

CONNECTICUT RESOURCES RECOVERY AUTHORITY

FOUR HUNDRED AND TENTH MEETING

DECEMBER 21, 2006

A Regular meeting of the Connecticut Resources Recovery Authority Board of Directors was held on Thursday, December 21, 2006 at 100 Constitution Plaza, Hartford, Connecticut. Those present were:

Chairman Michael Pace

Directors: Michael Cassella (Present beginning at 9:35 a.m.)
Benson Cohn
Mark Cooper
James Francis
Michael Jarjura (Present beginning at 10:00 a.m.)
Edna Karanian
Mark Lauretti (Present beginning at 9:40 a.m.)
Theodore Martland
Raymond O'Brien
Timothy Griswold, Mid-CT Project Ad-Hoc

Present from the CRRA staff:

Tom Kirk, President
Jim Bolduc, Chief Financial Officer (Present by telephone)
Michael Bzdyra, Government Relations Liaison
Peter Egan, Director of Environmental Affairs & Development
Tom Gaffey, Director of Recycling & Enforcement
Laurie Hunt, Director of Legal Services
Paul Nonnenmacher, Director of Public Affairs
Richard Quelle, Senior Engineer
Michael Tracey, Operations Manager Construction Management
Alexandra Anweiler, Communications Intern
Kristen Greig, Secretary to the Board/Paralegal

Also present were: William Bright, Esq. of McCarter & English, Gladys Ellis of CCEJ, Richard Goldstein, Esq. of Pepe & Hazard, A. Harris of Phillips Metro CME Church, Susan Hemenway of BRRFOC, Kathleen Henry of CCEJ, Stephen Hillyer of CCEJ, Martha Kelly of CCEJ, Frank Marci of USA Hauling & Recycling, Allan Mercado of CCEJ, Dr. Mark Mitchell of CCEJ, Matt Nozzolio of MDC, Jerry Tyminski of SCRRRA, and Barry Zitser, Esq. of Perakos & Zitser.

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. Stephen Hillyer of the Connecticut Coalition for Environmental Justice (“CCEJ”) referenced an act passed by the U.S. Congress in 1937 regarding distribution of revenues from vending machines. According to this law, a portion of the proceeds from all vending machines located on Municipal, State or Federal property should go to services for the blind. Mr. Hillyer stated that he would like CRRA to analyze whether vending machines on any of its properties fall under this law or the revenues should go to the blind under the spirit of the law. Mr. Hillyer noted that Connecticut has a similar requirement of Section 10-303 of the Connecticut General Statutes.

Ms. Gladys Ellis introduced herself as a member of the Connecticut Coalition for Environmental Justice (“CCEJ”) and thanked Mr. Nonnenmacher for his reply to her question raised at the last board meeting. Ms. Ellis stated that not all Hartford school children get to the museums each year. Ms. Ellis suggested that CRRA do presentations at each school in Hartford specifically showing children how to recycle. Chairman Pace agreed that this was a good idea and asked Ms. Ellis to suggest this to the Hartford Board of Education, as CRRA is not able to go into schools without the Board of Education’s permission and cooperation.

Dr. Mark Mitchell, President of CCEJ, stated that the Connecticut Coalition for Environmental Justice has been concerned about host community benefits and said that CCEJ has been in contact with the City of Hartford regarding this matter. Dr. Mitchell indicated that CCEJ has not been a party in the negotiations. Dr. Mitchell asked the Board if they would consider allowing CCEJ to be an observer during these negotiations regarding host community benefits.

Ms. Martha Kelly of CCEJ stated that she agreed with Ms. Ellis regarding more education for children with regard to recycling. Ms. Kelly suggested that perhaps a Children’s Recycling Committee at each school would be helpful, which allows children to model good behavior in this regard. Ms. Kelly stated that education is particularly effective when kids teach other kids. Chairman Pace agreed and noted that CRRA is also undertaking a major marketing campaign to educate people regarding recycling.

With no further comments from the public, Chairman Pace stated that the regular meeting would commence.

