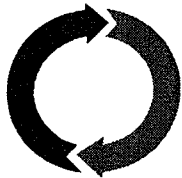


**CRRA**  
**BOARD MEETING**  
**March 26, 2009**



**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, Secretary to the Board/Paralegal  
**DATE:** March 20, 2009  
**RE:** Notice of Meeting

---

There will be a regular meeting of the Connecticut Resources Recovery Authority Board of Directors held on Thursday, March 26, 2009, at 9:30 a.m. The meeting will be held in the Board Room of 100 Constitution Plaza, Hartford, Connecticut. The meeting will also be available to the public via video conference at the 1410 Honeyspot Road ext. Board Room, Second Floor, Stratford, CT.

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

Connecticut Resources Recovery Authority  
Board of Directors Meeting

Agenda

March 26, 2009

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. Minutes

1. Board Action will be sought for the approval of the Feb. 26, 2009, Regular Board Meeting Minutes (Attachment 1).

1.a Action Items

IV. Finance

1. Finance Committee Update
2. Board Action will be sought for approval of Public Officials Insurance (Attachment 2).
3. Board Action will be sought for approval of Property Insurance (Attachment 3).
4. Board Action will be sought for Establishment of Bridgeport Post Project Reserve (Attachment 4).

V. Chairman's, President's and Committee Reports

A. Chairman's Report

B. President's Report

C. Organizational Synergy & Human Resources Committee

1. Board Action will be sought for the Promotion and Market Progression Salary Adjustment, Director of Operations (Attachment 5).

D. Policies & Procurement Committee

1. Board Action will be sought for the Resolution Regarding Request for Services for Single-Stream Recycling Marketing and Public Relations Campaign (Attachment 6).
2. Board Action will be sought for the Resolution Regarding the Purchase of Three High-Speed Rubber Roll-Up Doors for the Mid-Connecticut Waste Processing Facility (Attachment 7).
3. Board Action will be sought for the Resolution Regarding Services for Professional Consulting Engineering Services for the Mid-Connecticut Resources Recovery Facilities (Attachment 8).
4. Board Action will be sought for the Authorization for Payment of Projected Additional Legal Expenses (Attachment 9).

VI. Executive Session

An Executive Session will be held to discuss pending litigation, real estate acquisition, pending RFP's, and personnel matters with appropriate staff.

# TAB 1

**CONNECTICUT RESOURCES RECOVERY AUTHORITY**

**FOUR HUNDRED AND FORTY-FOURTH**

**FEBRUARY 26, 2009**

A Regular meeting of the Connecticut Resources Recovery Authority Board of Directors was held on Thursday, February 26, 2009, at 100 Constitution Plaza, Hartford, Connecticut. Those present were:

Chairman Michael Pace

Directors: David B. Damer  
Alan Desmarais  
Michael Jarjura (present beginning 10:34 a.m.)  
Mark Lauretti  
Theodore Martland  
Raymond O'Brien  
Linda Savitsky  
Steve Edwards, Bridgeport Project Ad-Hoc  
Warren Howe, Wallingford Project Ad-Hoc

Present from CRRA management:

Tom Kirk, President  
Jim Bolduc, Chief Financial Officer  
Dave Bodendorf, Senior Environmental Engineer  
Joe Burgio, Senior Civil Engineer  
Michael Bzdyra, Government Relations Liaison  
Jeffrey Duvall, Manger of Budgets and Forecasting  
Peter Egan, Director of Environmental Affairs & Development  
Laurie Hunt, Director of Legal Services  
Paul Nonnenmacher, Director of Public Affairs  
Virginia Raymond, Senior Analyst  
John Romano, Project Manager  
Mike Tracey, Director of Operations  
Lisa Bremmer, Executive Assistant  
Moira Kenney, Secretary to the Board/Paralegal

Also present were: Miguel Escalera, Esq, of Kainen, Escalera & McHale, P.C.; John Pizzimenti of USA Hauling & Recycling; Jim Sandler of Sandler and Mara; Cheryl Thibeault of Covanta; Jerry Tyminski of SCRRA, and John Ward, Town of Vernon, CT.

Chairman Pace called the meeting to order at 10:04 a.m. and noted that there was a quorum.

**PLEDGE OF ALLEGIANCE**

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

**APPROVAL OF THE MINUTES OF THE JANUARY 29, 2009, REGULAR BOARD MEETING**

Chairman Pace requested a motion to approve the minutes of the January 29, 2009, Regular Board Meeting. Director Savitsky made a motion to approve the minutes, which was seconded by Director Damer.

