered fee structure at the Garbage Museum. He said that "old SWEROC" towns pay one rate and other towns pay another rate. He said that this fee structure could be extended to Hartford to help defray some of those costs as well. Mr. Nonnenmacher said that the recycling budget came under question when recycling contracts expired and prices collapsed.

Mr. Nonnenmacher said that since September he and Ms. Montanari have been scrambling for money and that in general the fee structure has been accepted. He referred the Board to the museum reports which illustrate the evidence of the non-CRRA towns' attendance to the museum.

Chairman Pace asked Mr. Bolduc how much money was returned to the towns for recycling rebates. Mr. Bolduc said around \$900,000. Chairman Pace said that it is possible in the future portions of that rebate can be earmarked for the museums. He said in the meantime funding must be found and that the Board has shown willingness to bring the necessary dollars to the table in the meantime. Chairman Pace said this is for the purpose of recycling and the identification of education to encourage more recycling.

Director Edwards pointed out that the Mid-Connecticut Project has already converted to single-stream recycling, whereas the Southwest Project is looking not only at funding the museum but also at a \$5-6 million upgrade to convert to single stream.

AMENDMENT TO THE RESOLUTION REGARDING THE EDUCATION POLICY

Chairman Pace offered an amendment to the resolution that a "Further Resolved" be added to say "that efforts for funding be gathered through municipality, State and private funding."

Vice-Chairman O'Brien accepted the amendment.

The amendment was seconded by Director Laretti.

Director Savitsky said that she does not feel this language should be part of the resolution. Director Damer asked if this language goes in the actual policy. Chairman Pace said that it did not.

Director Desmarais said that he thinks in the end that these facilities have to stay open as they play an incredibly important part of the education process. He said he believes the discussion is only on the financing aspect and whether it be generally financed by all or whether admission is charged. Director Desmarais said that admission is being charged now and the question is whether or not the museum is funded from the general fund and other projects. He suggested that a season pass be offered to the towns along with a choice to come to the facility with the pass or on a pay as you go basis. Director Desmarais said that he feels the issue here is policy and education which he believes CRRA has to act on.

The motion to accept the friendly amendment was approved. Director Savitsky and Director Miron voted no. Chairman Pace, Vice-Chairman O'Brien, Director Damer, Director Desmarais, Director Laretti, Director Martland, Director Mullane, and Director Savitsky voted yes.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer	X		
Alan Desmarais	X		
Mark Lauretti	X		
Theodore Martland	X		
Jim Miron		X	
Nicholas Mullane	X		
Raymond O'Brien	X		
Linda Savitsky		X	
Ad-Hocs			
Stephen Edwards, Bridgeport			
Geno Zandri, Jr., Wallingford			

VOTE ON THE RESOLUTION REGARDING THE EDUCATION POLICY AS AMENDED

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

WHEREAS the State Solid Waste Management Plan's goal is to dramatically increase recycling; and

WHEREAS the Solid Waste Management Plan stresses that education is critical to reaching that goal; and

WHEREAS the Connecticut Resources Recovery Authority's education programs offered through the Trash Museum in Hartford and the Garbage Museum in Stratford have, since 1993, been proven to increase awareness of and participation in recycling by encouraging children to involve their entire families in recycling; therefore be it

RESOLVED: That the Board declares that recycling education is a part of its core mission and hereby adopts the Connecticut Resources Recovery Authority Education Policy substantially as presented and discussed at this meeting.

FURTHER RESOLVED: That efforts for funding be gathered through municipality State and private funding.

The motion was seconded by Director Lauretti.

The motion to approve the resolution as amended was approved by roll call. Chairman Pace, Vice-Chairman O'Brien, Director Damer, Director Desmarais, Director Lauretti, Director Martland, Director Miron, Director Mullane, and Director Savitsky voted yes.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer	X		
Alan Desmarais	X		
Mark Lauretti	X		
Theodore Martland	X		
Jim Miron	X		
Nicholas Mullane	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Stephen Edwards, Bridgeport			
Geno Zandri, Jr., Wallingford			

RESOLUTION REGARDING ADOPTING AN AMENDMENT TO SECTION 5.11 OF THE PROCUREMENT POLICY

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

RESOLVED: That the Board of Directors hereby adopts the following revision to the Authority's Procurement Policy, amending and restating in its entirety Section 5.11 of the Policy, Market Driven Purchases and Sales:

5.11 Market Driven Purchases and Sales

Recognizing CRRA operates in an industry that has market driven goods and commodities services, CRRA needs to purchase and sell certain goods or commodities services in a short time-period in order to maximize optimize prices and/or revenue to CRRA. Examples of such market driven goods and commodities services include, but are not limited to, the following: the acquisition of cover soil for landfills,; and the sale of glass, plastic, paper, cardboard, newspaper, and metals; and the procurement of waste export and diversion services from time to time due to excess deliveries and/or unscheduled outages. CRRA may utilize an expedited purchase or sale procedure for market driven goods and commodities services but CRRA must strive to get the most price quotes as are practicable without jeopardizing the prices or revenue to CRRA. Recognizing the intent of these Policies And Procedures is to have a Competitive Process for all goods and commodities services, this section should be limited in its use and used only when absolutely necessary. When CRRA determines such a market driven purchase or sale is necessary, CRRA shall utilize the provisions of this section but report to the Board the market driven transaction as soon as is practicable and obtain Board approval if such approval is necessary.

Mr. Tracey said that this resolution provides the ability to do a market check on the current prices available when the need to export waste to other disposal facilities arises. He said that in the past management had to go out to bid and although contract prices are established they do not always keep

pace with market prices. Mr. Tracey said that there is currently only one export contractor under an agreement and this will allow management to establish a stable of qualified haulers to provide service within a short notice period.

Director Miron said that he wants to be sure that when State wide solicitations are done that they include coverage of the southern part of the State as well.

Vice-Chairman O'Brien asked whether this change has been noticed. Ms. Hunt replied yes.

The motion previously made and seconded by Director Martland was approved by roll call. Chairman Pace, Vice-Chairman O'Brien, Director Damer, Director Desmarais, Director Lauretti, Director Martland, Director Miron, Director Mullane, and Director Savitsky voted yes.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer	X		
Alan Desmarais	X		
Mark Lauretti	X		
Theodore Martland	X		
Jim Miron	X		
Nicholas Mullane	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Stephen Edwards, Bridgeport			
Geno Zandri, Jr., Wallingford			

RESOLUTION ESTABLISHING A SPECIAL COMMITTEE TO STUDY OPTIONS FOR MUNICIPAL SOLID WASTE DISPOSAL FOLLOWING THE EXPIRATION OF THE MID-CONNECTICUT PROJECT

Chairman Pace requested a motion to approve the above-captioned matter. The motion to approve was made by Vice-Chairman O'Brien:

RESOLVED: That a Special Committee is hereby formed and charged to study options for the disposal of solid waste from the Mid-Connecticut Project municipalities post Project, and report thereon to this Board; and

FURTHER RESOLVED: That the Special Committee consist of the five representatives of the Mid-Connecticut Project contracting municipalities designated by the Mid-Connecticut Project Municipal Advisory Committee (MAC representatives from Windsor Locks, Canton, Hartford, East Hartford, and Barkhamsted), and the Authority's President; Director of Operations; Environmental Affairs & Development Director; Development, Environmental Compliance & IT Manager; and Senior Operations Analyst.

Director Martland seconded the motion.

Director Savitsky asked that this item be passed on until after Executive Session.

Chairman Pace asked that this item be passed on until after Executive Session, the maker of the motion and seconder agreed.

The motion was passed on.

RESOLUTION REGARDING THE PURCHASE OF NEW BOILER PRESSURE PARTS FOR THE MID-CONNECTICUT POWER BLOCK FACILITY

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

RESOLVED: That the President is hereby authorized to execute an agreement with Covanta Energy, Inc. to purchase new Boiler Pressure Parts for the Mid-Connecticut Power Block Facility, substantially as presented and discussed at this meeting.

FURTHER RESOLVED: \$1,235,000 for this project will be transferred from the Jets/ Energy Generating Facility Reserve to the Facility Modification Reserve and allocated from that account.

The motion was seconded by Director Martland.

Chairman Pace said that this item was discussed in great detail during the Policies and Procurement Committee meeting.