APPROVAL OF THE MINUTES OF THE NOVEMBER 17, 2006 EMERGENCY BOARD MEETING

Chairman Pace requested a motion to approve the minutes of the November 17, 2006 Emergency Board Meeting. Director O’Brien made a motion to approve the minutes and Director Martland seconded the motion. The minutes were approved as presented. Directors Cooper, Francis, and Karanian abstained.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Michael Cassella	X		
Benson Cohn	X		
Mark Cooper			X
James Francis			X
Edna Karanian			X
Mark Lauretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Timothy Griswold, Ad Hoc, Mid-Connecticut	X		
Non Eligible Voters			
NONE			

APPROVAL OF THE MINUTES OF THE NOVEMBER 30, 2006 REGULAR BOARD MEETING

Chairman Pace requested a motion to approve the minutes of the November 30, 2006 Regular Board Meeting. The motion was made by Director O'Brien and seconded by Director Francis. The minutes were approved as presented. Director Cohn abstained.

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

FINANCE COMMITTEE UPDATE

Director Francis informed the Board that the Finance Committee discussed the pending settlement with Hawkins Delafield & Wood and how Bond Indenture, reserve requirements, and other issues may impact the use of the settlement.

Director Francis stated that there was also some discussion regarding requirements that may arise out of the Solid Waste Management Plan. Director Francis said that the research of

possible Solid Waste Management Plan requirements is ongoing and the Finance Committee did not make a recommendation that funds for plan implementation be included in the budget.

Mr. Kirk noted that the settlement funds from Hawkins had not been received yet and would not likely be received before the end of the year. Mr. Kirk stated that the Board would be voting on final language of the settlement today so discussions regarding use are a bit premature since the funds have not yet been received.

Chairman Pace stated that it the Board’s intentions have always been to: 1.) Defeas debt, 2.) Mitigate the impact of Enron, 3.) Continue to establish and fund reasonable business reserves to address contingencies and anticipated costs, and 4.) Return excess funds to towns whether through tip fees or otherwise. Chairman Pace said that CRRA will continue to operate with a correct business approach, as well as in the public’s interest, while upholding the mandates of the legislature.

Director O’Brien made a motion to add to the agenda a resolution in consideration of reaffirming the Board’s commitment regarding use of funds received as a result of Enron litigation. The motion was seconded by Director Francis and approved unanimously by roll call.

Director O’Brien made a motion to reaffirm the Board’s commitment to the following objectives as previously stated by Chairman Pace:

- 1.) Defeas debt
- 2.) Mitigate the impact of Enron
- 3.) Get the company on a solid base with regard to proper reserves so it can move forward
- 4.) Return funds to towns whether through tip fee refunds or other means available

The motion was seconded by Director Martland.

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

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Michael Cassella	X		
Benson Cohn	X		
Mark Cooper	X		
James Francis	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Timothy Griswold, Ad Hoc, Mid-Connecticut	X		
Non Eligible Voters			
NONE			

REVIEW AND DISCUSS POTENTIAL FUTURE BUSINESS INITIATIVES IN RESPONSE TO THE SOLID WASTE MANAGEMENT PLAN

Director Francis stated that the Finance Committee voted to remove this item from the budget and to pass it on without recommendation for discussion with the full Board. Director O'Brien stated that if left in the budget, this item would increase tip fees by approximately \$1/ton. Director O'Brien stated that before allocating CRRA funds, CRRA should know how much other entities will be contributing towards implementation of the plan.

RESOLUTION REGARDING THE ADOPTION OF THE FISCAL YEAR 2008 GENERAL FUND OPERATING AND CAPITAL BUDGET

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

RESOLVED: That the fiscal year 2008 General Fund Operating and Capital Budgets be adopted with the provision that the three new part-time positions be subject to Board approval as substantially presented and discussed at this meeting.

Director O'Brien seconded the motion.

Director Francis stated that the Finance Committee reviewed the 2008 General Fund Operating and Capital budget. Director Francis stated that there are three new part-time positions included in the budget and an information technology fund that was removed. Chairman Pace stated that he would like management to carefully consider if the three part-time positions are the best use of CRRA's limited number of total employees. Pointing out that the General Fund budget has to be approved so that Project budgets can be complete in time to notify the towns, Director O'Brien suggested that the Board approve the budget with the provision that management bring the positions back to the Board for approval before hiring. Director Martland stated that it looks like the positions can be justified by an increase in revenue. Mr. Kirk agreed and added that these three new positions would allow CRRA some much needed flexibility in anticipation of the Solid Waste Management Plan.

Chairman Pace requested more information on the Debt Service Administration. Mr. Bolduc explained that there were two expenditures associated with this line item: the move from Allyn Street to Constitution Plaza and the move from the 17th floor down to the sixth floor. Chairman Pace stated that he just wanted to be clear that this line item is not debt service with regard to the bonds. Director O'Brien pointed out that CRRA will realize a savings of \$200,000 per year as a result of the move from the 17th floor down to the 6th floor.

