CONNECTICUT RESOURCES RECOVERY AUTHORITY

THREE HUNDRED SEVENTY-SECOND MEETING

MAY 20, 2004

A regular meeting of the Connecticut Resources Recovery Authority Board of Directors was held on Thursday, May 20, 2004 at 211 Murphy Road, Hartford, Connecticut. Those present were:

Chairman Michael Pace

Directors:

Stephen Cassano

Benson Cohn Mark Cooper James Francis

Alex Knopp (present by phone until 10:30 a.m.)

Mark Lauretti (present until 1:05 p.m.)

Theodore Martland Raymond O'Brien Andrew Sullivan

Sherwood Lovejoy (ad hoc for Bridgeport) (present until 1:05 p.m.)

Timothy Griswold (ad hoc for Mid-Connecticut)

Present from the CRRA staff:

Thomas Kirk, President
James Bolduc, Chief Financial Officer
Robert Constable, Controller (present for part of the meeting)
Peter Egan, Director of Environmental Affairs & Development
Floyd Gent, Director of Operations
Paul Nonnenmacher, Director of Public Affairs
Ann Stravalle-Schmidt, Director of Legal Services
Donna Tracy, Executive Assistant
Kristen Greig, Legal Temp

Special Guest:

Attorney General Richard Blumenthal

Others in attendance: Barbara Chow of National Geographic Society, Bill DiGrazia of Connecticut Geographic Alliance, Pam Gardner of CGA, Kathleen Henry of HEJN, Josh Hughes of Hughes & Cronin, Margaret Japp of North Hartford, Frank Marci of USA Hauling &

Recycling Inc., Tom Pannone of CGA, Richard Parmlee, Sr. of HEJN, Lanny Proffer of National Geographic Society, Joyce Tentor of HEJN, Jerry Tyminski of SCRRRA

Chairman Pace called the meeting to order at 9:37 a.m. Chairman Pace requested that everyone stand for the Pledge of Allegiance, whereupon, the Pledge of Allegiance was recited.

AUTHORIZATION REGARDING NATIONAL GEOGRAPHIC

Chairman Pace requested a motion to add the referenced resolution to the agenda. The motion made by Director Sullivan and seconded by Director Cassano was approved unanimously.

Chairman Pace requested a motion on the referenced topic. Director Sullivan made the following motion:

RESOLVED: That the Board, in full resolution to any and all issues and claims between the parties, hereby accepts the return by National Geographic Society of the \$500,000 that CRRA contributed, in 1998, to a fund which established The Connecticut Geography Education Fund.

FURTHER RESOLVED: That the Board hereby authorizes the President to enter into the Settlement Agreement and Release between CRRA and National Geographic Society as substantially discussed at this meeting.

Director O'Brien seconded the motion.

Chairman Pace introduced the topic by giving a brief overview of the history between National Geographic Society and CRRA. Chairman Pace stated that National Geographic had been working with the Attorney General's office and CRRA to resolve an issue that came to the Board's attention.

Mr. Nonnenmacher introduced Ms. Barbara Chow from National Geographic Society and Mr. Bill DiGrazia from Connecticut Geographic Alliance. Chairman Pace welcomed the guests and thanked them for their cooperation. Chairman Pace said that the work being done by the project, though sincere, was not directly related to the core interests of CRRA.

Chairman Pace invited Ms. Chow to make a statement.

Ms. Chow stated that she was present on behalf of National Geographic and wished she were there under better circumstances. Ms. Chow said that National Geographic would be returning \$500,000 to CRRA, representing their contribution used to establish the Connecticut Geography Education Fund. Ms. Chow explained that, together, CRRA and National Geographic had done critical work towards improving geographic literacy, which had resulted in concrete gains for school children and substantial financial gains for Connecticut.

Ms. Chow noted that while she regretted the turn of events, National Geographic was determined to continue their mission in Connecticut and every other state. Ms. Chow said, "In our opinion, geographic literacy has simply never been more important than it is today. Our children face a world that is more interdependent, more global, more fragile than in any time in human history. Never has it been more important to understand the consequences and the broader implications of the actions we take. Geography provides that essential context for understanding. In the 21st century, we see this not as a luxury, but a survival skill."

Ms. Chow noted, for the record, that the source of the funds used to establish the endowment was solely the decision of the State of Connecticut. Ms. Chow stated that National Geographic and CRRA entered into the agreement in good faith and intent, and that National Geographic accepted that the conditions had changed. The program had done much work to advance geographic literacy in Connecticut and it was National Geographic's hope that the CRRA Board meeting would draw attention to the need for funds to keep the endowment operating. Ms. Chow stated that National Geographic would keep the fund active for six months with the hopes that a new donor would step forward. Ms. Chow thanked the Board for their time and the opportunity to speak before them.

Chairman Pace invited Mr. DeGrazia to make a statement.

Mr. DiGrazia stated that he represented the Connecticut Geographic Alliance along with two exemplary teachers, Mr. Tom Pennone of Waterbury and Ms. Pam Gardner of Stratford. Mr. DiGrazia said that the Connecticut Geographic Alliance ("CGA") appreciated the efforts of CRRA, noting that the partnership between the CGA and CRRA had allowed Connecticut to become one of the most exemplary states in geography education in the country.

Mr. DiGrazia stated that working with CRRA was a great experience and added that the CGA hoped to see Connecticut's geography education continue to be the best in the country. Mr. DiGrazia said that CRRA provided atlases to start a 9th grade geography program in Hartford and sponsored many recycling and environmental education programs. Mr. DiGrazia said that he hoped that someone would come forward and help the CGA continue its efforts.

Chairman Pace stated, on behalf of the Board and the Attorney General, that they would make every effort to find a replacement. As a former educator, Chairman Pace stated that he understood the value of geography education and appreciated Mr. DiGrazia's comments about CRRA's commitment to environmental education.

Chairman Pace introduced Attorney General Richard Blumenthal and invited him to make comments. Attorney General Blumenthal said:

"I want to, first of all, thank the Board, generally, for the work that you are doing which obviously has brought a new day to this agency in many, many ways. You have turned a corner, a very important corner, in this agency's history and your leadership is making an enormous difference, a historic difference, in the conduct and management and integrity of this agency. I

think today's celebration of this event is a symbol of the kind of conviction, leadership, and vision that you are bringing to CRRA in this new day.