The motion previously made and seconded was approved by roll call. Chairman Pace, Vice-Chairman O’Brien, Director Damer, Director Desmarais, Director Lauretti, Director Martland, Director Miron, Director Mullane, and Director Savitsky voted yes.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer	X		
Alan Desmarais	X		
Mark Lauretti	X		
Theodore Martland	X		
Jim Miron	X		
Nicholas Mullane	X		
Raymond O’Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Stephen Edwards, Bridgeport			
Geno Zandri, Jr., Wallingford			

RESOLUTION REGARDING THE STANDARD FORM SOLID WASTE TRANSPORTATION AND DISPOSAL AGREEMENT FOR THE MID-CONNECTICUT PROJECT

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

RESOLVED: That the President is authorized to execute agreements for the Transportation and Disposal of Municipal Solid Waste from the CRRA Mid-Connecticut Project using the standard form hauler agreement substantially as presented and discussed at this meeting.

The motion was seconded by Chairman Pace.

Mr. Tracey said that this resolution provides the actual mechanics to implement the amendment to CRRA's procurement procedures which the Board had just approved. He said it is the actual agreement which will put that policy in effect.

Mr. Tracey said that this is a standard-form hauler agreement. He said that management intends to go out to bid with this and ask the haulers to identify disposal facilities where they intend to take the waste. He said the haulers must provide a transportation cost when they identify the disposal facility to get the waste to that facility. Mr. Tracey said that management will solicit the low price depending upon the price provided per ton to the actual disposal facilities.

Mr. Edwards asked how the fuel adjustment is dealt with. Mr. Tracey said that a fuel adjustment formula is contained in the resolution.

The motion previously made and seconded was approved by roll call. Chairman Pace, Vice-Chairman O'Brien, Director Damer, Director Desmarais, Director Lauretti, Director Martland, Director Miron, Director Mullane, and Director Savitsky voted yes.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer	X		
Alan Desmarais	X		
Mark Lauretti	X		
Theodore Martland	X		
Jim Miron	X		
Nicholas Mullane	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Stephen Edwards, Bridgeport			
Geno Zandri, Jr., Wallingford			

RESOLUTION REGARDING PROJECTED LEGAL EXPENDITURES

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

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 General 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>
Halloran & Sage	\$885,000

Director Savitsky asked that the item be passed on until after Executive Session.

Chairman Pace agreed.

The motion was passed on.

CHAIRMAN'S REPORT

Chairman Pace said that there has been communication from the Chairman of MDC basically stating CRRA will not be receiving the information it has been requesting since January with regard to the dispute over post contract costs. He said that despite the best efforts of management, at the request of the MDC member towns to come to an agreement without arbitration, MDC has demanded arbitration. Chairman Pace said CRRA will proceed to protect the best interests of both the CRRA member towns and the MDC towns. He said that he was disappointed and stated that information which should have been provided has suddenly become not legal to provide (due to confidentiality reasons) according to MDC, despite CRRA's offer of a binding agreement.

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 Vice-Chairman O'Brien and seconded by Director Savitsky was approved unanimously by roll call. Chairman Pace requested that the following people be invited to the Executive Session in addition to the Directors:

- Tom Kirk
- Jim Bolduc
- Peter Egan

Laurie Hunt, Esq.
Paul Nonnenmacher

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer	X		
Alan Desmarais	X		
Mark Lauretti	X		
Theodore Martland	X		
Jim Miron	X		
Nicholas Mullane	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Stephen Edwards, Bridgeport			
Geno Zandri, Jr., Wallingford			

The Executive Session began at 12:10 p.m. and concluded at 1:48 p.m. Chairman Pace noted that no votes were taken in Executive Session.

The meeting was reconvened at 1:48 p.m., the door was opened, and the Board secretary and all members of the public were invited back in for the continuation of public session.