Chairman Pace noted that the \$980,000 shown for the Solid Waste Plan Administration portion of the budget shown on page 16 has been removed from the budget.

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

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Michael Cassella	X		
Benson Cohn	X		
Mark Cooper	X		
James Francis	X		
Michael Jarjura	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Non Eligible Voters			
Timothy Griswold, Ad Hoc, Mid-Connecticut			

RESOLUTION REGARDING REQUEST FOR SERVICES FOR JUNK MAIL RECYCLING MARKETING CAMPAIGN

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

RESOLVED: That the President is hereby authorized to approve a Request for Services with Pita Communications LLC for services associated with a junk mail recycling marketing campaign substantially as presented and discussed at this meeting.

Director Francis seconded the motion.

Director O'Brien stated that a quorum was not present at the Policies & Procedures meeting and said that the motion is being brought to the Board without a recommendation. Director O'Brien noted that he confirmed with Mr. Nonnenmacher that the character has been trademarked.

Mr. Nonnenmacher stated that it has been his experience that recycling begins with children. To target this specific market, Pita Communications came up with "Philip D. Bag" as a recycling mascot. Mr. Nonnenmacher said that the character was field tested by visitors at the museums and it received a positive reaction. Mr. Nonnenmacher informed the Board that the mascot will be used in print and television ads, in addition to making personal appearances. Mr. Nonnenmacher said that the idea is to get kids excited about recycling so they will go home and pass the message along to the adults in their lives.

Chairman Pace suggested exploring the possibility of using the billboard on CRRA property as one outlet to get the word about recycling out to the public.

Director Karanian noted that, judging from the input of the public participation at CRRA meetings, it might be a good idea to create a working consisting of teachers, students, community members and staff to brainstorm and develop additional ways to make sure the promotion is a success.

Mr. Gaffey discussed ongoing efforts to get the City of Hartford and property managers in Hartford involved in increasing recycling. Mr. Gaffey stated that he met with Mayor Perez regarding this subject and said that the Mayor is committed to recycling at every level.

Director Lauretti suggested that this initiative be expanded statewide because recycling rates need to be improved throughout the State, not just in Hartford. Mr. Nonnenmacher stated that once this ad campaign is launched in the Hartford area, it could be launched in other areas of the State.

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

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Michael Cassella	X		
Benson Cohn	X		
Mark Cooper	X		
James Francis	X		
Michael Jarjura	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Timothy Griswold, Ad Hoc, Mid-Connecticut	X		
Non Eligible Voters			
NONE			

RESOLUTION REGARDING TWO REFURBISHED SECONDARY SHREDDER MOTORS RATED AT 1250HP AT THE MID-CONNECTICUT WASTE PROCESSING FACILITY

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

RESOLVED: That the President is hereby authorized to execute an agreement with American Rotor Corporation to provide two refurbished and upgraded secondary shredder motors rated at 1250 horsepower to be located at the Mid-Connecticut Waste Processing Facility, substantially as presented and discussed at the meeting.

Director Francis seconded the motion.

Mr. Quelle informed the Board that the motors currently being used are over 15 years old and have had multiple failures. Mr. Quelle explained that the replacement motors now available do not fit in the allotted space, which is why refurbished motors are necessary. Mr. Quelle noted that these motors are heavily used, shredding 16 to 18 hours per day.

Director Karanian noted that these motors have a two-year warranty.

Chairman Pace asked if the price included installation. Mr. Quelle replied in the negative and stated that MDC would install the motor.

Director O'Brien asked why this item was not included in the P&P package. Mr. Quelle apologized and stated that the search for the motors had been going on for the last 14 months. The motors just became available and Mr. Quelle had to move quickly to obtain them. Director O'Brien asked when the warranty began. Mr. Quelle replied that the warranty began when the motors were received. Mr. Quelle added that the motors would be installed immediately on receipt.

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

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Michael Cassella	X		
Benson Cohn	X		
Mark Cooper	X		
James Francis	X		
Michael Jarjura	X		
Edna Karanian	X		
Mark Laretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Timothy Griswold, Ad-Hoc Mid-Connecticut	X		
Non Eligible Voters			
NONE			

RESOLUTION REGARDING AN AGREEMENT WITH ALTERNATIVE RESOURCES, INC. FOR SOLID WASTE CONSULTING SERVICES

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

RESOLVED: That the President is hereby authorized to enter into a contract with Alternative Resources, Inc. to perform solid waste consulting services, substantially as discussed and presented at this meeting.

