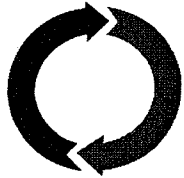


CRRA
REGULAR BOARD MEETING
May 22, 2014



**CONNECTICUT
RESOURCES
RECOVERY
AUTHORITY**

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

MEMORANDUM

TO: CRRA Board of Directors
FROM: Moira Kenney, HR Specialist/Board Administrator
DATE: May 16, 2014
RE: Notice of Regular Board Meeting

There will be a Regular Board Meeting of the Connecticut Resources Recovery Authority Board of Directors on Thursday May 22, 2014, at 9:30 p.m. The meeting will be held in the Board Room at 100 Constitution Plaza, Hartford, CT 06103.

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

Connecticut Resources Recovery Authority
Regular Board of Directors Meeting

Agenda
May 22, 2014
9:30 AM

I. Pledge of Allegiance

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. 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.

IV. Minutes

1. Board Action will be sought for Approval of the Special Telephonic Feb. 26, 2014, Meeting Minutes (Attachment 1).
2. Board Action will be sought for Approval of the Regular April 24, 2014, Board Meeting Minutes (Attachment 2).

V. Policies & Procurement Committee Reports

1. Board Action will be sought for the Resolution Regarding 3 Year Computer Information Consulting Services (Attachment 3).
2. Board Action will be sought for the Resolution Regarding 3 Year Public Relations Services Agreements (Attachment 4).
3. Board Action will be sought for the Resolution Regarding Cooperative Service Agreement between CRRA and the USDA Animal and Plant Health Inspection Services/Wildlife Services for Bird Control (Attachment 5).
4. Board Action will be sought for the Resolution Regarding the Standard Form Municipal Solid Waste Delivery Agreement for the Connecticut Solid Waste System (Attachment 6).
5. Board Action will be sought for the Resolution Regarding General Counsel Legal Services Agreement (Attachment 7).
6. Board Action will be sought for the Resolution Regarding FY15 Projected Legal Expenditures (Attachment 8).

VI. Finance Committee Reports

1. Board Action will be sought for the Resolution Regarding Increasing the Cap

Associated with the Authority's Tip Fee Stabilization Fund (Attachment 9).

2. Board Action will be sought for the Resolution Regarding Payments in Lieu of Taxes with City of Hartford (Attachment 10).

VII. Chairman and President's Reports

VIII. Organizational Synergy & Human Resources Committee Reports

IX. 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 THIRTY-NINTH

FEB. 26, 2014

A special telephonic meeting of the Connecticut Resources Recovery Authority Board of Directors was held on Wed. Feb. 26, 2014, in the Board Room at 100 Constitution Plaza, Hartford, CT. Those present were:

Directors: Chairman Don Stein
Vice-Chairman Barlow
John Adams
Ralph Eno
Joel Freedman
Jim Hayden
Andy Nunn (present by telephone)
Scott Shanley
Bob Painter, Mid-Connecticut Project Ad-Hoc

Present from CRRA in Hartford:

Tom Kirk, President
Mark Daley, Chief Financial Officer
Peter Egan, Director of Environmental Affairs and Operations
Laurie Hunt, Director of Legal Service
Moira Kenney, HR Specialist/Board Administrator

Chairman Stein called the meeting to order at 9:07 a.m. and said a quorum was present.

PUBLIC PORTION

Chairman Stein 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 Stein proceeded with the meeting agenda.

RESOLUTION REGARDING ADDITIONAL PROJECTED LEGAL EXPENDITURES

Chairman Stein requested a motion on the above referenced item. The motion was made by Director Hayden and seconded by Director Eno.

WHEREAS, CRRA obtained Board authorization to pay projected legal fees and expenses from appropriate budgets and reserves in May, 2013; and

WHEREAS, Public Act 13-247, approved in June, 2013, states that CRRA shall enter into a memorandum of understanding with DEEP for the assumption by DEEP of CRRA's post-closure obligations for the Hartford, Ellington, Wallingford, Shelton, and Waterbury landfills; and

WHEREAS, CRRA has engaged its environmental counsel to provide legal advice and assistance with the drafting and negotiation of the required MOU; and

WHEREAS, CRRA expects to incur greater than authorized legal expenses for these 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 2014:

<u>Firm:</u>	<u>Amount:</u>
Brown Rudnick	\$85,000

Mr. Kirk said this resolution provides for additional projected legal expenses for Brown Rudnick. He explained the firm is working diligently on MOU negotiations with the Connecticut Department of Environmental Energy and Protection. Chairman Stein asked if management expects that this additional \$85,000 will be sufficient for this matter. Ms. Hunt replied that it depends on how the negotiations go as a prior \$85,000 has already been utilized. She said this \$85,000 brings CRRA to the amount of legal expenses which were approved to come out of the Hartford post-closure account. Ms. Hunt provided the Board with a basic overview on the process thus far.

The motion previously made and seconded was approved by roll call. Chairman Stein, Vice Chairman Barlow, Director Adams, Director Eno, Director Freedman, Director Hayden, Director MacDougald, Director Nunn, Director Painter and Director Shanley voted yes. Director Adams abstained. Director Painter voted no.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams			X
Ralph Eno	X		
Joel Freedman	X		
James Hayden	X		
Joe MacDougald	X		
Andrew Nunn	X		
Scott Shanley	X		
Ad-Hocs			
Bob Painter, CSWS		X	
Steve Edwards, Southwest			

ADJOURNMENT

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

There being no other business to discuss, the meeting adjourned at 9:18 a.m.

Respectfully Submitted,



Moira Kenney
HR Specialist/Board Administrator

TAB 2

CONNECTICUT RESOURCES RECOVERY AUTHORITY

FOUR HUNDRED AND FORTIETH

APRIL 24, 2014

A regular meeting of the Connecticut Resources Recovery Authority Board of Directors was held on Thurs. April 24, 2014, in the Board Room at 100 Constitution Plaza, Hartford, CT. Those present were:

Directors: Chairman Don Stein
Vice-Chairman Barlow
John Adams
Ralph Eno
Joel Freedman
Jim Hayden (present by telephone until arrival in person at 11:25 a.m.)
Joe MacDougald (present by telephone until 11:50 a.m.)
Andrew Nunn (present by telephone until 11:50 a.m.)
Scott Shanley
Steve Edwards, Southwest Project Ad-Hoc
Bob Painter, CSWS Project Ad-Hoc

Present from CRRA in Hartford:

Tom Kirk, President
Mark Daley, Chief Financial Officer
Jeff Duvall, Director of Budgets and Forecasting
Peter Egan, Director of Environmental Affairs and Operations
Laurie Hunt, Director of Legal Service
Marianne Carcio, Executive Assistant
Moira Kenney, HR Specialist/Board Administrator

Others present: Doug Cohen, Esq. and Scott Muska, Esq., Brown Rudnick; Miguel Escalera, Esq., Kainen, Escalera & McHale; John Farley, Esq., Halloran & Sage; John Pizzimenti, USA Hauling; Jim Sandler, Esq., Sandler & Mara.

Chairman Stein called the meeting to order at 9:30 a.m. and said a quorum was present.

PUBLIC PORTION

Chairman Stein 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 Stein proceeded with the meeting agenda.

EXECUTIVE SESSION

Chairman Stein requested a motion to enter into Executive Session to discuss pending litigation, and personnel matters. The motion, made by Director Shanley and seconded by Director Eno, was approved unanimously. Chairman Stein asked the following people join the Directors in the Executive Session:

- Tom Kirk
- Mark Daley
- Peter Egan
- Laurie Hunt
- Miguel Escalera, Esq.
- John Farley, Esq.

The Executive Session began at 9:35 a.m. and concluded at 10:11 a.m. Chairman Stein noted that no votes were taken in Executive Session.

The motion previously made and seconded to go into Executive Session was approved unanimously by roll call. Chairman Stein, Vice Chairman Barlow, Director Adams, Director Edwards, Director Eno, Director Freedman, Director Hayden, Director MacDougald, Director Nunn, Director Painter and Director Shanley voted yes.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Joel Freedman	X		
James Hayden	X		
Joe MacDougald	X		
Andrew Nunn	X		
Scott Shanley	X		
Ad-Hocs			
Bob Painter, CSWS	X		
Steve Edwards, Southwest	X		

REVIEW AND RECOMMEND RESOLUTION REGARDING ADDITIONAL PROJECTED LEGAL EXPENSES

Chairman Stein requested a motion on the above referenced item. The motion was made by Vice-Chairman Barlow and seconded by Director Shanley.

WHEREAS, CRRA obtained Board authorization to pay projected legal fees and expenses from appropriate budgets and reserves in May, 2013; and

WHEREAS, CRRA expects to incur greater than authorized legal costs for these services; and

WHEREAS, CRRA now seeks Board authorization to expend funds from one of its Board-designated reserves to pay these additional legal costs;

NOW THEREFORE, it is

RESOLVED: That the following additional amount be authorized for projected legal fees and costs to be incurred during fiscal year 2014:

<u>Firm:</u>	<u>Amount:</u>
Kainen Escalera & McHale	\$450,000

FURTHER RESOLVED: That the President is authorized to pay such additional legal fees and costs from the Mid-Connecticut Litigation Reserve.

The motion previously made and seconded was passed unanimously by roll call. Chairman Stein, Vice Chairman Barlow, Director Adams, Director Eno, Director Freedman, Director Hayden, Director MacDougald, Director Nunn, Director Painter and Director Shanley voted yes.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Joel Freedman	X		
James Hayden	X		
Joe MacDougald	X		
Andrew Nunn	X		
Scott Shanley	X		
Ad-Hocs			
Bob Painter, CSWS	X		
Steve Edwards, Southwest			

APPROVAL OF THE MINUTES OF THE REGULAR MARCH 20, 2014, BOARD MEETING MINUTES

Chairman Stein requested a motion to approve the minutes of the Regular March 20, 2014, Board Meeting. Vice-Chairman Barlow made the motion which was seconded by Director Adams.

