CRRA BOARD MEETING July 28, 2011



100 Constitution Plaza • Hartford • Connecticut • 06103 • Telephone (860)757-7700 Fax (860)757-7745

MEMORANDUM

TO:

CRRA Board of Directors

FROM:

Moira Benacquista, Secretary to the Board/Paralegal

DATE:

July 21, 2011

RE:

Notice of Regular Meeting

There will be a regular meeting of the Connecticut Resources Recovery Authority Board of Directors held on Thursday, July 28, 2011, at 9:30 a.m. The meeting will be held in the Board Room of 100 Constitution Plaza Hartford, CT 06103.

Please notify this office of your attendance at (860) 757-7787 at your earliest convenience.

cc: Office of the Secretary of State

Connecticut Resources Recovery Authority Regular Board of Directors Meeting

Agenda July 28, 2011 9:30 AM

I. <u>Pledge of Allegiance</u>

II. Public Portion

A ½ hour public portion will be held and the Board will accept written testimony and allow individuals to speak for a limit of three minutes. The regular meeting will commence if there is no public input.

III. Minutes

1. <u>Board Action</u> will be sought for the Approval of the May 19, 2011, Regular Board Meeting Minutes (Attachment 1).

1.a Action Items

- 2. <u>Board Action</u> will be sought for the Approval of the June 3, 2011, Special Telephonic Board Meeting Minutes (Attachment 2).
- 3. <u>Board Action</u> will be sought for the Approval of the June 6, 2011, Emergency Telephonic Board Meeting Minutes (Attachment 3).
- 4. <u>Board Action</u> will be sought for the Approval of the July 7, 2011, Special Telephonic Board Meeting Minutes (Attachment 4).

IV. Board Committee Reports

A. Policies & Procurement Committee

- 1. <u>Board Action</u> will be sought Regarding Mid-Connecticut Resource Recovery Facility Transition Support Services Agreement (Attachment 5).
- 2. <u>Board Action</u> will be sought Regarding Ratification of Emergency Authorization for the Expenditures Related to Operation of the Garbage Museum (Attachment 6).
- 3. <u>Board Action</u> will be sought Regarding Approval of a Soil Delivery Contract (Attachment 7).
- 4. <u>Board Action</u> will be sought Regarding Approval of a Soil Delivery Contract (Attachment 8).
- 5. <u>Board Action</u> will be sought Regarding Approval of a Soil Delivery Contract (Attachment 9).
- 6. <u>Board Action</u> will be sought Regarding the Authorization of a Request for Work to Provide Labor and Equipment Services for the Operation of the Hartford Landfill (Attachment 10).

7. <u>Board Action</u> will be sought Regarding a Tier 4 MSA and a Master Coordination Agreement with the Central Connecticut Solid Waste Authority (Attachment 11).

V. <u>Chairman and President's Reports</u>

VI. Executive Session

An Executive Session will be held to discuss pending litigation, trade secrets, personnel matters, security matters, pending RFP's, and feasibility estimates and evaluations.

TAB 1

CONNECTICUT RESOURCES RECOVERY AUTHORITY

FOUR HUNDRED AND EIGHTY-SEVENTH MAY 19, 2011

A regular meeting of the Connecticut Resources Recovery Authority Board of Directors was held on Thursday, May 19, 2011, in the Board Room at CRRA Headquarters, 100 Constitution Plaza, Hartford, Connecticut. Those present were:

Directors:

Chairman Pace

Vice-Chairman Jarjura (present by telephone beginning 10:32 a.m.)

Louis Auletta (present by telephone)

Dave Damer

Timothy Griswold

Dot Kelly

Theodore Martland

Scott Slifka

Steve Edwards, Bridgeport Project Ad-Hoc Mark Tillinger, Bridgeport Project Ad-Hoc Bob Painter, Mid-Connecticut Project Ad-Hoc

Present from CRRA:

Tom Kirk, President
Jim Bolduc, Chief Financial Officer
Jeff Duvall, Manager of Budgets and Forecasting
Peter Egan, Director of Operations and Environmental Affairs
Tom Gaffey, Director of Recycling
Laurie Hunt, Director of Legal Services
Sotoria Montanari, Education Supervisor
Paul Nonnenmacher, Director of Public Affairs
Marianne Carcio, Executive Assistant
Moira Benacquista, Board Secretary/Paralegal

Also present were: John Pizzimenti of USA Hauling & Recycling; Jim Sandler, Esq., Sandler & Mara, and Cheryl Thibeault of Covanta Energy.

Chairman Pace called the meeting to order at 9:32 a.m. and said that a quorum was present.

PLEDGE OF ALLEGIANCE

Chairman Pace requested that everyone stand for the Pledge of Allegiance, whereupon the Pledge of Allegiance was recited.

PUBLIC PORTION

Chairman Pace introduced Director Slifka, Mayor of West Hartford, to the Board and management.

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. As there were no members of the public which cared to comment Chairman Pace proceeded with the agenda.

APPROVAL OF THE MINUTES OF THE APRIL 21, 2011, REGULAR BOARD MEETING

Chairman Pace requested a motion to approve the minutes of the April 21, 2011, Regular Board Meeting. Director Martland made a motion to approve the minutes, which was seconded by Director Damer.

The motion to approve the minutes was approved by roll call. Chairman Pace, Director Auletta, Director Damer, Director Edwards, Director Griswold, Director Kelly, Director Martland, and Director Painter voted yes. Director Slifka and Director Tillinger abstained.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Louis Auletta	X		
Dave Damer	X .		
Timothy Griswold	X		
Dot Kelly	X		
Theodore Martland	Х		
Scott Slifka			Х
Ad-Hocs			
Steve Edwards, Bridgeport	X		
Mark Tillinger, Bridgeport			Х
Bob Painter, Mid-Connecticut	Х		

<u>APPROVAL OF THE AMENDED JAN. 27, 2011, SPECIAL TELEPHONIC BOARD MEETING</u> MINUTES

Chairman Pace requested a motion to approve the amended Jan. 27, 2011, special telephonic Board meeting minutes. Director Martland made a motion to approve the minutes, which was seconded by Director Damer.

The motion to approve the minutes was approved by roll call. Chairman Pace, Director Auletta, Director Damer, Director Griswold, Director Kelly, Director Martland, and Director Painter voted yes. Director Edwards, Director Slifka and Director Tillinger abstained.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Louis Auletta	X		
Dave Damer	Х		
Timothy Griswold	Х		
Dot Kelly	Х		
Theodore Martland	X		
Scott Slifka			Х
Ad-Hocs			
Steve Edwards, Bridgeport			Х
Mark Tillinger, Bridgeport			Х
Bob Painter, Mid-Connecticut	X		

MOTION TO TABLE THE RESOLUTION REGARDING APPROVAL OF THE STRATFORD GARBAGE MUSEUM BUDGET

Chairman Pace requested a motion to table the above referenced item. Director Martland made a motion to table the following resolution:

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

WHEREAS, the recycling component of the former Bridgeport Project located in Stratford, Connecticut survived the Bridgeport Project under the auspices of the Connecticut Resources Recovery Authority (the "Authority") and the Southwest Connecticut Regional Recycling Operating Committee, ("SWEROC"); and

WHEREAS, SWEROC has agreed to administer the regional education and promotional programs related to recycling for the southwest area towns; and

WHEREAS, SWEROC administered the regional education and promotional programs through the Garbage Museum located at 1410 Honeyspot Road Extension, Stratford, Connecticut; and

WHEREAS, due to a reduction in recycling revenues, in June 2009 SWEROC was financially unable to continue funding the Garbage Museum's activities; and

WHEREAS, the Garbage Museum was able to maintain its activities utilizing its operating account established through grants, donations, admissions, and a \$100,000 contribution from SWEROC; and

WHEREAS, routine building related expenses were deferred on the structure located in Stratford were the Garbage Museum resides; and

WHEREAS, the Garbage Museum's operating account is estimated to have a balance of approximately \$67,000 on July 1, 2011; and

WHEREAS, in Fiscal Year 2012 the Garbage Museum would need to receive an estimated \$233,000 in net receipts from grants in addition to expending all of the funds in its operating account; and

WHEREAS, due to its financial status, Management recommends that the Garbage Museum be closed in Fiscal Year 2012.

NOW, THEREFORE, it is

RESOLVED: that the President is hereby authorized to promptly discontinue operation of the Garbage Museum in Fiscal Year 2012 and to take all actions necessary to properly close this facility; and

FURTHER RESOLVED: that Management develops a facility plan for the property located at 1410 Honeyspot Road Extension, Stratford, Connecticut.

Director Griswold seconded the motion to table this resolution.

Director Martland asked that this motion be tabled in order to give the educational organizations of the towns which utilize the museum further consideration on the impact its closure may have.

Chairman Pace said the Board's efforts to secure continued funding for this museum have been ongoing for quite some time. He said the Southwestern towns have not provided the funding needed and the museum has been running on donations and grants for the last year. Chairman Pace said education is an important component of CRRA's goals, and providing that outreach through children is an excellent way to achieve that goal.

Chairman Pace said he would like letters sent to the superintendents of schools, and the Chief Elected Officials of the Southwest Connecticut Regional Recycling Operating Committee (hereinafter referred to as "SWEROC") member towns' asking for additional funding to support the museum. He said he would like to make it clear what the ramifications of closing the museum are. He said the CRRA Board is not discontinuing the museum.

Director Edwards said letters should be sent to the entire community. He said SWEROC used to be compromised of roughly nineteen towns and is now down to ten towns. Director Edwards said the SWEROC project towns represent only 64% of the museum participants. He said the ten towns which are still part of SWEROC are very much in support of the museum but do not feel it is appropriate they should have to support other non-member towns which take advantage of the museum financially. Director Edwards said SWEROC is certainly supporting the museum the best they can.

Director Edwards suggested the museum budget be reviewed. He said the facility, building, structure and grounds are a CRRA asset and should be in a property division similar to the landfill. Director Edwards said the museum should not be paying for the electricity and the roof. He said the museum's budget should be similar to the \$264,000 for the year prior. Director Edwards said asking the museum to come up with \$342,000 is too much of a burden. He suggested taking a more realistic view at the budget and exploring renting out the space in the museum.

Director Tillinger asked if the appropriate level of marketing facts; such as schools participating, the number of visitors, types of programs, etc. has been compiled. Ms. Montanari replied yes. She said

the museum has data on all the towns which visit the museum to participate. She said there are some school districts which use the museum as components of their critical curriculum such as Stratford and Milford and many school districts which participate in the program are non-project towns. Ms. Montanari said for the past two years there has been a two tired structure fee and in September one fee for all towns and schools which participate will be enacted. She said management can certainly reevaluate attempting to secure additional sponsorships form the schools which visit.

Director Damer stated that the Supplemental Information Package contains data on each of the museums in terms of attendance and numbers for the month and year to date. He said CRRA has an obligation to implement the Solid Waste Management Plan for the state of Connecticut, much of which rests on the getting recycling numbers up to incredibly high numbers. Director Damer said there is no funding mechanism to take care of State wide education to improve those numbers. He said he does not know how CRRA is supposed to provide recycling education without a funding mechanism.

Director Kelly said there are many new people at the Connecticut Department of Environmental Protection (hereinafter referred to as the CT DEP) who may be approached. She said increasing recycling numbers makes economic sense for the State of Connecticut. Director Kelly said although it may be costly to fund this endeavor the end result is an overall economic benefit for the State.

Chairman Pace said if this motion to table should pass he will take this as a consensus from the Board that management will send a letter to SWEROC, the CEO's, superintendents, and all of the towns to advise them of the Board's position and request financial assistance.

Director Tillinger said it is important that this letter is bolstered with statistics and testimonies from the superintendents as well as information on the economic long-term benefit. Director Edwards said the member town's budgets are already set. He suggested asking the Solid Waste Advisory Board (hereinafter referred to as "SWAB") member towns to provide a portion of those funds they are receiving back from the project closure to the museum.

Chairman Pace said this decision will need to be made in June at the latest. Mr. Kirk said the educational initiative is the most important public relations vehicle that CRRA has. He said it is an effective way for CRRA to build its brand and is an important and valuable asset for CRRA. Mr. Kirk said complicating this issue is the fact that management was unable to capitalize the recycling facility. He said Fairfield County Recycling (hereinafter referred to as "FCR") was sharing a lot of the costs for maintaining the facility. Mr. Kirk explained with the facility serving as a transfer station going forward, more of those costs fell on the museum. Mr. Kirk said there is no other way to subsidize those costs from the Mid-Connecticut towns. He said a letter and further efforts will be undertaken by management per the direction of the Board.

The motion to table the above referenced item was approved by unanimously roll call. Chairman Pace, Director Auletta, Director Damer, Director Edwards, Director Griswold, Director Kelly, Director Martland, Director Painter, Director Slifka, and Director Tillinger voted yes.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Louis Auletta	Х		
Dave Damer	Х		
Timothy Griswold	X		
Dot Kelly	X		
Theodore Martland	X		
Scott Slifka	X		
Ad-Hocs			
Steve Edwards, Bridgeport	X		
Mark Tillinger, Bridgeport	X		
Bob Painter, Mid-Connecticut	X		

RESOLUTION REGARDING APPROVAL OF THE RECYCLING DIVISION BUDGET

Chairman Pace requested a motion regarding the above-captioned item. The motion was made by Director Martland and seconded by Director Griswold.

WHEREAS, the Connecticut Resources Recovery Authority (the "Authority") created the Property Division in fiscal year 2009 for the purposes of consolidating the residual assets and accounts necessary following the expiration of the projects for continued activities that are the responsibility of the Authority including, but not limited to, landfill closure and recycling in order to avoid comingling with other on-going project funds; and

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

WHEREAS, the recycling component of the former Bridgeport Project located in Stratford, Connecticut survived the Bridgeport Project under the auspices of the Authority, the Southwest Connecticut Regional Recycling Operating Committee, ("SWEROC"), and by the operation of FCR; and

WHEREAS, included in the Property Division is a fund called the Stratford Recycling Capital Reserve and an operating account with approximately \$130,000 in unused prior year recycling operating surpluses; and

WHEREAS, the contract with FCR will terminate on June 30, 2011; and

WHEREAS, the facility in Stratford will cease to function as an Intermediate Processing Center ("IPC") recycling facility on June 30, 2011 and instead operate as a recycling transfer station; and

WHEREAS, Management has created a new division called the Recycling Division, which is segmented into a South Unit for the Stratford recycling activity and a North Unit for the future Mid-Conn recycling activity to better classify the overall recycling operations.

NOW, THEREFORE, it is

RESOLVED: that the Board adopt the Recycling Division Budget substantially as presented at this meeting; and

FURTHER RESOLVED: that the full amount of the Stratford Capital Recycling Reserve currently classified within the Property Division be reclassified to the Recycling Division, South Unit; and

FURTHER RESOLVED: that any unused surplus funds resulting from the operation of the Stratford IPC that are currently classified within the Property Division be reclassified to the Recycling Division, South Unit; and

FURTHER RESOLVED: that amounts in the Stratford Capital Recycling Reserve and the amounts of unused surpluses be available for any cash deficiencies within the Recycling Division's South Unit.

Mr. Bolduc said the Stratford facility is transitioning from dual stream to a transfer station for single stream recycling up to the Mid-Conn facility. He said for the purpose of keeping the accounting straight the budget is based on management's understanding of the legal contract being drafted.

Mr. Bolduc said the history behind this process is provided on page one of the write up. He said there are four resolves in the resolution, the first specifying "the Board adopt the Recycling Division budget". Mr. Bolduc explained that like the SCRRRA budget the CRRA Board will adopt the budget which the SWEROC Board approves it.

Mr. Bolduc said the next resolve details moving those funds from the holding place in the property division to the recycling division. He explained the recycling division is being set up as two separate divisions for when the new MSA's are signed by the Mid-Conn towns which does not include the Trash museum or recycling single stream facility in Hartford, and only relates to MSW.

Mr. Bolduc said there are several significant items which will take place here; he said the first is that the full amount of the Stratford Capital Recycling Reserve classified within the property division will be re-classified to this division. Mr. Bolduc said this reserve totals about \$700,000 disposition of the dollars are subject to the concurrence of the CRRA Board and SWEROC.

Mr. Bolduc said the third resolve provides management the ability to move "any unused surplus funds resulting from the operation of the Stratford IPC that are currently classified within the Property Division be reclassified to the Recycling Division, South Unit".

Mr. Bolduc said the fourth resolve is very important. He explained it stipulates any cash deficiencies in running the operation will come out of the reserve and Stratford Capital Recycling Reserve. Mr. Bolduc said there is no other source of funds and any deficiencies must come out of there. He said the budget is based on the assumption of so many tons being delivered, anticipates 22,700 tons of recycling material, a contract to haul that recycling from Stratford up to Hartford at \$11.88, and certain recycling centers and the use of those revenues.

Mr. Bolduc said this is a break-even budget which anticipates using a onetime distribution out of \$127,000 out of the prior surplus. Mr. Bolduc said it also assumes at least \$56,000 from the Stratford Capital Reserve will be needed to make this work. He said another footnote concerns the \$120,000 pilot

payment FCR pays to Stratford for the entire facility, which now is reflected as only \$13,000. Mr. Bolduc said this payment must be renegotiated with Stratford.

Chairman Pace asked Mr. Bolduc for a more in depth explanation on the last whereas. Mr. Bolduc said projects by definition come to closure based on the bonds; however that does not mean activities end. He said CRRA has a presence in many projects and the character of that involvement has changed from fixed assets ownership to operating leases and other agreements. He said there are many activities which will continue, for example, the landfill closure activities will carry on for up to the next 30 years and will be funded out of the landfill post-closure reserves.

Director Damer asked if the future Mid-Conn recycling activity referred to in the resolution represents current Mid-Conn activities which will be moved post MSA's. He noted on pg. 4 the table should indicate FY'11 and FY'12 and incorrectly refers to FY'10 and FY'11. Mr. Bolduc said he was correct on both counts.