Director Francis seconded the motion.

Mr. Kirk stated that ARI is one of the firms selected as part of a Request for Qualifications. Mr. Kirk explained that CRRA would use ARI on a time and material basis. Therefore, a dollar value for this contract is not yet determined.

Chairman O'Brien noted that the reason the term of the contract is only six months is that management plans to consolidate solid waste recycling and accounting finance services into other RFQ's so these would not be solicited as a separate items.

Chairman O'Brien noted that, on the recommendation of Vice-Chairman Cohn, this item is being categorized as a "personal service" to air on the side of caution.

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

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Michael Cassella	X		
Benson Cohn	X		
Mark Cooper	X		
James Francis	X		
Michael Jarjura	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Non Eligible Voters			
Timothy Griswold, Ad Hoc, Mid-Connecticut			

RESOLUTION REGARDING AN AGREEMENT WITH GERSHMAN, BRICKNER AND BRATTON, INC. FOR SOLID WASTE CONSULTING SERVICES

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

RESOLVED: That the President is hereby authorized to enter into a contract with Gershman, Brickner & Bratton, Inc. to perform solid waste consulting services, substantially as discussed and presented at this meeting.

Director Martland seconded the motion.

Director O'Brien noted that the reasoning for this motion is essentially the same as the previous item.

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

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Michael Cassella	X		
Benson Cohn	X		
Mark Cooper	X		

James Francis	X		
Michael Jarjura	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Non Eligible Voters			
Timothy Griswold, Ad Hoc, Mid-Connecticut			

RESOLUTION REGARDING EXECUTION OF A GENERAL RELEASE OF ST. PAUL TRAVELERS COMPANIES, INC.

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

WHEREAS, pursuant to the terms of an Assurance of Discontinuance between St. Paul Travelers Companies, Inc. and the Attorneys General of New York, Connecticut and Illinois, and a Stipulation with the Superintendent of Insurance of New York (the "Assurance"), the Authority is eligible to receive payments from the Excess Casualty Fund established by St. Paul Travelers; and

WHEREAS, in order to participate in the Fund, the Authority must execute and return the General Release prescribed by the Assurance by April 23, 2007; and

WHEREAS, the Board has reviewed the said General Release and determined that it is in the best interests of the Authority to execute the said Release, so as to participate in the Excess Casualty Fund as described therein;

NOW, THEREFORE, IT IS RESOLVED: That the President of the Authority is hereby authorized to execute and return the General Release required by the Assurance, as presented and discussed at this meeting, and to take all related actions in connection with said General Release necessary to participate in the Excess Casualty Fund as provided therein.

Director Martland seconded the motion.

Mr. Kirk explained that this motion is an acceptance of an insurance settlement brought on by Attorney Generals' suits against several insurance companies. Director Martland stated that these suits eventually have a negative impact on insurance premiums.

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

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

Mark Cooper	X		
James Francis	X		
Michael Jarjura	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Non Eligible Voters			
Timothy Griswold, Ad Hoc, Mid-Connecticut			

CHAIRMAN'S REPORT

Chairman Pace noted that he received a copy of a letter sent by the Bridgeport Project towns to the Governor encouraging her to support the \$3 million funding for closing of the Shelton landfill. Chairman Pace informed the Board that he also would be sending the Governor a letter asking for her support. Chairman Pace noted that this funding would save the Bridgeport Project towns approximately \$7/ton.

Chairman Pace noted that he had been invited to sit on Speaker Jim Amann's task force for renewable energy. Chairman Pace asked Mr. Bzdyra to update the Board on the task force. Mr. Bzdyra stated the task force was formed in order to come up with solutions for the increasing cost of energy. Mr. Bzdyra said that recommendations have been put forth among the task force, and the goal is to get a consensus of the group so that the recommendations can be brought through the legislative process.

PRESIDENT'S REPORT

Mr. Kirk stated that the Bridgeport Arbitration has been set for mid-January and noted that a counteroffer has not been received from Wheelabrator in response to CRRA's offer to settle prior to arbitration.