My question and your issue with this \$500,000 had nothing to do with the very laudatory, worthwhile nature of the activities. It was simply whether CRRA funds from municipalities and their taxpayers should be used to support these activities. As worthwhile and worthy as the educational and classroom activities might be, CRRA funds should not be the funding source for them and I hope there will be others available. I want to thank the National Geographic, not only for its support in Connecticut's classrooms, but also for its eagerness to do the right thing. When I called and when I offered my opinion as to the legality of these funds being used for this purpose, their reaction was to do the right thing. National Geographic wanted to do the right thing, just as CRRA did as well.

And so this money now will be returned so it can go to the purposes that your municipalities and taxpayers want to support and I hope that Connecticut will support the kind of educational activities that these funds would have been used to support.

So again, my thanks to you for your leadership and your continuing involvement in this very important cause.

I particularly want to thank Mike Pace. He is making us all proud to be fellow public servants and friends."

Director O'Brien offered an amendment to the resolution that stated that the CRRA Board was well aware of the need for geographic education and acknowledged the benefits that the program had provided. Director O'Brien stated that the Board wanted to make it clear that it was strictly a legal concern, not the performance of National Geographic that led to the dissolution of the partnership.

Chairman Pace accepted Director O'Brien's amendment as a comment, but stated that it complicated the resolution.

The motion previously made and seconded was approved unanimously.

The representative from National Geographic presented Attorney General Blumenthal with a check for \$500,000.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Stephen Cassano	X		
Andrew Sullivan	X		
Theodore Martland	X		
Mark Cooper	X		

Raymond O'Brien	X	
James Francis	X	
Alex Knopp	X	
Benson Cohn	X	
Mark Lauretti	Х	
Non Eligible Voters		
Sherwood Lovejoy, Ad Hoc, Bridgeport		
Timothy Griswold, Ad Hoc, Mid-Connecticut		

Chairman Pace invited the two guest teachers to comment.

Mr. Tom Pennone attested to the good that the Connecticut Geographic Alliance and National Geographic had done for students and teachers and made an appeal to the Board to look to their connections in the State to find additional funding. Mr. Pennone stated that National Geographic and the CGA were the most professional and competent organizations he had worked with in his career.

Ms. Pam Gardner stated that National Geographic and the CGA revolutionized her teaching and helped make teachers better educators. Ms. Gardner added that the programs supported by National Geographic and CGA had engaged students to question and learn things that related to Connecticut Mastery Tests and the Connecticut Academic Performance Test. Ms. Gardner requested that the Board help find support for what she felt was one of Connecticut's best educational programs.

Director Cassano noted that the final decision was not based on how the money was being used, but on how the arrangement was made. Director Cassano stated that the CRRA Board and members of the State of Connecticut needed to find the funding so the program could remain a priority for students.

Chairman Pace requested a short recess. The Board voted unanimously in favor of the recess. The meeting recessed at 9:55 a.m. and reconvened at 10:02 a.m.

PUBLIC PORTION

Chairman Pace said that the next item on the agenda allowed for a public portion in which the Board would accept written testimony and allow individuals to speak for a limit of three minutes. Chairman Pace asked whether any member of the public wished to speak.

Ms. Joyce Tentor of HEJN stated that, in an attempt to discard old electronic equipment, she ended up in the landfill in Manchester. Ms. Tentor stated that the magnitude of the landfill was not obvious from the surrounding areas, which was in great contrast to the Hartford landfill. Ms. Tentor said that she felt the reason why the neighborhood surrounding the Hartford landfill

objected to an expansion was the connotation of a third-world type community and to expand it would be a disservice to central Connecticut and its residents. Ms. Tentor asked the Board to find ways to avoid the expansion.

Chairman Pace stated that the Board fully understood the community's concerns and said that the Board was looking at all options, not just at the expansion of Hartford, but also for long-term solutions. Chairman Pace added that CRRA was also looking at a post-closure plan with the hopes of turning the landfill into a usable asset for the City of Hartford. Chairman Pace and Director Martland also suggested that the public contact their legislators to gain support for CRRA's legislative effort to allow the use of ash residue.

Mr. Richard Parmlee, Sr., of HEJN, stated that a company named StarTech was looking into new ways of reusing and eliminating waste. Mr. Parmlee stated that HEJN would be interested in introducing StarTech to CRRA to discuss opportunities to eliminate the waste in Hartford.

Chairman Pace responded that CRRA would look to technology, both current and future, for alternatives and options.

Ms. Margaret Japp, a resident of Hartford, stated that she had been in contact with her legislators and asked the Board to find an alternative site for dumping. Ms. Japp stated that CRRA needed to make the decision to find an alternative a priority.

Chairman Pace stated that CRRA was looking for other options, both in and out of Connecticut. Chairman Pace said that the DEP had been asked to identify Connecticut's policy for solid waste removal and recycling and that CRRA had also taken legislative initiatives. Director Cassano added that he felt it was not CRRA's sole responsibility to find alternative landfill sites in the State of Connecticut, but that the State of Connecticut and the EPA should also be involved. Director Cassano said that if landfill sites were not available, then alternatives needed to be found.

Director O'Brien noted that the Board had also authorized the President to enter into a contract with an environmental consultant to identify alternate sites.

Chairman Pace noted that there were no further comments from the public and that the regular meeting would commence.

Chairman Pace requested to postpone the Executive Session with no objection from the Board.

<u>APPROVAL OF THE MINUTES OF THE APRIL 15, 2004 REGULAR BOARD MEETING</u>

Chairman Pace requested a motion to approve the minutes of the April 15, 2004 regular Board meeting. The motion was made by Director O'Brien and seconded by Director Cooper.