Director Edwards said there is a SWEROC meeting on June 8, 2011. He said SWEROC has already reviewed and approved the agreement before the Board at two subsequent meetings and will be providing a final review and approval in June. Director Edwards said in addition to the \$56,000 out of the designated reserve surplus from this year's budget an additional \$75,000 -\$76,000 will be used. He said it is likely the \$700,000 reserve will not need to be utilized and will stay intact which SWEROC is pleased with. Director Edwards said management's numbers are conservative and the SWEROC Committee is pleased and comfortable with this agreement.

Mr. Kirk said if management sees the kind of performance and increases in recycling which has accompanied other single stream recycling roll-offs no issues are likely. Director Martland asked if the predicted tonnage includes commercial deliveries. Mr. Kirk replied no. He said SWEROC is open to commercial and with a zero tip fee management expects to see some commercial come in.

Director Kelly asked what management and the SWEROC project intend to do to maximize recycling when the single stream project is rolled out. Mr. Kirk said the primary responsibility for recycling marketing belongs to the member towns. Director Edwards said the SWEROC project has worked with Ms. Montanari and the museum to look into brochures, pamphlets and information. He said each town will mail out individual pamphlets of information with their tax bills, he said in addition a tie in to the website with games will be done as well. Director Edwards said CRRA management is also providing information through radio stations which the project will benefit from.

Mr. Gaffey said Mayor Finch of Bridgeport has been extremely involved and committed to the single stream roll-out. He said a door-to door citizen group has been providing information and the Mayor is very excited by the prospect of turning Bridgeport recycling around.

The motion was approved by roll call. Chairman Pace, Director Auletta, Director Damer, Director Edwards, Director Griswold, Director Kelly, Director Martland, and Director Tillinger voted yes. Director Slifka and Director Painter abstained.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Louis Auletta	Х		
Dave Damer	Х		
Timothy Griswold	Х		
Dot Kelly	Х		
Theodore Martland	X		
Scott Slifka			Х
Ad-Hocs			
Steve Edwards, Bridgeport	Х		
Mark Tillinger, Bridgeport	X		
Bob Painter, Mid-Connecticut			Х

RESOLUTION REGARDING APPROVAL OF THE PROPERTY DIVISION BUDGETS

Chairman Pace requested a motion regarding the above-captioned item. The motion was made by Director Martland and seconded by Director Griswold.

RESOLVED: That the fiscal year 2012 Property Division Operating budget totaling \$1,813,000.00 be adopted as presented at this meeting.

Mr. Bolduc said as the various historical entities reach certain milestones many activities remain that must take place in the future. He said a Property Division was created to be a holding spot for various items such as the 25,000 tons of capacity at Wallingford, lease arrangements with the Bridgeport facilities and the associated costs. Mr. Bolduc said this division is proposed to house those revenue receipts and the expenses which accompany them.

Mr. Bolduc said the budget does absorb some of the overhead and serves as a catch-all for what is remaining as these projects come to fruition.

Chairman Pace asked the Board to please review the footnotes. He said although insurance has gone down, some of these minor dollars have been reassigned.

The motion was approved by roll call. Chairman Pace, Director Auletta, Director Damer, Director Griswold, Director Kelly, Director Martland voted yes. Director Edwards, Director Painter, Director Slifka, and Director Tillinger abstained.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Louis Auletta	Х		
Dave Damer	X		
Timothy Griswold	X		
Dot Kelly	Х		
Theodore Martland	Х		
Scott Slifka			Х
Ad-Hocs			
Steve Edwards, Bridgeport			Х
Mark Tillinger, Bridgeport			Х
Bob Painter, Mid-Connecticut			Х

BREAK

Chairman Pace requested a short break at 10:30 a.m. The meeting resumed at 10:38 a.m.

RESOLUTION REGARDING APPROVAL OF THE WALLINGFORD LANDFILL POST CLOSURE TRUST

Chairman Pace requested a motion regarding the above-captioned item. Director Martland made the following motion:

WHEREAS, on February 17, 1994 the Connecticut Resources Recovery Authority's (the "Authority") Board of Directors (the "Board") approved a resolution adopting the fiscal year 1995 Wallingford budget, which included the funding of \$50,000 to the Wallingford Landfill Postclosure Reserve; and

WHEREAS, each succeeding fiscal year's adopted budget included contributions to the Wallingford Landfill Postclosure Reserve in order to provide sufficient funds for monitoring and maintenance of the landfill for thirty years such that as of April 30, 2011 the balance reported by STIF in the Wallingford Landfill Postclosure Reserve was \$7,430,248.11 (broken down as \$1,680,400 for fiscal year 2013-2020 GASB 18 expenditures, \$2,964,514 for fiscal year 2021-2035 GASB 18 expenditures and \$2,785,334 for fiscal year 2011-2035 non-GASB 18 expenditures); and

WHEREAS, due to a change in the Permit for the Wallingford Landfill, a new financial assurance mechanism must be in place by June 30, 2011; and

WHEREAS, the Authority reviewed all options available and has determined that a Post-Closure Trust Fund, as the mechanism to demonstrate financial assurance, is the least cost alternative; and

WHEREAS, The Connecticut Department of Environmental Protections ("CTDEP") requires that funding equal to the post-closure cost estimate through the end of fiscal year 2020 be placed in a Post-Closure Trust Fund; and

WHEREAS, Management approached the CTDEP and received written approval to transfer a portion of the funds currently in the Wallingford Landfill Postclosure STIF Reserve funds into a new trust to satisfy the financial assurance mechanism.

NOW, THEREFORE, it is

RESOLVED: That \$1,680,400 of funds in the Wallingford Landfill Postclosure STIF Reserve, as approved by the CTDEP, be transferred to U.S. Bank for deposit in a trust fund used to demonstrate financial assurance; and

FURTHER RESOLVED: That the President is authorized to execute a Trust Agreement and associated letter agreement with U.S. Bank, which agreements are associated with the trust fund; and

FURTHER RESOLVED: That the remaining funds in the Wallingford Landfill Postclosure Reserve continue to be maintained in this reserve account to be used only for activities associated with post-closure care and maintenance obligations at the Wallingford Landfill for the remaining years of post-closure activity scheduled through fiscal year 2035.

The motion was seconded by Director Griswold.

Chairman Pace said for the record that this is Mayor Slifka's first meeting and the discussion and explanation will be as in-depth and comprehensive as needed to ensure his comfort with the subject matter.

Mr. Bolduc said separate post-closure reserves and STIF accounts were created for Shelton, Wallingford, and Waterbury under the landfill divisions. He said in the case of Wallingford, there is a specific area of a small hazardous waste cell which is governed by hazardous cell rules according to the CT DEP. Mr. Bolduc said the CT DEP provided requirements to management, specifically, that the funds to take care of that site are set-up in a more restrictive manner. He said funds for the post-closure reserves for the next 20-30 years are unrestricted and Board designated and CRRA files those budgets each year with the CT DEP in addition to governing by GASB 18 requirements and financial assurance tests which are made to the State.

Mr. Bolduc said the CT DEP is requiring a \$7 million fund in a trust in the post-closure reserve. He said about \$1.7 million is broken out and required for GASB 18 requirements. He said this resolution allows for management to move ahead and establish a trust at U.S. Bank and the terms of the trust will be governed by the CT DEP. Chairman Pace asked how this information will be transmitted to the necessary parties. Mr. Bolduc said this information will be communicated to the Wallingford Policy Board. He said the funds and responsibility are now CRRA's. Mr. Egan added that Doreen Zaback, secretary to the Wallingford Advisory Board will be copied on all the correspondence and trust fund for her records.

Chairman Pace said he wanted this information conveyed to the Chief Elected Officials as well. Mr. Bolduc said these assets and liabilities are CRRA's. Director Damer asked what it costs CRRA to move the \$1.7 million from the reserve to a trust. Mr. Bolduc said the effect is minimal and totals around \$1,500. Mr. Egan said that expense was budgeted for in the post-closure cost estimate.

The motion was approved by roll call. Chairman Pace, Vice-Chairman Jarjura, Director Auletta, Director Damer, Director Griswold, Director Kelly, Director Martland and Director Slifka voted yes. Director Edwards, Director Painter, and Director Tillinger abstained.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	Х		
Vice-Chairman Jarjura	X		
Louis Auletta	X		
Dave Damer	X		
Timothy Griswold	Х		
Dot Kelly	X		
Theodore Martland	Х		
Scott Slifka	X		
Ad-Hocs			
Steve Edwards, Bridgeport			Х
Mark Tillinger, Bridgeport			Х
Bob Painter, Mid-Connecticut			Х

RESOLUTION REGARDING APPROVAL OF A LEGAL SERVICES AGREEMENT WITH COHN BIRNBAUM & SHEA

Chairman Pace requested a motion regarding the above-captioned item. Director Damer made the following motion:

RESOLVED: That the President is hereby authorized to enter into a contract with Cohn Birnbaum & Shea for legal services, substantially as discussed and presented at this meeting.

The motion was seconded by Director Kelly.

Director Damer said the month prior the Policies & Procurement Committee had gone through the RFQ process of selecting legal firms to place in CRRA's legal stable. He said due to an administrative oversight on the part of Cohn Birnbaum & Shea (hereinafter referred to as "CBS") a response to the RFQ was not received and the firm was not added to the selection. Director Damer said CBS has been providing legal services specifically for transfer acts and remediation activities at South Meadows and transfer act matters at Wallingford. He explained CRRA would like to continue utilizing CBS and this resolution is for a legal services agreement specifically for these matters only. Director Damer said this agreement is specifically for this matter and nothing else and CBS will not be part of the stable.

Director Kelly said she had made the point during the Committee meeting, that although there is a stable of lawyers an additional firm can be used for another purpose in accordance with CRRA's policies and procedures. She noted the last sentence, which states CBS "will not provide legal services for any other legal matters during the term of this agreement" unless a separate RFP process is used. Chairman Pace said that was correct, he said using the firm for any other matter would require Board approval.

Mr. Kirk said it would be costly to bring another firm up to speed and this procedure allows CRRA to retain CBS's expertise on these matters. Mr. Kirk said the firm is at a disadvantage as Ms. Hunt cannot use them for another matter.

Director Slifka asked if another firm was placed in the stable to arguably do the same work which CBS may have done. Mr. Kirk explained though CBS did not participate and will not be included in the Environmental stable there are three other firms which will serve in that capacity. He said there is not a new environmental lawyer because of the lack of participation, but there is one less environmental law firm. Director Slifka asked if he was correct in stating the difference between CBS and the other environmental lawyers in the stable is that the other firms can be referred to as needed for other matters and CBS is limited to these matters only. Chairman Pace agreed.

Director Martland noted that just because a law firm is in the stable, that is not an assurance of any work.

The motion was approved by roll call. Chairman Pace, Vice-Chairman Jarjura, Director Auletta, Director Damer, Director Griswold, Director Kelly, Director Martland and Director Slifka voted yes. Director Edwards, Director Painter, and Director Tillinger abstained.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Vice-Chairman Jarjura	X		
Louis Auletta	X		
Dave Damer	X		
Timothy Griswold	Х		
Dot Kelly	Х		
Theodore Martland	Х		
Scott Slifka	X		
Ad-Hocs			
Steve Edwards, Bridgeport			Х
Mark Tillinger, Bridgeport			Х
Bob Painter, Mid-Connecticut			X

RESOLUTION REGARDING APPROVAL OF RESOLUTION FOR THE CITY OF WATERBURY RELOADING AREA WASTE TRANSPORTATION AND DISPOSAL SERVICES

Chairman Pace requested a motion regarding the above-captioned item. Director Damer made the following motion:

RESOLVED: That the Board of Directors herby authorizes the President to enter into an agreement with CWPM, LLC for City of Waterbury Reloading Area Waste transportation and Disposal Services, substantially as presented and discussed at this meeting.

The motion was seconded by Director Kelly.

Mr. Kirk said this resolution details an agreement for the transport of bulky waste to Waterbury. He said CRRA has a responsibility to provide transportation of bulky waste which is unique to the City of Waterbury. He said this agreement is unusual and is a remnant of a contract which was written 25 years ago. Mr. Kirk said before the Board is the contract for providing the disposal services. He said although this was bid out, ultimately only one bidder, the incumbent CWPM, responded. He said management feels this response is fair and reasonable. Mr. Kirk said this is not a Waterbury issue as the requirement and commitment to handle the transportation of this bulky waste is part of the original MSA and is not under consideration today, only the contractor which will provide those services.

Director Griswold said he does not feel the write-up makes it clear that there is not a recovery of the costs. Chairman Pace asked him to refer to the budget status. Director Griswold said he believes it should be reinforced that this is an out of pocket expense. Mr. Kirk said CRRA does pay the transportation costs to get the bulky waste to the Mid-Conn facility.

Mr. Egan said this is a cost to the Mid-Conn project which is socialized within the tip fee. He said when the City of Waterbury was invited into the project in the mid 1990's this additional benefit whereby CRRA pays the transportation for Waterbury's large non-processible items to a disposal facility was negotiated. Mr. Egan said the contractual obligation is in the MSA's until the expiration in June 30, 2013. He said this is a cost to the project, however the City of Waterbury is billed for the disposal costs and if the non-processible comes to the waste processing facility in Hartford the cost is \$85.00 a ton. Mr. Egan said if the material cannot be brought to the WPF in Hartford, CRRA's contractor brings the material to another facility at a cost of \$84. He said in this case there is a \$1.00 net to the CRRA's Mid-Conn project.

Chairman Pace said over those 25 years there were some unique twist to the MSA's as towns came into the project. Mr. Kirk said there are a number of towns which enjoy a subsidy of roughly \$2.00 a ton, most likely because there were originally plans for a transfer station in Farmington Valley which was ultimately not built. He said in lieu a discount on the tipping fee was offered to help pay transportation costs to Hartford. Mr. Kirk said management is not planning on continuing these arrangements and the costs will be the same universally.

Director Kelly asked why management is comfortable with receiving only one bid response. Mr. Kirk said management's comfort derives from its assurance that CWPM has provided fair and reasonable costs to run the bulky waste. He said there was no indication of inappropriate activity.

The motion was approved by roll call. Chairman Pace, Vice-Chairman Jarjura, Director Auletta, Director Damer, Director Griswold, Director Kelly, Director Martland, Director Painter, and Director Slifka voted yes. Director Edwards and Director Tillinger abstained.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Vice-Chairman Jarjura	Х		
Louis Auletta	Х		
Dave Damer	X		
Timothy Griswold	X		
Dot Kelly	Х		
Theodore Martland	Х		
Scott Slifka	X		
Ad-Hocs			
Steve Edwards, Bridgeport			Х
Mark Tillinger, Bridgeport			Х
Bob Painter, Mid-Connecticut	X		

RESOLUTION REGARDING APPROVAL OF AN RESOLUTION REGARDING TRANSFER STATION OPERATION, TRANSPORT SERVICES AND DISPOSAL OF RECYCLABLE MATERIALS

Chairman Pace requested a motion regarding the above-captioned item. Director Damer made the following motion:

RESOLVED: That the President is hereby authorized to enter into an agreement with City Carting, Inc. for Operation, Maintenance and Transportation Services for the Stratford Intermediate Processing Center, substantially in the form presented and discussed at this meeting.

The motion was seconded by Director Kelly.

Director Damer said this resolution details a modification of the Stratford recycling facility into a transfer station for single stream items to go to Hartford. He said in addition it authorizes an agreement with City Carting to run the recycling center and haul the recycling materials to the Mid-Conn facility. Director Damer said the Board will also vote on an agreement with SWEROC to operate the facility in this manner.

Chairman Pace said under contract value the estimated costs vary from \$480,000 - \$600,000. Director Damer said because of the uncertainty with regards to how many tons will be taken a sensitivity analysis was run by CRRA management. He explained City Carting was the lowest in all categories.

Director Martland asked if FCR did not understand the bid, or was not interested. Mr. Kirk said that FCR is the incumbent operator of the facility. He explained as trucking is not its primary business this most likely affected the bid. He said City Carting and Enviro are waste trucking firms and have the equipment needed.

Director Griswold asked who pays the delivery fee. Mr. Kirk replied the delivery fee will be paid out of the SWEROC recycling project's revenues. He said depending on the amount of tons a contribution from the SWEROC capital reserve may also be needed. Mr. Kirk said CRRA and related

projects are insulated from contributing to those costs. He said given the surplus which is being run this year it is unlikely that an additional contribution will be needed.

Director Kelly asked if the \$17.00 a ton will be looked at on an annual basis. She said it is her understanding from the conversation that if the plant is filled up the processing costs may decrease, or on the other hand they may increase. Mr. Kirk clarified that the \$17.00 is a revenue stream. Mr. Gaffey said CRRA is paid two ways through this contract, once for every ton that comes over the scale, currently the average is \$17.00 (which can go up to \$19.00), and secondly CRRA receives a 50% commodity revenue from what is sold on the market. Mr. Kirk said these revenue streams average out to about \$26.00 a ton.

The motion was approved by roll call. Chairman Pace, Vice-Chairman Jarjura, Director Auletta, Director Damer, Director Edwards, Director Griswold, Director Kelly, Director Martland, Director Slifka, and Director Tillinger voted yes. Director Painter abstained.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Vice-Chairman Jarjura	X		
Louis Auletta	X		
Dave Damer	X		
Timothy Griswold	Х		
Dot Kelly	X		
Theodore Martland	Х		
Scott Slifka	X		
Ad-Hocs			
Steve Edwards, Bridgeport	X		
Mark Tillinger, Bridgeport	Х		
Bob Painter, Mid-Connecticut			Х

RESOLUTION REGARDING APPROVAL OF AN AGREEMENT BETWEEN CRRA AND SWEROC FOR OPERATION AT THE STRATFORD INTERMEDIATE PROCESSING CENTER

Chairman Pace requested a motion regarding the above-captioned item. Director Damer made the following motion:

RESOLVED: That the Board of Directors authorizes the President to enter into an agreement with the Southwest Connecticut Regional Recycling Operating Committee (SWEROC) for the operation of the Stratford Intermediate Processing Center as an Acceptable Recyclables transfer station and for the transportation and disposal of Acceptable Recyclables, substantially as presented and discussed at this meeting.