Mr. Kirk said that the Solid Waste Management Plan has not been finalized. Mr. Kirk indicated that CRRA will go ahead and begin planning for implementation of the Plan, as time is short. A legislative agenda was distributed to outline how CRRA will approach the legislature on various issues regarding the plan.

Regarding landfills, Mr. Kirk stated that he was hopeful that the \$3 million in bond money would be released for closure of the Shelton Landfill. Mr. Kirk stated that a conceptual agreement has been reached with the City of Hartford regarding the closure of the Hartford Landfill. The agreement allows CRRA to use the 3 to 1 slope in order to close the landfill in the preferred method.

Mr. Kirk indicated that the New Hartford case is proceeding and said that the plaintiffs have not yet rested their case. Mr. Kirk informed the Board that the case is proceeding well.

EXECUTIVE SESSION

Chairman Pace requested a motion to enter into Executive Session to discuss pending litigation, real estate acquisition and personnel matters with appropriate staff. The motion made by Director O’Brien and seconded by Director Francis was approved unanimously. Chairman Pace requested that the following people be invited to the Executive Session in addition to the Directors:

- Tom Kirk
- Jim Bolduc
- Laurie Hunt, Esq.
- William Bright, Esq. (Present until 11:20 a.m.)
- Richard Goldstein, Esq.
- Barry Zitser, Esq. (Present from 11:17 a.m. until 11:30 a.m.)

The Executive Session began at 10:26 a.m. and concluded at 12:00 p.m. Chairman Pace noted that no votes were taken in Executive Session.

The meeting was reconvened at 12:00 p.m.

RESOLUTION AUTHORIZING SETTLEMENT WITH MDC

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

RESOLVED: That the President is hereby authorized to execute a Settlement Agreement and Mutual Release and a First Amendment to Agreement with The Metropolitan District Commission, substantially on the terms presented and discussed at this meeting, and to take all actions and do all other things necessary to accomplish a settlement.

Director Cooper seconded the motion.

Director O’Brien stated that this had been discussed in Executive Session at length. Director O’Brien commended CRRA staff and attorneys for their diligence in this settlement.

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

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Michael Cassella	X		
Benson Cohn	X		
Mark Cooper	X		
James Francis	X		
Michael Jarjura	X		
Edna Karanian	X		
Mark Lauretti	X		

Theodore Martland	X		
Raymond O'Brien	X		
Timothy Griswold, Ad-Hoc Mid-Connecticut	X		
Non Eligible Voters			
NONE			

ADDITIONS TO THE AGENDA

Chairman Pace requested a motion to add two items to the agenda. Director O'Brien made a motion to add consideration of a settlement with Greenwich and a settlement with Hartford to the agenda. The motion seconded by Director Martland was approved unanimously by roll call.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Michael Cassella	X		
Benson Cohn	X		
Mark Cooper	X		
James Francis	X		
Michael Jarjura	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Non Eligible Voters			
Timothy Griswold, Ad Hoc, Mid-Connecticut			

RESOLUTION REGARDING SETTLEMENT WITH GREENWICH

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

RESOLVED: That the Board of Directors of the Authority hereby approves the settlement of the matter of Connecticut Resources Recovery Authority et al. v. Town of Greenwich substantially on the terms presented and discussed at this meeting; and

FURTHER RESOLVED: That the President of the Authority is hereby authorized to execute all documents and to do all other things necessary to accomplish the proposed settlement.

Director Francis seconded the motion.

Mr. Gaffey explained that this settlement concludes a nearly 5-year long dispute with the Town of Greenwich. The settlement recovers material that had been diverted and includes

reimbursement to CRRA and SWEROC of all legal costs. It also provides damages to CRRA for the non-compliance and requires Greenwich to come into compliance immediately.

Attorney Zitser added that the settlement is consistent with the policy of the project that all acceptable recyclables under a town’s control be brought to the intermediate processing center. Director Lauretti pointed out that this is an example of outstanding litigation that will benefit the Project.

Director O’Brien commended CRRA staff and attorneys for their diligence in this settlement. Attorney Zitser remarked that the judge hearing the case commended all parties for their civility during negotiations.

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

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Michael Cassella	X		
Benson Cohn	X		
Mark Cooper	X		
James Francis	X		
Michael Jarjura	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Non Eligible Voters			
Timothy Griswold, Ad Hoc, Mid-Connecticut			

RESOLUTION REGARDING A SETTLEMENT AGREEMENT WITH THE CITY OF HARTFORD

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

RESOLVED: That the President is hereby authorized to enter into a settlement agreement with the City of Hartford regarding closure and post-closure matters associated with the Hartford landfill, substantially as discussed and presented at this meeting, and to do all other things reasonably necessary to accomplish the proposed settlement.

