

CONNECTICUT RESOURCES RECOVERY AUTHORITY

THREE HUNDRED NINETY-SECOND MEETING

JULY 28, 2005

A Regular meeting of the Connecticut Resources Recovery Authority Board of Directors was held on Thursday, July 28, 2005 at 100 Constitution Plaza, Hartford, Connecticut. Those present were:

Chairman Michael Pace

Directors: Steve Cassano (Present beginning at 9:45 a.m.)
Benson Cohn
Mark Cooper
James Francis
Michael Jarjura (Present beginning at 12:00 p.m.)
Edna Karanian
Mark Laretti (Present beginning at 9:45 a.m.)
Theodore Martland
Raymond O'Brien
Andrew Sullivan
Timothy Griswold (Ad-Hoc for Mid-Connecticut Project)
Elizabeth Horton Sheff (Ad-Hoc for Mid-Connecticut Project) (Present until 10:45 a.m.)
Sherwood Lovejoy (Ad-Hoc for Bridgeport Project) (Present until 11:25 a.m.)

Present from the CRRA staff:

Tom Kirk, President
Jim Bolduc, Chief Financial Officer
Peter Egan, Director of Environmental Affairs and Development
Tom Gaffey, Director of Recycling and Enforcement
Floyd Gent, Director of Operations
Ron Gingerich, Development, Environmental Compliance & IT Manager
Laurie Hunt, Director of Legal Services
Paul Nonnenmacher, Director of Public Affairs
Michael Tracey, Operations Manager, Construction Management
Kristen Greig, Secretary to the Board/Paralegal

Also present were: Mr. Brian Anderson of AFSCME Council 4, Mr. David Arruda of MDC, Mr. Jonathan Bilmes of BRRFOC, Ms. Susan Hemenway of BRRFOC, Mr. Frank Marci of USA Hauling and Recycling, Ms. Christine Stuart of the Journal Inquirer, Ms. Joyce Tentor of HEJN.

Chairman Pace called the meeting to order at 9:30 a.m. and stated 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. Brian Anderson introduced himself as a legislative representative for AFSCME Council 4. Mr. Anderson noted that approximately 100 members of Council 4 work at CRRA's Mid-Connecticut Project. Mr. Anderson stated that Council 4 was requesting that CRRA not proceed with further privatization. Mr. Anderson went on to say that Council 4 is particularly concerned that the jobs at the Mid-Connecticut Project not be privatized because privatization at CRRA has yielded some very disturbing results. Mr. Anderson stated that CWPM, a Manafort family owned company, accepted over \$1 million in CRRA ratepayer-owned trucks and trailers for seemingly nothing in return in a deal arranged by former Chairman Ellef. Mr. Anderson continued by saying that according to the Hartford Courant, this is the same Manafort company that ran trucks illegally overweight from two CRRA transfer stations. Mr. Anderson said that Council 4 was shocked last summer when the Board extended its contract with the Manafort company and said that Manafort should not have been used at all because of its questionable performance practices. Mr. Anderson stated that, this past May, the State Attorney General released a report saying the CWPM truck deal was illegal and added that the Attorney General recommended that Federal and State Tax Departments pursue whether Manafort paid proper taxes on the use of the trucks. Mr. Anderson said that Council 4 was shocked when CRRA signed an additional contract with the Manafort company last month. Mr. Anderson submitted a Hartford Courant article and an Associated Press article showing that CWPM's New Haven office was raided by the FBI last week as part of an apparent investigation of mob-related activities. Mr. Anderson stated that another CRRA related company was also raided. Mr. Anderson, on behalf of Council 4, urged that all further CRRA privatization, contract extensions and awards be put on hold until an independent investigation of CRRA contracting is undertaken, both by the CRRA Board and appropriate State authorities.

Chairman Pace acknowledged that Mr. Anderson's issues were very important and said that it is important that the public understands that the new CRRA Board began a review of that truck deal the day they took office. Chairman Pace stated that after much research and an independent investigation by the Attorney General, CRRA received a final report from the Attorney General that addresses some of the items that Mr. Anderson referred to, but also praised the new CRRA Board for their efforts.

Regarding privatization, Chairman Pace stated that MDC is a contractor of CRRA's. Chairman Pace pointed out that CRRA has repeatedly reached out to try to solve the issues, including performance, with MDC. Chairman Pace noted that just last month CRRA sent another letter to MDC to attempt to initiate good faith negotiations and those negotiations have started. Chairman Pace stated that over the past years, CRRA has made numerous attempts to resolve this issue.

Chairman Pace, referring to the overweight trucks issue, said that CRRA has looked into that issue and continues to monitor all of its haulers. Regarding the bidding process, Chairman Pace said that CRRA makes extraordinary efforts to bid, re-bid and review current contracts. As far as the investigation into the Manafort Company, Chairman Pace acknowledged that Mr. Manafort's companies have been approached by federal authorities for documents in regard to an investigation of garbage hauling in Connecticut as are all other hauling companies in Connecticut. Chairman Pace emphasized that CRRA has not been approached for documents but expects to be in a position to assist the federal investigation by providing data and information and will cooperate in every way possible. Chairman Pace said that the CRRA Board would recall that he had asked several months ago that the Policies & Procurement Committee investigate the practicality of identifying, in the bid process, principals of companies CRRA does business with. Chairman Pace stated that to assign issues of the past to this Board is unfair. Chairman Pace continued, stating that to characterize a document from the Attorney General only in part is misleading and unfair. Chairman Pace said that the Chairman and management have actively pursued, with the Chairman of the MDC, opportunities to try to resolve the issues between the organizations. Chairman Pace further stated that Mr. Anderson worked very hard to lobby against the Chairman during his reappointment hearing. Chairman Pace accepted Mr. Anderson's comments and stated that the Board will look into any new issues he raised. Chairman Pace stated that it is important for the public record to show that these issues have been looked into, have been addressed and have been referred to the Attorney General and noted that CRRA has worked closely with the Attorney General to resolve these issues. Chairman Pace said that CRRA will continue its efforts to work with AFSCME and MDC. Chairman Pace thanked Mr. Anderson for separating issues relating to the old Board from the new Board.