The motion previously made and seconded was approved. Director Cohn abstained from the vote as he was not present at the meeting.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Stephen Cassano	X		
Andrew Sullivan	Х		
Theodore Martland	X		
Mark Cooper	X		
Raymond O'Brien	X		
James Francis	X		
Alex Knopp	X		
Benson Cohn			Х
Mark Lauretti	Х		
Non Eligible Voters			
Sherwood Lovejoy, Ad Hoc, Bridgeport			
Timothy Griswold, Ad Hoc, Mid-Connecticut			

FINANCE

<u>AUTHORIZATION REGARDING THE ADOPTION OF THE PERMITTING,</u> <u>DISPOSAL AND BILLING PROCEDURES</u>

Chairman Pace requested a motion on the referenced topic. Director Sullivan made the following motion:

RESOLVED: That the Board of Directors hereby adopts the Bridgeport Project, Mid-Connecticut Project, Southeast Project, and Wallingford Project Permitting, Disposal and Billing Procedures as substantially presented and discussed at this meeting.

Director O'Brien seconded the motion.

Director Lauretti asked whether it was possible for municipalities to get records of MSW deliveries. Mr. Constable stated that reports of individual transactions were available. Mr. Kirk added that each municipality was supplied monthly reports and that weigh tickets were also available if there were a particular issue. Director Lauretti stated that individual tickets were not necessary, but that he would like to understand the weekly deliveries for his municipality. Mr. Constable stated that he would request that information.

Director Sullivan stated that he was hesitant to single out one project or one municipality within a project when supplying additional reports because of the potential requests that could follow. Chairman Pace suggested that Mr. Constable confer with Director Lauretti regarding whether his was a one-time or continuing request and stated that Director Lovejoy and Mr. Constable would be liaisons to the Board.

Mr. Constable noted, for the benefit of the Board, that the Southeast Project Procedures were intended to cover those contracts that were directed by CRRA. Mr. Constable said that SCRRA also had their own contracts and procedures and wanted to clarify that those procedures were referenced in CRRA's contracts. Mr. Constable stated that the stricter of the two procedures would be applied in case a conflict arose.

The motion previously made and seconded was approved unanimously.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Stephen Cassano	X		
Andrew Sullivan	X		
Theodore Martland	X		
Mark Cooper	X		
Raymond O'Brien	X		
James Francis	X		
Alex Knopp	X		
Benson Cohn	X		
Mark Lauretti	X		
Non Eligible Voters			
Sherwood Lovejoy, Ad Hoc, Bridgeport			
Timothy Griswold, Ad Hoc, Mid-Connecticut			

AUTHORIZATION REGARDING PURCHASE OF WORKERS COMPENSATION INSURANCE FOR CONNECTICUT RESOURCES RECOVERY AUTHORITY EMPLOYEES

Chairman Pace requested a motion on the referenced topic. Director Sullivan made the following motion:

RESOLVED: In recognition of the requirement that CRRA comply with Connecticut's workers compensation statutes, Connecticut Resources Recovery Authority Board of Directors hereby authorizes the acquisition of workers compensation insurance from a financially secure and stable insurer for the period 7/1/04-7/1/05 in a premium not to exceed \$65,000. Final selection will be reported at the July Board meeting.

Director O'Brien seconded the motion.

Director Sullivan reported to the Board that the budget for the referenced insurance was \$75,000, which was a significant increase from last year. Director Sullivan explained that the reason the Board was not voting on a finite number was because one was not yet available. Director Lauretti asked why the Board would vote on any dollar amount when it was readily known that the organization budgeted \$75,000. Director Lauretti stated that insurers submitting bids would have no incentive to bid below \$75,000.

Chairman Pace responded that the \$65,000 figure was brought before the Board to put a cap on what the anticipated increase would be and explained that the budget reflected a true number of what a cost analysis indicated the service would cost. Chairman Pace stated that budgetary disclosure was part of CRRA's transparency to the public and a result of the procedures set by the Policy & Procurement Committee.

Director O'Brien added that a substantial portion of the increase was not only due to escalation in the industry, but also the increase in field-oriented employees. Mr. Bolduc said that while CRRA was not advertising the budget, the number was available because of CRRA's transparency policy. Mr. Bolduc stated that the most competitive bid would be selected.

Mr. Kirk suggested that the Finance Committee look into the possibility of making the total budget public, and leaving line items blank, to minimize the availability of competitive information to bidders. Director Lauretti also suggested that the bidding process be complete before the budget was published and approved. Chairman Pace stated that as the Board followed through with its legislative requirements and the confidence in CRRA increased, the issue could be revisited.

Director Griswold asked why a premium amount had to be included in the resolution, and gave the example that if the premium came in at \$65,000 it would still fit within the budgetary allotment. Chairman Pace explained that it was the Chair's decision to ensure every Board member had enough information to make an intelligent decision when they voted.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Stephen Cassano	X		

Andrew Sullivan	X	
Theodore Martland	X	
Mark Cooper	X	
Raymond O'Brien	X	
James Francis	X	
Benson Cohn	X	
Mark Lauretti	X	
Non Eligible Voters		
Sherwood Lovejoy, Ad Hoc, Bridgeport		
Timothy Griswold, Ad Hoc, Mid-Connecticut		

<u>AUTHORIZATION REGARDING CONTRACT FOR 401(k) CONSULTING SERVICES</u>

Chairman Pace requested a motion on the referenced topic. Director Sullivan made the following motion:

RESOLVED: That the President or Chief Financial Officer is authorized to execute an agreement with UBS Financial Services, Inc. to provide semi-annual analyses of CRRA's 401(k) Plan's investment performance and on-going recommendations for keeping CRRA's 401(k) plan up to date. In addition, UBS Financial Services, Inc. shall provide CRRA employee educational sessions. These services shall be provided for an annual premium not to exceed \$20,000. The term of this agreement is for a three-year period, commencing August 4, 2004 and expiring July 31, 2007.

Director O'Brien seconded the motion.

Mr. Bolduc explained that under ERISA rules, CRRA's management was required to have a plan to monitor 401(k) Plan fund selections, educate employees, and maintain administrative information. Mr. Bolduc stated that managers and Board members involved with the plan also had fiduciary responsibilities that reached beyond E & O insurance coverage. The proposed consulting service, UBS Financial Services, Inc., would fulfill those fiduciary responsibilities and also provide employees educational sessions.