The motion was seconded by Director Martland.

Director Damer said this resolution details the agreement with SWEROC. Director Edwards said the SWEROC Board discussed this issue at the last two meetings and is in support of this item.

Director Griswold asked if there is an enforcement mechanism in place to ensure the deliveries of the recycling materials. Mr. Kirk replied yes. He said the recycling is enforced by the municipal recycling officers. Mr. Kirk said there is less of an issue with a zero tip fee in place. He said the enforcement staff is available, and has a certain number of assets budgeted to manage both the MSW enforcement and the recycling enforcement.

Director Edwards said cherry-picking of the materials will be reduced by the conversion to single stream as the material is difficult to separate after it has been co-mingled.

The motion was approved by roll call. Chairman Pace, Vice-Chairman Jarjura, Director Auletta, Director Damer, Director Edwards, Director Griswold, Director Kelly, Director Martland, Director Slifka, and Director Tillinger voted yes. Director Painter abstained.

Directors	Aye	Nay	Abstain
·			·
Michael Pace, Chairman	Х		
Vice-Chairman Jarjura	Х		
Louis Auletta	Х		
Dave Damer	X		
Timothy Griswold	Х		
Dot Kelly	Х		
Theodore Martland	X		
Scott Slifka	X		
Ad-Hocs			
Steve Edwards, Bridgeport	Х		
Mark Tillinger, Bridgeport	Х		
Bob Painter, Mid-Connecticut			Х

ORGANIZATIONAL SYNERGY & HUMAN RESOURCES REPORT

Vice-Chairman Jarjura said the Committee had discussed many issues concerning the future of the Stratford Museum. Chairman Pace said that Stratford Museum budget was tabled with a caveat that a letter to the Chief Elected Officials of Southern member towns and Superintendents of schools will be sent out advising them of the condition, projected costs needed, and to hopefully provide statistics of use in an effort to gain support to help fund the museums. Vice-Chairman Jarjura agreed that this was an excellent approach.

Director Griswold asked if management had to be cognizant of time lines for any potential issues if the museum were to close. Mr. Kirk replied yes. He said the part-time employees are entitled to three months' notice, the full time employees six months' notice according to CRRA's procedures. Mr. Kirk said if the museum had to consolidate there will be issues which will need to be dealt with.

Vice-Chairman Jarjura said the OS & HR Committee had also discussed the future of the assets and exhibits which are owned by SWEROC. Director Edwards said that SWEROC was aware of this and would address those issues down the line.

PRESIDENTS REPORT

Mr. Kirk said tonnage deliveries across the project are still below historical averages due to a sluggish economy. He said that all projects across the board are down 8-10%. Mr. Kirk said electric generation reflects that reduction and is down from the prior year with the exception of Southeast which is slightly higher but similar to the prior fiscal year.

Mr. Kirk said single stream facilities are up about 9% in recyclables and the dual stream facilities reflect about the same sluggish performance that the MSW numbers suggest. He said the value of single stream in both unit participation and menu expansion is evident.

Mr. Kirk said there is a very modest Southeast surplus projected of about \$482,000 and an even smaller surplus of about \$474,000 for the Mid-conn facility which will be adjusted by the actuals from one of the facilities contractor and will hopefully be closer to \$1 million.

Mr. Kirk said the general fund is on target and the Southwest IPC is running about a \$73,000 projected surplus. He said all other divisions are performing on or near budget.

Mr. Kirk said the Mid-Conn future issues are on schedule. He said management is working closely with the Mid-Conn facility contractor NEAS towards the December 31, 2011, start date. Mr. Kirk said MSA's from the member towns continue to be returned and management is available for meetings with their legislative bodies. He said roughly 68% of the plant is now filled and management is confident the goal of 710,000 tons will be met.

Mr. Kirk said SB 1167 is still on the calendar and still of great concern to CRRA. He said 68 of the 70 towns which would be affected are on the record as being opposed. Mr. Kirk said CCM voted unanimously in support of CRRA's position against the bill. He said Senator Fonfara, the bill's sponsor attended the MAC Committee meeting and explained his motivation to the 36 towns in attendance. Mr. Kirk said he would characterize the meeting as informative and felt Senator Fonfara was less than convincing in efforts to gain support for the bill.

Mr. Kirk said that members of the MAC Governance Committee are meeting with Senator Fonfara on Friday to find some kind of accommodations which meets the Senator's desires and the interest of the towns.

Mr. Kirk said the lawsuit with MDC regarding the RFP continues and has been delayed due to scheduling issues by several parties.

CHAIRMAN'S REPORT

Chairman Pace said he received a letter from the Southeast region thanking CRRA for assisting them with a \$27 million refunding of their bonds, which included several nice comments about the staff, in particular appreciation for Mr. Bolduc and Ms. Ferguson.

Chairman Pace said emphasis on SB 1167 is important for the member towns' interest and not just for individual or individual entities interests. He noted editorials from newspapers have been in support of CRRA's efforts. Chairman Pace said one in particular generated a response from the Chairman of MDC which contained many miscalculations of the realities.

Chairman Pace said one editorial from *The Waterbury Republican American* is extremely informative and accurate. He said there are outside entities which have political agendas. Chairman Pace said he is amazed at how the Legislature can work at times. He said it is important to keep carefully appraised of the language within these bills.

Director Painter said that Senator Fonfara had indicated that he would prefer submitting one bill and suggested that the two bills would be combined. Chairman Pace said he is interested in the best interest of the municipalities in the State of Connecticut.

Director Griswold said that a graph was distributed at the MAC meeting with an unspecific reference to a 15 municipal Board members and another indication with Representatives of municipalities, both of which are very vague. He said another clause which discusses pushing back the MSA commitments to December 1, when Mr. Kirk noted recently CRRA's electrical purchase requirements are needed prior to that date is problematic. Director Griswold explained that could place CRRA behind on electrical contracts which could be costly.

Director Painter said it seemed to him that the Senate was going to pass the bill and if it did get to the Governor's office it would pass. He said CROG and SSWA felt they should make as many positive changes as possible before that happens. A discussion on the effect of this legislation was undertaken.

Director Kelly said she and Mr. Kirk visited Senator Bob Duff, Vice-Chair of the Energy Commission. She said Mr. Kirk did a great job addressing the issue. Mr. Kirk agreed that he felt the meeting was helpful.

Director Slifka said he received a letter from MDC's counsel indicating in summary that MDC will not be the supervisory authority and asking Senator Fonfara to be sure that the MDC will not be the designated as the supervisory authority. Mr. Kirk said that is important. He said Senator Fonfara offered the same information and recognized there was push-back as identifying MDC as that public entity. Mr. Kirk said the concern remains that MDC would contract with that public entity, whatever it may be.

Chairman Pace said this legislation puts municipalities at risk, as well as assets of the towns and the State at risk.

BREAK

Chairman Pace said that the Board would take a five minute break before entering into Executive Session.

EXECUTIVE SESSION

Chairman Pace requested a motion to enter into Executive Session to discuss pending litigation, trade secrets, personnel matters, security matters, pending RFP's, and feasibility estimates and evaluations. The motion made by Director Damer 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 Peter Egan Laurie Hunt

The Executive Session began at 11:38 a.m. and concluded at 11:53 a.m. Chairman Pace noted that no votes were taken in Executive Session.

The meeting was reconvened at 11:53 a.m., the door to the Board room was opened, and the Board secretary and all members of the public (of which there were none) were invited back in for the continuation of public session.

RESOLUTION REGARDING APPROVAL OF ADDITIONAL PROJECTED LEGAL EXPENDITURES

Chairman Pace requested a motion regarding the above-captioned 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 has previously authorized certain amounts for payment of fiscal year 2011 projected legal fees; and

WHEREAS, CRRA expects to incur greater than authorized legal expenses for General Counsel services;

NOW THEREFORE, it is RESOLVED: That the following additional amount be authorized for projected legal fees and costs to be incurred during fiscal year 2011:

Firm: Amount:

Halloran & Sage \$400,000

The motion was seconded by Director Griswold.

Chairman Pace said this is a result on continuing litigation.

The motion was approved by roll call. Chairman Pace, Vice-Chairman Jarjura, Director Auletta, Director Damer, Director Griswold, Director Kelly, Director Martland and Director Slifka voted yes. Director Edwards, Director Painter, and Director Tillinger abstained.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	Х		
Vice-Chairman Jarjura	Х		
Louis Auletta	X		
Dave Damer	X		
Timothy Griswold	X		
Dot Kelly	X		
Theodore Martland	X		
Scott Slifka	X		
Ad-Hocs			
Steve Edwards, Bridgeport			Х
Mark Tillinger, Bridgeport			Х
Bob Painter, Mid-Connecticut			Х

RESOLUTIONS REGARDING APPROVAL OF FY'12 PROJECTED LEGAL EXPENDITURES

Chairman Pace requested a motion on the above referenced item. The following motion was made by Director Martland.

WHEREAS, CRRA has negotiated three-year Legal Service Agreements with various law firms for the provision of legal services from July 1, 2011 through June 30, 2014; and

WHEREAS, CRRA now seeks Board authorization for projected legal expenditures during the first year of the term of said Agreements;

NOW THEREFORE, it is RESOLVED: That the following amounts be authorized for projected legal fees to be incurred during fiscal year 2012:

<u>Firm</u> :	Amount:
Brown Rudnick	150,000
Cohn Birnbaum & Shea	45,000
Day Pitney	60,000
Halloran & Sage	1,075,000
Hinckley, Allen & Snyder	400,000
Kainen, Escalera & McHale	350,000
McCarter & English	85,000
McElroy, Deutsch, Mulvaney & Carpenter	165,000

Pullman & Comley	100,000
Sidley Austin	100,000
Willinger, Willinger & Bucci	50,000

Further RESOLVED: That the President be authorized to expend up to \$20,000 from the Landfill Development Reserve Account for payment for legal fees incurred in fiscal year 2011 in connection with the Authority's suspension of its efforts to develop a new ash landfill in the State of Connecticut;

Further RESOLVED: That the President be authorized to expend up to \$85,000 from the Post Litigation Reserve Account for payment of legal expenses incurred in fiscal year 2012 in connection with the Enron Global litigation continuing under the aegis of the Attorney General; and

Further RESOLVED: That the President be authorized to expend up to \$15,000 from the Wallingford Project Closure Reserve Account for payment of legal fees incurred in fiscal year 2012 in connection with continuing Wallingford Project obligations; and

Further RESOLVED: That the President be authorized to expend up to \$1,025,000 from the Mid-Connecticut Litigation Reserve Account for payment of litigation-related legal fees and expenses incurred in fiscal year 2012.

Director Griswold seconded the motion.

Director Slifka said that his main concern with this resolution is that although the requested authorization for FY'12 is slightly less than FY'11, it is also roughly double what has been invoiced to date. Ms. Hunt said what is budgeted for every year is the outside of what CRRA expects to spend. She said the Authority cannot go over budget and these amounts are determined considering items which may come up, possible surprises, and items which get pushed back.

Ms. Hunt said management comes to the Board once for approval on legal spending and the year prior the Board requested that management approach them on a quarterly basis for only Halloran & Sage's legal expenditures. Chairman Pace suggested in deference to Director Slifka that this item be tabled until the following month.

TABLE OF THE MOTION REGARDING APPROVAL OF FY'12 PROJECTED LEGAL EXPENDITURES

Chairman Pace made a motion to table the approval of FY'12 projected legal expenditures. The motion to table was seconded by Director Martland.

The motion to table was approved by roll call. Chairman Pace, Vice-Chairman Jarjura, Director Auletta, Director Damer, Director Griswold, Director Kelly, Director Martland and Director Slifka voted yes. Director Edwards, Director Painter, and Director Tillinger abstained.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Vice-Chairman Jarjura	Х		
Louis Auletta	X		
Dave Damer	X		
Timothy Griswold	X		
Dot Kelly	X		
Theodore Martland	Х		
Scott Slifka	X		
Ad-Hocs			
Steve Edwards, Bridgeport			Х
Mark Tillinger, Bridgeport			Х
Bob Painter, Mid-Connecticut			Х

ADJOURNMENT

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

There being no other business to discuss, the meeting was adjourned at 11:57 p.m.

Respectfully submitted,

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Moira Benacquista

Secretary to the Board/Paralegal

TAB 2

CONNECTICUT RESOURCES RECOVERY AUTHORITY

FOUR HUNDRED AND EIGHTY-EIGHTH JUNE 3, 2011

A special telephonic meeting of the Connecticut Resources Recovery Authority Board of Directors was held on Wednesday June 3, 2011, in the Board Room at CRRA Headquarters, 100 Constitution Plaza, Hartford, Connecticut. Those present were:

Directors:

Chairman Pace

Louis Auletta David B. Damer

Dot Kelly

Theodore Martland

Scott Slifka

Bob Painter, Mid-Connecticut Project Ad-Hoc Steve Edwards, Bridgeport Project Ad-Hoc Mark Tillinger, Bridgeport Project Ad-Hoc

Present from CRRA in Hartford:

Tom Kirk, President
Jim Bolduc, Chief Financial Officer
Laurie Hunt, Director of Legal Services
Paul Nonnenmacher, Director of Public Relations (present by telephone)
Moira Benacquista, Board Secretary/Paralegal

Chairman Pace called the meeting to order at 10:32 a.m. and said that a quorum was present.

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.

As there were no members of the public present wishing to speak, Chairman Pace proceeded with the meeting agenda.

DISCUSSION CONCERNING PROPOSED LEGISLATION INVOLVING CRRA

Mr. Kirk said the Mid-Conn Project Municipal Advisory Committee (hereinafter referred to as "MAC Committee") meeting held the day before was attended by thirty members along with twelve other members via proxy. He said Don Stein explained how the amendments to SB 1170 came about. Mr. Kirk said Mr. Stein and some other Committee members met privately

with the bills' sponsor, Senator Fonfara, to work out language which was to be proposed to the MAC Committee member towns.

Mr. Kirk said that language was then brought back to the full MAC Committee for discussion. He said Mr. Stein apologized for not including the entire MAC Governance Committee in the meetings with Senator Fonfara due to time constraints. Mr. Kirk said the entire MAC Committee initially considered tabling the item in recognition of the lack of time available to review a complex and potentially dramatic change in how CRRA operates. He said the motion to table was defeated and a substantial discussion on SB 1170, as amended by Senator Fonfara, was undertaken.

Mr. Kirk said defense of the bill consisted of the argument that this bill was the best available way to get more municipal membership on the CRRA Board. He said there were several comments questioning aspects of the bill such as; the proposed moratorium of CRRA contracts and a creation of an Executive Committee which would have executive powers over the full Board. Mr. Kirk said support for these items was not clear.

Mr. Kirk said ultimately after some discussion a vote on this amended bill did not take place and a stripped down version of the bill was presented for consideration by the MAC Committee. He said an electronic vote on the original SB 1170 (excluding the contentious portions including the moratorium on contracts and the mini Executive Committee inside the CRRA Board) was created. Mr. Kirk said the vote is currently occurring and the results will be available after noon on Monday, June 6, 2011.

Chairman Pace said the structure put in place by the Legislature after Enron has worked well. He said his best efforts to meet with people responsible for creating and amending this bill were not successful.

Chairman Pace said he is deeply concerned with this proposed legislation which is contrary to what the Legislature enacted ten years ago and has since been proven effective.

EXECUTIVE SESSION

Chairman Pace requested a motion to enter into Executive Session to discuss pending litigation, real estate acquisition, pending RFPs, and personnel matters with appropriate staff. The motion, made by Director Martland and seconded by Director Damer, was approved unanimously. Chairman Pace asked the following people join the Directors in the Executive Session:

Tom Kirk Jim Bolduc Laurie Hunt Paul Nonnenmacher

The motion to move into Executive Session was approved unanimously by roll call. Chairman Pace, Director Auletta, Director Damer, Director Edwards, Director Kelly, Director Martland, Director Painter, Director Slifka, and Director Tillinger voted yes.

Directors	Aye	Nay	Abstain
Chairman Pace	Х		
Louis Auletta, Jr.	Х		
David Damer	Х		
Dot Kelly	Х		
Ted Martland	X		
Scott Slifka	Х		
Ad-Hocs			
Bob Painter, Mid-Ct	Х		
Steve Edwards, Bridgeport Project	Х		
Mark Tillinger, Bridgeport Project	Х		

The Executive Session began at 10:44 a.m. and concluded at 11:16 a.m. Chairman Pace noted that no votes were taken in Executive Session.

The meeting was reconvened at 11:16 a.m., the door to the Board room was opened, and the Board secretary and all members of the public (of which there were none) were invited back in for the continuation of public session.

CONTINUED DISCUSSION CONCERNING PROPOSED LEGISLATION INVOLVING CRRA

Chairman Pace proposed the creation of several resolutions opposing SB 1170 and SB 1167. He asked the Board for comments and suggestions.

Director Tillinger suggested presenting the argument that the CRRA Board is 100% supportive of any legislation which would improve its ability to accomplish its mission in the best interest of the taxpayers and member towns. He said the resolution should also list the CRRA Board's results over the years along with clear objectives laid out by its overall mission. Director Tillinger said the goal is for the reader to come to the conclusion that the Board supports an increase of members along with more municipal representation as this would improve its ability to fulfill the overall mission. He said this approach offers the Board an opportunity to lay out an argument which would lead a prudent person to come to the same conclusion.

Director Painter agreed. He recommended including that the Board is willing to look at any way to improve, including enlarging its membership.

Director Damer asked if there is time to draft such a lengthy document. He suggested a simpler resolution which would be part of a transmittal letter to go to the Senate, if not the House as well, stating the intent behind a resolution the Board members could sign. Director Martland agreed. He said the current proposed bill would cause tremendous disruption with the bonds and contracts. Director Martland said it should be noted that the Board is willing to discuss these

issues and would be happy to assist in the drafting of a bill which would make the Board more municipal.