Director Francis seconded the motion.

Mr. Egan informed the Board that this settlement is the result of a long-standing dispute with the City of Hartford regarding responsibility for closing and post-closure expenses at the Hartford Landfill. The settlement agreement will provide benefits to the City of Hartford and the other 69 towns in the Mid-Connecticut Project by: 1) obtaining additional air space at the

landfill; 2) seeking funds from the bond commission for closure costs; 3) position the City and CRRA in better partnership.

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

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Michael Cassella	X		
Benson Cohn	X		
Mark Cooper	X		
James Francis	X		
Michael Jarjura	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Timothy Griswold, Ad-Hoc Mid-Connecticut	X		
Non Eligible Voters			
NONE			

EXECUTIVE SESSION

Chairman Pace requested a motion to enter into Executive Session to discuss pending litigation 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 in addition to the Directors:

Tom Kirk
 Jim Bolduc
 Laurie Hunt, Esq.
 Richard Goldstein, Esq.

The Executive Session began at 12:19 p.m. and concluded at 12:55 p.m. Chairman Pace noted that no votes were taken in Executive Session.

The meeting was reconvened at 12:55 p.m.

RESOLUTION AUTHORIZING THE SETTLEMENT OF LITIGATION WITH HAWKINS, DELAFIELD & WOOD

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

WHEREAS, the Connecticut Resources Recovery Authority (the "Authority") has been duly established and constituted as a body politic and corporate, constituting a public instrumentality and political subdivision of the State of Connecticut, to carry out the

purposes of Chapter 446e of the Connecticut General Statutes, Sections 22a-257 *et seq.*, as amended (the “Enabling Legislation”);

WHEREAS, the Attorney General of the State of Connecticut, on behalf of the State of Connecticut, under the duties and supervisory power granted under Connecticut General Statutes § 3-125, and on behalf of the State of Connecticut as attorney for CRRA under the supervisory power granted under Connecticut General Statutes § 22a-268c, commenced a lawsuit captioned *Connecticut Resources Recovery Authority v. Murtha Cullina, LLP, et al.*, Docket No. (X02) CV-02-0174569-S, pending in Connecticut Superior Court in the Complex Litigation Docket at Waterbury (the “Litigation”), alleging causes of action against Hawkins, Delafield & Wood (“HDW”) for breach of contract and negligence relating to legal services HDW provided to the Authority in connection with a transaction involving the Authority, Enron Power Marketing, Inc. (“EPMI”), EPMI’s parent, Enron Corporation and Connecticut Light & Power Company relating to the Mid-Connecticut System, a Waste Processing Facility and Power Block Facility operated by the Authority (the “Mid-Connecticut Project”);

WHEREAS, the Authority wishes to avoid the burden and expense of litigation in resolving the disputes between it and HDW by settling all claims in the Litigation as to HDW in accordance with the provisions of the attached Settlement Agreement;

WHEREAS, the Board of Directors of the Authority, having reviewed the attached Settlement Agreement, and on the advice of counsel, hereby recommends that settlement of the Litigation is in the best interests of the Authority;

WHEREAS, the Authority has full power and authority to enter into and perform its obligations under the Settlement Agreement in accordance with its terms; and

WHEREAS, the execution of the Settlement Agreement and the performance of the terms therein do not violate any of the provisions of the Enabling Legislation, any other statutes of the State of Connecticut, the Authority’s Bylaws, or any governmental rule or regulation applicable to the Authority.

NOW THEREFORE BE IT:

RESOLVED, that the President of the Authority is hereby authorized and directed to execute, deliver, and perform on behalf of this Authority, the attached Settlement Agreement with HDW.

Director Martland seconded the motion.

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

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Michael Cassella	X		
Benson Cohn	X		
Michael Jarjura	X		

Edna Karanian	X		
Mark Laretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Timothy Griswold, Ad Hoc, Mid-Connecticut	X		
Non Eligible Voters			
NONE			

ADJOURNMENT

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

There being no other business to discuss, the meeting was adjourned at 12:55 p.m.

Respectfully submitted,

Kristen B. Greig
Secretary to the Board/Paralegal