Director Lauretti asked how the \$20,000 premium was established. Mr. Bolduc responded that the premium was a proposal resulting from a RFP which included a Scope of Service. Mr. Bolduc confirmed that the \$20,000 premium was all-inclusive.

Mr. Bolduc noted that he had worked with UBS Financial Services in the past but ensured the Board that the selection was made by an internal group.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Stephen Cassano	X		
Andrew Sullivan	X		
Theodore Martland	X		
Mark Cooper	X		
Raymond O'Brien	X		
James Francis	X		
Benson Cohn	X		
Mark Lauretti	X		
Non Eligible Voters			
Sherwood Lovejoy, Ad Hoc, Bridgeport			
Timothy Griswold, Ad Hoc, Mid-Connecticut			

AUTHORIZATION REGARDING THE ADOPTION OF THE FISCAL YEAR 2005 METROPOLITAN DISTRICT COMMISSION MID-CONNECTICUT PROJECT ANNUAL OPERATING BUDGET

Chairman Pace requested a motion on the referenced topic. Director Sullivan made the following motion:

RESOLVED: The fiscal year 2005 Metropolitan District Commission Mid-Connecticut Project Annual Operating Budget, excluding the projected costs for the Essex transfer station and the associated transportation costs be adopted substantially in the form as presented at this meeting. In its adoption of this MDC Annual Operating Budget, CRRA does not validate or approve the terms of the foregoing MDC Annual Operating Budget and CRRA reserves its rights to dispute and or challenge any of the terms of the foregoing MDC Annual Operating Budget in particular, and without limitation, MDC's statement of Indirect Costs, and in no way waives CRRA's legal or equitable rights. The adoption of this MDC Annual Operating Budget does not preclude CRRA from effectuating the April 19, 2000 Arbitration decision in CRRA versus the MDC including, but not limited to, CRRA's right to a new Indirect Costing Methodology and CRRA's right to seek recovery of funds previously paid to MDC as Indirect Costs.

FURTHER RESOLVED: That the CRRA management evaluate the MDC Annual Operating Budget quarterly, as provided in the agreement between CRRA and the MDC, and make changes if required, pursuant to the agreement.

Director Cooper seconded the motion.

Director Sullivan informed the Board that the referenced issue had been discussed in depth at the Finance Committee meeting and requested an update from Mr. Gent. Mr. Gent stated that CRRA had just received new figures from MDC regarding indirect costs and the Essex Transfer Station. Mr. Gent said that, while they were still being reviewed, the figures were still higher than CRRA believed they should be. Mr. Gent stated that CRRA would have the opportunity to continue working with MDC and make adjustments as necessary, as indicated by the resolution.

Chairman Pace asked whether the changes were significant. Mr. Constable responded that MDC was proposing to change the indirect cost methodology, but the proposed methodology still required review. Chairman Pace asked whether MDC was working with CRRA toward a resolve. Mr. Constable stated that CRRA and MDC had a very constructive meeting, but due to time constraints, all items had not been resolved. Mr. Constable said that as the issues were addressed, CRRA could revise the budget on a quarterly basis.

Director Sullivan asked what the difference was between MDC's original proposed budget and the most current proposal. Mr. Kirk estimated that the reduction would was approximately \$1.8 million. Chairman Pace stated that he was positive MDC would continue to make efforts.

Director Sullivan emphasized the importance of the sentence in the resolution which read, "The adoption of this MDC Annual Operating Budget does not preclude CRRA from effectuating the April 19, 2000 Arbitration decision in CRRA versus the MDC including, but not limited to, CRRA's right to a new Indirect Costing Methodology and CRRA's right to seek recovery of funds previously paid to MDC as Indirect Costs."

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Stephen Cassano	X		
Andrew Sullivan	X		
Theodore Martland	X		
Mark Cooper	X		
Raymond O'Brien	X		
James Francis	X		
Benson Cohn	X		
Mark Lauretti	X		
Non Eligible Voters			
Sherwood Lovejoy, Ad Hoc, Bridgeport			
Timothy Griswold, Ad Hoc, Mid-Connecticut			

<u>DISCUSSION AND POSSIBLE BOARD ACTION REGARDING WALLINGFORD REIMBURSEMENT</u>

Director Sullivan requested that the referenced action be postponed until further clarification regarding the Wallingford reimbursement could be obtained. Mr. Bolduc noted that the Wallingford board meeting had been rescheduled for June 2, 2004, which he would attend to address the legal and accounting issues relative to the surplus.

Director Sullivan made the motion that the action be tabled. Director O'Brien seconded the motion. The motion was approved unanimously.

PROJECT REPORTS

MID-CONNECTICUT

AUTHORIZATION REGARDING SELECTION OF A CONTRACTOR TO PROVIDE OPERATION AND MAINTENANCE SERVICES FOR THE LANDFILL GAS COLLECTION SYSTEM AND THERMAL OXIDIZER STATION AT THE ELLINGTON LANDFILL

Chairman Pace requested a motion on the referenced topic. Director O'Brien made the following motion:

RESOLVED: That the President is hereby authorized to enter into a contract with SCS Field Operations to provide operation and maintenance services for the landfill gas collection system and thermal oxidizer station at the Ellington Landfill, substantially as discussed and presented at this meeting.

Director Cooper seconded the motion.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Stephen Cassano	X		
Andrew Sullivan	X		
Theodore Martland	X		
Mark Cooper	X		

Raymond O'Brien	X	
James Francis	X	
Benson Cohn	X	
Mark Lauretti	X	
Timothy Griswold, Ad Hoc, Mid-Connecticut	X	
Non Eligible Voters		
Sherwood Lovejoy, Ad Hoc, Bridgeport		

AUTHORIZATION REGARDING APPROVAL OF AGREEMENT FOR WASTEWATER REMOVAL AND TANK CLEANING SERVICES FOR THE MID-CONNECTICUT PROJECT TRANSFER STATIONS

Chairman Pace requested a motion on the referenced topic. Director O'Brien made the following motion:

RESOLVED: That the President of CRRA be authorized to enter into an agreement with United Industrial Services for Wastewater Removal and Tank Cleaning Services to be performed at the four Mid-Connecticut Project transfer stations, substantially as discussed and presented at this meeting.