The motion to approve the minutes was approved unanimously by roll call. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Edwards, Director Eno, Director Freedman, Director Hayden, Director MacDougald, Director Nunn, Director Painter, and Director Shanley voted yes.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Joel Freedman	X		
James Hayden	X		
Joe MacDougald	X		
Andrew Nunn	X		
Scott Shanley	X		
Ad-Hocs			
Bob Painter, CSWS	X		
Steve Edwards, Southwest	X		

REVIEW AND RECOMMEND RESOLUTION REGARDING COAL POND

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

RESOLVED: that payment of expenses associated with removal of accumulated sediment from the coal pond shall be funded from the Mid-Connecticut Operating Account, substantially as discussed and presented at this meeting, and be it

FURTHER RESOLVED: that payment of expenses associated with transportation and disposal of the accumulated sediment shall be funded from the Mid-Connecticut Operating Account, substantially as discussed and presented at this meeting.

Mr. Kirk said this resolution is for a small additional expenditure which is considered a Mid-Conn expense as the deposited material in the coal pond is Mid-Conn generated waste. He said this additional expenditure will be funded from the Mid-Conn reserve.

Director Painter asked if the coal pond containment is safe. Mr. Egan said the area is an earthen dike lined with a synthetic membrane which is structurally fine to contain the sediment accumulated there. He said the pond is used to contain storm water and contact water from the plant as a repository for that material. Mr. Egan said a fine ash material settles out of the water and that several feet of accumulated ash needs to be removed.

Director Painter asked if the pond is close to capacity and asked how close it is to the Connecticut River. Mr. Egan said no, and about 500 feet. He said if there was a breach from the pond the water would migrate westward and would eventually reach the storm drain.

The motion previously made and seconded was passed unanimously by roll call. Chairman Stein, Vice Chairman Barlow, Director Adams, Director Eno, Director Freedman, Director Hayden, Director MacDougald, Director Nunn, Director Painter and Director Shanley voted yes.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Joel Freedman	X		
James Hayden	X		
Joe MacDougald	X		
Andrew Nunn	X		
Scott Shanley	X		
Ad-Hocs			
Bob Painter, CSWS	X		
Steve Edwards, Southwest			

REVIEW AND RECOMMEND RESOLUTION REGARDING THREE YEAR LEGAL SERVICES AGREEMENTS

Chairman Stein requested a motion on the above referenced item. The motion was made by Director Adams and seconded by Director Eno.

RESOLVED: That the President is hereby authorized to execute, deliver, and perform on behalf of this Authority, Legal Services Agreements as were substantially set forth in the Request for Qualifications dated January 21, 2014, for a period of three years commencing on July 1, 2014 and terminating on June 30, 2017, with the law firms listed below. Except for the General Counsel position, all other counsel positions will be “on call”.

BOND COUNSEL

Pullman & Comley
Sidley Austin
McCarter & English

CONSTRUCTION

Halloran & Sage
Brown Rudnick
McCarter & English
McElroy, Deutsch

EMPLOYMENT

Halloran & Sage
Kainen, Escalera
Carmody Torrance
Cohn Birnbaum
McCarter English

McElroy, Deutsch
Willinger, Willinger & Bucci

ENERGY/DPUC

Halloran & Sage
Brown Rudnick
Carmody Torrance
Day Pitney
Duncan, Weinberg
McCarter & English
Pullman & Comley

ENVIRONMENTAL

Halloran & Sage
Brown Rudnick
Carmody Torrance
Cohn Birnbaum
Day Pitney
Duncan, Weinberg
McCarter & English
Pullman & Comley

LITIGATION

Halloran & Sage
Brown Rudnick
Carmody Torrance
Cohn Birnbaum
Day Pitney
Kainen, Escalera
McCarter & English
McElroy, Deutsch
Willinger, Willinger & Bucci

REAL ESTATE

Halloran & Sage
Brown Rudnick
Carmody Torrance
Cohn Birnbaum
Day Pitney
McCarter & English

McElroy, Deutsch
Willinger, Willinger & Bucci

SOLID WASTE

Halloran & Sage
Brown Rudnick
Carmody Torrance
Cohn Birnbaum
McCarter English
Pullman & Comley

Director Adams said members of the Policies & Procurement Committee, as well as Chairman Stein and Director Freedman have volunteered to conduct legal interviews next week for the five firms being considered for General Counsel.

Ms. Hunt said the resolution would allow for entry into contracted legal services without any financial amounts attached to them.

The motion previously made and seconded was passed unanimously by roll call. Chairman Stein, Vice Chairman Barlow, Director Adams, Director Eno, Director Freedman, Director Hayden, Director Nunn, Director Painter and Director Shanley voted yes. Director MacDougald abstained.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Joel Freedman	X		
James Hayden	X		
Joe MacDougald			X
Andrew Nunn	X		
Scott Shanley	X		
Ad-Hocs			
Bob Painter, CSWS	X		
Steve Edwards, Southwest			

MOTION TO ADD AN ITEM TO THE AGENDA CONCERNING SWEROC

Chairman Stein requested a motion to add an item to the agenda concerning SWEROC. The motion was made by Director Edwards and seconded by Director Shanley.

The motion to add an item to the agenda was passed unanimously by roll call. Chairman Stein, Vice Chairman Barlow, Director Adams, Director Edwards, Director Eno, Director Freedman, Director Hayden, Director MacDougald, Director Nunn, Director Painter and Director Shanley voted yes.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Joel Freedman	X		
James Hayden	X		
Joe MacDougald	X		
Andrew Nunn	X		
Scott Shanley	X		
Ad-Hocs			
Bob Painter, CSWS	X		
Steve Edwards, Southwest	X		

SWEROC RESOLUTION

Chairman Stein requested a motion on the above referenced item. The motion was made by Director Edwards and seconded by Director Adams.

WHEREAS, the Connecticut Resources Recovery Authority (“CRRA”) maintains the Stratford Recycling Capital Reserve, the Commodity Revenue Share Reserve, and Recycling Division Operating Account for the benefit of the Southwest Connecticut Regional Recycling Operating Committee (“SWEROC”); and

WHEREAS, on December 5, 2012 the SWEROC Board of Directors accepted the CRRA Board of Directors motion to disperse a portion of SWEROC’s funds provided SWEROC remove its education exhibits from CRRA’s property located at 1410 Honeyspot Road extension in Stratford Connecticut; and

WHEREAS, SWEROC needs additional funds in the amount of \$7,660.00 to move one of its exhibits from CRRA’s property; and

WHEREAS, CRRA no longer requires the funds from the Commodity Revenue Share Reserve, and Recycling Division Operating Account;

NOW THEREFORE, be it

RESOLVED: That the Board of Directors approve the unbudgeted expenditure of \$7,660.00 in the Recycling Division for the purpose of removing one of the SWEROC exhibits.

Mr. Kirk said the SWEROC group of towns owns Trashasurus, a large art exhibit which is presently in the lobby of what was the Stratford Garbage Museum. He said management has been trying

to find a new home for the piece for some time which has been challenging as it is large and will be costly to move.

Director Edwards said the Discovery School in Bridgeport is going to take the exhibit. He said SWEROC had considered moving the exhibit to the Mid-Conn museum but estimates for transportation were for about \$30,000. Director Edwards said after distributing an invitation to participating towns Bridgeport indicated they could find a place for the exhibit at the Discovery School.

Director Edwards said the SWEROC group agreed to authorize an expenditure of SWEROC funds to offset the costs to transport the exhibit. He said in addition SWEROC has an obligation to empty the building for CRRA and removing this exhibit is a step in that direction. Director Edwards said the funds will come out of the SWEROC designated funds in a reserve account held by CRRA. He said it is SWEROC’s intention to use the remainder as a rebate for the final years’ recycling fee.

The motion previously made and seconded was passed unanimously by roll call. Chairman Stein, Vice Chairman Barlow, Director Adams, Director Edwards, Director Eno, Director Freedman, Director Hayden, Director MacDougald, Director Nunn, and Director Shanley voted yes.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Joel Freedman	X		
James Hayden	X		
Joe MacDougald	X		
Andrew Nunn	X		
Scott Shanley	X		
Ad-Hocs			
Bob Painter, CSWS			
Steve Edwards, Southwest	X		

UPDATE ON MOU AND TRANSITION PLAN

Mr. Cohen, Esq. provided an overview of a handout concerning an Analysis of the MOU and Transition Plan, a copy of which is attached as “Exhibit A”.

EXECUTIVE SESSION

Chairman Stein requested a motion to enter into Executive Session to discuss pending litigation, and hear a legal analysis from counsel on the MOU and Transition Plan. The motion, made by Director Adams and seconded by Director Shanley, was approved unanimously. Chairman Stein asked the following people join the Directors in the Executive Session:

- Tom Kirk
- Mark Daley

Peter Egan
 Laurie Hunt
 Doug Cohen, Esq.
 Scott Muska, Esq.

The Executive Session began at 10:55 a.m. and concluded at 11:47 a.m. Chairman Stein noted that no votes were taken in Executive Session.

The motion previously made and seconded to go into Executive Session was approved unanimously by roll call. Chairman Stein, Vice Chairman Barlow, Director Adams, Director Edwards, Director Eno, Director Freedman, Director Hayden, Director MacDougald, Director Nunn, Director Painter and Director Shanley voted yes.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Joel Freedman	X		
James Hayden	X		
Joe MacDougald	X		
Andrew Nunn	X		
Scott Shanley	X		
Ad-Hocs			
Bob Painter, CSWS	X		
Steve Edwards, Southwest	X		

REVIEW AND RECOMMEND RESOLUTION REGARDING IMPLEMENTATION OF PUBLIC ACTS 13-247 AND 13-184

Chairman Stein requested a motion on the above referenced item. The motion was made by Vice-Chairman Barlow and seconded by Director Shanley.