Mr. Kirk said management could certainly work on creating a resolution which captures the intent of the Board members.

ADJOURNMENT

The meeting was adjourned at 11:25 a.m. as the quorum was lost.

Respectfully submitted,

Moira Benacquista

Secretary to the Board/Paralegal

TAB 3

CONNECTICUT RESOURCES RECOVERY AUTHORITY

FOUR HUNDRED AND EIGHTY-FIRST JUNE 6, 2011

An emergency telephonic meeting of the Connecticut Resources Recovery Authority Board of Directors was held at 10:00 a.m. on Monday, June 6, 2011, at 100 Constitution Plaza, Hartford, Connecticut, due to the immediate need to discuss pending legislation. Those present by telephone were:

Directors:

Chairman Pace

Vice-Chairman Michael Jarjura

Louis Auletta David B. Damer Tim Griswold Dot Kelly

Theodore Martland

Bob Painter, Mid-Connecticut Project Ad-Hoc Steve Wawruck, Mid-Connecticut Project Ad-Hoc

Steve Edwards, Bridgeport Project Ad-Hoc Mark Tillinger, Bridgeport Project Ad-Hoc

Present from CRRA in Hartford:

Tom Kirk, President
Jim Bolduc, Chief Financial Officer
Laurie Hunt, Director of Legal Services
Paul Nonnenmacher, Director of Public Relations
Moira Benacquista, Board Secretary/Paralegal

RESOLUTION REGARDING OPPOSITION TO DRAFT SB 1170 AND SB 1167

Chairman Pace requested a motion on the above referenced matter. Director Martland made the following motion:

WHEREAS, in 2002, the State legislature re-designed the Authority's Board of Directors to ensure diversity in municipal representation, independent expertise in critical fields, and the concurrence of two-thirds of the full board for the approval of all significant contracts; and

WHEREAS, the post-2002 CRRA board developed new policies, mandating the use of a competitive process in procurement matters and ethical compliance stricter than the State requires; and

WHEREAS, the volunteer board, composed as stated above and appointed by the governor and legislative leaders since 2002, has functioned precisely as intended, thoroughly debating every issue that comes before it and reaching a consensus prior to voting; and

WHEREAS, the post-2002 CRRA board has worked diligently to regain financial stability and improve its operations within the constraints of cash flow and pre-existing contracts, and has successfully carried out its state-mandated mission to provide economical, environmentally sound waste disposal services to the municipalities and citizens of Connecticut; and

WHEREAS, CRRA is working conscientiously to execute new contracts that are in the best interest of the State of Connecticut, its citizens and municipalities, as the previous contracts expire; and

WHEREAS, this Board has reviewed and considered the 6/1/11 "Working Draft" of Substitute Senate Bill No. 1170, which, among other things, would amend the composition of the Authority Board, create a sub-board with sole power and authority to make all decisions concerning the Mid-Connecticut Project (upon as few as three affirmative votes), and impose a moratorium on the execution of all new or extended agreements related to the Mid-Connecticut Project for up to 90 days; and

WHEREAS, this Board has also reviewed and considered Proposed Substitute Senate Bill No. 1167, which would direct the Office of Policy and Management to assign the custody, control and operation of the Mid-Connecticut Project to a public entity; and

WHEREAS, this Board believes that the enactment of either 1167 or 1170 would cause a severe disruption in the execution of the Authority's statutory obligations to provide a critical public service to the municipalities and citizens of Connecticut; and

WHEREAS, the Authority's bond counsel has advised that the enactment of either 1167 or 1170 may result in a default under the Mid-Connecticut Project bond indenture;

NOW THEREFORE, it is

RESOLVED: That, for the reasons stated above, this Board firmly opposes the enactment of Substitute Senate Bill No. 1170 and Substitute Senate Bill No. 1167; and

FURTHER RESOLVED: That the President of the Authority is hereby directed to cause a copy of this Resolution to be forwarded to all members of the State Senate and House of Representatives and to the Governor.

The motion was seconded by Director Kelly.

Chairman Pace said that the purpose of this meeting is to discuss legislation which may have a significant impact on CRRA. He said this resolution will convey the Board's intent to make it clear that they oppose the passage of SB 1170 and SB 1167.

Ms. Hunt said it was her opinion that it is crucial that attention be paid to this resolution and as a result she kept it short and to the point. Director Martland said that Director Kelly had suggested several changes to the resolution.

Director Kelly said she believed the resolution was missing rational as to why the CRRA Board finds it so objectionable. Chairman Pace agreed. He said he is concerned however, that some of her suggestions concern the former CRRA Board and he would like to avoid any confusion on the part of the Legislature and the general public between the current Board and the pre-Enron Board.

Director Kelly said she joined the CRRA Board due to her furor over the way the former CRRA Board treated the Town of Darien's conservation committee. She said the contract they were presented with contained put or pay provisions which were not negotiable. Director Kelly said in addition the Enron deal was never explained to the Town's and she had frustration with that situation as well.

Chairman Pace said her feelings are certainly understandable however, these subjects relate to the former Board.

Mr. Kirk said it is possible, given the work load that this resolution will not be read by any members of the Legislature during the last few days of session. He said the audience at the Legislature may hear that the CRRA Board has passed this resolution and the most important audience is the member towns. Mr. Kirk said he hopes this resolution will bring the member towns a better understanding of what the CRRA Board is trying to do.

Mr. Nonnenmacher said as of 7:30 a.m. that morning there were no amendments filed on SB 1167 or SB 1170. Director Damer asked how quickly a vote can be arranged. Mr. Nonnenmacher said this bill is marked on the Senate calendar as ready for action. He explained the bill would have to be brought up for a vote, amended, and then the amendment would have to be voted on, then the actual bill as amended would need to be voted on which would then have to go to the House for a vote as well.

Ms. Hunt suggested the second whereas read "the post 2002 CRRA Board developed new policies mandating the use of a competitive process in procurement matters, and ethical compliance stricter than the State requires". Chairman Pace and the Board supported this addition.

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

Chairman Pace, Vice-Chairman Jarjura, Director Auletta, Director Damer, Director Edwards, Director Griswold, Director Kelly, Director Martland, Director Painter, Director Tillinger, and Director Wawruck voted yes.

Directors	Aye	Nay	Abstain
Chairman Pace	Х		
Vice-Chairman Jarjura	Х		
Louis Auletta, Jr.	Х		
David Damer	Х		
Tim Griswold	X		
Dot Kelly	Х		
Ted Martland	X		
Ad-Hocs			
Bob Painter, Mid-Ct Project	X		
Steve Waruck, Mid-CT Project			
Steve Edwards, Bridgeport Project	Х		
Mark Tillinger, Bridgeport Project	X		

RESOLUTION REGARDING AMENDED BOARD COMPOSITION

Chairman Pace requested a motion on the above referenced matter. Director Martland made the following motion:

WHEREAS, in 2002, the State legislature re-designed the Authority's Board of Directors to ensure diversity in municipal representation, independent expertise in critical fields, and the concurrence of two-thirds of the full board for the approval of all significant contracts; and

WHEREAS, the post-2002 CRRA board developed new policies, mandating the use of a competitive process in procurement matters and ethical compliance stricter than the State requires; and

WHEREAS, the volunteer board, composed as stated above and appointed by the governor and legislative leaders since 2002, has functioned precisely as intended, thoroughly debating every issue that comes before it and reaching a consensus prior to voting; and

WHEREAS, the post-2002 CRRA board has worked diligently to regain financial stability and improve its operations within the constraints of cash flow and pre-existing contracts, and has successfully carried out its state-mandated mission to provide economical, environmentally sound waste disposal services to the municipalities and citizens of Connecticut; and

WHEREAS, CRRA is working conscientiously to execute new contracts that are in the best interest of the State of Connecticut, its citizens and municipalities, as the previous contracts expire; and

WHEREAS, the board understands that many municipalities desire additional municipal representation on the Authority's board of directors; and

WHEREAS, the board is currently mandated to include members with extensive highlevel experience in finance, business or industry, and the energy and environmental fields; and

WHEREAS, the board believes such members provide invaluable service to the Authority, and to the municipalities and citizens it serves, by providing critical perspective on Authority initiatives based upon their experience and expertise;

NOW, THEREFORE, it is

RESOLVED: That this board believes that the board designed by the legislature in 2002 has proven to be a very successful model and should continue to include municipal, financial, business, energy and environmental representation; and

FURTHER RESOLVED: That this board supports the creation of four additional seats on the Authority's Board of Directors, to be filled by municipal officials appointed by the governor and/or legislative leaders; and

FURTHER RESOLVED: That the President of the Authority is hereby directed to cause a copy of this Resolution to be forwarded to all members of the State Senate and House of Representatives and to the Governor.

The motion was seconded by Vice-Chairman Jarjura.

Chairman Pace said this resolution supports the appointment of four additional Board members, with the understanding that those municipal appointments would be selected by the Legislature. Director Kelly said she is in support of this resolution as several member towns have indicated they would like more municipal representation on the CRRA Board which these additional members may provide.

Director Wawruck said his appointment to the CRRA Board has brought him a new awareness. He said he is in favor of additional representation from the Mayors and First Selectman of the member towns; however he does not feel the CRRA Board should be comprised solely of municipal officials. Director Wawruck said the expertise on this Board is very valuable.

Mr. Kirk encouraged the Board to continue to contact their representatives at the Legislature. He said the bills which have been proposed contain very troublesome content and asking those legislative contacts to carefully consider both SB 1170 and SB 1167 is the best approach.

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

Chairman Pace, Vice-Chairman Jarjura, Director Auletta, Director Damer, Director Edwards, Director Griswold, Director Kelly, Director Martland, Director Painter, Director Tillinger, and Director Wawruck voted yes.

Directors	Aye	Nay	Abstain
Chairman Pace	X		
Vice-Chairman Jarjura	X		
Louis Auletta, Jr.	X		
David Damer	Х		
Tim Griswold	Х		
Dot Kelly	Х		
Ted Martland	Х		
Ad-Hocs			
Bob Painter, Mid-Ct Project	X		
Steve Wawruck, Mid-CT Project	X		
Steve Edwards, Bridgeport Project	Х		
Mark Tillinger, Bridgeport Project	Х		

ADJOURNMENT

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

There being no other business to discuss, the meeting was adjourned at 10:42 a.m.

Respectfully submitted,

Min Benagent Moira Benacquista

Secretary to the Board/Paralegal

TAB 4

CONNECTICUT RESOURCES RECOVERY AUTHORITY

FOUR HUNDRED AND NINETIETH JULY 7, 2011

A special telephonic meeting of the Connecticut Resources Recovery Authority Board of Directors was held on Wednesday July 7, 2011, in the Board Room at CRRA Headquarters, 100 Constitution Plaza, Hartford, Connecticut. Those present by telephone were:

Directors:

Chairman Pace

Vice-Chairman Jarjura

Louis Auletta David B. Damer Timothy Griswold

Dot Kelly

Theodore Martland

Scott Slifka

Bob Painter, Mid-Connecticut Project Ad-Hoc Steve Edwards, Bridgeport Project Ad-Hoc

Steve Wawruck, Mid-Connecticut Project Ad-Hoc

Present from CRRA in Hartford:

Tom Kirk, President

Jim Bolduc, Chief Financial Officer (present by telephone)

Jeffrey Duvall, Director of Budgets and Forecasting

Peter Egan, Environmental Affairs and Environmental Director

(present by telephone)

Laurie Hunt, Director of Legal Services

Sotoria Montanari, Education Supervisor

Rich Quelle, Senior Engineer

Paul Nonnenmacher, Director of Public Relations

Virginia Raymond, Senior Operations Analyst

Moira Benacquista, Board Secretary/Paralegal

Others Present: William Champlain, Esq. of Hinckley, Allen & Snyder (present by telephone), Miguel Escalera, Esq. of Kainen & Escalera, and John Pizzimenti of USA Hauling.

Chairman Pace called the meeting to order at 10:05 a.m. and said that a quorum was present.

PUBLIC PORTION

Chairman Pace said 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.

As there were no members of the public present wishing to speak, Chairman Pace proceeded with the meeting agenda.

RESOLUTION REGARDING APPROVAL OF THE STRATFORD GARBAGE MUSEUM BUDGET

Chairman Pace requested a motion on the above referenced item. The motion was made by Director Martland and seconded by Director Painter.

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

WHEREAS, the recycling component of the former Bridgeport Project located in Stratford, Connecticut survived the Bridgeport Project under the auspices of the Connecticut Resources Recovery Authority (the "Authority") and the Southwest Connecticut Regional Recycling Operating Committee, ("SWEROC"); and

WHEREAS, SWEROC has agreed to administer the regional education and promotional programs related to recycling for the southwest area towns; and

WHEREAS, SWEROC administered the regional education and promotional programs through the Garbage Museum located at 1410 Honeyspot Road Extension, Stratford, Connecticut; and

WHEREAS, the Garbage Museum's operating account is estimated to have a cash balance of approximately \$57,000 on July 1, 2011; and

WHEREAS, in Fiscal Year 2012 the Garbage Museum would need to receive an estimated \$224,000 new unappropriated cash; and

WHEREAS, SWEROC discontinued funding the Garbage Museum's activities with the exception of a onetime \$100,000 contribution in June 2009; and

WHEREAS, due to its cash position, Management recommends that the Stratford Garbage Museum be closed in Fiscal Year 2012 and the educational activities be consolidated with the Authority's overall educational and promotional efforts.

NOW, THEREFORE, it is

RESOLVED: that absent a timely change in financial support from the SWEROC area towns, the President is hereby authorized to promptly discontinue operation of the Garbage Museum in Fiscal Year 2012 and to take all actions necessary to properly close this facility; and

FURTHER RESOLVED: that Management develops a facility plan for the property located at 1410 Honeyspot Road Extension, Stratford, Connecticut.

Chairman Pace said this item deals with the proposed operating budget for the Stratford Garbage museum. He said management and the Board have struggled to secure funding for the

museum for the last few years. Chairman Pace said he had sent a letter to the Southwest towns requesting their help in providing the funds needed to keep the museum open. He said although the public and schools are interested in keeping the museum open it does not seem like there is enough interest from the Chief Elected Officials of the Southwest towns to support the museum.

Chairman Pace said the budget before the Board does not contain the funds needed to keep the museum open. He said there is currently \$57,000 available in funding and \$280,000 is needed. Chairman Pace said he has been working with management in an effort to reduce the costs of operations. Chairman Pace asked the Board if they have any suggestions or recommendations. He explained at this point the museum does not have the funding or support necessary from the member towns to keep it open any longer.

Director Martland said it was his understanding that the towns currently in the Southwest Project did not want to fund the museum for the greater number of towns which utilize the museum. Director Edward said he is in agreement with Chairman Pace's comments. He said the Southwest towns have committed \$68,000 to the museum, in addition to the \$57,000 which is currently available. Director Edwards said the museum needs around \$86,000 - \$100,000 to stay open. He said he was disappointed in how few of the SWEROC member towns (6 out of 10) committed funds to support the museum. Director Edwards said Norwalk, Darien, Stamford and Greenwich have offered no support and he is completely frustrated that so few towns are willing to support a resource so many towns take advantage of.

Chairman Pace asked if closing the facilities for the summer session would help to stretch the existing funds the museum has. Mr. Nonnenmacher replied no. He explained traffic in the museums is at its highest in the summer.

Chairman Pace asked if reducing the numbers of hours the museum is open is a possibility. Mr. Nonnenmacher said yes.

Mr. Kirk said there are some avenues which can still be squeezed for further savings however; it is management's position that further efforts will not provide the \$80,000 - \$100,000 which is required to keep the museum open. He said management is recommending consolidating the two museums. Mr. Kirk said the Stratford facility will remain as a transfer station for recyclables leaving CRRA the option to reconsider use of the site as an education facility in the future.

Mr. Kirk said despite a desire to keep the museum open, commitments from a number of towns and some CEO's total only \$68,000 on an annual basis which is not enough. He said it is an expensive facility to maintain and the current budget before the board contains some difficult assumptions. Mr. Kirk said the best move forward is to preserve future options with this site, adopt this budget, and leave management with the opportunity to pursue further fundraising or creative approaches to implement CRRA's education mission going forward.

Chairman Pace said he believed Mr. Nonnenmacher was implying that options to keep the museum open were not discussed. Mr. Kirk said that was incorrect. He said management has looked at many ways to maintain the museum and the focus has been on allocating the costs to the past generators. He explained there is not enough revenue to handle the costs. Director Martland asked if the towns which did not offer any funding are charged. Mr. Kirk replied no. He said the Southwest towns debated the issue and made a thoroughly evaluated decision not to not mark up their recyclables or their MSW to subsidize the museum.

Director Martland clarified that he was referring to charging the towns to visit the museum. Director Edwards said that there is currently an admission fee however those charges do not incur anywhere near the costs of the service which is provided. He said tripling or quadrupling the visitor fee would be needed to make up the difference. Director Edwards said the big short fall in funding is in educational grants which did not materialize at the level management had hoped for.

Director Kelly asked if the haulers have been approached for funding. Director Edwards replied yes. Mr. Kirk explained as contractors with CRRA the participation of the haulers in assisting with funding the museums is controlled by several policies and statutes. He said to the extent they can, the haulers have been generous in donating funds, but the cost of running two facilities exceeds the revenue possibilities at this time. Mr. Kirk said the educators have explored every philanthropic and commercial avenue for funding.

Chairman Pace reviewed several possible cuts which could be made to the budget in an effort to keep the museum sustained for an additional month while further grants and support were sought. He began by reviewing staff and salaries for the museum employees.