Director Martland seconded the motion.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Stephen Cassano	X		
Andrew Sullivan	X		
Theodore Martland	X		
Mark Cooper	X		
Raymond O'Brien	Х		
James Francis	X		
Benson Cohn	X		
Mark Lauretti	X		
Timothy Griswold, Ad Hoc, Mid-Connecticut	Х		
Non Eligible Voters			
Sherwood Lovejoy, Ad Hoc, Bridgeport			

<u>AUTHORIZATION REGARDING AN AGREEMENT WITH FCR REDEMPTION, INC., THE MID-CONNECTICUT PROJECT'S CONTAINER PROCESSING FACILITY OPERATOR</u>

Chairman Pace requested a motion on the referenced topic. Director O'Brien made the following motion:

RESOLVED: The President is authorized to enter into an agreement with FCR, Inc., the Mid-Connecticut Project's container processing facility operator, substantially in the form as discussed at this meeting, as follows:

- 1.) Extend the term of the Facility Agreement authorizing FCR as operator from May 21, 2004 until June 30, 2005;
- 2.) In consideration for revocation of the \$330,000 proposed retrofit in accordance with the June 3, 2003 Settlement Agreement, CRRA will pay FCR, Inc. \$7,000 per month for the period of April 1, 2004 through June 30, 2005, resulting in total payment of \$105,000.

Director Cassano seconded the motion.

Mr. Gent stated that a meeting was held with FCR regarding improvements that were required to be made to the existing plant. Mr. Gent said that CRRA was obligated, under the existing settlement agreement, to spend \$330,000, but in order to reach that figure CRRA would actually have to spend additional money. As a result, CRRA and FCR reached a settlement agreement that CRRA would pay FCR \$7,000 per month for a total of payment of \$105,000, resulting in a net savings of \$225,000.

Director O'Brien asked what would happen when the Facility Agreement expired on July 1, 2005. Mr. Kirk responded that the services would be bid out again.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Stephen Cassano	X		
Andrew Sullivan	X		
Theodore Martland	X		
Mark Cooper	Х		
Raymond O'Brien	Х		
James Francis	Х		
Benson Cohn	X		
Mark Lauretti	X		
Timothy Griswold, Ad Hoc, Mid-Connecticut	X		

Non Eligible Voters		
Sherwood Lovejoy, Ad Hoc, Bridgeport		

AUTHORIZATION REGARDING SPOT WASTE DELIVERY LETTER AGREEMENTS BETWEEN BRRFOCC AND THE CRRA

Chairman Pace requested a motion on the referenced topic. Director O'Brien made the following motion:

RESOLVED: That the President is authorized to execute reciprocal Letter Agreements between the BRRFOC and CRRA for the delivery of spot waste substantially as presented and discussed at this meeting.

Director Cassano seconded the motion.

Mr. Gent stated that there were two copies of the same letter in the Board package and presented the Board with corrected letters.

Eligible Voters	Aye	Nay	Abstain
		•	
Michael Pace, Chairman	X		
Stephen Cassano	Х		
Andrew Sullivan	Х		
Theodore Martland	X		
Mark Cooper	Х		
Raymond O'Brien	X		
James Francis	X		
Benson Cohn	Х		
Mark Lauretti	X		
Timothy Griswold, Ad Hoc, Mid-Connecticut	X		
Non Eligible Voters			
Sherwood Lovejoy, Ad Hoc, Bridgeport			

AUTHORIZATION REGARDING THE STANDARD FORM MUNICIPAL SOLID WASTE DELIVERY AGREEMENT FOR THE MID-CONNECTICUT PROJECT

Chairman Pace requested the vote on the referenced item be postponed until after executive session.

BRIDGEPORT

AUTHORIZATION REGARDING SELECTION OF A CONTRACTOR TO PROVIDE OPERATION AND MAINTENANCE SERVICES FOR THE LANDFILL GAS COLLECTION SYSTEM AND ENCLOSED FLARE STATION AT THE SHELTON LANDFILL

Chairman Pace requested a motion on the referenced topic. Director O'Brien made the following motion:

RESOLVED: That the President is hereby authorized to enter into a contract with SCS Field Services to provide operation and maintenance services for the landfill gas collection system and enclosed flare station at the Shelton Landfill, substantially as discussed and presented at this meeting.

Director Martland seconded the motion.

Mr. Kirk stated that SCS was fully qualified and met CRRA's rigorous standards. Mr. Kirk informed the Board that CRRA, in an effort to ensure the host community was well informed, would be holding a public hearing in June to introduce the new contractor and allow the town engineer to review the contract.

Director Lauretti stated that a private contractor hired by Shelton and paid for by CRRA had previously been used to oversee the gas collection system. Director Lauretti said that he and Chairman Pace had discussed the possibility of eliminating that expense. To do that, Director Lauretti suggested that Shelton have a voice in the oversight of the landfill to monitor the progress of the new gas collection system and maintain safeguards that were put in place after the gas migration leak in 1999. Director Lauretti asked that the Board consider allowing a contractor to evaluate the results on an annual basis.

Chairman Pace requested that Director Lovejoy participate in the public information session as a liaison for the Bridgeport Project.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	Х		
Stephen Cassano	X		
Andrew Sullivan	X		
Theodore Martland	X		
Mark Cooper	Х		
Raymond O'Brien	X		
James Francis	Х		
Benson Cohn	X		
Mark Lauretti	Х		
Sherwood Lovejoy, Ad Hoc, Bridgeport	Х		
Non Eligible Voters			
Timothy Griswold, Ad Hoc, Mid-Connecticut			

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

Chairman Pace requested the vote on the referenced item be postponed until after executive session.

WALLINGFORD

AUTHORIZATION REGARDING THE STANDARD FORM MUNICIPAL SOLID WASTE DELIVERY AGREEMENT FOR THE WALLINGFORD PROJECT

Chairman Pace requested the vote on the referenced item be postponed until after executive session.