WHEREAS, Public Act 13-247 requires the Department of Energy and Environmental Protection (“DEEP”) and CRRA to enter into a Memorandum of Understanding (“MOU”) requiring DEEP “...to assume all legally required obligations resulting from the closure of the landfills located in Hartford, Ellington, Waterbury, Wallingford and Shelton....”; and

WHEREAS, the parties have negotiated the required MOU, and have agreed that CRRA will transfer all permits to DEEP, including permits related to the Hartford landfill upon completion of its closure, and that CRRA will continue to own the closed landfills in Ellington, Shelton, and Waterbury, as well as certain environmentally-impacted properties adjacent to or nearby the closed landfills in Shelton, Ellington, and Wallingford used to comply with post-closure requirements, and landfill infrastructure; and

WHEREAS, the parties have agreed on a Transition Plan, which includes the process and timing of DEEP's assumption of Post-Closure Obligations (as that term is defined in the MOU) at each of the landfills; and

WHEREAS, Section 99 of Public Act 13-184 requires that CRRA transfer up to \$35,000,000 of its resources to the State of Connecticut, to be credited to the resources of the State's General Fund for the Fiscal Year ending June 30, 2014; and

WHEREAS, after its execution of the Transition Plan, DEEP will issue a purchase order (the "Purchase Order") to CRRA for the services to be performed and costs to be incurred by the Authority and paid or reimbursed by DEEP pursuant to the Transition Plan; and

WHEREAS, the Authority will continue to have liabilities related to the landfills after the transfer of Post-Closure Obligations to DEEP, and will incur costs and expenses in connection therewith, including insurance and self-insured retention costs, and it is necessary to establish a funding source for such costs; and

WHEREAS, it has been determined by the Office of Policy and Management ("OPM"), in consultation with CRRA, that CRRA will transfer \$31,000,000 to the General Fund, and OPM has confirmed by letter dated April __, 2014, OPM's agreement that such transfer constitutes full satisfaction of CRRA's obligation under Section 99 of Public Act 13-184;

NOW THEREFORE, it is hereby

RESOLVED: That the President of the Authority is authorized and directed to execute the MOU and the Transition Plan, in substantially the forms presented and discussed at this meeting; and

FURTHER RESOLVED: That following the Effective Date of the MOU (as defined in the MOU) and upon the Authority's receipt of the Purchase Order, the Authority shall transfer a total of \$14,457,057.43 from the Landfill Division to the General Fund of the State of Connecticut, such total comprising the following amounts from the specified Landfill Post-Closure Reserve Accounts:

Hartford Landfill Post-Closure Reserve	\$ 9,773,735.39
Ellington Landfill Post-Closure Reserve	\$ 3,007,019.39
Waterbury Landfill Post-Closure Reserve	\$ 1,032,535.26
Shelton Landfill Future Use Reserve	\$ 643,767.39

and the President is hereby authorized and directed to take all actions necessary to accomplish such transfer; and

FURTHER RESOLVED: That following the Effective Date of the MOU, the Authority's receipt of the Purchase Order, and the transfer of the Stewardship Permit associated with the Shelton Landfill from CRRA to DEEP, the Authority shall transfer \$4,357,419.61 from the Shelton Landfill Post-Closure Reserve to the General Fund of the State of Connecticut, and the President is hereby authorized and directed to take all actions necessary to accomplish such transfer; and

FURTHER RESOLVED: That following the Effective Date of the MOU, the transfer of the Stewardship Permit associated with the Wallingford Landfill from CRRA to DEEP, and the Authority's receipt of the Purchase Order and the documentation specified on the attached Schedule A, the Authority shall transfer \$4,672,714.20 from the Wallingford Landfill Post-Closure Reserve to the General Fund of the State of Connecticut, and the President is hereby authorized and directed to take all actions necessary to accomplish such transfer; and

FURTHER RESOLVED: That following the Effective Date of the MOU and the Authority's receipt of the Purchase Order, the President is hereby authorized and directed to take all actions and do all things necessary to terminate the trust agreements specified on the attached Schedule B, including executing written instructions jointly with the Commissioner of DEEP to the trustee of each such trust to terminate the trust and deliver the remaining trust property to the Authority; and

FURTHER RESOLVED: That following the Effective Date of the MOU, the transfer of the Stewardship Permit associated with the Shelton Landfill, and the Authority's receipt of the Purchase Order, the President is hereby authorized and directed to take all actions and do all things necessary to terminate the trust agreement specified on the attached Schedule C, including executing written instructions jointly with the Commissioner of DEEP to the trustee of such trust to terminate the trust and deliver the remaining trust property to the Authority; and

FURTHER RESOLVED: That following the Effective Date of the MOU, the transfer of the Stewardship Permit associated with the Wallingford Landfill, and the Authority's receipt of the Purchase Order and the documentation specified on the attached Schedule A, the President is hereby authorized and directed to take all actions and do all things necessary to terminate the trust agreements specified on the attached Schedule D, including executing written instructions jointly with the Commissioner of DEEP to the trustee of each such trust to terminate the trust and deliver the remaining trust property to the Authority; and

FURTHER RESOLVED: That upon receipt of funds released by the trustee from any of the trusts specified on Schedule B, C, and D, the Authority shall deposit such funds into the corresponding Landfill Post-Closure Reserve; and

FURTHER RESOLVED: That upon the Authority's receipt of funds released by the trustees of each of the trust funds listed on Schedule B, the Authority shall transfer \$450,850.22 and \$160,285.52, respectively, to the General Fund of the State of Connecticut, and the President is hereby authorized and directed to take all actions necessary to accomplish such transfer; and

FURTHER RESOLVED: That upon the Authority's receipt of funds released by the trustee of the trust fund listed on Schedule C, the Authority shall transfer \$5,216,587.02 to the General Fund of the State of Connecticut, and the President is hereby authorized and directed to take all actions necessary to accomplish such transfer; and

FURTHER RESOLVED: That upon the Authority's receipt of funds released by the trustees of the trust funds listed on Schedule D, the Authority shall transfer \$1,544,113.12 and \$140,972.89, respectively, to the General Fund of the State of Connecticut, and the President is hereby authorized and directed to take all actions necessary to accomplish such transfer; and

FURTHER RESOLVED: That the Authority shall continue to pay post-closure costs and expenses for the Ellington, Shelton, Wallingford and Waterbury Landfills incurred by the Authority during the Transition Period (as defined in the Transition Plan) from the respective landfill post-closure reserve accounts previously established for such purposes; all payments and reimbursements of such costs and expenses received by CRRA from DEEP pursuant to the Transition Plan shall be deposited to that post-closure reserve account which originally funded the expense; and

FURTHER RESOLVED: That a Landfill Operating Account shall be established within the Landfill Division, for the purpose of transacting all business remaining to be conducted within the Landfill Division after closure of the reserve accounts presently situated therein; and

FURTHER RESOLVED: That upon completion of assignment or termination of all Authority contracts associated with Post-Closure Obligations for the Ellington, Shelton, Wallingford and Waterbury Landfills, and completion of the Transition Period, the President is authorized and directed to transfer the balance of funds remaining in the landfill post-closure reserve accounts associated with the said four landfills to the Landfill Operating Account established pursuant to the foregoing resolution; and

FURTHER RESOLVED: That the Authority shall continue to pay post-closure costs and expenses for the Hartford Landfill during the Transition Period from the landfill post-closure reserve account previously established for such purpose; all payments and reimbursements of such expenses received by CRRA from DEEP pursuant to the Transition Plan shall be deposited to the Hartford Landfill Post-Closure Reserve Account; and

FURTHER RESOLVED: That following the Authority's submission of its Closure Certification Report for the Hartford Landfill to DEEP and completion of the Transition Period, the President is authorized and directed to transfer the balance of funds remaining in the Hartford Landfill Post-Closure Reserve to the Landfill Operating Account established hereunder; and

FURTHER RESOLVED: That if, and to the extent that, any prior resolutions of this Board may be inconsistent with any of the resolutions set forth above, such prior resolutions are hereby superseded to the extent necessary to resolve the inconsistency.

Vice-Chairman Barlow noted that in the 7th whereas the date should be April 22, 2014. Director Shanley said the task of complying with the order of the Legislature, while also exercising fiduciary

responsibility to CRRA, took an enormous amount of time, effort, good faith, and negotiations. He said this agreement accomplishes its intent under the Legislative directive and he intends to support it. Director Eno agreed. He thanked those Board members and management who worked on these efforts.

Director Eno said he felt the genesis of this plan was bad public policy. He said these assets were originally set aside for the landfill, and are now going into the General Fund. Director Eno said although the State is assuming a level of responsibility, it does not seem to be aware of the possible issues that this move may cause.

Vice-Chairman Barlow said he will support this legislation which he feels streamlines the responsibilities of CRRA.

Director Painter said this process has been very difficult and to the extent that this legislation is a step towards creating a reasonable function for recycling and modern handling of waste he believes CRRA has done the right thing.

The motion previously made and seconded was passed unanimously by roll call. Chairman Stein, Vice Chairman Barlow, Director Adams, Director Eno, Director Freedman, Director Hayden, Director MacDougald, Director Nunn, and Director Shanley voted yes.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Joel Freedman	X		
James Hayden	X		
Joe MacDougald	X		
Andrew Nunn	X		
Scott Shanley	X		
Ad-Hocs			
Bob Painter, CSWS			
Steve Edwards, Southwest			

CHAIRMAN’S REPORT

Chairman Stein said there are two sets of revised language to Senate bill 27, and another version is likely. He said he has spoken with the Governor’s office concerning the latest proposed amendment. Chairman Stein said changes in the bill will strengthen the language concerning the town’s fiscal rights in terms of the evaluation of the RFP concerning the ultimate technology turnover. He said he asked that financial protection for the towns be strengthened.

Chairman Stein said the private haulers, represented by Carol Hughes, asked for some changes including removing transportation from the language and watering down the types of technology which

would be included in the successor plant in South meadows. He said the language is very general and CRRA is not precluded from looking at other technologies.

Chairman Stein asked that CRRA, as MIRA (its proposed name change) have a stronger role in both developing the RFQ and the evaluation process, which was taken into advisement by the Legislature. He said the Trash Museum portion is silent. Vice-Chairman Barlow said there is an amendment proposed by Senator Kelly, which would allow the commissioner to take money out of the municipal tipping fee account to provide for the Trash Museum.