The minutes were approved as amended and discussed by roll call.

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Dave Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Mark Lauretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Linda Savitsky	X		
<b>Ad-Hocs</b>			
Steve Edwards, Bridgeport	X		
Warren H, Howe, Jr., Wallingford	X		

**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.

John Ward, town administrator for Vernon, CT addressed and thanked the Board for their time. He said that it was reported at a Capital Region Council of Governments (hereinafter referred to as "CROG") meeting that the CRRA is contemplating an increase to the tipping fee of the Mid-Connecticut Project to \$70.00 beginning July 1, 2009. He asked the Board to reconsider that decision and/or consider a lesser impact to the tip fee due to the current unprecedented economic situation.

Mr. Ward said that the municipalities are undergoing financial difficulties with the loss of both state and town revenue. He explained Vernon, along with other towns, is looking for any way to save funds. Mr. Ward asked that CRRA look for any other way to offset the need for increased revenue other than increasing the tip fee.

Chairman Pace said that the Finance Committee is doing just that and reminded him that a readjustment was performed the prior year by CRRA in order to reduce the tip fee. He explained the CRRA Board is doing the best it can to reduce costs for the member towns.

Director Lauretti said that he would like to draw attention to the lawsuit that CRRA has been going through concerning the towns. He said if the towns had just followed the lead of the CRRA Board of Directors they would have been the recipient of 100 percent of the funds which were collected by CRRA. Director Lauretti said unfortunately out of the court-awarded \$36 million only \$27 million is going to the towns. He said the towns would have had full use of that money. He said as a chief elected official he can understand Mr. Ward's dilemma and that he must point out that \$9 million of the town's money went somewhere else.

**MOTION TO ADJUST THE AGENDA**

Chairman Pace requested a motion to approve the above referenced motion in order to move directly into Executive Session. Director Martland made the motion, which was seconded by Director Savitsky.

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

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Dave Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Mark Lauretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Linda Savitsky	X		
<b>Ad-Hocs</b>			
Steve Edwards, Bridgeport	X		
Warren H, Howe, Jr., Wallingford	X		



## **EXECUTIVE SESSION**

Chairman Pace requested a motion to enter into Executive Session to discuss pending litigation with appropriate staff. The motion made by Vice-Chairman O'Brien and seconded by Director Savitsky was approved unanimously by roll call. Chairman Pace requested that the following people be invited to the Executive Session in addition to the Directors:

Tom Kirk  
Jim Bolduc  
Miguel Escalera, Esq.  
Laurie Hunt, Esq.

The Executive Session began at 10:24 a.m. and concluded at 11:08 a.m. Chairman Pace noted that no votes were taken in Executive Session.

The meeting was reconvened at 11:09 a.m., the door was opened, and the Board secretary and all members of the public were invited back in for the continuation of public session.

## **FINANCE COMMITTEE UPDATE**

Director Savitsky said that the Finance Committee had met the prior week and had spent quite a bit of time reviewing the proposed MDC budget in addition to the proposed Mid-Connecticut budget. She explained after substantial discussions the Finance Committee did not vote on the resolutions and asked that several changes in the language be done prior to presentation to the full Board.

Director Savitsky asked those present to please review the distributed resolutions regarding the adoption of the fiscal year 2010 recommended Metropolitan District Commission Mid-Connecticut Project annual operating budget. She said that a revised version regarding the responsibilities of CRRA and the MDC to determine the fiscal year 2010 annual operating budget was also distributed.

## **RESOLUTION REGARDING THE ADOPTION OF THE FISCAL YEAR 2010 RECOMMENDED MDC MID-CONNECTICUT PROJECT ANNUAL OPERATING BUDGET**

Chairman Pace requested a motion to approve the above referenced motion. Director Savitsky made the motion, which was seconded by Director Martland.

**WHEREAS**, The Metropolitan District Commission (MDC) prepared a fiscal year 2010 annual operating budget for the Mid-Connecticut Project (the fiscal year 2010 proposed) and submitted such operating budget to the Authority for review on February 2, 2009, in accordance with the requirements of the CRRA/MDC Mid-Connecticut Project Agreement (the "Agreement"); and

**WHEREAS**, upon its review, the Authority determined that the fiscal year 2010 Proposed Administration budget submitted by the MDC included \$8.3 million for a line item entitled MDC Contract Separation Costs, as well as certain other personnel-related

items, which the Authority does not believe fall within its obligation to pay “the actual cost of the services and materials provided” by the MDC under the terms of the Agreement; and