GENERAL

AUTHORIZATION REGARDING APPROVAL OF AGREEMENTS FOR LANDFILL ENVIRONMENTAL MONITORING, LABORATORY ANALYSIS AND REPORTING SERVICES

Chairman Pace requested a motion on the referenced topic. Director O'Brien made the following motion:

RESOLVED: That the President of CRRA be authorized to enter into agreements for Environmental Monitoring, Laboratory Analysis and Reporting Services, substantially as presented at this meeting, as follows:

Vendor	Amount	Facility
GZA GeoEnvironmental, Inc.	\$285,525	Hartford Landfill
Anchor Engineering Services, Inc.	\$66,245	Ellington Landfill
Environmental Risk Limited	\$286,177	Shelton Landfill
diversified environmental services,		
inc.	\$245,799	Wallingford Landfill
diversified environmental services,		
inc.	\$12,549	Waterbury Landfill

Director Cassano seconded the motion.

Mr. Egan stated that CRRA had a regulatory obligation to conduct environmental monitoring at its five landfills. Mr. Egan explained that those services were contracted on a three-year basis and were considered a professional/technical service. RFQs were publicly noticed earlier in the year and CRRA received a number of bids. Mr. Egan referred the Board to the Board package inclusion for a summary of the analysis and evaluation procedure. Mr. Egan noted that the lowest bidder was not always chosen, but that a number of criteria were used to determine the best qualified contractor for each facility.

Director O'Brien asked whether CRRA was requiring a standard reporting format. Mr. Egan responded in the affirmative and noted that the reports were compiled on a quarterly basis and submitted to the DEP. Mr. Egan said that annual reports would also be provided by each contractor. Mr. Egan explained that the reports would be substantially identical in terms of format and content, with the only difference being each facility's environmental permit requirements.

Director Cassano stated that he received a copy of a letter from a company who did not receive a job for which it submitted a bid. Director Cassano asked whether a response was sent. Chairman Pace stated that a response was ready to send.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Stephen Cassano	X		
Andrew Sullivan	X		
Theodore Martland	X		
Mark Cooper	X		
Raymond O'Brien	X		
James Francis	X		
Benson Cohn	X		
Mark Lauretti	X		

Non Eligible Voters		
Sherwood Lovejoy, Ad Hoc, Bridgeport		
Timothy Griswold, Ad Hoc, Mid-Connecticut		

<u>AUTHORIZATION REGARDING CONTRACTS FOR ON-CALL EQUIPMENT SERVICES FOR THE ELLINGTON, HARTFORD, SHELTON, AND WALLINGFORD LANDFILLS</u>

Chairman Pace requested a motion on the referenced topic. Director O'Brien made the following motion:

RESOLVED: That the President is hereby authorized to execute agreements with Infantino's Property Services, LLC; RED Technologies, LLC; and R.L. Rogers & Sons, Inc. for On-Call Equipment Services at the CRRA Ellington, Hartford, and Wallingford Landfills, substantially as presented and discussed at this meeting.

Director Cassano seconded the motion.

The motion previously made and seconded was approved unanimously.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Stephen Cassano	X		
Andrew Sullivan	X		
Theodore Martland	X		
Mark Cooper	X		
Raymond O'Brien	X		
James Francis	X		
Benson Cohn	Х		
Mark Lauretti	X		
Non Eligible Voters			
Sherwood Lovejoy, Ad Hoc, Bridgeport			
Timothy Griswold, Ad Hoc, Mid-Connecticut			

<u>AUTHORIZATION REGARDING ENGINEERING CONSULTING SERVICES, LAND SURVEYING SERVICES, AND ANALYTICAL LABORATORY TESTING SERVICES</u>

Chairman Pace requested a motion on the referenced topic. Director O'Brien made the following motion:

RESOLVED: That the President is hereby authorized to enter into contracts with the following firms and individuals for Engineering Consulting Services, Land Surveying Services and Analytical Laboratory Testing Services, substantially as discussed and presented at this meeting:

Engineering Services

Category I – General Engineering Services

Diversified Technology Consultants DMJM Harris Fuss & O'Neill, Inc. HRP Associates, Inc. R.W. Beck, Inc. URS Corporation

Category II – Environmental Engineering

Environmental Risk Limited
Fuss & O-Neill, Inc.
GZA GeoEnvironmental, Inc.
HRP Associates, Inc.
M. I. Holzman & Associates
Malcolm Pirnie, Inc.
Sci-Tech, Inc.
TRC Environmental

Category III – Resource Recovery and Recycling Engineering

Camp Dresser & McKee, Inc.
David Chon Association
Dvirka & Martilucci
Grillo Engineers
RRT Design & Construction
R.W. Beck, Inc.
STV Incorporated

Category IV – Landfill Engineering

Camp Dresser & McKee, Inc. Golder Associates Malcolm Pirnie, Inc. SCS Engineers, PC TRC Environmental R.W. Beck, Inc.

Land Surveying Services

Conklin & Soroka, Inc. Dutton & Johnston LLC

Analytical Laboratory Services

Analytical Consulting Technology, Inc. Connecticut Testing Laboratories, Inc. Con-Test Analytical Laboratory Director Cassano seconded the motion.

The motion previously made and seconded was approved unanimously.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Stephen Cassano	X		
Andrew Sullivan	X		
Theodore Martland	Х		
Mark Cooper	X		
Raymond O'Brien	X		
James Francis	X		
Benson Cohn	X		
Mark Lauretti	X		
Non Eligible Voters			
Sherwood Lovejoy, Ad Hoc, Bridgeport			
Timothy Griswold, Ad Hoc, Mid-Connecticut			

LEGAL

<u>AUTHORIZATION REGARDING A LEGAL SERVICES AGREEMENT WITH PAUL R. DOYLE, ESQUIRE.</u>

Chairman Pace requested a motion on the referenced topic. Director O'Brien made the following motion.

RESOLVED: That the President is herby authorized to enter into an agreement with Paul R. Doyle, Esquire for legal services.

Director Cassano seconded the motion.