Director O'Brien restated the intention of the CRRA Board to continue its efforts to find more cost-effective contractors, private contractors, including MDC, and said that is not privatization in any sense of the word. Director O'Brien said that what CRRA is doing is seeking out contractors under a bid process or negotiation process and trying to get the most value for the ratepayer's dollar.

APPROVAL OF THE MINUTES OF THE JUNE 7, 2005 SPECIAL BOARD MEETING

Chairman Pace requested a motion to approve the minutes of the June 7, 2005 Special Board Meeting. The motion was made by Director O'Brien and seconded by Director Cohn.

The minutes were approved unanimously.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Stephen Cassano	X		
Benson Cohn	X		
Mark Cooper	X		
James Francis	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		

Raymond O'Brien	X		
Andrew Sullivan	X		
Timothy Griswold, Ad Hoc, Mid-Connecticut	X		
Elizabeth Horton Sheff, Ad Hoc, Mid-Connecticut	X		
Non Eligible Voters			
Sherwood Lovejoy, Ad Hoc, Bridgeport			

APPROVAL OF THE MINUTES OF THE JUNE 23, 2005 REGULAR BOARD MEETING

Chairman Pace requested a motion to approve the minutes of the June 23, 2005 Regular Board Meeting. The motion was made by Director O'Brien and seconded by Director Cohn.

The minutes were approved unanimously.

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

APPROVAL OF THE MINUTES OF THE JUNE 29 - 30, 2005 SPECIAL BOARD MEETING

Chairman Pace requested a motion to approve the minutes of the June 29 - 30, 2005 Special Board Meeting. The motion was made by Director O'Brien and seconded by Director Cooper.

Director Horton Sheff stated that she was not able to participate in these meetings, but had a few questions. Chairman Pace stated that he would like to approve the minutes and then respond to Director Horton Sheff's questions.

Director Francis requested that the minutes be split into a separate vote for each day.

Chairman Pace called for a vote to approve the minutes of the June 29, 2005 Special Board Meeting.

The minutes were approved. Directors Cohn, Francis, and Griswold abstained as they were not present at the meeting.

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

Chairman Pace requested a motion to approve the minutes of the June 30, 2005 Special Board Meeting. The motion was made by Director Martland and seconded by Director O'Brien.

Director Horton Sheff stated that the resolution seemed incomplete because it did not indicate that the Finance Committee met and discussed the options. Director Horton Sheff said that in reviewing the minutes she noticed that Director Karanian brought up some valid concerns and asked why, if the resolution is an internal document, Director Karanian's concerns were not included as part of the resolution. Director Horton Sheff asked if this was the normal practice. Director Horton Sheff asked if another resolution addressing Director Karanian's concerns would be forthcoming.

Director Sullivan, as Chairman of the Finance Committee, explained that Director Karanian's concerns would be addressed outside the scope of the contract and added that this was what Director Karanian had intended. Director Sullivan continued by saying that the Finance Committee agreed to review Director Karanian's suggestions. Director Sullivan indicated that, based on where CRRA was in the contract negotiations with FCR, it was not possible to do all of those things prior to the execution of the contract. Director Sullivan said that the Finance Committee decided to recommend that the Board move forward with the fixed price approach.

Director Horton Sheff stated that in her experience all concerns should be documented in the resolution. Chairman Pace stated that this was not the way CRRA structured its resolutions.

Director O'Brien added that these minutes reflected the discussion regarding pricing, not the overall contract. Chairman Pace noted that he had requested that the two pricing models be separated from the vote approving the structure of the contract.

Chairman Pace called for a vote to approve the minutes of the June 30, 2005 Special Board Meeting. The minutes were approved. Vice-Chairman Cassano and Director Griswold abstained as they were not present at the meeting.

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

REPORT ON DEPARTMENT OF ENVIRONMENTAL PROTECTION'S PUBLIC STAKEHOLDER FORUM ON THE MANAGEMENT OF SOLID WASTE GENERATED IN CONNECTICUT HELD ON JUNE 29, 2005

Mr. Egan explained that the current Solid Waste Management Plan, which was developed by the Department of Environmental Protection, is fourteen years old and is in need of updating. Mr. Egan stated that about six or seven months ago, the Connecticut DEP launched an initiative to update and rewrite this document. Mr. Egan said that the DEP developed a scope of work, publicly bid for a consultant to support DEP in its rewrite of the plan, and contracted with a consultant in April or May of 2005. Mr. Egan explained that DEP reached out to key stakeholders such as CRRA to join a stakeholder committee.

Mr. Egan stated that the Department of Environmental Protection hosted a larger, statewide forum on June 29th to discuss any solid waste management issue that that particular stakeholders wished to discuss. Mr. Egan noted that representatives from CRRA were present.