**WHEREAS**, the Authority has revised the MDC budget to delete such separation costs, and has reduced other personnel-related and maintenance costs; and

**WHEREAS**, upon its review, the Authority has reduced the fiscal year 2010 Proposed Waste Processing Facility (WPF) budget submitted by the MDC by a total of approximately \$2.4 million. The reduction reflects a decrease in personnel costs related to pension by \$1.8 million and regular and overtime pay by \$0.3 million, deletion of maintenance costs for treatment equipment by \$0.3 million, and associated indirect costs by \$0.3 million. The Authority has included a contingency fund of \$0.3 million; and

**WHEREAS**, the Authority believes that the MDC annual budget, as revised above and adopted hereby, satisfies the Authority’s obligation to provide for the appropriation of funds to meet its FY 2010 responsibilities under the Agreement;

**NOW, THEREFORE**, it is

**RESOLVED:** That the Board hereby adopts the fiscal year 2010 Mid-Connecticut Annual Operating Budget as submitted by the MDC and revised by the Authority in the form presented at this meeting.

Mr. Bolduc said a big component of the budget is the MDC proposal. He explained after receiving the proposal management met with MDC personnel to ask questions which have still not been answered by MDC. Mr. Bolduc said that CRRA made several adjustments that are specifically detailed in the write-up, most of which relate to the concept of separation costs which total about \$8.3 million. He said the proposed budget for FY’10 contains a number of related items such as pension costs. Mr. Bolduc said the historical pension costs for FY’08 actual were \$497,000, the adopted FY’09 budget was \$565,000, and in FY’10 the proposal is for \$2.6 million. Mr. Bolduc said that management suspected that a majority of those costs concern separation costs, however that can not be determined as no response from CRRA’s inquiries has been received as of yet.

Mr. Bolduc said that after several adjustments the FY’09 adopted budget was approximately \$19 million, the proposal by MDC for FY’10 was \$28 million and management’s recommendation for inclusion in the FY’10 Mid-Conn budget is \$17.3 million.

Chairman Pace said that the number of SWM equipment operator personnel was adjusted from nine down to six. Mr. Bolduc said this is as a result of the landfill closing. He explained two of the individuals who were working at the landfill are now working at the plant as part of the shredding operation.

Vice-Chairman O’Brien asked that it be highlighted in the minutes that bulky shredding is being provided as a service to the Mid-Connecticut towns because the Hartford landfill no longer accepts bulky waste.

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

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Dave Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Mark Lauretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Linda Savitsky	X		
<b>Ad-Hocs</b>			
Steve Edwards, Bridgeport			
Warren H, Howe, Jr., Wallingford			

**ADDITION OF ITEM TO THE AGENDA OF AN ADDITIONAL RESOLUTION CONCERNING RESPONSIBILITIES OF CRRA AND THE MDC TO DETERMINE THE FISCAL YEAR 2010 ANNUAL OPERATING BUDGET**

Chairman Pace requested a motion to approve the above referenced motion to add an item to the agenda. Director Savitsky made the motion, which was seconded by Vice-Chairman O'Brien.

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

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Dave Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Mark Lauretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Linda Savitsky	X		
<b>Ad-Hocs</b>			
Steve Edwards, Bridgeport			
Warren H, Howe, Jr., Wallingford			

**RESOLUTION REGARDING RESPONSIBILITIES OF CRRA AND THE MDC TO DETERMINE THE FISCAL YEAR 2010 ANNUAL OPERATING BUDGET**

Chairman Pace requested a motion to approve the above referenced motion. Director Savitsky made the motion, which was seconded by Vice-Chairman O'Brien.

**WHEREAS**, the Connecticut Resources Recovery Authority (the "Authority") and the Metropolitan District Commission (the "MDC") entered into an agreement executed December 31, 1984 (the "Agreement") that describes the respective rights and obligations of the two parties regarding the operation of the Mid-Connecticut Project's Transfer Stations, Waste Processing Facility, the Hartford Landfill and the transportation system; and

**WHEREAS**, Article III, Section 1 of the Agreement states that the MDC shall prepare and submit an annual budget to the Authority five months in advance of the applicable fiscal year and that the Authority shall adopt an annual budget prior to the first day of the applicable fiscal year; and

**WHEREAS**, Article IV, Section 1 of the Agreement states that the Authority shall pay the MDC "the actual cost of the services and materials provided"; and