Chairman Pace noted that a revised resolution was distributed to the Board.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Stephen Cassano	X		
Andrew Sullivan	X		
Theodore Martland	Х		

Mark Cooper	x	
Raymond O'Brien	X	
James Francis	X	
Benson Cohn	X	
Mark Lauretti	X	
Non Eligible Voters		
Sherwood Lovejoy, Ad Hoc, Bridgeport		
Timothy Griswold, Ad Hoc, Mid-Connecticut		

AUTHORIZATION REGARDING MONIES AUTHORIZED FOR LEGAL SERVICES

Chairman Pace requested a motion on the referenced topic. Director O'Brien made the following motion.

WHEREAS: CRRA has entered into a Legal Service Agreement with Halloran & Sage to perform legal services; and

WHEREAS: CRRA previously authorized \$120,000 for work to be performed by McCarter & English;

RESOLVED: That the \$120,000 previously authorized for McCarter & English be hereby authorized for Halloran & Sage for fees to be incurred from April 1, 2004 through June 30 2004.

Director Cooper seconded the motion.

Director Cohn moved to amend to the resolution to reflect the reduction in the amount budgeted for McCarter & English. Director Cohn stated that the last section of the resolution should read, "That the \$120,000 previously authorized for McCarter & English be reduced and hereby authorized for Halloran & Sage for fees to be incurred from April 1, 2004 through June 30, 2004." Director Martland seconded the motion to amend the resolution.

The motion to amend was approved unanimously.

Director Lauretti asked if the \$120,000 was budgeted for a three month period. Mr. Kirk responded that the figure was the amount that was originally allocated to McCarter & English for the specific work relating to FOIA and interfacing with the Attorney General. Chairman Pace added that the dates refer back to the Board's previous discussion regarding reassigning the funds. Mr. Bolduc referred Director Lauretti to the chart and explained the breakdown of total expenditures versus the total authorized funds and how the reallocation would balance the totals.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	Х		
Stephen Cassano	X		
Andrew Sullivan	X		
Theodore Martland	X		
Mark Cooper	Х		
Raymond O'Brien	X		
James Francis	X		
Benson Cohn	X		
Mark Lauretti	X		
Non Eligible Voters			
Sherwood Lovejoy, Ad Hoc, Bridgeport			
Timothy Griswold, Ad Hoc, Mid-Connecticut			

COMMITTEE REPORTS

POLICY AND PROCUREMENT COMMITTEE

<u>AUTHORIZATION REGARDING THE ADOPTION OF THE REVISED "TRAVEL POLICY AND EXPENSE REPORTING" DOCUMENT</u>

Chairman Pace requested a motion on the referenced topic. Director O'Brien made the following motion:

RESOLVED: That the Board of Directors hereby adopts the revised "Travel Policy and Expense Reporting" document substantially as discussed and presented at this meeting.

Director Sullivan seconded the motion.

Director Cohn informed the Board that the primary change was the addition of the standard table of mileages for reimbursement which was created to establish standard mileage for staff travel between various CRRA sites.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Stephen Cassano	X		
Andrew Sullivan	X		
Theodore Martland	X		

Mark Cooper	x	
Raymond O'Brien	X	
James Francis	X	
Benson Cohn	X	
Mark Lauretti	Х	
Non Eligible Voters		
Sherwood Lovejoy, Ad Hoc, Bridgeport		
Timothy Griswold, Ad Hoc, Mid-Connecticut		

POLICY & PROCUREMENT COMMITTEE REPORT

Director Cohn stated that the only item from its May 6, 2004 meeting that had not yet been addressed by the Board was the Committee's recommendation for an RFQ for commercial law.

STEERING COMMITTEE REPORT

Chairman Pace reported that the Steering Committee addressed legislation issues at its last meeting and was intending to meet again at the end of the month. Chairman Pace noted that the Steering Committee was on target with its timeline and informed the Board that the Committee would be looking at the business plan and financials over the next couple of months.

EXECUTIVE SESSION

Chairman Pace requested a motion to convene an executive session to discuss legal settlements, contract negotiations and personnel matters with appropriate staff. Director Cohn made the motion which was seconded by Director Martland. Chairman Pace requested that Mr. Kirk, Mr. Bolduc, Mr. Gent, Mr. Nonnenmacher, and Ms. Stravalle-Schmidt remain during the executive session. The motion previously made and seconded was approved unanimously.

The Executive Session began at 11:40 a.m.

The Executive Session concluded at 1:05 p.m.

Chairman Pace reconvened the Board meeting at 1:06 p.m.

Chairman Pace noted that no votes were taken in Executive Session.

AUTHORIZATION REGARDING THE STANDARD FORM MUNICIPAL SOLID WASTE DELIVERY AGREEMENT FOR THE MID-CONNECTICUT PROJECT

Chairman Pace requested a motion on the referenced topic. Director O'Brien made the following motion with the addition of Alternate Language for Paragraph 8 to Hauler Municipal Solid Waste Delivery Agreement stating "In the event that Hauler fails to comply with any of its obligations under this Agreement, such failure shall constitute an event of default on the part of the Hauler hereunder and CRRA shall have the right to: 1) suspend performance under the agreement; 2) to take such commercially reasonable steps as appropriate to protect its interest; and/or 3) to exercise any remedy available at law or in equity.":

RESOLVED: That the President is authorized to execute agreements for the delivery of Acceptable Waste to CRRA's Mid-Connecticut Project using the standard form hauler agreement substantially as presented and discussed at this meeting.

Director Francis seconded the motion.

The motion previously made and seconded was approved unanimously.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	Х		
Stephen Cassano	Х		
Andrew Sullivan	X		
Theodore Martland	Х		
Mark Cooper	X		
Raymond O'Brien	X		
James Francis	X		
Benson Cohn	X		
Timothy Griswold, Ad Hoc, Mid-Connecticut	Х		
Non Eligible Voters			
None			

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

Chairman Pace requested a motion on the referenced topic. Director O'Brien made the following motion with the addition of the alternate language for the appropriate paragraph to the Hauler Municipal Solid Waste Delivery Agreement stating "In the event that Hauler fails to comply with any of its obligations under this Agreement, such failure shall constitute an event of default on the part of the Hauler hereunder and CRRA shall have the right to: 1) suspend performance under the agreement; 2) to take such commercially reasonable steps as appropriate to protect its interest; and/or 3) to exercise any remedy available at law or in equity.":

RESOLVED: That the President is authorized to execute agreements for the delivery of Acceptable Waste to CRRA's Bridgeport Project using the standard form hauler agreement substantially as presented and discussed at this meeting.