PRESIDENT'S REPORT

Mr. Kirk said CRRA is in better shape financially than originally expected due to cold weather which in turn helped to offset disappointing production in early fall and winter. He said because of the high prices the production number will not have the expected negative financial impact. Mr. Kirk said warmer weather has resulted in a price reduction and four to five cent kilowatt power pricing.

Mr. Daley said the current budget for power per kilowatt was about 4.6 cents and year to date CRRA is closer to 7 cents. He said the FY'15 budget was set at 5.16 cents which was well below the estimate for FY'15. Mr. Kirk said if prices stay healthy CRRA has every opportunity to outperform the budget this coming fiscal year. Director Freedman said the stabilization reserve contribution may be higher which can help balance costs in the future.

Mr. Kirk said management discussed the stabilization fund at a recent customer meeting. He said CRRA is contractually able to set funds aside for volatile power prices. Mr. Kirk said it is management's intent to allow for some stability in tip fees moving forward. He said the private hauler and town meetings were sparsely attended. Mr. Kirk said management reviewed the budget with the private haulers which they seemed to appreciate.

Chairman Stein suggested as the budget is developed in the future that CRRA management and/or a member of the Board attend a C-SWAB and CROG meeting and provide some insight as to the process.

ADJOURNMENT

Chairman Stein requested a motion to adjourn the meeting. The motion to adjourn was made by Director Shanley and seconded by Director MacDougald and was approved unanimously.

There being no other business to discuss, the meeting adjourned at 12:18 p.m.

Respectfully Submitted,



Moira Kenney
HR Specialist/Board Administrator

Analysis of MOU and Transition Plan

Issue	Description	Status
1. Enforceability of MOU	<p>Because of the State's sovereign immunity, CRRA does not have the right to seek judicial remedies if DEEP fails to perform its obligations under the MOU, unless the action is approved by the State Claims Commissioner. For example, if DEEP does not assume the post-closure care of the landfills in accordance with the agreed schedule or does not reimburse CRRA for its costs incurred performing the post-closure care, CRRA has limited recourse.</p>	<p>DEEP agreed to language in the MOU stating that the MOU does not preclude the filing of a claim with the Claims Commissioner. This language is intended to improve the likelihood that the Claims Commissioner would not reject a claim by CRRA; however, DEEP required language that states that DEEP does not waive any objections to CRRA filing a claim with the Claims Commissioner.</p> <p>A primary enforcement concern for CRRA is DEEP's timely assumption of the post-closure obligations subsequent to the transfer of funds to the State. This concern is partially mitigated by the regulatory requirement that CRRA maintain financial assurance for the Shelton and Wallingford landfills until the Stewardship permits are transferred to the State (see item #5 below). DEEP has indicated that these two permits will be transferred quickly.</p>
2. Liability arising from DEEP performance or non-performance	<p>CRRA may incur liabilities resulting from DEEP's failure to properly perform post-closure care and maintenance of the landfills. For example, an adjacent property owner could claim damages based on the migration of contaminants due to DEEP's improper management of the landfill gas or groundwater systems. Similarly, any property damage or personal injury caused by DEEP or its contractors on CRRA's property could result in liability for CRRA.</p>	<p>DEEP refused to accept language in the MOU that DEEP would be responsible to CRRA for liabilities arising from its performance of post-closure activities. DEEP's position is that CRRA will have (i) insurance (see item #4 below), (ii) the ability to file a claim with the Claims Commissioner, and (iii) a hold harmless provision in the MOU. However, the hold harmless provision is only applicable to the extent the State has waived sovereign immunity. DEEP refused to have the AG opine on whether Public Act No. 13-247 constitutes a waiver of sovereign immunity. Further, as noted above, DEEP did not agree to waive any objections to CRRA filing a claim with the Claims Commissioner.</p> <p>With regard to DEEP's contractors, the MOU contains a provision requiring DEEP contractors to indemnify CRRA and to provide evidence of insurance.</p>
3. Ownership of Landfills / Liabilities retained by CRRA	<p>As the former operator of the landfills and as the current owner of the Shelton, Fillington, and Waterbury landfills, CRRA will potentially be subject to liabilities.</p>	<p>DEEP refused to accept ownership of the landfills or the landfill infrastructure; therefore, CRRA will continue to be subject to liabilities arising from its ownership of landfill property. In addition, CRRA's continued ownership of certain landfills will make it more difficult and expensive to obtain pollution liability insurance.</p>

4.	Insurance Coverage	<p>CRRRA will need to procure insurance, including pollution liability insurance, to address its continuing liabilities. However, the cost and availability of insurance products in the future are difficult to predict. CRRRA will receive a quote from an insurer later this year for a policy with a 1-3 year term; however, CRRRA does not have any firm commitments for coverage for next year or any subsequent period.</p>	<p>DEEPP agreed to negotiate in good faith in the future if pollution liability insurance was not available or the premiums or retention amounts exceeded \$300k/year. This language, however, does not commit DEEPP to reimburse CRRRA for excessive insurance costs or address the allocation of liability if insurance is unavailable.</p>
5.	Financial Assurance	<p>To satisfy its financial assurance requirements for the landfills, CRRRA currently maintains funds in trusts and reserve accounts for the Subtitle C (hazardous waste) portion of the Wallingford and Shelton landfills and complies the local government financial test for the other landfills. The transfer of funds to the State will prevent CRRRA from complying with the financial assurance requirements in the regulations.</p>	<p>The State is exempt from the financial assurance requirements, and DEEPP's position is that, upon the transfer of the landfill permits to the State, CRRRA is no longer required to provide financial assurance.</p> <p>The State has agreed that the financial assurance for Wallingford and Shelton will not be transferred until, among other things, the Stewardship permits for these two facilities have been transferred to the State. The financial assurance is estimated at \$17M.</p> <p>To satisfy the financial assurance for the other landfills, CRRRA must provide alternative financial assurance within 210 days of the close of its fiscal year, assuming the transfer of funds to the State will cause CRRRA to fail the local government financial test. The Transition Plan requires DEEPP to assume the permits for the closed landfills within 120 days of the MOU execution and the permits for the Hartford landfill within 30 days of closure. As a result, CRRRA should not be subject to the financial assurance requirement by the end of the 210 day period.</p>
6.	Payments by DEEPP to CRRRA	<p>Under the Transition Plan, CRRRA will perform the post-closure obligations assumed by DEEPP for several months. CRRRA will invoice DEEPP for its costs and for those of its contractors. The estimated amount over the projected 7 month transition period is \$650k. The State will not pay CRRRA unless a purchase order has been approved.</p>	<p>DEEPP has indicated that, once the MOU is executed, DEEPP will provide a purchase order number. Any delay in providing the purchase order will delay CRRRA's receipt of payment for its performance of post-closure care. CRRRA has advised the State that the initial \$14M transfer will not occur until a purchase order is received from DEEPP.</p>
7.	Wallingford	<p>CRRRA has an obligation to indemnify Wallingford under the lease agreement. Further, CRRRA has an obligation which survives the lease to perform post-closure care. In addition, the Wallingford MSAs have a cost-sharing provision requiring financial reserves to be returned to the municipalities if money remains and requiring municipalities to pay additional funds to cover excess post-closure obligations. Finally, under the MSAs, the Wallingford towns policy board must release the financial reserves related to the landfill.</p>	<p>The State is taking the lead on obtaining a release of CRRRA from its obligations under the lease and on obtaining the policy board's approval for the release of post-closure funds. CRRRA has informed the State that the money held in trust and in reserves for Wallingford will not be released until both issues are resolved. The resolution contains language addressing this process.</p>

8.	DEEP's approval of the Hartford closure certification	DEEP's obligation to assume the permits and contracts for the Hartford landfill is contingent upon DEEP's approval of the closure certification. The approval is anticipated to occur within the 7 month Transition Period. A delay in DEEP's approval would extend the period of time in which CRRA remains a party to post-closure contracts and remains as a permittee.	Under the MOU, DEEP is obligated to pay for post-closure care upon submission of the closure certification. In addition, DEEP has agreed to review the closure certification and approve or deny the certification within 60 days of submission.
9.	Hartford / Wallingford Access issues	DEEP does not have an access agreement with Wallingford or Hartford to access the landfills which are owned by the respective municipalities. CRRA currently has access under the expired lease with Wallingford, but this access will not likely be sufficient for DEEP in the long term.	DEEP could potentially be prevented from performing post-closure care if it does not have access to the landfills. Although unlikely, CRRA could incur liability if the landfills are not properly monitored and maintained. DEEP is in communication with the municipalities to resolve the access issue.
10.	Fortistar contract (landfill gas management)	Under the lease agreement between Hartford and Fortistar (NEO Hartford LLC), Hartford is to assume CRRA's rights and obligations under Use Agreement between CRRA and Fortistar upon the expiration of CRRA's lease with the Hartford. As a result, DEEP's approval of the closure certification report will cause the lease to expire and the Fortistar contract to be assumed by the City. The City may not be aware of this obligation to assume the Fortistar contract.	If the City objects to or delays in assuming CRRA's rights and obligations under the Fortistar contract, CRRA may need to stay involved with this contract for at least some period of time. The Transition Plan is drafted such that CRRA's obligations and responsibilities related to the Fortistar contract will be limited after the closure of the landfill.
11.	Photovoltaic System	DEEP has refused to accept responsibility for the photovoltaic system on the Hartford landfill. As a result, CRRA will continue to be responsible for the care and maintenance of the equipment.	CRRA's access to the landfill expires upon closure of the landfill. CRRA will need to negotiate access with the city or transfer the PV system to the city.
12.	CRRA liability for costs	CRRA will have an obligation under the MOU to, at DEEP's request, enter into contracts or agreements to facilitate DEEP's performance of post-closure obligations.	DEEP has agreed to pay CRRA's costs if the costs exceed \$5,000 for any such request.

TAB 3

**RESOLUTION
REGARDING
COMPUTER INFORMATION CONSULTING
SERVICES**

RESOLVED: That the President is hereby authorized to execute an agreement for computer information consulting services with The Walker Group for the period from July 1, 2014 through June 30, 2017, substantially as presented and discussed at this meeting.