**WHEREAS**, Article VI, Section 2 of the Agreement requires the MDC to maintain "complete accounting records" of all transactions and furthermore to provide the Authority with quarterly and yearly reports that "shall include sufficient information to allow the Authority to verify the costs of services actually performed during the period covered"; and

**WHEREAS**, the service district served by the Mid-Connecticut project is currently enduring a significant and sustained economic recession that continues to severely affect the customers of the Mid-Connecticut Project; and

**WHEREAS**, the Board of Directors of the Authority aggressively seeks to provide the Mid-Connecticut Project member towns with the lowest possible tip fee for fiscal year 2010, especially in light of the economic recession;

**NOW THEREFORE, it is RESOLVED:** That the Authority President provide a copy of this Resolution to the CEO of the MDC and urge the MDC revisit page B-3 of the MDC's 2009-2010 Mid-Connecticut Project Annual Budget and eliminate the proposed salary increases of 3.55% and 3.95% which are excessive and unacceptable in light of the economic recession; and

**FURTHER RESOLVED:** That the MDC also be requested to revisit the entire proposed budget seeking reductions to assist the Authority in reducing the FY 10 tip fee for participating communities; and

**FURTHER RESOLVED:** That the MDC be pressed to provide the Authority with any and all previously requested information regarding budget and actual cost data so that the Authority's Board of Directors may adequately consider the proposed fiscal year 2010 budget; and

**FURTHER RESOLVED:** That the MDC be exhorted to adhere to the spirit of the administrative and operating standards and level of fiscal responsibility vested in both parties under the Agreement.

Chairman Pace said that he would like a letter to be sent on behalf of the CRRA Board to the member towns detailing the Board's efforts to keep costs low and the tip fee as low as possible.

Vice-Chairman O'Brien said the intent of the resolution is to encourage MDC to keep their costs low in order to further reductions for the member towns.

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

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Dave Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Mark Lauretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Linda Savitsky	X		
<b>Ad-Hocs</b>			
Steve Edwards, Bridgeport			
Warren H, Howe, Jr., Wallingford			

**RESOLUTION REGARDING THE APPROVAL OF THE FISCAL YEAR 2010 MID-CONNECTICUT PROJECT OPERATING AND CAPITAL BUDGETS AND TIP FEES**

Chairman Pace requested a motion to approve the above referenced motion. Director Savitsky made the motion, which was seconded by Vice-Chairman O'Brien.

**RESOLVED:** That the proposed fiscal year 2010 Mid-Connecticut Project operating budget be adopted substantially in the form presented and discussed at this meeting;

**FURTHER RESOLVED:** That the following tip fees be adopted for fiscal year 2010 operating budget; and

<b>WASTE STREAM</b>	<b>PER TON TIP FEES</b>
Member and Commercial Solid Waste Tip Fee	\$ 70.00
Spot Solid Waste Tip Fee	Market Rate
Non-Processible Waste	\$85.00
Ferrous Residue	\$40.00
DEP Certified Soils /Cover Material	Market Rate
Recycling Tip Fee	\$0.00

**FURTHER RESOLVED:** That the President is hereby authorized to approve the use of funds from the following Mid-Connecticut Project Reserves, as appropriate, to pay for costs and fees incurred during fiscal year 2010 in accordance with the capital budget adopted pursuant hereto, substantially as presented and discussed at this meeting, provided that all purchases of goods and services shall comply with the requirements of the Authority's Procurement Policy:

- Rolling Stock Reserve
- Hartford Landfill Closure Reserve
- Hartford Landfill Post Closure Reserve
- Ellington Landfill Post Closure Reserve
- Jets/EGF Reserve
- Facility Modification Reserve

Director Savitsky said that the Finance Committee had engaged in extensive discussion and review of this resolution. She explained she had asked Mr. Bolduc to look at the effects on CRRRA if the net cost of operations were further reduced to achieve a tip fee of \$69.00.

**AMENDMENT TO THE MOTION**

Director Desmarais made a motion to discuss amending the Mid-Connecticut Project Budget to establish a tip fee of \$69.00. The motion to amend was seconded by Director Savitsky.

Chairman Pace said it was his understanding that Director Savitsky was suggesting the resolution contained in the package be amended in order to reduce the \$70.00 Mid-Connecticut Project tip fee to \$69.00. Director Savitsky said that was correct.

She asked where the reduction in the net cost of operations would be if the \$69.00 tip fee was put into effect.

Mr. Bolduc said that \$750,000 of additional reductions is necessary to effectuate a \$1.00 reduction in the tip fee. He suggested reducing the legal budget by \$544,000, reducing the contingency fund by \$100,000 and reducing the marketing for regional recycling by \$100,000. He explained these reductions (although containing some risk) would allow for the reduction in the tip fee.