Mr. Egan continued explaining that the consultant will review several areas of solid waste management including source reduction recycling, municipal solid waste generation, landfills, waste-to-energy, future capacity needs and reducing toxicity in the municipal solid waste stream. Mr. Egan said that the consultant will then consider special issues such as electronics, construction and demolition debris, food waste and a number of other waste issues. Mr. Egan informed the Board that the DEP spent a couple of hours at the forum discussing their intent and how they planned to develop the plan. Mr. Egan stated that the forum then broke into four groups, one concentrating on recycling and reuse, one to look at construction and demolition waste, one to concentrate on MSW disposal and ash generation disposal, and the fourth to look at other special waste such as electronic waste. Mr. Egan stated that CRRA participated in all four breakout groups and said that there was a summary of results of the forum that he would be happy to share at the conclusion of the meeting. Mr. Egan noted that this initiative by the DEP would progress over the next four or five months and gave a detailed review of the timeline for the rewrite of the Solid Waste Management Plan.

Mr. Egan pointed out that everyone attending the CRRA Board meeting was there to protect the public health by effectively and safely managing waste – material that could pose a burden to the State if not managed correctly.

Mr. Egan noted that CRRA has been advocating its position throughout the process. Mr. Egan emphasized that waste-to-energy is a cornerstone of waste management in the state and added that CRRA will advocate that the plan prescribe that a second landfill in the state be developed by CRRA. Mr. Egan said that CRRA should continue to serve its public duty by providing an economic balance between the private sector and the State.

Mr. Egan concluded by saying that the process is just getting underway and there are many issues still to be resolved. Mr. Egan said that the external stakeholders group is very balanced with representatives from several of the resource recovery authorities, SCRRA, municipalities, private waste management companies, Stop & Shop, the Connecticut Coalition for Environmental Justice, Connecticut Audubon Society and the Recycling Coalition. Mr. Egan informed the Board that the group will meet monthly through December.

Chairman Pace asked Mr. Egan how he would characterize the forum. Mr. Egan replied that he thought that the forum was very productive and said he is very encouraged and optimistic in the involvement of the DEP. Mr. Egan stated that this is CRRA's opportunity, as it is for all stakeholders, to insert their vision and position into the plan. Mr. Egan said he feels confident that the plan will bring value to the table.

Director O'Brien explained that Ms. Cheryl Reedy is the Director of the Housatonic Resource Recovery Authority and is experienced in the field. Director O'Brien added that she has been involved as First Selection of New Fairfield for at least eight years. Director O'Brien stated that Ms. Reedy does not share Mr. Egan's impression of the forum. Director O'Brien stated that he thought this was because Ms. Reedy went into the forum with no prior involvement with the development of the plan. Director O'Brien stated that some of her comments should be addressed. Director O'Brien indicated that of all the groups mentioned, the general public is represented by a special environmental group but not as the general public. Director O'Brien said that HRRRA comes very close to the definition of general public and suggested that Mr. Egan communicate with Ms. Reedy as a test of how DEP should communicate to the general public

regarding the plan. Director O'Brien asked for a list of stakeholders explaining that he would like to communicate with them. Vice-Chairman Cassano stated that CRRA should not write off what DEP is attempting to do here. Director O'Brien replied that this was not his intent. Director O'Brien concluded by saying that CRRA has a big stake in this plan. Chairman Pace stated that CRRA should take a strong lead in implementing this plan.

Chairman Pace said that it was his intention to invite the new DEP Commissioner to the CRRA October Board meeting.

Chairman Pace introduced Jonathan Bilmes, Chairman of the Bristol Resource Recovery Facility Operating Committee (BRRFOC). Mr. Bilmes informed the Board that BRRFOC has been working in concert with CRRA and others on the Solid Waste Management Plan. Mr. Bilmes stated that even though DEP has a new commissioner, she has not inserted herself into this process in a significant way yet, adding that he expects that she will. Mr. Bilmes said that, at this point, the process is being led by staff at DEP. Mr. Bilmes indicated that one of the areas that DEP struggles with is being very forceful in staking out an environmental position and holding to that position, even in the face of opposition. Mr. Bilmes stated that DEP and R.W. Beck, their contractor, have not yet staked out the significant positions that have to be addressed in order for the plan to move forward. Mr. Bilmes stated that it has only been two months, yet he is concerned that the DEP has not taken a stronger position on some of the key issues such as if there should be more than one ash landfill in the State of Connecticut. Mr. Bilmes stated that this should be part of the plan. Mr. Bilmes said that if the State needs more capacity, the plan should address if the State should handle that waste in Connecticut as opposed to relying on out-of-state disposal. Mr. Bilmes concluded by saying that he was pleased that CRRA was involved in the implementation of the Solid Waste Management Plan.

Chairman Pace concluded the discussion by saying that the DEP Commissioner has been very accessible to groups from around the State. Chairman Pace stated that inviting Commissioner McCarthy to the October Board meeting would allow CRRA to hear her thoughts and have discussions regarding the Plan.

RESOLUTION REGARDING THE ROADWAY RECONSTRUCTION AGREEMENT AT THE POWER BLOCK FACILITY

Chairman Pace requested a motion regarding the referenced item. Director O'Brien made the following motion:

RESOLVED: That the President is hereby authorized to execute an agreement with J.H. Lynch & Sons, Inc. to implement the roadway reconstruction located at the Mid-Connecticut Power Block Facility, substantially as presented and discussed at this meeting, and

FURTHER RESOLVED: That the President is hereby authorized to execute a change order with TRC Environmental Corporation substantially as presented and discussed at this meeting.