CONTRACT SUMMARY
For Contract Entitled

COMPUTER INFORMATION CONSULTING SERVICES AGREEMENT

Presented to the CRRA Board on:	May 22, 2014
Vendor/Contractor(s):	The Walker Group
Effective Date:	July 1, 2014
Term:	Through June 30, 2017
Term Extensions:	None
Contract Type/Subject matter:	Computer Information Consulting Services
Facility(ies)/Project(s) Affected:	N/A
Original Contract:	N/A
Contract Dollar Value:	Consultant is paid on a time-and-materials basis (In FY13, CRRA expended approximately \$50,000 on such services)
Amendment(s):	N/A
Scope of Services:	Provide back-up and technical assistance for CRRA's IT function and provide other IT related assistance as requested.
Bid Security:	N/A
Budget Status:	Funding for these services is included in the Information Technology – Consulting and the Engineering & Technology Consulting Services line items of the Authority Operating Budget, Non-Personnel Services – Information Technology



COMPUTER INFORMATION CONSULTING SERVICES

*Board of Directors
May 22, 2014*

Executive Summary

This is to request approval by the CRRA Board of Directors for the President to enter into an agreement with The Walker Group to provide computer information consulting services to CRRA for the period from July 1, 2014 through June 30, 2017.

Discussion

Overview

CRRA's information technology ("IT") function is essentially staffed by one person, the Information Systems Operations Manager. While this individual's activities are overseen by the Director of Human Resources, the technical aspects of the IT function are a one-person operation. Staffing at this level is appropriate for an organization of CRRA's size, but it does present obvious concerns, especially in a function so technically complex and specialized.

To address this situation, CRRA has entered into a contract with an IT consulting firm to provide back-up and technical assistance for CRRA's IT function. CRRA selects the IT consulting firm through a public, competitive procurement process. The current contract for computer information consulting services expires June 30, 2014.

The following are the services that CRRA staff identified as necessary:

- Field technician(s) to provide assistance to and backup for CRRA IT staff;
- Microsoft system engineer(s) to provide technical expertise for CRRA IT staff;
- Cisco system engineer(s) to provide technical expertise for CRRA IT staff; and
- Web page design specialist(s) to provide assistance to CRRA IT staff in the development and maintenance of CRRA web sites.

In addition, CRRA staff explicitly made provision in the contract documents for additional services, which, if identified as necessary, would be acquired through a Request for Services process.

Consolidation of IT services

NAES does not have on-site IT staff at the PBF and WPF. They use an IT service company to provide IT support for the PBF and WPF locations. This results in is a pass-through cost to CRRA of approximately \$35,000 to \$40,000 annually. To reduce these costs, CRRA is in the process of replacing this service with existing CRRA IT staff. (This does not apply to any control room functions at the PBF or WPF.)

This contract will be providing supplemental IT services to CRRA for both CRRA offices and the offices at the PBF and WPF.

Request for Proposal Process.

CRRA advertised for proposal for computer information consulting services in the following publications on Sunday, February 23, 2014 (or as soon thereafter as possible):

- Connecticut Post
- Hartford Courant
- New Haven Register
- New London Day
- Waterbury Republican-American
- LaVoz Hispania de Connecticut
- Northeast Minority News

The request for proposals was also posted on the CRRA and the State of Connecticut Department of Administrative Services (“DAS”) websites.

Sealed proposals were due on April 10, 2014. Proposals were received from eight (8) firms as follows:

- A-1 Technology, Inc.
- The Computer Company, Inc
- NSI
- Precision Computer Services
- SAI Systems, International
- Total Communications, Inc.
- USM Business Systems
- The Walker Group

The President appointed Christopher May, Information Systems Operations Manager and Eric Womack, Director of Human Resources to review the RFPs, with assistance from Roger Guzowski, Contract & Procurement Manager.

CRRA staff evaluated the proposals on the following criteria:

- Qualifications and experience of the firm;

- Qualification and experience of the individuals who would be assigned to work with CRRA;
- Demonstrated local presence (even if home office elsewhere) and dedicated staff sufficient to provide the routine on-site services described in the Scope of Services;
- Payment rates;
- Compliance with insurance requirements;
- Completeness of the bid; and
- Affirmative action, small business and occupational health and safety factors.

Based on price and the qualifications of the companies, we selected 3 companies to interview: The Computer Company, PCS, and the Walker Group.

Based on the interviews, we selected The Walker Group. Among the firms interviewed, The Walker Group offered the lowest overall rates, is experienced with our IT infrastructure and best demonstrated the ability to perform the services.

Recommendation

CRRA management recommends that the Board approve the selection of The Walker Group to provide computer information consulting services to CRRA for the period from July 1, 2014 through June 30, 2017.

Financial Summary

There are basically two types of services covered by this contract:

- (a) The “normal” back-up and technical assistance services provided by the consultant; and
- (b) The additional services requested through a Request for Services to address IT issues that arise.

In FY13, CRRA expended approximately \$50,000 for the back-up and technical assistance services. CRRA staff expects that expenditures for these services will slightly exceed \$50,000 per year for the term of the contract. These services are funded through the Information Technology – Consulting line item of the Authority Operating Budget.

As noted in the discussion, CRRA IT staff will be overtaking many IT functions at the WPF and PBF. This contract will be providing supplemental IT services to CRRA IT staff at CRRA offices and offices at the PBF and WPF. This new dynamic is projected to result in significant savings compared to a system in which there are separate IT functions and separate IT support contracts.

Funding for additional services provided through a Request for Services would be through the Engineering & Technology Consulting Services line item of the Authority Operating Budget, Non-Personnel Services – Information Technology.

TAB 4

RESOLUTION REGARDING THREE-YEAR PUBLIC RELATIONS SERVICES AGREEMENTS

RESOLVED: That the President is hereby authorized to execute, deliver, and perform on behalf of the Authority, Public Relations Services Agreements as were substantially set forth in the Request for Qualifications dated February 24, 2014 for a period of three years commencing on July 1, 2014 and terminating on June 30, 2017, with the firms listed below. All firms will provide services “on-call.”

- Keiler
- Decker Creative Marketing

Connecticut Resources Recovery Authority

Agreement Summary

Public Relations Services Agreement

Presented to the CRRA Board on: May 22, 2014

Vendor/ Contractor(s): Keiler
Decker Creative Marketing

Effective date: July 1, 2014

Contract Type/Subject matter: Public Relations Services

Facility(ies) Affected: Not Applicable

Original Contract: Not Applicable

Term: July 1, 2014 through June 30, 2017

Contract Dollar Value: Not Applicable

Amendment(s): Not applicable

Term Extensions: Not applicable

Scope of Services: Public Relations and related services on an on-call basis.

Other Pertinent Provisions: Any work under the Agreements will be pursuant to a Request for Services ("RFS"). Any RFS in excess of \$50,000 per fiscal year will require approval by the Board of Directors.

Connecticut Resources Recovery Authority

Three-Year Public Relations Services Agreements

Board of Directors
May 22, 2014

Executive Summary

This is to request approval of the CRRA Board of Directors for the President to enter into a three year agreement with the following firms to provide public relations and related services for CRRA on an “on-call” basis:

- Keiler
- Decker Creative Marketing

Discussion

From time to time, CRRA requires the use of a contractor to provide on-call public relations and related services beyond the scope of what staff can provide.

CRRA’s “Procurement Policies and Procedures” establishes a “Request for Qualifications” (“RFQ”) process to obtain such services. The current agreements for Public Relations Services (that were approved by the Board and have been in effect since 2011) expire June 30, 2014.

With the expiration of those contracts approaching, CRRA issued an RFQ on February 24, 2014. The RFQ's Scope of Services included the following categories of services:

- Customer Relations, Outreach, Community Relations, And Public Events Management;
- Message Development and Issues Management
- Digital Communications
- Photography, Graphic Design, Video Production, and related services;
- Media Strategy and Training
- Earned Media
- Advertising and Marketing

Overview of RFQ

CRRA issued an RFQ for public relations services on February 24, 2014. The availability of the RFQs was advertised in the following seven Connecticut newspapers:

Connecticut Post
Hartford Courant
New Haven Register
New London Day
Waterbury Republican-American
La Voz Hispana
Northeast Minority News.

The RFQ was also posted on the CRRA and the State of Connecticut Department of Administrative Services (“DAS”) website.

Responses to the Public Relations Services RFQ were due by April 10, 2014.

CRRA received Statements of Qualifications (“SOQ”) from six firms:

- The Causeway Agency
- The Connecticut Economic Resource Center
- Decker Creative Marketing
- Global Strategy Group
- Keiler
- Millennium Strategy Group

Each of the firms requested to be considered for each of the seven (7) categories of services in the RFQ except for the Global Strategy Group which requested consideration in only four (4) categories (Message Development and Issues Management Services; Digital Communications Services; Media Strategy and Training Services; and Earned Media Services).

The President appointed Virginia Raymond, Operations Manager; Sotoria Montanari, Education Supervisor; and Roger Guzowski, Contract & Procurement Manager; to review the RFPs. All three have taken on additional public relations, outreach, and/or education duties since the departure of CRRA’s Manager of Public Relations and Education.

CRRA staff evaluated the firms via a two stage process:

The responses were first evaluated based on their SOQ submissions for administrative sufficiency, fee structure, and an initial evaluation of the experience and technical merit of the firms as presented in the SOQs.

After that initial evaluation two firms Keiler, and Decker Creative Marketing were recommended for further evaluation, interviews, and discussion. CRRA conducted interviews/discussions with both firms to obtain a more in-depth understanding of their capabilities and process.

Given the transition that CRRA is undergoing, particular emphasis during the evaluation was placed on firms who had both the capability of helping CRRA to develop our message to customers & stakeholders, and redevelop our brand (both to customers and in the media).

Based on the evaluation conducted, the following firms were selected for recommendation to the Board of Directors for all of the service categories:

- Keiler
- Decker Creative Marketing

The agreements that are to be executed with these firms will have an effective date of July 1, 2014 and will extend through June 30, 2017.