REVISED RESOLUTION REGARDING THE ESTABLISHMENT OF A SPECIAL COMMITTEE TO STUDY OPTION FOR MUNICIPAL SOLID WASTE DISPOSAL FOLLOWING THE EXPIRATION OF THE MID-CONNECTICUT PROJECT

Chairman Pace requested a motion to table the above-captioned matter. The motion to table was made by Vice-Chairman O'Brien:

WHEREAS Section 22a-268f of the Connecticut General Statutes directs CRRA to form a committee to study options for solid waste disposal beyond the expiration of the Mid-Connecticut Project; and

WHEREAS said Statute calls for the committee to include "not more than five representatives jointly designated" by Mid-Connecticut Project municipalities; and

WHEREAS the Mid-Connecticut Project Municipal Advisory Committee, at its meeting of July 22, 2009, nominated representatives from East Hartford, Hartford, Windsor Locks, Canton and Barkhamsted; and

WHEREAS the Mid-Connecticut Project provides for solid waste disposal for 70 municipalities located several different regions of Connecticut; therefore be it

RESOLVED: That the CRRA Board of Directors Board expresses its concern that the committee members nominated by the 22 Municipal Advisory Committee members in

attendance at the July 22, 2009, meeting are not representative of the geographic diversity of the Mid-Connecticut Project; and

FURTHER RESOLVED: That the CRRA Board of Directors urges the 70 Mid-Connecticut Project municipalities to select members for said study committee representing each of the five areas in which Mid-Connecticut Project facilities are located as follows: one representative from Torrington or a municipality adjacent to Torrington; one representative from Watertown or a municipality adjacent to Watertown; one representative from Ellington or a municipality adjacent to Ellington; one representative from Essex or a municipality adjacent to Essex; and one representative from Hartford.

A handout was distributed containing a revised resolution regarding the establishment of a special committee to study options for municipal solid waste disposal following the expiration of the Mid-Connecticut Project.

Vice-Chairman O'Brien suggested that "Resolved" portion of the resolution be amended to state, "The Board has reviewed the MAC recommendations and respectfully requests that MAC reconsider the membership of the Committee to provide broader geographic and demographic presentation. The Board believes that a special committee composed of members representing the four transfer station towns and the Hartford host community of the facility would provide a broad and fair representation of the Mid-Connecticut Project members."

Director Martland said that the Board wants the 70 towns to choose.

Vice-Chairman O'Brien said that his amendment will replace the "Resolved" and the "Further Resolved" will say "That the Board urges the 70 Mid-Connecticut Project towns to select members as provided for in the statutes for said committee."

Director Miron said that he finds the statute to be legally problematic. He said five representatives must be jointly designated by the municipalities. He said in his opinion the designating authority according to the statute is legally problematic. Director Miron said that in his opinion there needs to be concurrence from each municipality.

Mr. Nonnenmacher said that the statutes do not say who in each municipality is responsible for the designation and management assumes it is the CEO of each municipality.

MOTION TO TABLE THE REVISED RESOLUTION REGARDING THE ESTABLISHMENT OF A SPECIAL COMMITTEE TO STUDY OPTION FOR MUNICIPAL SOLID WASTE DISPOSAL FOLLOWING THE EXPIRATION OF THE MID-CONNECTICUT PROJECT

Chairman Pace requested a motion to table the resolution regarding the above captioned matter.

The motion to table the above referenced resolution was seconded by Director Miron.

After discussion the Board agreed to table this item for further development and legal review

The motion to table the resolution was passed unanimously by roll call. Chairman Pace, Vice-Chairman O'Brien, Director Damer, Director Desmarais, Director Martland, Director Miron, Director Mullane, and Director Savitsky voted yes.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer	X		
Alan Desmarais	X		
Theodore Martland	X		
Jim Miron	X		
Nicholas Mullane	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Stephen Edwards, Bridgeport			
Geno Zandri, Jr., Wallingford			

AMENDED RESOLUTION REGARDING PROJECTED LEGAL EXPENDITURES

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

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 General 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>
Halloran & Sage	\$300,000

The motion was seconded by Director Miron.

Ms. Hunt said that Director Savitsky had requested the originally proposed amount be reduced to \$300,000 and that Ms. Hunt return to the Board in two months for further funding.

The motion was approved unanimously by roll call. Chairman Pace, Vice-Chairman O'Brien, Director Damer, Director Desmarais, Director Martland, Director Miron, Director Mullane, and Director Savitsky voted yes.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer	X		
Alan Desmarais	X		
Theodore Martland	X		
Jim Miron	X		
Nicholas Mullane	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Stephen Edwards, Bridgeport			
Geno Zandri, Jr., Wallingford			

ADJOURNMENT

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

There being no other business to discuss, the meeting was adjourned at 2:05 p.m.

Respectfully submitted,

Moira Kenney
Secretary to the Board/Paralegal