The motion was seconded by Director Cohn.

Chairman Pace asked Mr. Tracey to give a brief synopsis of the work to be done.

Mr. Tracey explained that this was a significant roadway project at the Power Block Facility. Mr. Tracey said the project is a combination of safety improvements and pavement reconstruction of approximately 1,100 feet on the main access road to the Power Block Facility. Mr. Tracey said that the road is used for all traffic and must be accessible to emergency vehicles. Mr. Tracey explained that the road was built 25-30 years ago and stated that there had not been any significant work done on the road since that time.

Chairman Pace referred the Board to the financial summary under Tab 4. Chairman Pace pointed out that J.H. Lynch & Sons was the low bidder and noted that there had been five bidders for the project.

Mr. Kirk noted that CRRA would be given a \$60,000 credit from TRC for the remediation project. Director Sullivan asked if CRRA had worked with J. H. Lynch before. Mr. Tracey replied in the negative. Director Sullivan stated that he was curious about the wide range of bids for the contract. Director Sullivan asked Mr. Tracey if CRRA had worked with any of the other bidders. Mr. Tracey stated that CRRA had worked with Xenelis Construction and Terry Contracting. Mr. Tracey indicated that bids received for this job were typical with the lowest two or three bidders close in range and the other prices drifting higher.

Director O'Brien asked if the \$60,000 credit affected the contractors at all. Mr. Kirk responded that CRRA would get \$60,000 over and above the bid price.

The motion previously made and seconded was approved unanimously.

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

RESOLUTION REGARDING DELIVERY OF COVER SOILS TO THE HARTFORD LANDFILL

Chairman Pace requested a motion regarding the referenced item. Director O'Brien made the following motion:

RESOLVED: That the President is hereby authorized to enter into an amended contract with Newcarp First LLC for delivery of contaminated soil to be used as daily cover at the Hartford Landfill, and as approved by the Connecticut Department of Environmental Protection, substantially as discussed and presented at this meeting.

The motion was seconded by Director Cohn.

Mr. Egan stated that at the June Board Meeting, he had advised the Board that CRRA was going to amend the cover soil agreement to accept additional soil from a site in West Hartford. Mr. Egan stated that, at the Board's direction, he has included a summary of the analytical data from the site and the approval letter from the DEP authorizing CRRA to use this soil at the landfill. Mr. Egan said he also inserted a term date as requested by the Board. Mr. Egan noted that in the informational package, he included a memo discussing the waste acceptance procedures that CRRA uses to accept special waste at the Hartford Landfill. Mr. Egan explained that the special waste is exclusively soil to be used as cover material because the Hartford Landfill does not accept any other types of special waste. Mr. Egan went on to say that the Board had directed CRRA management to establish a waste performance protocol. Mr. Egan indicated that the protocol is still in the development phase. Mr. Egan informed the Board that CRRA is working with a consultant to develop a written waste performance acceptance procedure to ensure that the soil that is brought to the Hartford Landfill is in conformance with the material as represented.

Director Horton Sheff referred the Board to the Summary of Analytical Results from LEA regarding the contaminants. Director Horton Sheff noted that summary listed contaminants in mg/kg and the informational package refers to parts per million and asked how to compare the two units. Mr. Egan responded that heavy metals are measured several different ways. Mr. Egan explained that CRRA's waste material profile form is formatted to allow the generator to tell CRRA concentrations of heavy metals and organic constituents in several different units of measure. Mr. Egan stated that a mg/kg is a unit of measure to measure total constituent concentration and said that a mg/kg is essentially the same as parts per million. Mr. Egan stated that the two terms are used interchangeably in the environmental community. Mr. Egan said that on the waste profile sheet a unit of measure called mg/liter is used, which is mass per unit volume. This unit of measure flows out of a different analytical test designed to measure leachability of a constituent to determine whether it is going to leach into the ground water. Mr. Egan said that the hazardous waste standards, the thresholds of certain metals and organics, are defined by the leaching weight. Mr. Egan explained that the analytical procedure takes a matrix of the waste, subjects it to a set of conditions, and measures what leaches out. Mr. Egan stated that in that case, the result is a mass per unit volume, not a mass per unit mass. Mr. Egan indicated that in the LEA study, the mg/kg that are shown in the summary for the West Hartford site are the same as parts per million.

Director Horton Sheff asked if 20.8 mg/kg is the same as PPM, then shouldn't the number be less than 5. Chairman Pace suggested that Mr. Egan could spend some time with Director Horton Sheff to answer her question. Director Horton Sheff rephrased her question to ask if the levels of the soil from West Hartford were within regulatory limits or not. Mr. Egan replied in the affirmative. Director Horton Sheff stated that she just wanted assurance that all soils being brought to the Hartford Landfill are within regulatory limits.

Mr. Kirk explained that CRRA is accepting what is termed as "contaminated waste" as defined by the DEP and said that if the soil was within certain acceptable regulatory limits, the soil would be unregulated waste. Mr. Kirk stated that the soil is above the "not regulated" line, but below the threshold acceptable for disposal at the landfill. Mr. Egan explained that the 5 mg per liter threshold is a threshold that flows out of a toxicity characteristic leaching procedure. If the test is run on an increment of solid waste and there are more than 5 mg per liter of lead in the extract, that is defined as a hazardous waste. Mr. Egan explained that the units in the analytical table for the West Hartford soil are in mg/kg – total lead in the soil and said that is not a measure of how much will leach out.

