

Policies & Procurement Committee
April 9, 2015
Regular Telephonic Meeting Draft Minutes

Members Present by phone: Committee Chairman John Adams
 Vice-Chairman Richard Barlow
 Ralph Eno

CRRA Staff Present: Tom Kirk, President
 Mark Daley, Chief Financial Officer
 Peter Egan, Director of Operations and Environmental Affairs
 Katha Kerr, Senior Operation Analyst
 Roger Guzowski, Contracts and Procurement Manager
 Laurie Hunt, Director of Legal Services

Also Present: John Pizzimenti, USA Hauling

Committee Chairman Adams called the meeting to order at 11:09 a.m. and noted that a quorum was present.

Committee Chairman Adams noted there were no members of the public present who wished to address the Committee and said the regular meeting would commence.

1. APPROVAL OF MINUTES OF THE MARCH 26, 2015, REGULAR TELEPHONIC MEETING

Committee Chairman Adams requested a motion to accept the minutes of the Regular March 26, 2015, Policies & Procurement Committee meeting. The motion to approve the minutes was made by Director Eno and seconded by Vice-Chairman Barlow.

The motion to approve the minutes was approved unanimously by roll call.

2. REVIEW AND RECOMMEND RESOLUTION REGARDING TIER 2 MUNICIPAL SOLID WASTE MANAGEMENT SERVICES AGREEMENT FOR THE PROVISION OF ACCEPTABLE SOLID WASTE SERVICES

Committee Chairman Adams requested a motion on the above referenced matter. The motion to approve was made by Vice-Chairman Barlow and seconded by Director Eno.

RESOLVED: The President is hereby authorized to enter into Tier 2 Two-Year Term Municipal Solid Waste Management Services Agreements (“MSAs”) for the provision of acceptable solid waste and acceptable recyclables services with Connecticut municipalities, substantially as presented and discussed at this meeting.

Mr. Kirk said this resolution will allow MIRA to offer a two year agreement on a schedule similar to MIRA's fiscal year and to also provide MIRA's customers with the options of a Tier 1 short and long term agreement.

Mr. Egan said the Central Connecticut Solid Waste Authority (hereinafter referred to as the "CCSWA") requested that MIRA develop this option. He said the CCSWA asked if MIRA would consider creating a Tier 2 contract with two years to allow the termination date to coincide with Tier 1 short terms. He said when another solicitation is done in two years the town of Manchester could then be part of that solicitation, as well as any other interested towns.

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

3. **REVIEW AND RECOMMEND RESOLUTION REGARDING INTERRUPTIBLE CONTRACT WASTE DELIVERY AGREEMENT FOR DELIVERY OF ACCEPTABLE SOLID WASTE TO THE CONNECTICUT SOLID WASTE SYSTEM**

Committee Chairman Adams requested a motion on the above referenced matter. The motion to approve was made by Vice-Chairman Barlow and seconded by Director Eno.

RESOLVED: The President is authorized to enter into a revenue contract with Murphy Road Recycling, Inc. for the delivery of Interruptible Contract Waste to the Connecticut Solid Waste System, substantially as presented and discussed at this meeting; and,

FURTHER RESOLVED: The President is authorized to enter into a revenue contract with CWPM, LLC for the delivery of Interruptible Contract Waste to the Connecticut Solid Waste System, substantially as presented and discussed at this meeting; and

FURTHER RESOLVED: The President is authorized to enter into a revenue contract with K&W Materials & Recycling, LLC for the delivery of Interruptible Contract Waste to the Connecticut Solid Waste System, substantially as presented and discussed at this meeting.

Mr. Kirk said this resolution is a result of information gathered from management's recent market based procurement effort to fill the approximately 105,000 tons of contract waste of the South Meadows capacity. He said this acceptable waste is interruptible and can be turned off if there was an outage or inability to accept the waste. Mr. Egan said turning off the waste would be done in a manner which would minimize the economic affect.

Mr. Egan said the contract with Murphy Rd. recycling has several different categories of waste at different prices. He said management is in discussions with this customer to take the bottom three categories and consolidate it all into one category to come up with a blended price which is administratively and operational wise easier for MIRA and customers to deal with. Mr. Egan said no agreement has been settled on as of yet but the Board presentation may be slightly altered when and if an agreement is reached.

Mr. Gaffey said after the meeting material was distributed CWPM and USA Hauling asked MIRA management to consider adding a 2 and 1 year term to this interruptible contract, an option management is still discussing.

Vice-Chairman Barlow asked if management has factored in the dollar per ton increase due to the dioxin tax. Mr. Kirk said the price that the private haulers pay is built from the Tier 1 agreement. He said all of MIRA's hauler towns reflect the increase as it is factored in. Mr. Egan said the solid waste assessment is paid out of these revenues. Mr. Daley said there is no pass through provision in the interruptible contracts for this additional dollar.