Financial Summary

CRRA makes no financial commitment to any firm or individual in the three year services Agreements. This selection simply qualifies a firm or individual as eligible to undertake work for CRRA at a later date, when a specific need is actually identified. It has been and will continue to be CRRA's practice to use such firms judiciously.

Any such future work would be procured through an RFS, and any RFS for more than \$50,000 per fiscal year would require prior approval by the CRRA Board of Directors.

It should be noted that the cost for any particular task specific RFS that is negotiated with any particular firm pursuant to these three year service agreements will be based on the hourly rates for time (i.e., professional labor rates) and materials that are pre-established in these three year service agreements.

TAB 5

**RESOLUTION REGARDING COOPERATIVE SERVICES
AGREEMENT BETWEEN THE CONNECTICUT RESOURCES
RECOVERY AUTHORITY AND THE UNITED STATES
DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH
INSPECTION SERVICES / WILDLIFE SERVICES**

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 South Meadows Waste Processing Facility, substantially as presented and discussed at this meeting.

Connecticut Resources Recovery Authority
Cooperative service agreement with the United States Department of
Agriculture Animal and Plant Health Inspection Service at the
CSWS Waste Processing Facility

Presented to the CRRA Board on: May 22, 2014

Vendor/ Contractor(s): United States Department of Agriculture,
Animal & Plant Health Inspection Service,
Wildlife Services

Effective date: July 1, 2014

Contract Type/Subject matter: Service Agreement for bird control at the
South Meadows Waste Processing Facility.

Facility Affected: CSWS Waste Processing Facility

Original Contract: This is a new contract.

Term: July 1, 2014 through June 30, 2015

Contract Dollar Value: \$31,000.00

Amendment(s): NA

Term Extensions: NA

Scope of Services: Provide integrated bird control services at
the South Meadows WPF.

Other Pertinent Provisions: USDA 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 Central Connecticut Waste Systems

Cooperative Services Agreement with United States Department of Agriculture for the Control of Birds

May 22, 2014

Executive Summary

This is to request approval of the CRRA Board of Directors for the President to enter into an agreement with the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Services (APHIS), Wildlife Services (WS) to perform work at the South Meadows Waste Processing Facility on Maxim Road to control nuisance birds.

Discussion

As the owner and solid waste permittee of the South Meadows, CRRA has a regulatory obligation to control vectors, including birds. Historically, the Mid Connecticut Project has seasonally experienced excessive bird activity. Despite attempts in the past by CRRA's contractor and project staff to control bird activity using various means, including pyrotechnics, nuisance bird activity has been a recurring issue and if not managed adequately, may present a potential issue for the neighboring Brainerd Airport for its incoming and out going aircraft.

In the spring of 2004, CRRA staff made inquiries to the solid waste management facility operators in other states and to regulatory agencies with the intent of identifying additional options for controlling birds at its waste facilities. CRRA's search revealed that the USDA is equipped to provide support in management of nuisance birds. Consequently CRRA entered into a Pilot Agreement with the USDA to provide services at the both the Hartford Landfill and the South Meadows Waste Processing Facility. The approach used in controlling birds has involved several methods, using various types of pyrotechnics, toxicants, visual deterrents and safe traps. CRRA has contracted with the USDA for these activities since 2004.

Based on reports provided by the USDA and observations made by USDA and CRRA personnel, the work performed by USDA has been effective in controlling the number of nuisance birds at the CSWS Waste Processing Facility. Although the vector control activities conducted by USDA at the WPF primarily involve control of nuisance birds, USDA also provides management of other nuisance animals as necessary, including skunks, raccoons and possum. The USDA Report for the past year's activities is included in the supplemental information package.

CRRA management recommends contracting with the USDA for these bird control activities.

Financial Summary

The term of the contract is July 1, 2014 through June 30, 2015. The total not to exceed cost is \$31,000, which includes the cost of personnel, vehicles, supplies and administration.

These nuisance bird management activities were contemplated when the FY 2015 budget was developed, and sufficient funds are available in the FY 2015 CSWS WPF operating budget for this purpose.

TAB 6

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

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

Connecticut Solid Waste System Solid Waste and Recyclables Delivery Agreement

CONTRACT SUMMARY

Presented to Board: May 22, 2014

Vendors: Commercial Waste Haulers

Contract Type: Revenue - Standard Form Solid Waste Delivery Agreement

Facility: Connecticut Solid Waste System

Revenue: FY2015: approximately 136,000 tons at \$64.00/ton for revenues of approximately \$8,704,000.

Term: One (1) year (7/1/2014 – 6/30/2015)

Term Extensions: None

General: There are two forms of commercial hauler agreements; one for large haulers and one for small haulers. A large hauler is one that has historically delivered 1,000 tons or more of MSW per year. A small hauler is one that has historically delivered less than 1,000 tons of MSW per year.

Service Fee: FY2015: \$64.00/ton.

Delivery Requirement: Hauler agrees to deliver all Acceptable Solid Waste collected within the corporate boundaries of the Connecticut Solid Waste System Participating Municipalities and all residential and municipal Acceptable Recyclables under its control, plus non-participating municipality waste up to a contractual delivery cap.

Put-or-Pay: Large commercial haulers executing agreements are subject to quarterly delivery commitments. Large haulers who fail to meet their quarterly delivery commitments are subject to the payment of liquidated damages in the amount of \$30/ton for each ton of waste not delivered. Small haulers are not subject to put-or-pays and the associated damages.

Delivery Standard: Acceptable Solid Waste and Acceptable Recyclables in accordance with Connecticut Solid Waste System Permitting, Disposal & Billing Procedures.

Credit Security: Guaranty of payment in a form of letter of credit, surety bond or cashier's check in the amount equal to 2 months of waste delivery charges.

Connecticut Resources Recovery Authority
Connecticut Solid Waste System
Standard Form
Municipal Solid Waste and Recyclables Delivery Agreement

May 22, 2014

Executive Summary

The current waste delivery agreements between CRRA and twelve commercial waste haulers expire on June 30, 2014. CRRA management is seeking authorization to enter into new agreements with these waste haulers for the delivery of solid waste and recyclables to the Connecticut Solid Waste System.

Discussion:

Since 1998 CRRA has had Municipal Solid Waste Delivery Agreements with private sector haulers for the delivery of municipal solid waste. Prior to FY05, the agreements were renewed on an annual basis. Beginning in 2005, the term of the agreements were generally three (3) years. Beginning in FY2011 CRRA executed agreements with haulers for either 3 years or 5 years. At that time twelve of the commercial waste haulers executed 3 year agreements, which expired on June 30, 2013. Last Year, the CRRA Board of Directors approved a one year contract for those haulers. Approving an additional one year contract enables:

1. these twelve haulers to continue delivering MSW and recycling to CRRA's CSWS through FY2015 and;
2. expiration of these agreements and the 5 year hauler agreements at the same time on June 30, 2015.

The agreement contains the following provisions:

- minimum waste delivery commitment (put-or-pay) guarantee;
- liquidated damages in the event a large hauler fails to deliver its minimum commitment;
- ability to deliver MSW originating from non-Connecticut Solid Waste System Participating Municipalities;
- delivery caps; and
- a requirement that haulers deliver all Acceptable Recyclables from residential sources under its control;

There are also provisions in the agreement to accommodate individual hauler changes in business. If a hauler grows or expands its collection business it is assured access to the system for the additional tons. In the event a hauler's collection business shrinks, the hauler can have its put-or-pay guarantee adjusted so as not to be liable for the payment of liquidated damages.

The service fee is the Base Disposal Fee established in the FY2015 Connecticut Solid Waste System budget: \$64.00 per ton. (For deliveries of MSW generated in municipalities that have executed a Tier 1 long term contract with CRRA, the commercial haulers pay the Tier 1 Long Term tip fee: \$62.00 per ton.)

TAB 7

RESOLUTION REGARDING LEGAL SERVICES AGREEMENT FOR GENERAL
COUNSEL SERVICES

RESOLVED: That the President is hereby authorized to execute, deliver, and perform on behalf of this Authority, a Legal Services Agreement for General Counsel Services with Halloran & Sage LLP for a period of one year beginning on July 1, 2014, with two options to extend, in CRRA's sole discretion, for additional terms of one year each.

Connecticut Resources Recovery Authority
Solicitation of Legal Services – General Counsel Services
For a Term beginning July 1, 2014

May 22, 2014

Executive Summary

This is to request that the CRRA Board of Directors authorize the President to enter into an agreement with Halloran & Sage LLP to provide General Counsel legal services for a term beginning July 1, 2014.

Discussion

In the course of conducting its business, CRRA requires the assistance of attorneys and law firms to provide various legal services and legal representation. CRRA's "Procurement Policies and Procedures" establishes a "Request for Qualifications" ("RFQ") process to obtain such services. The RFQ process is "a process by which CRRA identifies persons to perform services on behalf of . . . CRRA through the solicitation of qualifications, experience, [and] prices." CRRA has historically used the RFQ process to pre-qualify firms for a variety of legal services that it requires. CRRA makes no financial commitment to any firm or individual in the Legal Services Agreements that are executed as an outcome of the RFQ process. The RFQ process simply qualifies a firm or individual as eligible to undertake work for CRRA at a later date and for an agreed upon billing rate, when a specific need is actually identified during the term of the Agreement. Any such future work would be procured through a Request for Services ("RFS").

In accordance with its Procurement Policies and Procedures, and the Connecticut General Statutes, CRRA is required to solicit for technical and professional services (including legal services) once every three years. Legal Services Agreements currently in effect will expire on June 30, 2014.

Accordingly, CRRA issued an RFQ for Legal Services on January 21, 2014 in order to solicit firms with which to contract for a new term beginning July 1, 2014.

CRRA published notices for Legal Services in *The Hartford Courant*, *The Connecticut Post*, *The New Haven Register*, *The Waterbury Republican American*, *The New London Day*, *Northeast Minority News*, and *La Voz Hispania*, and also posted the notice on the CRRA web site and on the State of Connecticut Department of Administrative Services web site.