Director Martland seconded the motion.

The motion previously made and seconded was approved unanimously.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Stephen Cassano	Х		
Andrew Sullivan	Х		
Theodore Martland	X		
Mark Cooper	X		
Raymond O'Brien	X		
James Francis	X		
Benson Cohn	X		
Non Eligible Voters			
Timothy Griswold, Ad Hoc, Mid-Connecticut			

AUTHORIZATION REGARDING THE STANDARD FORM MUNICIPAL SOLID WASTE DELIVERY AGREEMENT FOR THE WALLINGFORD PROJECT

Chairman Pace requested a motion on the referenced topic. Director O'Brien made the following motion with the addition of the alternate language to the appropriate paragraph of the Hauler Municipal Solid Waste Delivery Agreement stating "In the event that Hauler fails to comply with any of its obligations under this Agreement, such failure shall constitute an event of default on the part of the Hauler hereunder and CRRA shall have the right to: 1) suspend performance under the agreement; 2) to take such commercially reasonable steps as appropriate to protect its interest; and/or 3) to exercise any remedy available at law or in equity.":

RESOLVED: That the President is authorized to execute agreements for the delivery of acceptable Waste to CRRA's Wallingford Project using the standard form hauler agreement substantially as presented and discussed at this meeting.

Director Martland seconded the motion.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Stephen Cassano	Х		
Andrew Sullivan	X		
Theodore Martland	X		
Mark Cooper	X		
Raymond O'Brien	X		
James Francis	X		
Benson Cohn	X		
Non Eligible Voters			
Timothy Griswold, Ad Hoc, Mid-Connecticut			

ADDITION TO THE AGENDA

PAYMENT OF MCGUIREWOODS

Chairman Pace requested a motion to add the referenced item to the agenda. The motion made by Director O'Brien and seconded by Director Cooper was approved unanimously.

Chairman Pace made the following motion:

WHEREAS, CRRA is represented by attorneys selected by CRRA at the law firm of McGuireWoods LLP, Chicago, IL, in an adversary proceeding in the United States Bankruptcy Court in the Northern District of Illinois Eastern Division, the matter captioned *In re: Resource Technology Corp., Debtor., Case No. 99 B 35434* and the adversary proceeding captioned *Resource Technology Corp., v. Connecticut Resource Recovery Authority, Adversary No. 00 A 00150;* and

WHEREAS, CRRA's insurer, American International Group, which had been paying for CRRA's defense in the matter, has disclaimed responsibility for the payment of certain outstanding fees incurred by McGuireWoods in the matter and has disclaimed responsibility for the payment of additional fees expected to be incurred; and

WHEREAS, CRRA wishes to maintain its representation by McGuireWoods in this matter; and

WHEREAS, CRRA intends to pursue its rights, arising out of the American International Group insurance policies, to be reimbursed for all fees incurred by McGuireWoods related to this matter, presently owed and to be incurred in the future; and

WHEREAS, CRRA will require that McGuireWoods LLP agree to reimburse CRRA for any payments made, to the extent that CRRA is successful in requiring AIG to pay the fees directly to McGuireWoods;

BE IT RESOLVED that The President is hereby authorized to pay \$61,000 to McGuireWoods LLP in payment of its outstanding fees in this matter, subject to McGuireWoods' agreement to reimburse all such amounts as are ultimately paid to McGuireWoods by American International Group.

IT IS FURTHER RESOLVED That the President is authorized to assure McGuireWoods that CRRA understands and accepts its ultimate responsibility for the payment of McGuireWoods' reasonable fees in this matter, to the extent CRRA is not successful in securing the payment of those fees by American International Group. Director O'Brien seconded the motion.

Director O'Brien seconded the motion.

Director Sullivan stated that payment would not diminish CRRA's claim against the insurance carrier for reimbursement, but it would allow the attorneys to continue working towards a resolution.

The motion previously and seconded was approved unanimously.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Stephen Cassano	X		
Andrew Sullivan	X		
Theodore Martland	X		
Mark Cooper	X		
Raymond O'Brien	X		
James Francis	X		
Benson Cohn	X		
Non Eligible Voters			
Timothy Griswold, Ad Hoc, Mid-Connecticut			

OTHER BUSINESS

Mr. Kirk informed that Board that Ms. Stravalle-Schmidt would no longer be working for CRRA on a full-time basis. Mr. Kirk, on behalf of the management, wished her well in her new endeavors and thanked her for her legal stewardship through a difficult period in CRRA's history.

Chairman Pace stated that he found Ms. Stravalle-Schmidt to be one of the people he could go to at any time for clear, concise information and that she was one of the people he counted on to move the company in the right direction. Chairman Pace expressed his appreciation for her professionalism and insight.

ADJOURNMENT

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

There being no other business to discuss, the meeting was adjourned at 1:10 p.m.

Respectfully submitted,

Kristen Greig Legal Temp

CONNECTICUT RESOURCES RECOVERY AUTHORITY

EXECUTIVE SESSION

MAY 20, 2004

An Executive Session called for the purposes of discussing legal settlements, contract negotiations and personnel matters was convened at 11:40 a.m.

DIRECTORS

Chairman Pace

Vice Chairman Cassano

Director Cohn

Director Cooper

Director Francis

Director Lauretti

Director Martland

Director O'Brien

Director Sullivan

Director Lovejoy

Director Griswold

STAFF

Tom Kirk

James Bolduc

Peter Egan

Floyd Gent

Paul Nonnenmacher

Ann Stravalle-Schmidt

No votes were taken in Executive Session.

The Executive Session was adjourned at 1:05 p.m.