Chairman Pace asked if MDC reduced costs whether that reduction would allow for a possible further savings. Mr. Bolduc said that if that was possible such a surplus would be present in the FY'11 budget.

Director Jarjura asked how the \$69.00 tip fee compared to the private sector. Mr. Kirk said that is a difficult question to quantify. He said the tip fee is very similar to the charges from years past, however the recession and the reduction in the amount of capacity are lowering the price as spot waste is very low. Mr. Kirk said that it is important to note that CRRA is within its \$75.00 limit for maintaining its contract with haulers. He said on an annualized basis CRRA is well within the market range.

Director Desmarais asked whether these estimated reductions are still within the net cost of operations CRRA is required to set the tip fee by. Mr. Bolduc said that he was correct considering the risk of any budget to change.

Director Edwards said that Wheelabrator's Bridgeport tonnage is way down and that it had actually run out of waste at one point.

Director Jarjura asked whether CRRA has been exploring any business opportunities and possible areas of revenue. Chairman Pace said that there are several items of discussion which will be brought up in upcoming meetings.

Director Desmarais asked if MDC's budget could be reduced would CRRA further reduce the tip fee. Mr. Kirk said that the answer was yes.

**PASSAGE OF AMENDED MOTION**

Chairman Pace requested a motion to approve the above referenced motion. Director Savitsky made the motion, which was seconded by Vice-Chairman O'Brien.

**RESOLVED:** That the proposed fiscal year 2010 Mid-Connecticut Project operating budget be adopted substantially in the form presented and discussed at this meeting;

**FURTHER RESOLVED:** That the following tip fees be adopted for fiscal year 2010 operating budget; and

<b>WASTE STREAM</b>	<b>PER TON TIP FEES</b>
Member and Commercial Solid Waste Tip Fee	\$ 69.00
Spot Solid Waste Tip Fee	Market Rate
Non-Processible Waste	\$85.00
Ferrous Residue	\$40.00
DEP Certified Soils /Cover Material	Market Rate
Recycling Tip Fee	\$0.00

**FURTHER RESOLVED:** That the President is hereby authorized to approve the use of funds from the following Mid-Connecticut Project Reserves, as appropriate, to pay for costs and fees incurred during fiscal year 2010 in accordance with the capital budget adopted pursuant hereto, substantially as presented and discussed at this meeting, provided that all purchases of goods and services shall comply with the requirements of the Authority's Procurement Policy:

- Rolling Stock Reserve
- Hartford Landfill Closure Reserve
- Hartford Landfill Post Closure Reserve
- Ellington Landfill Post Closure Reserve
- Jets/EGF Reserve
- Facility Modification Reserve

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

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Dave Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Mark Lauretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Linda Savitsky	X		
<b>Ad-Hocs</b>			
Steve Edwards, Bridgeport			
Warren H, Howe, Jr., Wallingford			

**ORGANIZATIONAL SYNERGY & HUMAN RESOURCES COMMITTEE**

Director Damer said that the Human Resources Committee was requesting that the Board table the Employee Severance Policy until further edits and adjustments are made.

**MOTION TO TABLE APPROVAL & ADOPTION OF A SEVERANCE POLICY**

Chairman Pace requested a motion to approve the above referenced motion. Director Damer made the motion to table, which was seconded by Vice-Chairman O'Brien.



**RESOLVED:** That the Severance Policy be approved as presented by the Organizational Synergy & Human Resources Committee.

The motion to table was approved unanimously by roll call.

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Dave Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Mark Lauretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Linda Savitsky	X		
<b>Ad-Hocs</b>			
Steve Edwards, Bridgeport			
Warren H, Howe, Jr., Wallingford			

**RESOLUTION REGARDING MARKET PROGRESSION ADJUSTMENT FOR THE DIRECTOR OF OPERATIONS**

Chairman Pace requested a motion to approve the above referenced motion. Director Damer made the motion.

**RESOLVED:** That the salary for the Director of Operations be adopted as presented and discussed by the Organizational Synergy & Human Resources Committee.

Director Damer said that the Human Resources Committee had reviewed this item extensively and was recommending that the CRRA Board adopt the resolution.

Chairman Pace said that it was his understanding that this item was also going to be tabled.

**WITHDRAWAL OF MOTION**

Director Damer withdrew his motion.