Mr. Egan said the write up is going to be revised for presentation to the full Board. He said in the event that the solid waste assessment does not pass the hauler agreement under this resolution will reflect the reduction of a dollar from the \$65 a ton fee.

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

4. **REVIEW AND RECOMMEND RESOLUTION REGARDING THE CONNECTICUT SOLID WASTE SYSTEM SOLID WASTE AND RECYCLABLES DELIVERY AGREEMENT (COMMERCIAL HAULER AGREEMENT)**

Committee Chairman Adams requested a motion on the above referenced matter. The motion to approve was made by Vice-Chairman Barlow and seconded by Director Eno.

RESOLVED: The President is authorized to enter into revenue contracts with commercial haulers for the delivery of Acceptable Solid Waste and Acceptable Recyclables to the Connecticut Solid Waste System, substantially as presented and discussed at this meeting.

Mr. Kirk said this resolution is for a renewal at the adjusted price which reflects the prices paid by the municipalities. He said all haulers are required to sign this routine agreement by June 30, 2015. Mr. Kirk said the 40,000 tons which are expected to be signed up meet MIRA's budget requirements however, the contribution to the future RFP is difficult to determine and the sizing of that RFP will be critical as availability of tonnage is a moving target.

Mr. Daley said three quarters of the waste under the hauler contracts is actually waste separately committed under a Tier contract. He explained the haulers working for the Tier towns are bringing in those aggregate tons under municipality service agreements. Mr. Kirk said said about 150,000 tons above what is committed by MSA's are brought in. He said in terms of total waste revenue MIRA should be on budget with some variables.

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

5. **REVIEW AND RECOMMEND RESOLUTION REGARDING SIGNATORY AUTHORITY FOR WATER POLLUTION CONTROL SUBMITTALS**

Committee Chairman Adams requested a motion on the above referenced matter. The motion to approve was made by Vice-Chairman Barlow and seconded by Director Eno.

RESOLVED: Pursuant to Conn. Gen. Stat. Section 22a-277(c) the board hereby authorizes the President to delegate to David Bodendorf, Senior Environmental Engineer, as duly authorized representative of the Authority, the authority to sign permit-required reports and

other applicable information submitted by the Authority to the Connecticut Department of Energy and Environmental Protection, in connection with water pollution control compliance and permitting programs, substantially as presented and discussed at this meeting. This delegation of authority, in the President's opinion, would be appropriate for the prompt and orderly transaction of the business of the Authority.

Mr. Kirk said this resolution adds Mr. Bodendorf as a signatory authority to expedite internal processing.

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

6. **REVIEW AND RECOMMEND RESOLUTION REGARDING ADDITIONAL PROJECTED LEGAL EXPENDITURES**

Committee Chairman Adams requested a motion on the above referenced matter. The motion was made by Vice-Chairman Barlow and seconded by Director Eno.

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

WHEREAS, the Board of Directors has previously authorized certain amounts for payment of fiscal year 2015 projected legal fees; and

WHEREAS, MIRA expects to incur greater than authorized legal expenses from one of its counsels for its arbitration with MDC;

NOW THEREFORE, it is RESOLVED: That the following additional amount be authorized for payment of projected legal fees and costs to be incurred during fiscal year 2015:

<u>Firm:</u>	<u>Amount:</u>
Kainen, Escalera & McHale	\$150,000

Ms. Hunt said the Board approved additional funds coming from the Mid-CT litigation reserve in the Fall. She explained there is still room out of that approval for this allocation. Ms. Hunt said based on work Kaienen & Escalera did recently on a brief this money is needed. She said an increase for Halloran & Sage is most likely needed as well.

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

7. **INFORMATIONAL**

Committee Chairman Adams said the Informational Section had been thoroughly reviewed and asked if there were any questions.

Vice-Chairman Barlow asked for information on the spilled jet fuel remediation under the report on vendors. Mr. Egan replied that last summer there was a release of jet fuel from one of the twin packs. He explained the 10-50 gallon release required a response from a remediation contractor and TRC was used to oversee the process as they are already involved with remediation at the site. Vice-Chairman Barlow asked for confirmation of the date the discussion of this matter took place on originally.

Committee Chairman Adams asked how many calls are made to the odor control hotline a year. Mr. Egan said roughly 12 -15, about half of which are verified. Committee Chairman Adams asked if this service could be moved in house. Mr. Kirk said no. He said MIRA's contractor goes out to the reported area and address each individual issue.

Vice-Chairman Barlow asked what the helium tank rental for American Express was for. Mr. Guzowski said the charge was used to rent a helium tank to inflate balloons used to decorate the solar panel opening.

8. ADJOURNMENT

Committee Chairman Adams requested a motion to adjourn the meeting. The motion made by Vice-Chairman Barlow and seconded by Director Eno was approved unanimously by roll call.

The meeting was adjourned at 11:30 a.m.

Respectfully submitted,

Moira Kenney
Assistant HR Manager/Board Administrator