Five firms submitted qualifications for provision of General Counsel Services; all were determined by the CRRA Legal Department to be administratively complete. Following discussion with the full Board, the P&P Committee elected to interview all five firms. Interviews were held during a Special Meeting of the P&P Committee on May 1, 2014. Experience, qualifications and expertise, state presence, and proposed rates, were discussed with each firm.

New legislation mandates revisions to the State's solid waste management plan and adopts changes to CRRA's mission and business model, including a plan for the re-development of the Mid-Connecticut Project utilizing new technologies. CRRA believes that the Authority will be best served during this period by continuing to rely upon the advice of Halloran & Sage LLP, which has served as General Counsel successfully in the past and whose attorneys are familiar with our existing contracts and business arrangements. In light of changes to CRRA's enabling legislation and related uncertainties, however, a Legal Services Agreement for General Counsel Services for a term of one year, with two options to extend, in CRRA's sole discretion, for additional terms of one year each, is appropriate.

TAB 8

**BOARD RESOLUTION REGARDING FY 2015
PROJECTED LEGAL EXPENDITURES**

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

WHEREAS, CRRA now seeks Board authorization for projected legal expenditures pursuant to said Agreements during Fiscal Year 2015;

NOW THEREFORE, it is

RESOLVED: That the following amounts be authorized for projected legal fees to be incurred during FY '15:

<u>Firm:</u>	<u>Amount:</u>
Brown Rudnick	85,000
Cohn Birnbaum & Shea	55,000
Day Pitney	45,000
Halloran & Sage	1,240,000
Kainen, Escalera & McHale	240,000
McCarter & English	30,000
McElroy, Deutsch, Mulvaney & Carpenter	70,000
Pullman & Comley	30,000
Willinger, Willinger & Bucci	10,000

Further RESOLVED: That the President be authorized to expend up to \$10,000 from the Landfill Development Fund Reserve for payment of legal fees incurred in fiscal year 2015 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 \$400,000 from the CSWS Legal Reserve for payment of legal fees incurred in fiscal year 2015 in connection with ongoing CSWS matters;

Further RESOLVED: That the President be authorized to expend up to \$70,000 from the Enron Litigation Reserve for payment of legal expenses incurred in fiscal year 2015 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 \$5,000 from the Wallingford Project Closure Reserve for payment of legal fees incurred in fiscal year 2015 in connection with continuing Wallingford Project obligations; and

Further RESOLVED: That the President be authorized to expend up to \$145,000 from the Mid-Connecticut Project Closure Reserve for payment of legal fees incurred in fiscal year 2015 in connection with continuing Mid-Connecticut Project obligations; and

Further RESOLVED: That the President be authorized to expend up to \$25,000 from the Hartford Landfill Closure Reserve for payment of legal fees incurred in fiscal year 2015 in connection with closure of the Hartford Landfill; and

Further RESOLVED: That the President be authorized to expend up to \$650,000 from the Mid-Connecticut Litigation Reserve for payment of Mid-Connecticut Project litigation-related legal fees and expenses incurred in fiscal year 2015.

Connecticut Resources Recovery Authority

AUTHORIZATION TO PAY FY 2015 PROJECTED LEGAL EXPENDITURES

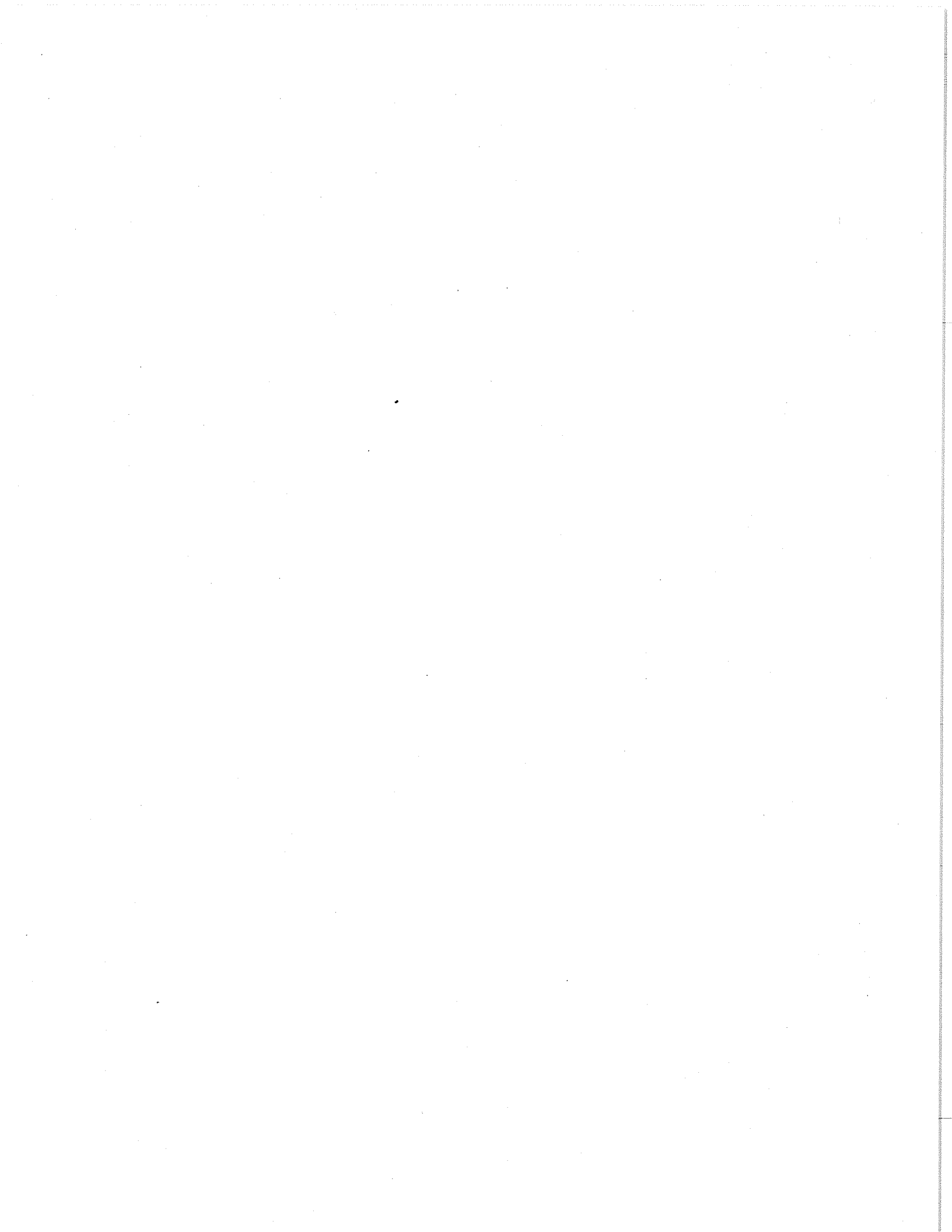
May 22, 2014

Executive Summary

This is to request Board authorization of the payment of FY 2015 projected legal expenditures for the firms and up to the amounts set forth in the attached resolution.

Discussion

The funds requested to be authorized are included in the FY 15 Board-approved Authority, System, Project and Division legal budgets or in the reserves noted in the attached proposed resolution. Please note that this initial request for authorization does not include all of the funds designated for legal expenses in FY15 budgets; some funds are reserved for matters anticipated to arise later during FY15 and/or for which the choice of appropriate counsel has not yet been determined.



ATTACHMENT B

**REGARDING INCREASING THE CAP ASSOCIATED WITH THE AUTHORITY'S TIP FEE
STABILIZATION FUND**

WHEREAS, The Authority has previously authorized the Property Division Flow of Funds attached hereto as Exhibit A including the establishment of a Tip Fee Stabilization Fund within such Division's General Fund; and

WHEREAS, The Authority previously authorized such Tip fee Stabilization Fund to be funded to a maximum value equivalent to \$7.00 for each budgeted Aggregate Ton of MSW (as defined in the Municipal Service Agreements) anticipated to be processed at CSWS in accordance with the adopted Operating Budget for CSWS subject to available funding; and

Whereas, The Authority previously authorized such maximum Tip Fee Stabilization Fund value to be further assessed and established with the start of each fiscal year; and

Whereas, The Authority has undertaken such assessment as summarized on Exhibit B and desires to increase the maximum Tip Fee Stabilization Fund value effective with the start of Fiscal year 2015.

NOW THEREFORE, be it

RESOLVED: The Board of Directors hereby authorizes and approves a maximum Tip Fee Stabilization Fund value of seven million dollars (\$7,000,000.00) effective as of the first disbursement of Fiscal Year 2015 funding.

Exhibit A
Connecticut Resources Recovery Authority
Property Division
Flow of Funds

Total Operating Revenue – Actual receipts of Total Operating Revenue (as described in the adopted Operating Budget for the Property Division) are to be coded to customer and revenue account codes and deposited to the Bank of America Property Division Clearing Account within 1 business day of receipt. Property Division receipts are to be considered “Pledged Revenues” for the purposes of future CRRRA bond issuances as designated by the Board of Directors.

Disbursements - Within the first five (5) business days of each month, total receipts held within the Bank of America Property Division Clearing Account as of the last day of the preceding month are to be disbursed to the following accounts, in the following order:

- 1. To Property Division Operating STIF** – Transfer the next month’s Total Operating Expense Budget as described in the adopted Operating Budget for the Property Division. For example, Property Division revenue received in the month of January is to be fully disbursed by the 5th business day in February which is to include disbursement of the Property Division’s Total Operating Expense Budget for March.

The Property Division Operating STIF is to be used to fund all operating expenses of the Division. The account is to be funded to a maximum of 180 days cash on hand (budget basis) to be assessed and adjusted annually with the start of each fiscal year. Operating expenses of the Property Division include all items of expense reflected in the adopted Total Operating Expense Budget and incurred pursuant to applicable Authority procurement policies and procedures.