**MOTION TO TABLE MARKET PROGRESSION ADJUSTMENT FOR THE DIRECTOR OF OPERATIONS**

Chairman Pace requested a motion to approve the above referenced motion to table. Director Damer made the motion to table, which was seconded by Vice-Chairman O'Brien.

The motion to table was approved unanimously by roll call.

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Dave Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Mark Lauretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Linda Savitsky	X		
<b>Ad-Hocs</b>			
Steve Edwards, Bridgeport			
Warren H, Howe, Jr., Wallingford			

**RESOLUTION REGARDING THE REFURBISHMENT OF STEEL PAN CONVEYOR CV-101 AT THE MID-CONNECTICUT WASTE PROCESSING FACILITY**

Chairman Pace requested a motion to approve the above referenced motion. Vice-Chairman O'Brien made the motion, which was seconded by Director Martland.

**RESOLVED:** That the President is hereby authorized to enter into a contract with Lydon Millwright Services, Inc. for refurbishment of steel pan conveyor CV-101 at the Mid-Connecticut Waste Processing Facility, substantially as discussed and presented at this meeting.

Vice-Chairman O'Brien said this item involves the continuation of work which was authorized by the CRRA Board. Mr. Kirk said this resolution detailed continued maintenance and upgrades of industry standards at the Mid-Conn WPF.

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

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Dave Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Mark Lauretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Linda Savitsky	X		
<b>Ad-Hocs</b>			
Steve Edwards, Bridgeport			
Warren H, Howe, Jr., Wallingford			

**RESOLUTION REGARDING THE PURCHASE OF ONE (1) NEW YARD TRACTOR FOR THE MID-CONNECTICUT WASTE PROCESSING FACILITY**

Chairman Pace requested a motion to approve the above referenced motion. Vice-Chairman O'Brien made the motion, which was seconded by Director Damer.

**RESOLVED:** That the President is hereby authorized to execute an agreement for the purchase of (1) one new yard tractor from New England Industrial Truck, Inc., to be used at the Mid-Connecticut Waste Processing Facility, substantially as presented and discussed at this meeting.

Mr. Kirk said this purchase is for the yard tractor which moves and manipulates the ash trailers at the site. He said it is particularly necessary as ash is being moved from the location to Putnam, Connecticut. Mr. Kirk said the two older tractors are being sold. He said he believes there is a typographical error in the budget which transposes the \$35,000.00 number. Mr. Kirk explained this item has been properly budgeted for a \$75,000.00-plus expenditure in a separate line item.

Vice-Chairman O'Brien said that this purchase also provides for an additional cost savings of \$4,200.00 for CRRA by not repairing the old existing tractors.

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

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Dave Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Mark Lauretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Linda Savitsky	X		
<b>Ad-Hocs</b>			
Steve Edwards, Bridgeport			
Warren H, Howe, Jr., Wallingford			

**RESOLUTION REGARDING AUTHORIZATION OF CHANGE ORDERS FOR THE MID-CONNECTICUT POWER BLOCK FACILITY**

Chairman Pace requested a motion to approve the above referenced motion. Vice-Chairman O'Brien made the motion, which was seconded by Director Damer.

**RESOLVED:** That the President is hereby authorized to execute change order No.'s 2, 3, and 4 with Merritt Contractors, Inc., to implement modifications to the original scope of Work for the Ash Load Out Building and Site Modifications at the Mid-Connecticut Resource Recovery Facility project, substantially as presented and discussed at this meeting.

Mr. Kirk said that the original contract of \$2.2 million from reserves has been voted on and approved concerning the ash load-out. He explained this resolution details three change orders which cost more than \$50,000. Mr. Kirk said the change order budget is still within 10 percent of the amount and still reasonable.

Mr. Kirk said that management feels the three change orders are legitimate and the contractor continues to do excellent work. He said there were some scheduling issues however the primary cause in the delay was weather related. Mr. Kirk said the larger issues concerned the original plan which had the exhaust system becoming integrated with Covanta. He explained Covanta said that this may put some of the plant equipment at risk and as a result management made a change.

Mr. Kirk said that management felt they were still well within the expectancy of a change order especially considering the 30 year old age of the plant.

Mr. Kirk said the change order consisted of some underground issues at the conduit which did not show up on the original drawing.

Director Jarjura said that he was in support of this as it is a reasonable change order. He said due to the current economy that he is seeing significant reductions in construction projects. Mr. Tracey said that management is also starting to see reductions in bid prices.