Chairman Pace asked how much funding is needed. Mr. Kirk replied \$192,000 less the promise of \$68,000. He said that total is about \$130,000. Chairman Pace asked if the \$3,000 pilot payment to Stratford is mandatory. Mr. Kirk replied that payment is not mandatory however the old pilot was for \$120,000 and was paid by the recycling facility operator. Chairman Pace asked if Stratford has contributed to funding the museum. Mr. Kirk replied yes. He said a handful of towns have committed 75 cents a ton, which if every member town contributed the same, would provide the needed funding.

Chairman Pace asked about possible reductions in building maintenance. Ms. Montanari said the year prior the educators reduced the cleaning costs down to three days a week. Mr. Kirk said because there is currently a transfer station on the other side of the museum facility in the future, without that transfer station, building cost maintenance will fall more heavily on the museum in the future. He said in management's opinion the building maintenance costs assumptions are very aggressive numbers.

Director Edwards said CRRA is going to have that building whether the museum is there or not. He said it may be appropriate to use the property management fee to maintain the building in the acknowledgment that this is a CRRA building. Mr. Kirk said the \$30,000 is not the full maintenance of the building as a large portion is paid out of the property division, precisely as suggested by Director Edwards.

After further discussion Chairman Pace said he would like the Board to table this item. He said he would like to meet with management, and after a month meet again to assess if

further substantial sponsorships and public money can be secured. Chairman Pace said if that doesn't happen within the next month there are no further options but to close the museum.

Chairman Pace requested a motion to table this resolution until the next regularly scheduled CRRA Board meeting with a minimum of thirty days from now.

MOTION TO TABLE THE APPROVAL OF THE STRATFORD GARBAGE MUSEUM BUDGET

Chairman Pace requested a motion to table the above referenced item. The motion to table was made by Director Martland and seconded by Director Edwards.

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

WHEREAS, the recycling component of the former Bridgeport Project located in Stratford, Connecticut survived the Bridgeport Project under the auspices of the Connecticut Resources Recovery Authority (the "Authority") and the Southwest Connecticut Regional Recycling Operating Committee, ("SWEROC"); and

WHEREAS, SWEROC has agreed to administer the regional education and promotional programs related to recycling for the southwest area towns; and

WHEREAS, SWEROC administered the regional education and promotional programs through the Garbage Museum located at 1410 Honeyspot Road Extension, Stratford, Connecticut; and

WHEREAS, the Garbage Museum's operating account is estimated to have a cash balance of approximately \$57,000 on July 1, 2011; and

WHEREAS, in Fiscal Year 2012 the Garbage Museum would need to receive an estimated \$224,000 new unappropriated cash; and

WHEREAS, SWEROC discontinued funding the Garbage Museum's activities with the exception of a onetime \$100,000 contribution in June 2009; and

WHEREAS, due to its cash position, Management recommends that the Stratford Garbage Museum be closed in Fiscal Year 2012 and the educational activities be consolidated with the Authority's overall educational and promotional efforts.

NOW, THEREFORE, it is

RESOLVED: that absent a timely change in financial support from the SWEROC area towns, the President is hereby authorized to promptly discontinue operation of the Garbage Museum in Fiscal Year 2012 and to take all actions necessary to properly close this facility; and

FURTHER RESOLVED: that Management develops a facility plan for the property located at 1410 Honeyspot Road Extension, Stratford, Connecticut.

Chairman Pace requested a motion to table this resolution until the next regularly scheduled CRRA Board meeting with a minimum of thirty days from now.

The motion previously made and seconded to table this item was approved unanimously by roll call. Chairman Pace, Vice-Chairman Jarjura, Director Auletta, Director Damer, Director Edwards, Director Griswold, Director Kelly, Director Martland, and Director Slifka voted yes. Director Painter and Director Wawruck abstained.

Directors	Aye	Nay	Abstain
Chairman Pace	X		
Vice-Chairman Jarjura	X		
Louis Auletta, Jr.	X		
David Damer	X		
Timothy Griswold	Х		
Dot Kelly	X		
Ted Martland	Х		
Scott Slifka	Х		
Ad-Hocs			
Steve Edwards, Bridgeport	X		
Bob Painter, Mid-Ct			Х
Steve Wawruck, Mid-Ct			Х

RESOLUTION REGARDING APPROVAL OF WORKERS COMPENSATION INSURANCE

Chairman Pace requested a motion on the above referenced item. The motion was made by Director Martland and seconded by Vice-Chairman Jarjura.

RESOLVED: That the CRRA purchase Workers Compensation/Employers Liability insurance with a statutory limit and \$1,00,000 limit for Employer's Liability, for a premium of \$74,491 from Connecticut Interlocal Risk Management Agency (CIRMA) for the term 7/1/11 - 7/1/12, as discussed at this meeting.

Chairman Pace said that CRRA has been insured with Connecticut Interlocal Risk Management Agency (hereinafter referred to as "CIRMA") and received a rebate of \$2,635 for being part of CIRMA. Mr. Kirk said with the exception of CIRMA, CRRA's consultant was unable to secure any interest in covering CRRA from the eight other companies which he pursued coverage from. He said this has been the case in the past as well. Mr. Kirk said that management was satisfied with CIRMA's performance and noted there is about a 5% increase in terms which is to be expected as the experience level is not as good as it has been in the past.

Mr. Kirk said management engaged CIRMA on July 1, 2011, to maintain coverage for CRRA. Chairman Pace noted for disclosure that he is on the CIRMA Board however he does not feel that is a conflict of interest as his duty to CIRMA is to provide the best prices possible for its

customers. Director Kelly complimented management on the appropriate action of ensuring CRRA had workers compensation.

The motion previously made and seconded was approved unanimously by roll call. Chairman Pace, Vice-Chairman Jarjura, Director Auletta, Director Damer, Director Edwards, Director Griswold, Director Kelly, Director Martland, and Director Slifka voted yes. Director Edwards, Director Painter and Director Wawruck abstained.

Directors	Aye	Nay	Abstain
Chairman Pace	Х		
Vice-Chairman Jarjura	X		
Louis Auletta, Jr.	X		
David Damer	X		
Timothy Griswold	Х		
Dot Kelly	X		
Ted Martland	Х		
Scott Slifka	X		
Ad-Hocs			
Steve Edwards, Bridgeport			Х
Bob Painter, Mid-Ct			Х
Steve Wawruck, Mid-Ct			Х

RESOLUTION REGARDING EMERGENCY PROCUREMENTS FOR THE COOPERATIVE SERVICES AGREEMENT BETWEEN CRRA AND THE USDA ANIMAL AND PLANT HEALTH INSPECTION SERVICES/WILDLIFE SERVICES FOR BIRD CONTROL

Chairman Pace requested a motion on the above referenced item. The motion was made by Director Damer and seconded by Director Kelly.

RESOLVED: That the President is hereby authorized to execute an agreement with the United States Department of Agriculture Animal and Plant Health Inspection Services, for the control of nuisance birds at the Mid Connecticut Processing Facility, substantially as presented and discussed at this meeting.

Director Damer said the Policies & Procurement Committee discussed this item at length at its last meeting. He said this contract is an extension of the current contract that CRRA has with the United States Department of Agriculture and Plant Health Inspection Services for vector control. Director Damer said vector control it is mostly for birds but includes other animals. He noted the full annual report is contained in the supplemental package. Director Damer said the cost is a not-to-exceed price of \$30,000 and this item going to the Board as it was an emergency procurement.

Chairman Pace said these services have been used since 2004. Director Griswold asked why this is an emergency procurement as this is a routine extension. Mr. Kirk explained with the facilities' proximity to the airport management did not want to be without vector control for even a very short period of time. He said he engaged USADA on July 1, 2011, to continue its operation with the understanding that if the Board did not ratify the resolution the commitment would be ended immediately. Mr. Kirk said due to quorum issues this matter could not be brought to the Board earlier.

The motion previously made and seconded was approved unanimously by roll call. Chairman Pace, Vice-Chairman Jarjura, Director Auletta, Director Damer, Director Griswold, Director Kelly, Director Martland, Director Painter, Director Slifka, and Director Wawruck voted yes. Director Edwards abstained.

Directors	Aye	Nay	Abstain
Chairman Pace	Х		
Vice-Chairman Jarjura	Х		
Louis Auletta, Jr.	X		
David Damer	X		
Timothy Griswold	X		
Dot Kelly	X		
Ted Martland	X		
Scott Slifka	Х		
Ad-Hocs			
Steve Edwards, Bridgeport			Х
Bob Painter, Mid-Ct	Х		
Steve Wawruck, Mid-Ct	X		

RESOLUTION REGARDING EMERGENCY PROCUREMENTS FOR CONSULTANT TO SELL CRRA POWER

Chairman Pace requested a motion on the above referenced item. The motion was made by Director Damer and seconded by Director Martland.

RESOLVED: That the President is hereby authorizes to enter into a request for Services with Power Advisory, LLC for Mid-Connecticut Electric Sales Consulting Services, substantially in the form presented and discussed at this meeting.

Mr. Kirk said this is a ratification of a decision management made to engage a consultant according to the previously described schedule to ensure that a contract is in pace to substitute the expiring contract. He said the cost to date has been zero but management did go ahead and ask Power Advisory, LLC to work with CRRA as they had for the prior contract resolution. Mr. Kirk said the electric generations' sale contract is critical to the business plan for the Mid-Connecticut facility. He said time is of the utmost importance as CRRA will be organizing an auction which takes months to prepare. Mr. Kirk said this is the first time CRRA is consolidating all of its products together which is a substantial change in the way power will be sold moving

forward. He explained it is important that CRRA has the expertise needed to maximize and optimize all opportunities. Mr. Kirk said if the Board wishes to look into other providers it can certainly do so.

Ms. Raymond explained that Power Advisory, LLC will provide CRRA with a model for the bids. She said that Mr. Dalton assisted CRRA with this process in 2007 which resulted in a contract with Constellation Energy. Ms. Raymond said on the day the bids come in that date is then plugged into a sophisticated model. She explained the day the bids are received the Board will be asked to take action on the recommendation based on the pricing analysis and the contract is signed that day.

Director Kelly said she was uncomfortable with that very quick turnaround. Director Martland said this pricing is similar to bonds and needs to be locked in as they vary from day to day. Ms. Raymond said that was correct, she said when the bids come in the bid responders sign a short agreement indicating they stand behind those numbers and the prices are based on one day. Chairman Pace said the Board can always choose to reject these figures. He said management has also considered playing the day market as there are funds to be made this way. Chairman Pace said CRRA could also get a retail license to sell its power.

Director Damer said this process needs to be complete in time for the FY'13 budget. Ms. Raymond said management hopes to have this process completed for the January Board meeting in ample time for the FY'13 budget.

The motion previously made and seconded was approved unanimously by roll call. Chairman Pace, Vice-Chairman Jarjura, Director Auletta, Director Damer, Director Griswold, Director Kelly, Director Martland, Director Painter, Director Slifka, and Director Wawruck voted yes. Director Edwards abstained.

Directors	Aye	Nay	Abstain
Chairman Pace	Х		
Vice-Chairman Jarjura	Х		
Louis Auletta, Jr.	Х		
David Damer	X		
Timothy Griswold	Х		
Dot Kelly	X		
Ted Martland	Х		
Scott Slifka	X		
Ad-Hocs			
Steve Edwards, Bridgeport			Х
Bob Painter, Mid-Ct	X		
Steve Wawruck, Mid-Ct	X		

RESOLUTION REGARDING INSTALLATION OF A NEW JANSEN OVERFIRE AIR SYSTEM AT THE MID-CONN FACILITY

Chairman Pace requested a motion on the above referenced item. The motion was made by Director Martland and seconded by Vice-Chairman Jarjura.

RESOLVED: That the President is hereby authorized to direct Covanta Mid-Conn, Inc. to install a new overfire air system manufactured by Jansen Combustion and Boiler Technologies, Inc. on Unit 12 at the Mid-Connecticut Power Block Facility, substantially as presented and discussed at this meeting.

Director Damer said this same process was just undertaken on Unit 11. Mr. Quelle explained Unit 11 used to be one of the most problematic units to operate in the facility and now is the one of the best units to operate, takes a full load and meets emission requirements.

Mr. Kirk said management would like to get started on this process. He said CRRA's operator Covanta oversaw the installation of Unit 11 and management would like Covanta to oversee this process as well. Mr. Kirk said this project has roughly a seven month pay-back period which may stretch a few months longer because a key assumption is the additional waste which will be processed through the furnace and unfortunately there is not a lot of waste around at present. He said this process will help CRRA improve emissions, production, electric and steam.

Mr. Egan said the payback period may stretch past seven months but it also may not take that long as management has been conservative with its estimates. He said that \$33 dollars a megawatt hour for electricity was a conservative figure and management expects to get several cents higher than that when they sign up the new contract. Mr. Egan said in addition the tip fee of about \$63 dollars (which was used in the estimate) will be around \$5-6 dollars more a ton by November of 2012.

The motion previously made and seconded was approved unanimously by roll call. Chairman Pace, Vice-Chairman Jarjura, Director Auletta, Director Damer, Director Griswold, Director Kelly, Director Martland, Director Painter, Director Slifka, and Director Wawruck voted yes. Director Edwards abstained.

Directors	Aye	Nay	Abstain
Chairman Pace	Х		
Vice-Chairman Jarjura	Х		
Louis Auletta, Jr.	X		
David Damer	X		
Timothy Griswold	Х		
Dot Kelly	X		
Ted Martland	Х		
Scott Slifka	X		
Ad-Hocs			
Steve Edwards, Bridgeport			· X
Bob Painter, Mid-Ct	X		
Steve Wawruck, Mid-Ct	X		

RESOLUTION REGARDING ANNUAL STACK TESTING AT THE MID-CONN FACILITY FOR CALENDAR YEARS 2012, 2013, AND 2014

Chairman Pace requested a motion on the above referenced item. The motion was made by Director Martland and seconded by Director Damer.

RESOLVED: That the President is hereby authorized to enter into a contract with CK Environmental, Inc. for performance of the annual air emissions testing at the Mid-Connecticut Resource Recovery Facility for calendar years 2012, 2013, and 2014, substantially as discussed and presented at this meeting.

Mr. Kirk said stack testing is done every year. He said management's recommendation is to use CK Environmental, Inc. for the next three years. Mr. Kirk said CRRA has past experience with this firm which is also the low bidder. Mr. Kirk said a portion of the payment CK Environmental, Inc. will receive is from Connecticut Environmental Protection Agency (hereinafter referred to as "CT DEP") which gets the funding from the dioxin tax. Chairman Pace said the stack testing at the Mid-Conn facility has historically been one of the cleanest in the country. Mr. Egan said that was correct. He said the Mid-Conn facility emissions are within the CT DEP standards and some are remarkably low.

Director Griswold asked what the dioxin tax costs paid by CRRA total. Mr. Kirk said those costs are about \$1.50 a ton which is about 680,000 tons at the Mid-Conn facility and every plant pays this tax. He said CRRA will get about \$106,000 back from the State. Mr. Egan said CRRA has been reimbursed the full cost of stack testing for around ten years. He said that is about \$55,000 a year which CRRA will receive back from the CT DEP as long as that program continues.

The motion previously made and seconded was approved unanimously by roll call. Chairman Pace, Vice-Chairman Jarjura, Director Auletta, Director Damer, Director Griswold, Director Kelly, Director Martland, Director Painter, Director Slifka, and Director Wawruck voted yes. Director Edwards abstained.

Directors	Aye	Nay	Abstain
Chairman Pace	X		
Vice-Chairman Jarjura	Х		
Louis Auletta, Jr.	Х		
David Damer	X		
Timothy Griswold	X		
Dot Kelly	X		
Ted Martland	Х		
Scott Slifka	X		
Ad-Hocs			
Steve Edwards, Bridgeport			Χ·
Bob Painter, Mid-Ct	X		
Steve Wawruck, Mid-Ct	Х		

ORGANIZATIONAL SYNERGY & HUMAN RESOURCES COMMITTEE UPDATE

Director Griswold said the Organizational Synergy & Human Resources Committee was informed by management that the 2% cost of living increase was implemented.

EXECUTIVE SESSION

Chairman Pace requested a motion to enter into Executive Session to discuss pending litigation, real estate acquisition, pending RFPs, and personnel matters with appropriate staff. The motion, made by Vice-Chairman Jarjura and seconded by Director Martland, was approved unanimously. Chairman Pace asked the following people join the Directors in the Executive Session:

Tom Kirk Jim Bolduc Jeffrey Duvall Laurie Hunt Bill Champlain, Esq. Miguel Escalera, Esq.

The motion to move into Executive Session was approved unanimously by roll call. Chairman Pace, Vice-Chairman Jarjura, Director Auletta, Director Damer, Director Edwards, Director Griswold, Director Kelly, Director Martland, Director Painter, Director Slifka, and Director Wawruck voted yes.

Directors	Aye	Nay	Abstain
Chairman Pace	Х		
Vice-Chairman Jarjura	Х		
Louis Auletta, Jr.	. X		
David Damer	Х		
Timothy Griswold	Х		
Dot Kelly	X		
Ted Martland	Х		
Scott Slifka	X		
Ad-Hocs			
Bob Painter, Mid-Ct	Х		
Steve Wawruck, Mid-Ct	Х		
Steve Edwards, Bridgeport Project	X		į.

The Executive Session began at 10:55 a.m. and concluded at 11:28 a.m. Chairman Pace noted that no votes were taken in Executive Session.

The meeting was reconvened at 11:28 a.m., the door to the Board room was opened, and the Board secretary and all members of the public were invited back in for the continuation of public session.

RESOLUTION REGARDING APPROVAL OF THE FY'12 PROJECTED LEGAL EXPENDITURES

Chairman Pace requested a motion on the above referenced item. The motion was made by Director Martland and seconded by Director Griswold.