Director Horton Sheff asked if the DEP has a range indicating that the soil cannot be used. Mr. Egan replied in the affirmative. Mr. Kirk added that the metals had to be analyzed in two different categories: how much lead is in the soil and how much lead will leach out. Mr. Kirk said that CRRA is very comfortable with the quality of this soil. Director Horton Sheff noted that the soil will have to be transported and said that if the soil becomes airborne during transportation, it could affect the health of Hartford children. Director Horton Sheff stated that whatever soil comes into the City of Hartford must be well within DEP limits.

Chairman Pace asked if the same standards apply to waste water treatment plants. Mr. Egan replied that similar tests are done on waste water.

The motion previously made and seconded was approved. Director Horton Sheff abstained.

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

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

Chairman Pace requested a motion regarding the referenced item. Director O'Brien made the following motion:

RESOLVED: The President is hereby authorized to enter into an agreement with Botticello, Inc. for Mid-Connecticut resources recovery facility ash transportation services substantially as presented and discussed at this meeting.

Director Cohn seconded the motion.

Mr. Kirk stated that there was a correction to the "Financial Summary" page. Mr. Kirk called on Mr. Gent to give the Board the correct information. Mr. Gent stated that the \$517,000 for FY06 (first line of the second paragraph) should be \$540,750 for FY06. Mr. Gent further stated that the 5% number should be 10% higher explaining that the rate listed in the budget is \$2.81 and the new rate is \$3.09, which is 10% higher. Mr. Gent stated that there were four companies who bid on this project and Botticello came in as the low bidder. Mr. Gent noted that CRRA had asked bidders to bid on transportation from the Power Block Facility to the Putnam Landfill. Mr. Gent explained that in the event that the Hartford Landfill couldn't accept ash, CRRA would have a firm price for transportation to the alternate landfill and said that CRRA currently has a contract with Wheelabrator at the Putnam facility so that CRRA can utilize this landfill in an emergency.

The motion previously made and seconded was approved unanimously.

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

RESOLUTION REGARDING EMPLOYMENT OF A CONTRACTOR TO PROVIDE MATERIALS, EQUIPMENT, AND LABOR FOR THE REMOVAL OF THE SCREEN FENCE AT THE HARTFORD LANDFILL

Chairman Pace requested a motion regarding the referenced item. Director O'Brien made the following motion:

RESOLVED: That the President is hereby authorized to enter into a contract with R.L. Rogers & Sons, Inc. to provide materials, equipment, and labor to remove the screen fence at the Hartford Landfill, substantially as discussed and presented at this meeting.

The motion was seconded by Director Cohn.

Mr. Egan explained that this initiative was to remove the visual screen fence that runs along I-91. Mr. Egan stated that building activities are complete on the west side of the landfill. Mr. Egan said the screen was installed six years ago to act as a barrier while landfill activities proceeded along the west slope and now that that area is filled to capacity there is no longer a need to have the screen fence. Mr. Egan noted that because maintenance of the screen fence comes at a significant cost, the screen has not been maintained adequately.

Chairman Pace indicated that the Board has talked about removing the screen fence for a while. Mr. Kirk stated that the fence is more of an eyesore than a benefit and said that CRRA can make the landfill more presentable to traffic along I-91. Mr. Kirk said that the removal of the fence will be a step in reaching this goal.

Director Horton Sheff stated that she agreed that removal of the screen would certainly improve the look of the landfill and asked specifically what would be done with the west slope. Mr. Kirk stated that the closure of the landfill would include planting of vegetation appropriate to the geography of the west slope and said that when it is properly maintained it will be green. Mr. Kirk stated that the vegetation may turn brown over the summer as there is no irrigation on the slope, but the vegetation will protect the slope from erosion. Mr. Kirk stated that what will be seen on the west slope will be a preview of what the entire landfill will look like. Director Horton Sheff asked what types of vegetation would be planted on the west slope. Mr. Egan stated that various grasses would be used and mowed periodically during the season.

Director Griswold asked Mr. Egan to explain Item #2 on Page 3 of the Executive Summary – “Remove fence fabric and deliver to daily cover”. Mr. Egan stated that the contractor would remove and transport the fabric from the fence for disposal. Director Griswold asked if CRRA would get the scrap value of the steel poles. Mr. Egan replied in the negative and stated that the contractor would get the scrap value.

Vice-Chairman Cassano asked if wildflowers could be placed on the slope. Mr. Egan replied in the affirmative. Mr. Egan stated that initially grass would be planted on the slope, but moving out into subsequent years when a post-closure use is established, part of that plan may include walking trails, different types of shrubbery, flowering plants and flowers. Director Martland asked if the City of Hartford would be involved in the post-closure plans. Mr. Kirk replied in the affirmative. Chairman Pace indicated that he had spoken with Mayor Perez

regarding this. Mr. Kirk stated that CRRA’s responsibility for the landfill ends at final closure and long-term care of the landfill will be discussed with the City.

The motion previously made and seconded was approved unanimously.

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

RESOLUTION REGARDING A LIMITED RELEASE AGREEMENT BY AND AMONG EAST HAVEN, SWEROC, CRRA AND FCR, INC.