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

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Dave Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Mark Lauretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Linda Savitsky	X		
<b>Ad-Hocs</b>			
Steve Edwards, Bridgeport			
Warren H, Howe, Jr., Wallingford			

**REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION REGARDING THE AUTHORIZATION OF ON-CALL LABOR AND EQUIPMENT AGREEMENTS FOR CRRA LANDFILLS**

Chairman Pace requested a motion on the above-referenced item. Vice-Chairman O'Brien made the motion, which was seconded by Director Damer.

**RESOLVED:** That the President is hereby authorized to execute agreements with Botticello Inc., David G. Roach & Sons, Inc., J. Bates & Sons, LLC, and R. L. Rogers & Sons, Inc. to provide labor and equipment for CRRA landfill operation and maintenance activities as presented and discussed at this meeting.

Mr. Kirk said this resolution establishes a stable of on-call contractors for landfill maintenance. He said it establishes a rate for all on call providers and the resolution following will establish a contract with one of those contractors.

Director Edwards asked whether the rate is set first. Mr. Egan explained that CRRA asks for the contractors' rates and that those rates are used as a consideration when management selects a contractor. He explained that the contractors' location is also taken into account as the closer a contractor office is to a CRRA facility the more reasonable the contractors typically are.

Vice-Chairman O'Brien asked that detail be provided as to why Palker Excavations' bid was not acceptable. He said that it was his recollection that Palker had not submitted a complete

package. Mr. Bodendorf said that Palker was non-responsive on several levels which was reflected in their score of zero on several items.

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

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Dave Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Mark Lauretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Linda Savitsky	X		
<b>Ad-Hocs</b>			
Steve Edwards, Bridgeport			
Warren H, Howe, Jr., Wallingford			

**REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION REGARDING THE AUTHORIZATION OF A REQUEST FOR WORK TO PROVIDE LABOR AND EQUIPMENT SERVICES FOR THE OPERATION OF THE HARTFORD LANDFILL**

Chairman Pace requested a motion on the above-referenced item. Vice-Chairman O'Brien made the motion, which was seconded by Director Damer.

**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.

Mr. Kirk said that this resolution details management's recommendation of Botticello, Inc., for the operation and maintenance of the Hartford landfill. He said that they are lowest bidder.

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

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Dave Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Mark Lauretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Linda Savitsky	X		
<b>Ad-Hocs</b>			
Steve Edwards, Bridgeport			
Warren H, Howe, Jr., Wallingford			

**REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION REGARDING THE AUTHORIZATION OF CONSTRUCTION QUALITY ASSURANCE SERVICES TO SUPPORT CLOSURE OF A PORTION OF THE MSW/INTERIM ASH DISPOSAL AREA AT THE HARTFORD LANDFILL**

Chairman Pace requested a motion on the above-referenced item. Vice-Chairman O'Brien made the motion, which was seconded by Director Jarjura.

**RESOLVED:** That the President is hereby authorized to enter into a Request for Services with Fuss & O'Neill, Inc. to continue to perform Construction Quality Assurance (CQA) services associated with the capping of a portion of the MSW/Interim Ash Disposal Area of the CRRA Hartford Landfill, the installation of a new on-site access road, and the relocation of a leachate force main and electric service, substantially as discussed and presented at this meeting.

Mr. Kirk said that Fuss & O'Neil has been utilized by CRRA for several years with a history of good performance. He said the resolution details a renewal of their services. Mr. Kirk said the write-up details the evaluation scores.

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

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Dave Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Mark Lauretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Linda Savitsky	X		
<b>Ad-Hocs</b>			
Steve Edwards, Bridgeport			
Warren H, Howe, Jr., Wallingford			

**REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION REGARDING DELIVERY OF COVER SOILS TO THE HARTFORD LANDFILL**

Chairman Pace requested a motion on the above-referenced item. Vice-Chairman O'Brien made the motion, which was seconded by Director Jarjura.

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

Mr. Egan said that this is a \$95,250.00 contract at \$5.00 per ton. Mr. Egan said because the market is fluid CRRA has the authority to negotiate arrangements with soil generators or deliverers. He said this job happened the previous summer and the material is primarily associated with work done on the Army Corp of Engineers Flood Control Dike and the soil comes from the City of Hartford.

Mr. Kirk said that he wanted to remind the Board that this resolution will provide revenue. Chairman Pace said that this soil came from the City of Hartford, is going into the Hartford landfill, and that all of the soils are approved by the DEP.