WHEREAS, CRRA has negotiated three-year Legal Services Agreements with various law firms for the provision of legal services from July 1, 2011 through June 30, 2014; and

WHEREAS, CRRA now seeks Board authorization for projected legal expenditures during the first year of the term of said Agreements;

NOW THEREFORE, it is RESOLVED: That the following amounts be authorized for projected legal fees to be incurred during fiscal year 2012:

<u>Firm</u> :	Amount:
Brown Rudnick	185,000
Cohn Birnbaum & Shea	45,000
Day Pitney	60,000
Halloran & Sage	975,000
Hinckley, Allen & Snyder	400,000
Kainen, Escalera & McHale	300,000
McCarter & English	85,000
McElroy, Deutsch, Mulvaney & Carpenter	150,000
Pullman & Comley	100,000
Sidley Austin	100,000
Willinger, Willinger & Bucci	50,000

Further RESOLVED: That the President be authorized to expend up to \$20,000 from the Landfill Development Reserve Account for payment for legal fees incurred in fiscal year 2011 in connection with the Authority's suspension of its efforts to develop a new ash landfill in the State of Connecticut;

Further RESOLVED: That the President be authorized to expend up to \$55,000 from the Post Litigation Reserve Account for payment of legal expenses incurred in fiscal year 2012 in connection with the Enron Global litigation continuing under the aegis of the Attorney General; and

Further RESOLVED: That the President be authorized to expend up to \$15,000 from the Wallingford Project Closure Reserve Account for payment of legal fees incurred in fiscal year 2012 in connection with continuing Wallingford Project obligations; and

Further RESOLVED: That the President be authorized to expend up to \$940,000 from the Mid-Connecticut Litigation Reserve Account for payment of litigation-related legal fees and expenses incurred in fiscal year 2012.

Chairman Pace noted that this item was thoroughly discussed in Executive Session.

The motion previously made and seconded was approved unanimously by roll call. Chairman Pace, Vice-Chairman Jarjura, Director Auletta, Director Damer, Director Griswold, Director Kelly, Director Martland, and Director Slifka voted yes. Director Edwards, Director Painter and Director Wawruck abstained.

Directors	Aye	Nay	Abstain
Chairman Pace	Х		
Vice-Chairman Jarjura	Х		
Louis Auletta, Jr.	Х		
David Damer	. X		"
Timothy Griswold	X		
Dot Kelly	Х		
Ted Martland	Х		
Scott Slifka	X		
Ad-Hocs			
Steve Edwards, Bridgeport			Х
Bob Painter, Mid-Ct			Х
Steve Wawruck, Mid-Ct			Х

RESOLUTION REGARDING CONTRIBUTION TO THE MID-CONNECTICUT PROJECT RISK FUND RESERVE

Chairman Pace made a motion regarding the above-captioned item. The motion was seconded by Director Martland.

WHEREAS: the Mid-Connecticut Project is entering its last 12 month Fiscal Year and the Authority is accordingly analyzing the adequacy of its reserves to meet potential Project exposure, risks and liabilities; and

WHEREAS: the Authority has evaluated the Mid-Connecticut Project's Risk Fun Reserve in light of the above-noted analysis and, in consultation with its counsel, has determined that it is prudent to add an additional \$3,000,000 at this time;

NOW, THEREFORE, BE IT:

RESOLVED: That \$3,000,000 be added to the Risk Fund Reserve from FY 11 Mid-Connecticut operations; and;

FURTHER RESOLVED: That, in the event that any moneys remain in the Risk Fund at the end of the Mid-Connecticut Project and are ultimately determined to be surplus to Project liabilities, they will be appropriately returned to the current Mid-Connecticut project municipalities.

Director Griswold asked if there would be any prudence in placing these funds in a trustee account. Mr. Kirk said it is not possible to place these funds in a trust. He said management is always looking for options for savings vehicles.

The motion to approve the above referenced resolution was approved unanimously by roll call. Chairman Pace, Vice-Chairman Jarjura, Director Auletta, Director Damer, Director Griswold, Director Kelly, Director Martland, Director Painter, Director Slifka, and Director Wawruck voted yes. Director Edwards abstained.

Directors	Aye	Nay	Abstain
Chairman Pace	X		
Vice-Chairman Jarjura	X		
Louis Auletta, Jr.	Х		
David Damer	X		
Timothy Griswold	X		
Dot Kelly	Х		
Ted Martland	Х		
Scott Slifka	Х		
Ad-Hocs			
Steve Edwards, Bridgeport			Х
Bob Painter, Mid-Ct	X		
Steve Wawruck, Mid-Ct	X		

CLEAN ENERGY FUND UPDATE

Director Kelly said she had recently attended a meeting of the Clean Energy Fund where she spoke about the solar possibility of the Hartford Landfill. She said the new Executive Director, Brian Garcia, was quite interested and was surprised that his staff was not more supportive of the intiative. Director Kelly said that the Connecticut Legislature had voted to replace the entire Connecticut Clean Energy Board of Directors and reconstitute those members

with the Connecticut Energy Efficiency Fund and the Connecticut Clean Energy Fund. She said she plans to continue that dialogue with the new Board. Chairman Pace asked Director Kelly to meet with CRRA management team to discuss a good position for Director Kelly to bring to that Board.

PRESIDENT'S UPDATE

Mr. Kirk said Director Mullane has resigned via a communication which commends the Board for its effectiveness and thanks. He said Director Mullane has been replaced by First Selectman of Barkhamstead, Don Stein, who will serve as a Board member moving forward. Chairman Pace said Director Mullane is an unfortunate loss as he was a very bright, articulate and astute individual.

Director Damer asked if there is a possibility that Director Mullane could be re-appointed to another seat on the Board. Mr. Kirk said yes. He said Senator McKinney has indicated he may re-appoint Director Mullane, who has expressed a willingness to return to the Board.

ADJOURNMENT

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

There being no other business to discuss, the meeting was adjourned at 11:35 a.m.

Respectfully submitted,

My Benogast

Moira Benacquista

Secretary to the Board/Paralegal

TAB 5

RESOLUTION REGARDING MID-CONNECTICUT RESOURCE RECOVERY FACILITY TRANSITION SUPPORT SERVICES AGREEMENT

RESOLVED: That the Board of Directors hereby authorizes the President to enter into an agreement with PMA Consulting, LLC for services associated with the Mid-Connecticut Resource Recovery Facility transition, substantially as presented and discussed at this meeting.

Agreement Summary Mid-Connecticut Resource Recovery Transition Support Services

Presented to the CRRA Board	July 28, 2011
Facility	Mid-Connecticut Resource Recovery Facility
Previous Contract	N/A
Contractor	PMA Consulting, LLC
Commencement Date	August 1, 2011
Term	Approximately August 1, 2011 – June 1, 2012
Term Extensions	None
Contract Type/Subject matter	Consulting services
Scope of Services	Consultant shall provide CRRA on an as needed assignment basis, transition support services in order to effectuate a timely, economical and orderly transition from two operators to a single operator of the Mid-Connecticut Resource Recovery Facility.
Contractor Compensation	Consultant shall receive a flat hourly rate for actual services provided.
Contract Value	Consultant shall provide services for a not to exceed price of \$56,000.
Budget Status	Monies needed to cover the fees associated with this assignment have been appropriated within CRRA's FY2012 budget.
Other Pertinent Provisions	PMA is engaged as a contractor with Special Capability pursuant to section 3.1.2.5 of CRRA's Procurement Policies & Procedures; accordingly, this contract is awarded as an exception to the competitive process.

Connecticut Resources Recovery Authority Mid-Connecticut Project

Agreement for Mid-Connecticut Resource Recovery Facility Transition Support Services

July 28, 2011

Executive Summary

This is to request approval by the CRRA Board of Directors for the President to enter an agreement with PMA Consulting, LLC ("PMA") for the period August 1, 2011 through June 1, 2012 for consulting and technical services to support the Mid-Connecticut Resource Recovery Facility ("Facility") transition from two operators to a single operator. PMA will be engaged as a contractor with special capability pursuant to Section 3.1.2.5 of CRRA's Procurement Policies & Procedures; accordingly, this contract is awarded as an exception to the competitive process.

Discussion

On November 15, 2012 the Mid-Connecticut Project as currently constituted comes to term. The bonds supporting the construction of the Facility will be paid, the Municipal Service Agreements ("MSA") supporting the bonds will come to term and the agreements for the purchase of the electric power generated at the Facility will have expired. Further, the current operation and maintenance agreements for the Facility will expire December 30, 2011 and May 31, 2012. As part of its planning for the successor structure of the Mid-Connecticut Project, CRRA determined that one entity operating and maintaining the entire Facility along with CRRA's management of the Facility is in the best interests of the municipalities and regions served by the Facility. Following a publically advertised competitive procurement process, CRRA entered into an agreement with NAES Corporation ("NAES") for the Operation and Maintenance of the Mid-Connecticut Resource Recovery Facility.

The transition from two operators to a single operator of the Facility involves the coordination, oversight and implementation of a number of critical activities. Presented in Exhibit 1 is a listing of transition activities which must be performed prior to the expiration of the current operator agreements. CRRA is seeking the services of PMA to assist CRRA in coordinating and reviewing for quality assurance the various "deliverables" prepared, installed and delivered by NAES. PMA is uniquely qualified to perform these services. PMA was retained by CRRA's outside legal counsel, Halloran & Sage, to assist them in the drafting of the O&M agreement between CRRA and NAES. PMA also reviewed and provided input to the procurement documents and reviewed the submittals received. The individual who will be undertaking the transition activities is Mr. David Brown, President of PMA. Given Mr. Brown's existing

knowledge of the CRRA/NAES agreement, NAES's capabilities as an organization and the operation and maintenance of the Facility, Mr. Brown is uniquely positioned to provide CRRA with valuable assistance with the execution of the many critical transition activities.

Financial Summary

Mr. Brown's hourly billing rate is \$140.00. The funds for this expenditure were contemplated when the FY2012 Mid-Connecticut Operating Budget was developed and are available in the FY2012 budget.

EXHIBIT 1

FACILITY TRANSITION SERVICES

Facility Transition Services may include but not necessarily be limited to the activities presented in the following table.

Task Name	Description
	NAES shall:
Mobilize Transition Team	 Meet with CRRA to review the proposed Transition Plan. NAES and CRRA shall also determine to what extent current practices are transferable and agree upon specific transition activities along with the timetable for implementation of such activities.
	 Upon receipt of the Notice to Proceed with WPF Transitions Services and the Notice to Proceed with PFB and EGF Transition Services, NAES shall begin implementing the WPF Transition Plan and the PBF and EGF Transition Plan, respectively in accordance with the respective Transition Plans.
Hire Facility Personnel	NAES shall:
	Consult with CRRA regarding staffing needs and identify staff efficiencies where possible.
	Offer employment to existing Facility staff.
	Recruit, hire, and train replacement personnel, as needed.
	NAES shall perform an assessment of the WPF, PBF and EGF and prepare an Assessment Report inclusive of:
Review Current Facility Status	 Evaluation of current condition of Facility systems and equipment;
	 Recommendations regarding vital repairs, maintenance actions, or capital improvements (if necessary) and submit to CRRA;
	Review Facility licenses and permits to ensure that all requirements are taken into consideration;
	Evaluate status of available spare parts and tool inventories including recommendations for additions or replacements.

Task Name	Description	
	NAES shall evaluate the following programs and undertake the specified actions:	
	Safety	
	 Review current safety program policies and procedures to identify required changes; 	
	 Upgrade safety program based on industry standard safety practices and assessment of current Facility safety program, as required; and 	
	Issue site specific Safety Manual.	
	Environmental	
Evaluate Safety,	 Review permits and existing environmental management system; 	
Environmental and NERC	Review and evaluate environmental performance;	
Programs	Identify any notices/plan modifications required due to operator replacement; and	
	 Make recommendations to CRRA for any issues identified and for environmental program enhancements. 	
	<u>NERC</u>	
	Review existing NERC compliance system program;	
	 Identify any notices/plan modifications required; 	
	Make recommendations to CRRA for any issues identified; and for NERC program enhancements.	
	Develop protocol for plant communications with the purchaser of the electric output of the Facility (Lead Market Participant).	

Task Name	Description	
	NAES shall setup/implement the following procedures and undertake the specified actions:	
	Accounting	
	 Install/implement software accounting application; 	
	Import vendor maintenance history;	
	Setup vendor accounts/address change; and	
	 Establish operating account and pre-funding procedures. 	
	<u>Payroll</u>	
	Setup employees in payroll system;	
Setup/Implement Accounting,	 Prepare and distribute Facility time card approval and processing procedures; and 	
Payroll Process,	Establish payroll pre-funding procedure.	
Inventory, Invoice, and Administrative Procedures	Inventory:	
	 Prepare and distribute inventory reconciliation procedures; 	
	 Train Facility Administrator in monthly budget variance report responsibility; and 	
	 Develop administrative procedure for Operator accounting responsibilities. 	
	<u>Invoice</u>	
	 Generate invoice formats for Operator payroll and fee invoices; and 	
	Establish invoice approval procedure.	
	Administrative Procedures	
	 Develop administrative procedures for Operator accounts payable responsibilities. 	

Task Name	Description
	NAES shall review the following programs and make recommendations for improvement and prepare operational program development plan to upgrade or replace (as needed) operational programs:
	Administration
	Review administrative procedures and policies in conjunction with CRRA; and
	Issue site specific Administrative Manual.
	Human Resources
	Implement Operator's Human Resources Policy Manual.
	<u>Operations</u>
	 Review current operating procedures to identify required changes. Assess procedures and make recommendations to CRRA for approval of additional work.
Evaluate Facility Operational	Maintenance
Programs	• Evaluate the maintenance program to address the full range of activities including: preventive/condition-based maintenance; predictive maintenance, corrective maintenance; and additional maintenance support activities.
	 Issue a Maintenance Policy Manual containing Operator's maintenance policies.
·	Training
	 Review the content and adequacy of training requirements and plant employee qualifications to comply with Operator's standards;
	 Provide new Facility personnel integrated operations training;
	 Implement a training and qualifications program for new Facility personnel; and
	 Issue a Training Manual for the Facility.
	NAES shall:
Evaluate Plan and Budget	 Review current budget and plan and discuss potential issues with CRRA; and
	If required, modify the budget and plan for approval from CRRA.

Task Name	Description
Develop and Implement a Communication Plan	 NAES shall: Develop and implement a progress report format mutually acceptable to CRRA and Operator; and Develop and implement a plan for routine and extraordinary communications.
	NAES shall provide CRRA the following written documents which shall be Facility specific and shall be maintained and updated, as appropriate and applicable, by NAES throughout the Initial Term of the Agreement and all extensions thereof, if any, and such written documents shall remain with the Facility and become the property of CRRA upon the Termination Date of the Agreement:
	Assessment Report
Deliverables	Assessment Manual
	Chemistry Manual
	Maintenance Policy Manual
	Training Manual
	Safety Manual
	HR Plant Policies and Procedures Manual
	Administrative Procedures Manual

TAB 6

DRAFT RESOLUTION FOR CRRA BOARD OF DIRECTORS

RESOLUTION REGARDING RATIFICATION OF EMERGENCY AUTHORIZATION FOR EXPENDITURES RELATED TO OPERATION OF THE GARBAGE MUSEUM

RESOLVED: That the CRRA Board of Directors ratifies the emergency procurement substantially as presented and discussed at this meeting.

Connecticut Resources Recovery Authority

Summary for emergency authorization for expenditures related to operation of the Garbage Museum

Presented to the CRRA Board on:

July 28, 2011

Vendor/contractor(s):

Various

Effective date:

July 1, 2011

Contract type/subject matter:

Expenditures for operation of the Garbage Museum such as

payroll, utilities, building maintenance and other necessary

expenses

Facility(ies) affected:

Garbage Museum

Total expenditures:

Estimated \$26,000 per month

Connecticut Resources Recovery Authority

Resolution Regarding Ratification of Emergency Authorization for Expenditures Related to Operation of the Garbage Museum

July 28, 2011

EXECUTIVE SUMMARY

The CRRA Board of Directors has not yet adopted a FY 2012 budget for the Garbage Museum. This is to request that the Board ratify the President's emergency authorization of paying expenses related to operation of the Garbage Museum, including payroll, utilities and building maintenance, until the Board adopts a budget.

DISCUSSION

The Garbage Museum, adjacent to CRRA's intermediate processing center in Stratford, was opened in 1995 by the Southwestern Connecticut Regional Recycling Operating Committee (SWEROC) to teach people in that part of the state about recycling, environmentally responsible trash disposal and other aspects of an idea we know today as sustainability. CRRA began operating the Garbage Museum for SWEROC in 1999.

More than 353,000 people have participated in the Garbage Museum's educational programs.

Until July 2009 the Garbage Museum was funded either by solid waste disposal fees paid by towns participating in SWEROC's trash counterpart, the Greater Bridgeport Solid Waste Advisory Board (SWAB) or by revenues from recyclables delivered to the Stratford IPC. Since the Bridgeport-area towns decided to discontinue funding of the museum at the end of Fiscal Year 2009, CRRA has worked to develop other funding sources for the Museum. These other sources included grants, smaller contributions and fees for walk-in admissions, group tours and outreach programs. The Museum has continued to operate without direct funding from CRRA or CRRA member towns.

In May the Board tabled a resolution authorizing management to "promptly discontinu[e] operation of the Garbage Museum in Fiscal Year 2012" unless "a timely change in financial support from the SWEROC area towns" materialized. On May 12, Chairman Pace wrote to the chief executives of SWEROC municipalities to ask them to return to the historical method of funding the Museum funding through a 75-cents-per-ton markup on their solid waste disposal fee under their contracts with CRRA. Despite the fact that their FY 2012 budgets were already adopted, commitments were received from four communities:

- Westport \$15,000
- Woodbridge \$2,500
- Milford 75 cents/ton (\$26,552 based on FY 2010 MSW tonnage)
- Stratford 75 cents/ton (\$20,061 based on FY 2010 MSW tonnage)

Additionally, Bridgeport committed \$4,180 in Community Development Block Grant funds, bringing the total commitments to about \$68,000.

It is important to note that fund-raising efforts are continuing, and would be severely hindered by temporarily closing the Museum. Further, the Museum is generating revenue through admission fees and gift-shop sales.