- 2. To Property Division General Fund (STIF)** – Transfer the balance of all funds remaining within the Property Division Clearing Account. Also transfer any amount due to the CSWS Tip Fee Stabilization Fund pursuant to the CSWS Flow of Funds that would result in an over-funding of the CSWS Tip Fee Stabilization Fund. This account is to be used to further supplement any existing fund established within the Property Division at the direction of the Board of Directors, for debt service and debt service coverage for authorized Authority Bond issues.
- 3. To Property Division Improvement Fund STIF** – From funds available within the Property Division General Fund, transfer the amount equivalent to the next month’s Property Division Improvement Fund reserve contribution included in the adopted Operating Budget for Property Division. This account is to be used to pay the eligible cost of approved major maintenance, capital improvement and equipment acquisition projects associated with facilities assigned to the Property Division including the “Jets”, Education and Trash Museum at 211 Murphy Road in Hartford, and presently vacant facilities at 171 Murphy Road in Hartford and 1410 Honey Spot Road in Stratford.
- 4. To CSWS Improvement Fund STIF** - From funds available within the Property Division General Fund, transfer the amount equivalent to the next month’s CSWS Improvement Fund reserve contribution included in the adopted Operating Budget for Property Division. This account is to be used to pay the eligible cost of approved major maintenance, capital improvement and equipment acquisition projects associated with facilities comprising the

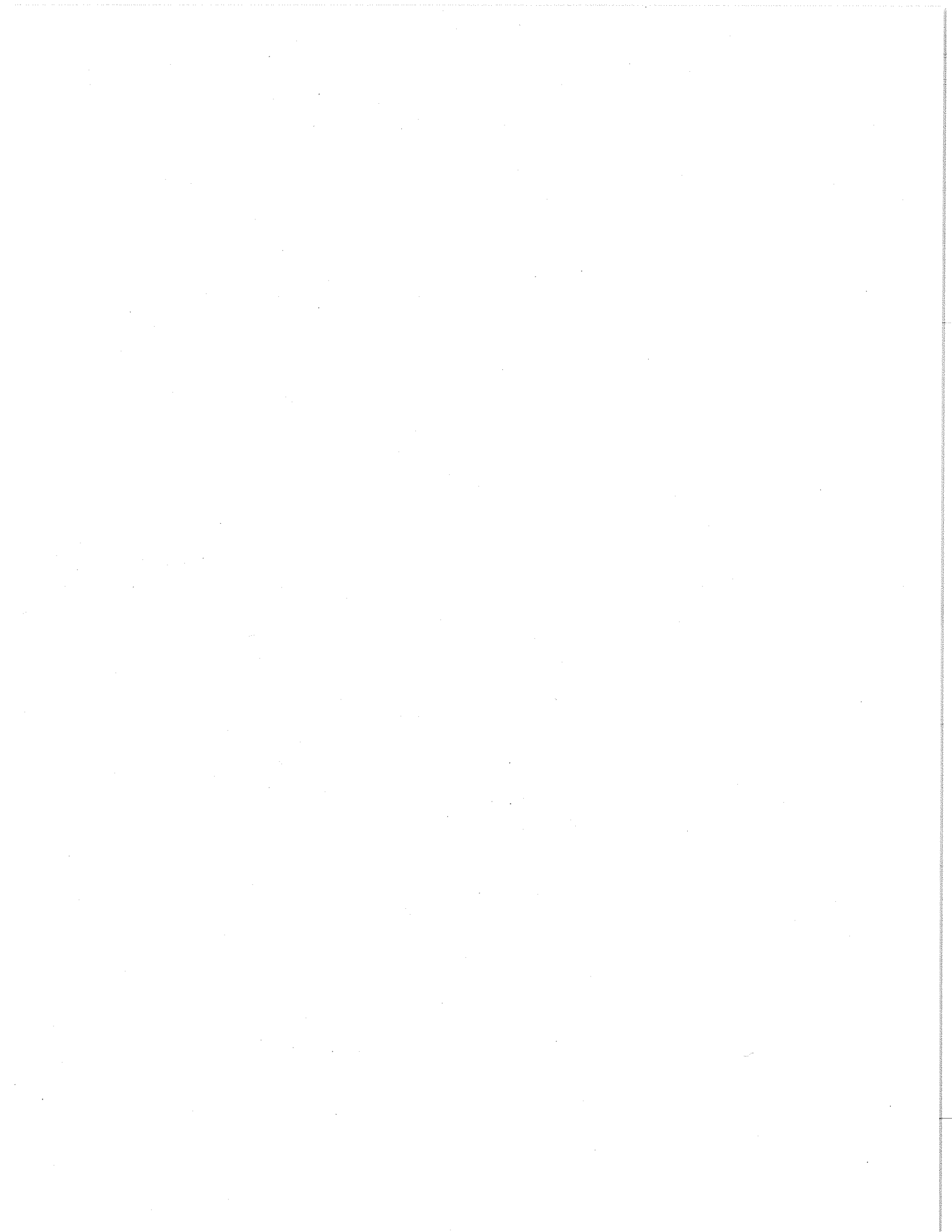
CSWS Division including Ellington, Essex, Torrington and Watertown transfer stations, the South Meadows Waste Processing Facility and Power Block, Operations Center and Recycling Center at 211 Murphy Road. The CSWS Operating Budget will include direct transfers to this account in addition to any authorized distribution from Property Division revenues.

5. **To CSWS Tip Fee Stabilization Fund STIF** - Transfer the balance of available funds remaining within the Property Division General Fund. Subject to available funding, this account is to be funded to a maximum value equivalent to \$7.00 for each budgeted Aggregate Ton of MSW (as defined in the Municipal Service Agreements) anticipated to be processed at CSWS in accordance with the adopted Operating Budget for CSWS. The Maximum Tip Fee Stabilization Fund value is to be established with the start of each fiscal year. The CSWS Tip Fee Stabilization Fund is to be used to supplement receipts available in the CSWS Division Clearing Account when such receipts are otherwise insufficient to disburse funds to the CSWS Division Operating STIF and the CSWS Division Debt Service Fund as required by the CSWS Flow of Funds. Each transfer to the CSWS Operating STIF from the Tip Fee Stabilization Fund is to be recorded on CSWS books and records as an amount due to the Tip Fee Stabilization Fund. The CSWS Flow of Funds includes direct transfers back to the Tip Fee Stabilization Fund whenever such amounts remain due.

Exhibit B
Assessment of Tip Fee Stabilization Fund Value
Fiscal Year 2015 Background / Benchmarks

1. Experiencing a five year historic low plant production of 371,481,000 Kwh sold in comparison to 395,000,000 FY 2015 budgeted Kwh sold would produce an energy sales deficit of \$1,213,580 in FY 2015.
2. Experiencing a five year historic low wholesale energy price of \$0.0375 per Kwh in comparison to FY 2015 budget price of \$0.0516 and 395,000,000 Kwh sold would produce an energy sales deficit of \$5,569,500 in FY 2015.
- 6.
3. The combination of historic low plant production and historic low wholesale energy price would produce an energy sales deficit of \$6,451,463
4. A 10% contingency on the FY 2015 adopted Cost of Operation including the Operating Expense Budget and all reserve contributions equates to \$6,727,100.
- 7.
5. A 50% reduction in Waste Hauler and Spot deliveries would produce a combined deficit of \$6,818,853 in Tip Fees and Energy Sales assuming associated waste and RDF could not be replaced, and plant production would decline proportionately.

	Budget	Actual	Variance Better (Worse)
Benchmark 1			
Wholesale Electric Rate	\$ 0.0516	\$ 0.0516	\$ -
Kwh Sold	395,000,000	371,481,000	(23,519,000)
Real Time Energy Revenue	\$ 20,382,000	\$ 19,168,420	\$ (1,213,580)
Benchmark 2			
Wholesale Electric Rate	\$ 0.0516	\$ 0.0375	\$ (0.0141)
Kwh Sold	395,000,000	395,000,000	-
Real Time Energy Revenue	\$ 20,382,000	\$ 14,812,500	\$ (5,569,500)
Benchmark 3			
Wholesale Electric Rate	\$ 0.0516	\$ 0.0375	\$ (0.0141)
Kwh Sold	395,000,000	371,481,000	(23,519,000)
Real Time Energy Revenue	\$ 20,382,000	\$ 13,930,538	\$ (6,451,463)
Benchmark 4			
Operating Expense Budget	\$ 57,075,000	\$ 62,782,500	\$ (5,707,500)
Reserve Contributions	\$ 10,196,000	\$ 11,215,600	\$ (1,019,600)
Total Cost of Operation	\$ 67,271,000	\$ 73,998,100	\$ (6,727,100)
Benchmark 5			
Hauler / Spot Tip Fees	\$ 9,140,000	\$ 4,570,000	\$ (4,570,000)
Hauler / Spot Energy Sales	\$ 4,497,705	\$ 2,248,853	\$ (2,248,853)
Total Hauler / Spot	\$ 13,637,705	\$ 6,818,853	\$ (6,818,853)



**RESOLUTION REGARDING THE CITY OF HARTFORD
PAYMENT IN LIEU OF TAXES PAYMENT**

WHEREAS, the Connecticut Resources Recovery Authority (“CRRA”) and the City of Hartford (the “CITY”) entered into a Payment in Lieu of Taxes (“PILOT”) Agreement in December 2013; and

WHEREAS, the PILOT Agreement contemplated two payments to the City one in December 2013 and one in June 2014; and

WHEREAS, CRRA made a first payment to the City in the amount of \$1,100,000 in December 2013 for Fiscal Year 2014 pursuant to this PILOT Agreement; and

WHEREAS, this PILOT Agreement states that on or before June 30, 2014, contingent upon the determination by the CRRA Board in its sole discretion of the adequacy of CRRA's then - current cash position, CRRA shall pay the City the amount of \$1,100,000 or such lesser amount as the Board in its sole discretion shall determine; and

WHEREAS, currently CRRA has not attained its cash flow position goal of one hundred and twenty days of cash availability in the CSWS Operating account; and

WHEREAS, CRRA’s ten year Transition Plan forecast provides for an annual PILOT payment of \$1,500,000 beginning in Fiscal Year 2014;

NOW THEREFORE, be it

RESOLVED: That the Board of Directors approve a PILOT payment on or before June 30, 2013 in the amount \$400,000 to the City for the final Fiscal Year 2014 PILOT payment.