Chairman Pace requested a motion regarding the referenced item. Director O’Brien made the following motion:

RESOLVED: That the President is hereby authorized to enter into a Limited Release Agreement by and among the City of East Haven, The Southwest Regional Recycling Operating Committee (“SWEROC”), The Connecticut Resources Recovery Authority (“CRRA”), and Fairfield County Recycling, Inc. (“FCR”), substantially in the form as discussed and presented at this meeting.

The motion was seconded by Director Cohn.

Mr. Gent explained that the resolution was a limited release similar to the release approved for the City of Stamford, but with a much lower dollar value than the Stamford release. Mr. Gent informed the Board that East Haven was obligated to bring certain materials to Stratford that they did not bring. Through enforcement efforts and negotiations with East Haven a figure of \$18,000 was agreed upon for past damages. Mr. Gent stated that CRRA has two contracts: SWEROC and CRRA have a contract with FCR where CRRA has an obligation to deliver recyclables to the Stratford IPC and SWEROC has an agreement with all of its members where they have an obligation to deliver the recyclables. Mr. Gent explained that there are actually two releases involved in the agreement. In the first, FCR, CRRA and SWEROC are

releasing East Haven. Mr. Gent stated that there is a second release (not in this document) between SWEROC, CRRA and FCR. In order to get FCR's release, CRRA is providing 18.7% of the \$18,000 to FCR. Mr. Gent explained that the payment would be made as a lump sum payment and noted that SWEROC approved this release.

Mr. Gent asked Director Lovejoy if he had anything to add. Director Lovejoy thanked Mr. Gent for getting this matter resolved and stated that the funds would be set aside in a reserve. Mr. Kirk added that CRRA reasonably felt that the investigation uncovered that this was the full extent of the damages.

The motion previously made and seconded was approved unanimously.

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

RESOLUTION REGARDING DIGITAL COPIER PURCHASE

Chairman Pace requested a motion regarding the referenced item. Director O'Brien made the following motion:

RESOLVED: That the President is hereby authorized to enter into an agreement with Ryan Business Systems to purchase six digital copiers, substantially as discussed and presented at this meeting.

The motion was seconded by Director Cohn.

Mr. Bolduc informed the Board that the current lease on the copiers is expiring at the end of August. Mr. Bolduc stated that a bid was put out for purchase/lease options for six replacement copiers. Mr. Bolduc explained that when the bids were received, an analysis was done of both technical capabilities and cost. The consensus of the committee that reviewed the technical and financial issues concluded that CRRA should go with the Canon copier. Mr. Bolduc stated that he and the committee were recommending the purchase of the six units.

The motion previously made and seconded was approved unanimously.

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

RESOLUTION REGARDING APPROVAL OF AN AGREEMENT FOR ELECTRONICS RECYCLING COLLECTION SERVICES

Chairman Pace requested a motion regarding the referenced item. Director O'Brien made the following motion:

RESOLVED: The President is authorized to enter into an agreement with Advanced Recovery, Inc. for electronics recycling collection services, substantially in the form as presented and discussed at this meeting.

The motion was seconded by Director Cooper.

Mr. Gent explained that CRRA went out to bid for electronics recycling services and said that there were three bidders, with all bids below CRRA's last contract with Envirocycle. The low bidder for this contract, which includes the Bridgeport, Mid-Connecticut and Wallingford Projects, was Advanced Recovery, Inc at a price of \$.10 per pound. Mr. Gent noted that CRRA has not done business with Advanced Recovery in the past and said that management is recommending the use of Advance Recovery, Inc. for a period of approximately 2 1/2 years with CRRA having an option to extend the contract for one year.

Chairman Pace pointed out that CRRA has, over the past six years, recycled more than 1.7 million pounds of used consumer electronics. Mr. Gent stated that the lower rate, would allow CRRA to have more electronics recycling. Mr. Gent indicated that some of the items with components that could cause environmental concern that are being recycled are CRT's, video screens, computer parts, radios, and televisions.

Director Martland asked how the materials are recycled. Mr. Kirk responded that the contractors dismantle the electronics and salvage what they can such as precious metals or reusable chips. Then, much of the plastic and glass is recycled. Mr. Kirk noted that this is an extraordinarily expensive operation at \$200/ton and CRRA has a great challenge to drive down the costs associated with electronics recycling.

Director Sullivan stated that were it not for recycling efforts such as this, these items could end up posing a health threat and said that CRRA is providing a great service in sponsoring these recycling events.

Director O'Brien suggested that CRRA not limit the electronics recycling to Bridgeport, Mid-CT and Wallingford towns, but take advantage of the volume that CRRA can generate. Director O'Brien said that CRRA should also encourage recycling in towns that are not part of CRRA. Mr. Gent stated that management could certainly look into this.

Chairman Pace asked if CRRA handles the electronics recycling for the State of Connecticut. Mr. Gent responded that the State has their own program and said that it was his understanding was that the rate was much higher than CRRA's. Chairman Pace suggested that perhaps CRRA could offer its services to the State since CRRA is a quasi-public agency. Chairman Pace suggested that Mr. Gent contact the State to offer such services.

Vice-Chairman Cassano pointed out that there was a company in South Windsor who performed this service and asked if there were any other bidders from Connecticut. Mr. Gent replied that WeRecycle (Connecticut) was a company CRRA seriously considered, but given the price difference, CRRA felt that Advanced Recovery, Inc. was a better choice. Mr. Gent said that there may be other opportunities in the future to use a Connecticut company. Mr. Kirk stated that this is a new type of business and added that the next time CRRA went out to bid for such services he would expect many more bidders.