On July 7 the Board took up the same resolution it tabled in May and, after much discussion, again tabled the resolution for a minimum of 30 days.

Section 702 of CRRA's bylaws reads, in part, "Budget appropriations allocated to the accounts of the Authority shall not be exceeded without the prior approval of the Directors." This would indicate that under normal circumstances no spending can occur without an adopted budget.

Because CRRA's policies require that a budget be approved by the CRRA Board of Directors and in place before expenses can be paid, and because the Museum is operating without an approved budget, the President has authorized emergency procurement for Museum operations.

This is to request that the CRRA Board of Directors ratify the President's decision to authorize payment of Museum expenses under the "Emergency Situation" in the Connecticut Resources Recovery Authority Procurement Policies and Procedures (BOD 014).

DISCUSSION

CRRA's Procurement Policies and Procedures (BOD 014) allows the President to, in case of an emergency, authorize expenditures pending ratification by the CRRA Board of Directors.

2.2.12 "Emergency Situation"

"Emergency Situation" shall mean a situation whereby purchases are needed to remedy a situation that creates a threat to public health, welfare, safety or critical governmental or CRRA service or function. The existence of such a situation creates an immediate and serious need that cannot be met through the normal procurement methods and the lack of which would seriously threaten: (i) the health or safety of any person; (ii) the preservation or protection of property; (iii) the imminent and serious threat to the environment; or (iv) the functioning of CRRA. Any such situation shall be documented with written evidence of said situation.

5.10 Emergency Procurements

In the event of an Emergency Situation as defined herein, the procedures for pre-approval of Contracts in these Policies And Procedures by the Board do not apply. When the President, Chairman, or their designee determines that an Emergency Situation has occurred, the President, Chairman, or their designee is authorized to enter into a Contract under either a competitive or sole source basis, in such amount and of such duration as the President, Chairman, or their designee determines shall be necessary to eliminate the Emergency Situation. Such Emergency Situation contract(s) for cost of the goods or services in excess of \$10,000, with written evidence of said Emergency Situation, shall be presented to the Board for ratification as soon as practicable following the execution of the Contract. The Board shall ratify such emergency Contract unless it is determined that under no circumstances would a reasonable person believe that an Emergency Situation existed.

Because efforts to raise money needed to keep the Museum operating into the future would be crippled by suspending its operations pending action on its FY 2012 budget, it is in the best interests of the Garbage Museum and CRRA to continue operating despite the lack of an adopted budget.

FINANCIAL SUMMARY

Funds for these expenditures are available in the Garbage Museum operating account, which was expected to have a surplus of more than \$57,000 at the end of FY 2011.

TAB 7

RESOLUTION REGARDING DELIVERY OF COVER SOILS TO THE HARTFORD LANDFILL

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

Connecticut Resources Recovery Authority

Contract Summary for Contract Entitled

Special Waste Cover Soils Letter Agreement

Presented to the CRRA Board on:

July 28, 2011

Vendor/ Contractor(s):

Haynes Construction Company, Inc.

Effective date:

January 24, 2011

Contract Type/Subject matter:

Letter Agreement. Delivery of DEP

approved soil to the Hartford Landfill to

be used as cover material.

Facility (ies) Affected:

Hartford Landfill

Original Contract:

This is the original contract

Term:

Through June 30, 2011

Contract Dollar Value:

\$100,800 (up to 6,300 tons at \$16/ton).

This is a REVENUE Contract.

Amendment(s):

None

Term Extensions:

Not applicable

Scope of Services:

Delivery of DEP approved soil to the

Hartford Landfill to be used as contouring and cover material.

Generator – Hartford Housing Authority.

Other Pertinent Provisions:

None

Connecticut Resources Recovery Authority Hartford Landfill Delivery of Cover Soil

July 28, 2011

Executive Summary

CRRA has contracted with Haynes Construction Company, Inc. to deliver up to 6,300 tons of DEP approved soil generated in Hartford, Connecticut to the Hartford Landfill for use as contouring and cover material.

In accordance with Section 5.11 (<u>Market Driven Purchases and Sales</u>) of CRRA's Procurement Policies and Procedures, this is to report to the CRRA Board of Directors that CRRA has entered into this market driven transaction, and to seek Board approval of the transaction.

Discussion

Although the Hartford landfill ceased accepting solid waste on December 31, 2008 and no longer needs soil for daily cover, it continues to need upwards of 100,000 tons of soil to support landfill closure activities, and is permitted to accept DEP approved soil to shape and grade the landfill surface in preparation for final closure.

Based on CRRA's need for DEP approved soils to support landfill closure activities, and in accordance with Section 5.11 (Market Driven Purchases and Sales) of CRRA's Procurement Policies and Procedures, CRRA management periodically identifies prospective sources of non-virgin soils, acceptable to DEP, that can be used as cover and contouring materials for the landfill closure, and for which a delivery charge can be assessed to the generator or deliverer of the soil. CRRA then negotiates a delivery price for the soil with the company that generates or otherwise is managing such soil. CRRA staff has established a list of approximately 20 companies (e.g., construction contractors, environmental remediation companies, environmental consultants) and periodically contacts companies to determine if they have quantities of such soil for shipment to the landfill.

In order to reach out to more potential soil suppliers, in July 2010, staff advertised an "Expression of Interest for Soils" in the following publications throughout Connecticut:

Connecticut Post Hartford Courant Manchester Journal Inquirer New Haven Register Waterbury Republican-American LaVoz Hispania de Connecticut Northeast Minority News

Additionally, the Expression of Interest for Soils was submitted for posting on the DAS website and the Environmental Professionals of Connecticut website, as well as CRRA's website.

Since that time, staff has received over 35 inquiries from owners, contractors, and consultants with potential sources of soil. Based on quantity, soil composition, the estimated delivery time frame, receipt of CTDEP approval of the soil for use as cover material, and the Mid-Connecticut Project Permitting, Disposal and Billing Procedures, CRRA staff make a determination whether or not the soil would be of use, and if so, negotiate a tip fee for soil delivered to the landfill with the generator or their representative.

Of the more than 35 inquiries, CRRA received two in late 2010 from contractors (Red Technologies, LLC and Manafort Brothers, Inc.) with substantial quantities of soil that was acceptable for use as contouring material. CRRA first negotiated a price of \$9/ton and contracted with Red Technologies for up to 40,000 tons of soil. Ultimately, Red Technologies did not deliver any soil to CRRA because it found a lower price at a different disposal facility. Manafort Brothers, Inc., did contract with CRRA for \$15/ton which contract was approved by the Board in October 2010 and is currently ongoing.

In December 2010, CRRA was contacted by Haynes Construction Company, Inc., who had up to 6,300 tons of soil requiring disposal from the City of Hartford Housing Authority Dutch Point Phase 2 project. CRRA was able to negotiate a price of \$16/ton for this soil. Deliveries began on January 31, 2011 and were complete on February 8, 2011. The total amount of soil delivered under the contract was 3,765.87 tons.

CRRA continues to receive regular inquiries regarding soil deliveries to the landfill. Staff typically provides pricing in the \$15 to \$16 per ton range for soils meeting CRRA's acceptance criteria. More often than not, inquirers do not end up contracting with CRRA at the quoted price. However, based on the fact that several inquirers per year do accept CRRA's quoted pricing, staff continues to believe the quoted pricing represents a satisfactory market price for such soil that is to be used as contouring material, and that acceptance of this soil is in the best interest of the member communities of the CRRA Mid-Connecticut Project.

In May, 2011, CRRA began a testing protocol to conduct confirmatory sampling and analysis on approved soil delivered to the landfill. Soil is segregated into stockpiles as it is delivered and confirmatory sampling and analysis is conducted on each stockpile prior to the soil being used as cover and contouring material. To date, all sampling and analysis has confirmed the delivered soil materials meet CRRA's and CTDEP's acceptance criteria.

Financial Summary

This agreement provided \$60,253.92 in revenue to the Mid-Connecticut project (3,765.87 tons at \$16.00 per ton).

TAB 8

RESOLUTION REGARDING DELIVERY OF COVER SOILS TO THE HARTFORD LANDFILL

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

Connecticut Resources Recovery Authority

Contract Summary for Contract Entitled

Special Waste Cover Soils Letter Agreement

Presented to the CRRA Board on:

July 28, 2011

Vendor/ Contractor(s):

D'Amato Construction Company, Inc.

Effective date:

May 5, 2011

Contract Type/Subject matter:

Letter Agreement. Delivery of DEP approved soil to the Hartford Landfill to

be used as cover material.

Facility (ies) Affected:

Hartford Landfill

Original Contract:

This is the original contract

Term:

Through July 31, 2011

Contract Dollar Value:

\$234,450 (up to 15,630 tons at \$15/ton).

This is a REVENUE Contract.

Amendment(s):

None

Term Extensions:

Not applicable

Scope of Services:

Delivery of DEP approved soil to the

Hartford Landfill to be used as contouring and cover material. Generator – City of Hartford.

Other Pertinent Provisions:

None

Connecticut Resources Recovery Authority Hartford Landfill Delivery of Cover Soil

July 28, 2011

Executive Summary

CRRA has contracted with D'Amato Construction Company, Inc. to deliver up to 15,630 tons of DEP approved soil generated in Hartford, Connecticut to the Hartford Landfill for use as contouring and cover material.

In accordance with Section 5.11 (<u>Market Driven Purchases and Sales</u>) of CRRA's Procurement Policies and Procedures, this is to report to the CRRA Board of Directors that CRRA has entered into this market driven transaction, and to seek Board approval of the transaction.

Discussion

Although the Hartford landfill ceased accepting solid waste on December 31, 2008 and no longer needs soil for daily cover, it continues to need upwards of 100,000 tons of soil to support landfill closure activities, and is permitted to accept DEP approved soil to shape and grade the landfill surface in preparation for final closure.

Based on CRRA's need for DEP approved soils to support landfill closure activities, and in accordance with Section 5.11 (Market Driven Purchases and Sales) of CRRA's Procurement Policies and Procedures, CRRA management periodically identifies prospective sources of non-virgin soils, acceptable to DEP, that can be used as cover and contouring materials for the landfill closure, and for which a delivery charge can be assessed to the generator or deliverer of the soil. CRRA then negotiates a delivery price for the soil with the company that generates or otherwise is managing such soil. CRRA staff has established a list of approximately 20 companies (e.g., construction contractors, environmental remediation companies, environmental consultants) and periodically contacts companies to determine if they have quantities of such soil for shipment to the landfill.

In order to reach out to more potential soil suppliers, in July 2010, staff advertised an "Expression of Interest for Soils" in the following publications throughout Connecticut:

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Additionally, the Expression of Interest for Soils was submitted for posting on the DAS website and the Environmental Professionals of Connecticut website, as well as CRRA's website.

Since that time, staff has received over 35 inquiries from owners, contractors, and consultants with potential sources of soil. Based on quantity, soil composition, the estimated delivery time frame, receipt of CTDEP approval of the soil for use as cover material, and the Mid-Connecticut Project Permitting, Disposal and Billing Procedures, CRRA staff make a determination whether or not the soil would be of use, and if so, negotiate a tip fee for soil delivered to the landfill with the generator or their representative.

Of the more than 35 inquiries, CRRA received two in late 2010 from contractors (Red Technologies, LLC and Manafort Brothers, Inc.) with substantial quantities of soil that was acceptable for use as contouring material. CRRA first negotiated a price of \$9/ton and contracted with Red Technologies for up to 40,000 tons of soil. Ultimately, Red Technologies did not deliver any soil to CRRA because it found a lower price at a different disposal facility. Manafort Brothers, Inc., did contract with CRRA for \$15/ton which contract was approved by the Board in October 2010 and is currently ongoing.

In January 2011, CRRA was contacted by the City of Hartford who had up to 15,630 tons of soil requiring disposal from accumulated sediment in the Park River and Auxiliary Conduits. CRRA was able to negotiate a price of \$15/ton for this soil and entered a contract with the City's contractor, D'Amato Construction Company, Inc. Deliveries began on May 10, 2011 and were complete on May 25, 2011. The total amount of soil delivered under the contract was 14,486.96 tons.

CRRA continues to receive regular inquiries regarding soil deliveries to the landfill. Staff typically provides pricing in the \$15 to \$16 per ton range for soils meeting CRRA's acceptance criteria. More often than not, inquirers do not end up contracting with CRRA at the quoted price. However, based on the fact that several inquirers per year do accept CRRA's quoted pricing, staff continues to believe the quoted pricing represents a satisfactory market price for such soil that is to be used as contouring material, and that acceptance of this soil is in the best interest of the member communities of the CRRA Mid-Connecticut Project.

In May, 2011, CRRA began a testing protocol to conduct confirmatory sampling and analysis on approved soil delivered to the landfill. Soil is segregated into stockpiles as it is delivered and confirmatory sampling and analysis is conducted on each stockpile prior to the soil being used as cover and contouring material. All sampling and analysis conducted on the Park River and Auxiliary Conduits sediment has confirmed the delivered soil materials meet CRRA's and CTDEP's acceptance criteria.

Financial Summary

This agreement provided \$217,304.40 in revenue to the Mid-Connecticut project (14,486.96 tons at \$15.00 per ton).

TAB 9

RESOLUTION REGARDING DELIVERY OF COVER SOILS TO THE HARTFORD LANDFILL

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

Connecticut Resources Recovery Authority

Contract Summary for Contract Entitled

Special Waste Cover Soils Letter Agreement

Presented to the CRRA Board on:

July 28, 2011

Vendor/ Contractor(s):

Veolia ES Technical Solutions, L.L.C.

Effective date:

June 3, 2011

Contract Type/Subject matter:

Letter Agreement. Delivery of DEP

approved soil to the Hartford Landfill to

be used as cover material.

Facility (ies) Affected:

Hartford Landfill

Original Contract:

This is the original contract

Term:

Through August 31, 2011

Contract Dollar Value:

\$240,000 (up to 15,000 tons at \$16/ton).

This is a REVENUE Contract.

Amendment(s):

None

Term Extensions:

Not applicable

Scope of Services:

Delivery of DEP approved soil to the

Hartford Landfill to be used as contouring and cover material. Generator – City of New Haven.

Other Pertinent Provisions:

None

Connecticut Resources Recovery Authority Hartford Landfill Delivery of Cover Soil

July 28, 2011

Executive Summary

CRRA has contracted with Veolia ES Technical Solutions, L.L.C. to deliver up to 15,000 tons of DEP approved soil generated in New Haven, Connecticut to the Hartford Landfill for use as contouring and cover material.

In accordance with Section 5.11 (<u>Market Driven Purchases and Sales</u>) of CRRA's Procurement Policies and Procedures, this is to report to the CRRA Board of Directors that CRRA has entered into this market driven transaction, and to seek Board approval of the transaction.

Discussion

Although the Hartford landfill ceased accepting solid waste on December 31, 2008 and no longer needs soil for daily cover, it continues to need upwards of 100,000 tons of soil to support landfill closure activities, and is permitted to accept DEP approved soil to shape and grade the landfill surface in preparation for final closure.

Based on CRRA's need for DEP approved soils to support landfill closure activities, and in accordance with Section 5.11 (Market Driven Purchases and Sales) of CRRA's Procurement Policies and Procedures, CRRA management periodically identifies prospective sources of non-virgin soils, acceptable to DEP, that can be used as cover and contouring materials for the landfill closure, and for which a delivery charge can be assessed to the generator or deliverer of the soil. CRRA then negotiates a delivery price for the soil with the company that generates or otherwise is managing such soil. CRRA staff has established a list of approximately 20 companies (e.g., construction contractors, environmental remediation companies, environmental consultants) and periodically contacts companies to determine if they have quantities of such soil for shipment to the landfill.

In order to reach out to more potential soil suppliers, in July 2010, staff advertised an "Expression of Interest for Soils" in the following publications throughout Connecticut:

Connecticut Post Hartford Courant Manchester Journal Inquirer New Haven Register Waterbury Republican-American LaVoz Hispania de Connecticut Northeast Minority News

Additionally, the Expression of Interest for Soils was submitted for posting on the DAS website and the Environmental Professionals of Connecticut website, as well as CRRA's website.

Since that time, staff has received over 35 inquiries from owners, contractors, and consultants with potential sources of soil. Based on quantity, soil composition, the estimated delivery time frame, receipt of CTDEP approval of the soil for use as cover material, and the Mid-Connecticut Project Permitting, Disposal and Billing Procedures, CRRA staff make a determination whether or not the soil would be of use, and if so, negotiate a tip fee for soil delivered to the landfill with the generator or their representative.

Of the more than 35 inquiries, CRRA received two in late 2010 from contractors (Red Technologies, LLC and Manafort Brothers, Inc.) with substantial quantities of soil that was acceptable for use as contouring material. CRRA first negotiated a price of \$9/ton and contracted with Red Technologies for up to 40,000 tons of soil. Ultimately, Red Technologies did not deliver any soil to CRRA because it found a lower price at a different disposal facility. Manafort Brothers, Inc., did contract with CRRA for \$15/ton which contract was approved by the Board in October 2010 and is currently ongoing.

In March 2011, CRRA was contacted by Veolia ES Technical Solutions, L.L.C. who was managing a project that had up to 15,000 tons of soil requiring disposal from the City of New Haven's East Rock School site. CRRA was able to negotiate a price of \$16/ton for this soil and entered a contract with Veolia ES Technical Solutions, L.L.C. Deliveries began on June 8, 2011 and are currently ongoing.

CRRA continues to receive regular inquiries regarding soil deliveries to the landfill. Staff typically provides pricing in the \$15 to \$16 per ton range for soils meeting CRRA's acceptance criteria. More often than not, inquirers do not end up contracting with CRRA at the quoted price. However, based on the fact that several inquirers per year do accept CRRA's quoted pricing, staff continues to believe the quoted pricing represents a satisfactory market price for such soil that is to be used as contouring material, and that acceptance of this soil is in the best interest of the member communities of the CRRA Mid-Connecticut Project.

In May, 2011, CRRA began a testing protocol to conduct confirmatory sampling and analysis on approved soil delivered to the landfill. Soil is segregated into stockpiles as it is delivered and confirmatory sampling and analysis is conducted on each stockpile prior to the soil being used as cover and contouring material. All sampling and analysis conducted on the East Rock School soil has confirmed the delivered soil materials meet CRRA's and CTDEP's acceptance criteria.

Financial Summary

This agreement provides for up to \$240,000 in revenue to the Mid-Connecticut project (15,000 tons at \$16.00 per ton).

TAB 10

RESOLUTION REGARDING THE AUTHORIZATION OF A REQUEST FOR WORK TO PROVIDE LABOR AND EQUIPMENT SERVICES FOR THE OPERATION OF THE HARTFORD LANDFILL

RESOLVED: That the President is hereby authorized to execute a Request for Work with Botticello Inc., pursuant to a new On-Call Equipment Work Agreement to provide labor and equipment for the operation and maintenance of the CRRA Hartford Landfill as presented and discussed at this meeting.

Connecticut Resources Recovery Authority

Contract Summary for Contract entitled

Request for Work – Operation and Maintenance of CRRA Hartford Landfill

Presented to the CRRA Board on:

July 28, 2011

Vendor/ Contractor(s):

Botticello, Inc.

Effective date:

Upon Execution

Contract Type/Subject matter:

Public Bid/Construction

Facility (ies) Affected:

Hartford Landfill

Original Contract:

N/A

Term:

February 29, 2012

Contract Dollar Value:

\$353,075.91 (Not to Exceed)

Change Orders:

N/A

Term Extensions:

N/A

Scope of Services:

Provide equipment, labor, and incidentals for various projects associated with operation and maintenance of the CRRA Hartford landfill, as

directed by CRRA.

Other Pertinent Provisions:

None

Connecticut Resources Recovery Authority Request for Work for Operation and Maintenance of Connecticut Resources Recovery Authority Hartford Landfill

July 28, 2011

Executive Summary

This is to request approval of the CRRA Board of Directors for the President to enter into a Request for Work with Botticello Inc. to perform work required to operate and maintain the CRRA Hartford Landfill, pursuant to its existing On-Call Equipment Work Agreement.

Discussion

In anticipation of MDC ceasing to operate the CRRA Harford Landfill after December 31, 2008, CRRA publicly advertised a bid on December 17, 2008 soliciting contractors to provide on-call labor and equipment services for CRRA's 5 landfills. The solicitation specifically requested that bidders provide hourly labor rates for the Hartford Landfill in the categories of Foreman, Equipment Operator, General Laborer, Driver, and Equipment Mechanic. This was requested so that CRRA could hire an experienced contractor to operate and maintain the Hartford landfill and CRRA owned landfill equipment during the closure phase of the landfill.

The following four bidders provided acceptable bids to CRRA, and each was awarded an on-call contract, approved by CRRA's Board of Directors in 2009:

Botticello, Inc.
David G. Roach & Sons, Inc.
J. Bates & Sons, Inc.
R. L. Rogers & Sons, Inc.

In 2009, CRRA staff analyzed each bidder's labor rates relative to an anticipated level of effort required to operate the Hartford Landfill during its closure phase, which at the time was anticipated to run through fiscal year 2011. The bidders providing the lowest labor rates, Botticello, Inc., and J. Bates & Sons, LLC were compared as summarized in the table below.

Hartford Landfill Operation Cost Comparison March 1, 2009				
Through FY 2011				
Botticello, Inc.	\$885,300			
J. Bates & Sons, Inc.	\$1,196,300			

Based on this information, CRRA's Board of Directors approved Botticello, Inc. to provide landfill operation services through FY2011. Over that time period, Botticello has worked effectively and efficiently at maintaining the landfill site and equipment, and the cost to CRRA over that time period (\$860,128.14) was approximately \$25,000 less than anticipated in 2009.

Closure activities are continuing at the Hartford Landfill. Currently, approximately 61 acres are closed with a final cap and approximately 35 acres remain to be capped. It is anticipated that the final phase of closure will occur in 2012 and 2013. In order to continue to manage the landfill in compliance with its operating permits and CTDEP regulations, CRRA must continue to employ a qualified contractor to operate its equipment and provide required maintenance activities such as erosion repair, leachate seep repair, general grading and shaping of the land surface in preparation for closure, and road sweeping among other things.

CRRA staff again analyzed the bids of Botticello Inc. and J. Bates & Sons, Inc. for FY 2012 through February 29, 2012 which analysis is summarized in the table below.

Hartford Landfill Operation Cost Comparison July 1, 2011				
Through February 29, 2012				
Botticello, Inc.	\$353,075.91			
J. Bates & Sons, Inc.	\$439,349.31			

Therefore, based on Botticello Inc.'s effective operation of the landfill over the past 28 months and the fact that they are the low bidder, CRRA staff recommends contracting with Botticello Inc. for continued operation of the landfill during the final phase of closure, through the On-Call Contract term of February 29, 2012.

Financial Summary

The anticipated not-to-exceed cost to operate the landfill from July 1, 2011 through February 29, 2012 is \$353,075.91. This cost has been budgeted in the FY12 Hartford Landfill Operating Budget. This contract complies with the Connecticut Department of Labor Prevailing Wage law.

TAB 11

RESOLUTION REGARDING TIER 4 MUNICIPAL SOLID WASTE MANAGEMENT SERVICES AGREEMENT FOR THE PROVISION OF ACCEPTABLE SOLID WASTE AND ACCEPTABLE RECYCLABLES SERVICES AND MASTER COORDINATION AGREEMENT FOR MUNICIPAL SOLID WASTE DISPOSAL, PROCESSING AND RECYCLING SERVICES

RESOLVED: The President is hereby authorized to enter into Tier 4 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; and

FURTHER RESOLVED: The President is hereby authorized to enter into the "Master Coordination Agreement for Municipal Solid Waste Disposal, Processing and Recycling Services" with the Central Connecticut Solid Waste Authority, substantially as presented and discussed at this meeting.

CONTRACT SUMMARYFor Contracts Entitled

TIER 4 MUNICIPAL SOLID WASTE MANAGEMENT SERVICES AGREEMENT FOR THE PROVISION OF ACCEPTABLE SOLID WASTE AND ACCEPTABLE RECYCLABLES SERVICES

Presented to the CRRA Board:	July 28, 2011		
Vendor/Contractor(s):	Connecticut municipalities		
Contract Type/Subject matter:	Municipal Services Agreement ("MSA")		
Facility(ies)/Project(s) Affected:	Mid-Connecticut Project		
General:	The Tier 4 MSA is the fifth option CRRA is making available to Connecticut municipalities for their consideration.		
	Please see the attached table for a summary of the key terms and provisions of all five options.		
Effective Date:	November 16, 2012		
Term:	Please see attached table		
Term Extensions:	None		
Disposal Fees:	Please see attached table		
Delivery Standard:	Acceptable Solid Waste and Acceptable Recyclables in accordance with Mid-Connecticut Permitting, Disposal & Billing Procedures		
Credit Security:	None		

CONTRACT SUMMARY

For Contract Entitled

MASTER COORDINATION AGREEMENT FOR MUNICIPAL SOLID WASTE DISPOSAL, PROCESSING AND RECYCLING SERVICES

Presented to the CRRA Board:	July 28, 2011		
Vendor/Contractor(s):	Central Connecticut Solid Waste Authority ("CCSWA")		
Contract Type/Subject matter:	Coordination agreement for CCSWA member municipalities that enter into MSAs with CRRA		
Facility(ies)/Project(s) Affected:	Mid-Connecticut Project		
General:	The Master Coordination Agreement is intended to coordinate activities between CCSWA and CRRA with respect to CCSWA member municipalities that have entered into MSAs with CRRA		
Effective Date:	November 16, 2012		
Term:	Coterminous with the longest term of the MSA options selected by CCSWA member municipalities.		
Term Extensions:	None		
Disposal Fees:	Pursuant to MSAs		
Delivery Standard:	Pursuant to MSAs		
Credit Security:	None		

TIER 4 MUNICIPAL SOLID WASTE MANAGEMENT SERVICES AGREEMENT FOR THE PROVISION OF ACCEPTABLE SOLID WASTE AND ACCEPTABLE RECYCLABLES SERVICES AND

MASTER COORDINATION AGREEMENT FOR MUNICIPAL SOLID WASTE DISPOSAL, PROCESSING AND RECYCLING SERVICES

July 28, 2011

Executive Summary

On January 27, 2011, the Board of Directors approved four options for municipal services agreements ("MSAs") between CRRA and Connecticut municipalities: Tier 1 Long-Term, Tier 1 Short-Term, Tier 2 and Tier 3. Subsequent to that approval, the Central Connecticut Solid Waste Authority ("CCSWA"), representing its 21 municipal members (20 of which are currently CRRA Mid-Connecticut Project municipalities), requested that CRRA develop a fifth MSA option. CRRA management has negotiated with the CCSWA to develop a Tier 4 MSA option and this resolution is to request approval of the CRRA Board of Directors for the President to enter into Tier 4 MSAs with Connecticut municipalities for acceptable solid waste and acceptable recyclables services.

As a pre-condition for recommending CRRA and the five MSA options to its members, CCSWA requires CRRA to enter into a "Master Coordination Agreement for Municipal Solid Disposal, Processing and Recycling Services" ("Master Coordination Agreement"). CRRA has negotiated a Master Coordination Agreement with CCSWA and this resolution is to request approval of the CRRA Board of Directors for the President to enter into the Master Coordination Agreement with CCSWA.

Discussion - Tier 4 MSA

With the looming expiration of the current MSAs, in 2007 CRRA management initiated a process, in consultation with municipalities, to develop new MSA options. A major milestone in that process was the approval by the Board of Directors on January 27, 2011 of four MSA options for consideration by Connecticut municipalities. The four MSA options and their major features are as follows:

- The Tier 1 Long-Term MSA, which has a term of 15 years and requires a municipality to commit all of the acceptable solid waste generated within its borders and all of the acceptable recyclables generated by residential and municipal sources within its borders;
- The Tier 1 Short Term MSA, which has a term of five years and requires a municipality to commit all of the acceptable solid waste generated within its borders and all of the acceptable recyclables generated by residential and municipal sources within its borders;

- The Tier 2 MSA, which has a term of three years and requires a municipality to commit all of the acceptable solid waste under its control (i.e., waste for which it either directly or indirectly pays for the disposal); if desired by the municipality, recyclables would be subject to a separate agreement; there would be minimum tonnage commitments and tonnage caps; and
- The Tier 3 MSA (the "Renewal MSA"), which has a term of 15 years and requires a municipality to commit all of the acceptable solid waste and all of the acceptable recyclables under its control; there would be minimum tonnage commitments, but no tonnage cap.

A summary comparison of the key terms of the four MSA options is attached hereto.

CRRA management has undertaken an outreach effort to the Mid-Connecticut Project municipalities on the MSA options. The Mid-Connecticut Project municipalities have until October 1, 2011 to select one of the options. CRRA management will soon notify non-Mid-Connecticut Project municipalities of the availability of the MSA options.

In early 2010, the CCSWA was formed. Currently, 21 municipalities are members of the CCSWA and 20 of the members are Mid-Connecticut Project municipalities. On December 29, 2010, CCSWA, on behalf of its member municipalities, issued a Request for Qualifications ("RFQ") for waste disposal and recyclables processing and marketing services. In response to the RFQ, CRRA submitted a Statement of Qualifications to CCSWA on February 3, 2011.

By letter dated March 3, 2011, CCSWA invited CRRA, among others, to enter into negotiations with CCSWA regarding the services that were the subject of the RFQ. During the negotiations, CCSWA asked CRRA to consider the development of a Tier 4 MSA that would be modeled on the Tier 2 and Tier 3 MSA options. CRRA management has negotiated a Tier 4 MSA with CCSWA. The major features of the Tier 4 MSA are the following:

- It has a term of six years, expiring June 30, 2018, with two divisible two-year options exercisable by mutual agreement (none of the other MSA options include potential extensions of the term);
- It requires a municipality to commit all of the acceptable solid waste and all of the acceptable recyclables under its control (the same as the Tier 3 MSA option);
- The acceptable solid waste delivered by the municipality would be subject to minimum tonnage commitments and tonnage caps (the same as the Tier 2 MSA option);
- The applicable disposal charge would be the base disposal fee (the same as the Tier 1 Short-Term MSA option; and
- It does not include an "opt out" provision whereby a municipality can terminate the MSA if the actual disposal fee exceeds the levels specified in the MSA (the same as the Tier 2 and Tier 3 MSA options).

CRRA would make the Tier 4 MSA option available to all Mid-Connecticut Project municipalities and, subsequently, to all Connecticut municipalities, not just to those that are members of CCSWA.

CCSWA has informed CRRA that the Tier 4 MSA option will be considered at its meeting on July 22, 2011. CRRA management will report to the CRRA Board the outcome of that meeting as part of the Board's consideration of this resolution.

Discussion – Master Coordination Agreement

In its RFQ, CCSWA indicated that it would require the successful respondent(s) to enter into a Master Agreement with CCSWA whereby CCSWA would exercise certain collective activities on behalf of all of its member municipalities that had entered into an MSA with CRRA. As part of the negotiation process with CCSWA, CRRA management has negotiated a Master Coordination Agreement with CCSWA.

The following are the major provisions of the Master Coordination Agreement:

- CRRA will provide copies to CCSWA of notices and other documents CRRA provides to CCSWA members with which it has MSAs;
- A representative of CCSWA may accompany the representative of a CCSWA member municipality with which CRRA has an MSA on any inspection authorized under the MSA; and
- CRRA, at the request of CCSWA, will provide reasonable assistance to CCSWA member municipalities with which CRRA has MSAs to develop programs to increase municipal recycling rates.

As with the Tier 4 MSA, CCSWA has indicated that the Master Coordination Agreement will be considered at its meeting on July 22, 2011. CRRA management will report to the CRRA Board on the outcome of the CCSWA meeting as part of the Board's consideration of this resolution.



MID-CONNECTICUT SYSTEM MUNICIPAL SERVICE AGREEMENTS ("MSAs")

SUMMARY AND COMPARISON OF KEY TERMS

Item		Tier 1 Long-Term MSA	Tier 1 Short-Term MSA	Tier 2 Contract MSA	Tier 3 Renewal MSA	Tier 4 MSA
Estimated Disposal Fee ¹	FY13	\$59.50	\$61.50	\$63.50	\$59.50	\$61.50
	FY17	\$57.00	\$59.00	\$61.00	\$57.00	\$59.00
Nominał Term ²		15 Years (Through 06/30/27)	5 Years (Through 06/30/17)	3 Years (Through 06/30/15)	15 Years (Through 06/30/27)	6 Years (Through 06/30/18) with 2 extension options of 2- years each
CRRA Commitment to Take MSW for Disposal		Yes	Yes	Yes ³	Yes	Yes ³
Municipality's Commitment of MSW and Recyclables		All MSW and Residential Recyclables Generated Within Its Borders	All MSW and Residential Recyclables Generated Within Its Borders	All MSW under Municipality's Control ⁴ with a Minimum Tonnage Commitment	All MSW and Recyclables under Municipality's Control ⁴ with a Minimum Tonnage Commitment	All MSW and Recyclables under Municipality's Control ⁴ with a Minimum Tonnage Commitment
Tonnage Cap		No	No	Yes ⁵	No ⁶	Yes ⁵
Price-Triggered "Opt-Out" Provis	sion ⁷	Yes	Yes	No	No	No
FY13 "Opt-Out" Level		\$61.00	\$63.00	N/A	N/A	N/A
Consequence If Tonnage Commitment Not Met		Breach and, If Not Remedied Within 6 Months, Termination	Breach and, If Not Remedied Within 6 Months, Termination	Charge for Each Ton Below Commitment (\$15/ton summer; \$30/ton winter)	Charge for Each Ton Below Commitment (\$15/ton summer; \$30/ton winter)	Charge for Each Ton Below Commitment (\$15/ton summer; \$30/ton winter)
MSW Most-Favored-Nation Commitment (Collective Terms and Conditions)		Yes	Yes	No	Yes	Yes
Recycling Most-Favored-Nation Commitment		Yes	Yes	No	Yes	Yes
Eligibility for Recycling Rebates		Yes ⁸	Yes ⁸	No	Yes ⁸	Yes ⁸
Transfer Station Usage Surcharge		No	No	Yes	No	No
Transfer Station Fuel Surcharge		Yes	Yes	Yes	Yes	Yes
Guaranteed Availability of MSA Option		Through 10/01/11	Through 10/01/11	10/01/11 Through 11/15/12 ⁹	Through 10/01/11	Through 10/01/11
Expiration Date		2027	Term ¹⁰	Term ¹⁰	2027	Term ¹⁰

¹ CRRA's best estimate of the disposal fee for the period November 16, 2012 through June 30, 2013. CRRA projects that the same disposal fee will be maintained for FY14 and FY15 and will then decrease by a modest amount.

Most MSAs expire on November 15, 2012, but there are a variety of other expiration dates. All MSAs will be structured so that they expire on June 30th. For example, the first contract year for most MSAs will be 7 months and 15 days to get from November 15, 2012 to June 30, 2013. Subsequent contract years will be from July 1st through the following June 30th.

³ CRRA will charge a higher price for tons above the tonnage cap.

Under Municipality's control" means waste for which the municipality either directly or indirectly pays for the disposal.

MSW will be accepted, but customer will be assessed a proportional share of any net increase in CRRA costs (e.g., costs of exporting waste to alternative disposal site)

⁶ No tonnage cap for waste under control of the municipality and generated within the borders of the municipality.

If actual disposal fee exceeds amount specified, municipality has the option of terminating the MSA and making other arrangements for the management of its waste and recyclables.

Rebates may be issued after the CRRA Board of Directors declares a surplus for a fiscal year.

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¹⁰ If offered after "Guaranteed Availability" date, term can be no later than 2027.