In response, Mr. Gaffey stated that CRRA did use a State contract for electronics recycling and it was much more expensive. Mr. Gaffey added that CRRA would be very interested in extending the contract to other resource recovery authorities in the State.

Director Griswold stated that in his area there was one electronics collection per year and said it is for consumers only. Director Griswold stated that people often come to the town transfer station with electronic waste and end up taking it home because it cannot be disposed with regular trash. Director Griswold suggested that CRRA start an initiative to speak to the towns on this matter and perhaps develop programs where the towns can do electronics recycling more often.

The motion previously made and seconded was approved unanimously.

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

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

RESOLUTION REGARDING ADDITIONAL PROJECTED LEGAL EXPENDITURES FOR FISCAL YEAR 2005

Chairman Pace requested a motion regarding the referenced item. Director Martland made the following motion:

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

WHEREAS, the Board of Directors, on September 23, 2004, authorized certain amounts for payment of fiscal year 2005 projected legal fees; and

WHEREAS, the Board of Directors, on February 24, 2005, authorized additional amounts for payment fiscal year 2005 projected legal fees; and

WHEREAS, CRRA has incurred greater than anticipated legal expenses in connection with the Metropolitan District Commission arbitration and associated expert fees, review of proposed legislation, CRRA’s tax exempt status, future planning, the South Meadows exit strategy and certain other matters;

NOW THEREFORE, it is RESOLVED: That the following additional amounts be authorized for payment of projected legal fees to be incurred through June 30, 2005:

<u>Firm:</u>	<u>Authorized Amount:</u>	<u>Increase Amount:</u>	<u>Total Amount Authorized for FY05:</u>
Cohn, Birnbaum & Shea	\$40,000 Projected	\$20,000	\$60,000
Halloran & Sage	\$650,000	\$325,000	\$975,000
McCarter & English	\$700,000	\$215,000	\$915,000

The motion was seconded by Director Cooper.

Attorney Hunt explained that since the Director of Legal Services position was vacant, the accounting department was not notified of outstanding legal bills at the end of FY04 and those invoices carried over into the FY05 budget. Attorney Hunt stated that, in addition, in the middle of the year CRRA requested that the General Counsel invoices be split into different invoices by the appropriate Project. Attorney Hunt stated that it took a long time to get the legal bills straightened out and added that she signed off on the last legal bills three days ago. Attorney Hunt stated that she would like to get the bills paid so FY05 books could be closed.

In addition, Attorney Hunt stated that the costs of arbitration with MDC were considerably higher than CRRA had originally anticipated. Director O'Brien noted that those costs were not legal costs, but third party costs.

Chairman Pace indicated that this issue had been discussed at length at the Finance Committee meeting. Chairman Pace indicated that because there was not in-house counsel for a portion of last year, legal costs were not allocated properly and the costs had to be paid from FY05 budgets.

The motion previously made and seconded was approved. Director Cohn abstained because his cousin is a partner at Cohn, Birnbaum & Shea and she has done legal work for him

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

RESOLUTION REGARDING AMENDMENT TO TRAVEL POLICY AND EXPENSE REPORTING

Chairman Pace requested a motion regarding the referenced item. Director Cohn made a motion to table this matter for further clarification by the Policies and Procurement Committee. The motion was seconded by Vice-Chairman Cassano. The motion previously made and seconded was approved unanimously.

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

CHAIRMAN'S AND COMMITTEE REPORTS

Chairman Pace asked for Committee reports. Director Cohn stated that the Policies & Procurement Committee was asked to look into adding a request for information regarding the principals of the bidding company to bid documents. Director Cohn said that there are some legal complications and therefore, the Committee plans to discuss the matter in detail at the next meeting.

Chairman Pace stated that he wanted to bring the Board up to date on several topics discussed at the Steering Committee meeting.

The first item is the MDC arbitration decision, which is one of CRRA's major accomplishments.

Chairman Pace indicated that CRRA continues to move forward with its business plan by looking ahead to the expiration of the Bridgeport Project in 2008 and Wallingford Project expiration in 2009. Chairman Pace stated that CRRA may be able to serve the towns in other capacities as things move forward and noted that these issues are being reviewed by management. Chairman Pace stated that what may appear as silence is not to be misunderstood as inactivity. Management is working at developing the CRRA business plan. Chairman Pace indicated that management had presented an outline of outstanding items to the Steering Committee and there are many items on the agenda.

Chairman Pace said that there have been discussions to decrease costs, increase revenues and improve service. Mr. Kirk stated that Mid-Connecticut recycling was changing from a cost of \$23 per ton to a revenue of \$34 per ton. Mr. Kirk stated that the Board's intent was to encourage recycling and to maintain a \$0 tip fee arrangement to do so. Mr. Kirk noted that CRRA now receives revenues from recycling and said that CRRA is moving beyond 2012 with a

10-year contract, which essentially states that CRRA will be involved in recycling and encourage recycling for both member and non-member towns.

Chairman Pace stated that CRRA is looking for contractors that will save taxpayers, rate payers and the municipalities money and provide better service.

Vice-Chairman Cassano stated that recycling should be a priority for CRRA. Mr. Kirk agreed and said that CRRA hoped to favorably influence the Solid Waste Management Plan in that regard. Mr. Kirk noted that recycling is “over the hump” in terms of establishing itself as a viable business activity. Mr. Kirk stated that the recycling market can still see volatility, but CRRA is now in a position to make long-term investments with confidence. Mr. Kirk noted that the new recycling contract will allow chipboard and junk paper (cereal boxes, wrapping) recycling. Prior to this, CRRA only recycled corrugated cardboard and newspapers. Chairman Pace suggested that residents might put all junk paper into a separate bin and notice how much less garbage their family produces. Chairman Pace stated that there is a tremendous effort for us to take our namesake, Connecticut Resources Recovery Authority, and recover a tremendous amount of resources that have just been thrown away.

Mr. Gent said that the Board decided on the fixed option, which would provide a revenue of \$34 per ton. Mr. Gent mentioned that there would be a press release regarding the contract with FCR and CRRA is also publishing a notice to change our procedures to expand CRRA’s recyclables, which will be presented to the Board at the September meeting. Chairman Pace asked Mr. Gent for clarification that CRRA went from a cost of \$23 per ton for containers and now CRRA receives revenue of \$34 per ton for containers and fiber. Mr. Gent confirmed. Mr. Gent further explained that on average CRRA netted about \$500,000 for paper and container recycling. CRRA will now be receiving \$2.7 million per year, a \$2.1 million increase that is guaranteed for ten years.

Chairman Pace concluded by saying that CRRA is here to fulfill our obligations and said that these additional revenues, as well as reduced costs, will offset and stabilize tip fees. Chairman Pace stated that others may think that these funds will allow them to get more money for the services they want to provide, but Chairman Pace emphasized that this was not the case.

Director Lauretti stated that from a financial standpoint, recycling only works if you don’t add another collection cycle. If another collection cycle is added, the municipalities have another cost to incur.

Chairman Pace stated that CRRA is looking to develop a new ash landfill and management is looking at options both in and out of state. Chairman Pace said that the Board and management are mandated to plan for the future. Chairman Pace said that CRRA would work with the DEP on what policy would be, what the demands would be and what the obligations of the Board would be. Mr. Kirk stated that management is continuing to identify the most environmentally sound potential sites for a new ash landfill. Mr. Kirk said the criteria to do that is based on CRRA’s authority under Section 285 of the statutes wherein CRRA was ordered by the legislature to develop two sites on each side of the Connecticut River. Mr. Kirk said that CRRA does not believe that it is necessary or possible to develop four sites, but certainly one site is important for the security of the State. Mr. Kirk added that CRRA expects to finalize the best choice for the site in the new year and proceed with development when CRRA is confident that it

can make a compelling, environmentally sound argument for the development of the site. CRRA has been working with the DEP to ensure that CRRA's decisions and recommendations are made with the DEP's extraordinarily conservative siting criteria in mind. Mr. Kirk continued by saying that progress has been good and CRRA expects to be on schedule. If CRRA is able to go forward without major problems, CRRA expects the opening of the landfill to closely coincide with the final closure of the Hartford landfill.

Chairman Pace stated that there was one more issue he'd like to address. Chairman Pace stated that he had spent a day in Waterbury Court, Mr. Kirk spent one day in court and Mr. Bolduc spent two days in court. The matter was a suit against CRRA brought by the Town of New Hartford. Chairman Pace referred the Board to the \$111 million returned to CRRA in the Enron matter. Chairman Pace continued by saying that these funds have stabilized the company and are keeping the company healthy. Chairman Pace said that the Town of New Hartford is, in essence, suing itself. Chairman Pace noted that this suit is costing CRRA considerable time, money and man-hours, as well as insurance company funds. Chairman Pace said that there is a possibility that, because of the New Hartford suit, CRRA may have to make a special assessment on all the towns to cover New Hartford's actions. Chairman Pace indicated that he does not wish to do this, but CRRA is looking at this option for next year's budget cycle or sooner.

Director Cohn stated that this suit is standing in the way of further stabilizing the company. Chairman Pace indicated that CRRA may be able to get some additional funds back through the AG's efforts and this suit is holding these efforts back also.

Director Martland stated that he didn't see why CRRA couldn't litigate against New Hartford because of the problems they are causing CRRA and the State. Director Cohn stated that the most disappointing event that occurred over the last few weeks was that the court ruled against dismissal of the case. Director Martland stated that he would like to see CRRA explore the idea of a countersuit.

Chairman Pace stated that the monies secured through the AG's efforts came entirely to CRRA. In the New Hartford suit, a percentage would go to the attorneys and not directly to the municipalities. Vice-Chairman Cassano stated that CRRA would have to increase its tipping fee to pay the New Hartford costs. Chairman Pace indicated that CRRA had worked itself through a legal maze over the last year and the Board has worked hard to put CRRA back together. Chairman Pace told Director Martland that he would look into the countersuit and get back to him.

EXECUTIVE SESSION

Chairman Pace requested a motion to enter Executive Session to discuss pending litigation, real estate acquisition, trade secrets/feasibility analysis and personnel matters with appropriate staff. The motion made by Director O'Brien and seconded by Director Martland was approved unanimously. Chairman Pace requested that the following people be invited to the Executive Session:

All Directors and Ad-Hocs
Tom Kirk
Jim Bolduc

Peter Egan
Floyd Gent
Laurie Hunt

The Executive Session began at 11:25 a.m. and concluded at 12:50 p.m. Chairman Pace noted that no votes were taken.

The meeting was reconvened at 12:50 p.m.

ADJOURNMENT

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

There being no other business to discuss, the meeting was adjourned at 12:51 p.m.

Respectfully submitted,

Kristen B. Greig
Secretary to the Board/Paralegal