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



<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Dave Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Mark Laretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Linda Savitsky	X		
<b>Ad-Hocs</b>			
Steve Edwards, Bridgeport			
Warren H, Howe, Jr., Wallingford			

**REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION  
REGARDING DELIVERY OF COVER SOILS TO THE HARTFORD LANDFILL**

Chairman Pace requested a motion on the above-referenced item. Vice-Chairman O'Brien made the motion, which was seconded by Director Damer.

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

Mr. Egan said that this soil was generated in the City of Waterbury from the Ansonia Copper & Brass facility which is undergoing redevelopment. He said that material was moved into the landfill the prior summer and fall.

Director Griswold said there is an absence of reference to special waste. He asked what the soil classification is. Mr. Egan said that this soil is classified as special waste by the DEP.

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

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Dave Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Mark Laretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Linda Savitsky	X		
<b>Ad-Hocs</b>			
Steve Edwards, Bridgeport			
Warren H, Howe, Jr., Wallingford			

**REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION REGARDING DELIVERY OF COVER SOILS TO THE HARTFORD LANDFILL**

Chairman Pace requested a motion on the above-referenced item. Vice-Chairman O'Brien made the motion, which was seconded by Vice-Chairman Martland.

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

Mr. Egan said that the difference between this and the previous contract is that this soil is more tainted which allows CRRA to command a higher price. He said that CRRA will not receive 10,000 tons, but more likely in the range of 3,000 tons.

Chairman Pace said that this soil was approved by the DEP. He asked whether this type of material is positioned deeper into the surface. Mr. Egan said yes and explained that material that is tainted above a certain threshold must be placed underneath the final synthetic liner, which is where most of these soils will go.

Director Laretti asked what the life expectancy of the synthetic liner is. Mr. Egan said that the linear low-density polyethylene has been used in landfill construction for about three decades will likely last for several hundred years.

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

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	<b>X</b>		
Dave Damer	<b>X</b>		
Alan Desmarais	<b>X</b>		
Timothy Griswold	<b>X</b>		
Mark Laretti	<b>X</b>		
Theodore Martland	<b>X</b>		
Raymond O'Brien	<b>X</b>		
Linda Savitsky	<b>X</b>		
<b>Ad-Hocs</b>			
Steve Edwards, Bridgeport			
Warren H, Howe, Jr., Wallingford			

**REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION REGARDING DELIVERY OF COVER SOILS TO THE HARTFORD LANDFILL**

Chairman Pace requested a motion on the above-referenced item. Vice-Chairman O'Brien made the motion, which was seconded by Director Jarjura.

**RESOLVED:** That the President is hereby authorized to enter into a contract with AES Remedial Contracting, LLC for delivery of contaminated soil to be used as cover material at the Hartford Landfill, and as approved by the Connecticut Department of Environmental Protection, substantially as discussed and presented at this meeting.

Chairman Pace said the price is about \$20.00 a ton. He asked Mr. Egan if there is anything significantly different concerning this resolution. Mr. Egan said no. He said it has been approved by the DEP, has come in and the contract is over.

Vice-Chairman O'Brien thanked Mr. Egan and his staff for their hard work. He pointed out that the total of these contracts equals roughly \$1,000,000.00 of revenue which will reduce the cost of the closure of the Hartford landfill.

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

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Dave Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Mark Lauretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Linda Savitsky	X		
<b>Ad-Hocs</b>			
Steve Edwards, Bridgeport			
Warren H, Howe, Jr., Wallingford			

**REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION REGARDING DELIVERY OF COVER SOILS TO THE HARTFORD LANDFILL**

Chairman Pace requested a motion on the above-referenced item. Vice-Chairman O'Brien made the motion, which was seconded by Director Griswold.

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

Mr. Egan said this soil is associated with the Aetna development project and is being generated by the City of Hartford. Mr. Egan said this soil has been approved by the DEP.

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

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Dave Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Mark Lauretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Linda Savitsky	X		
<b>Ad-Hocs</b>			
Steve Edwards, Bridgeport			
Warren H, Howe, Jr., Wallingford			

**RESOLUTION REGARDING THE FIRST AMENDMENT TO THE AGREEMENT FOR ELECTRONIC RECYCLING COLLECTION SERVICES BETWEEN ECO INTERNATIONAL LLC AND THE CONNECTICUT RESOURCES RECOVERY AUTHORITY**

Chairman Pace requested a motion on the above-referenced item. Vice-Chairman O'Brien made the motion, which was seconded by Director Damer.

**RESOLVED:** That the President is authorized to execute the First Amendment to the Agreement For Electronic Recycling Collection Services with Eco International, LLC to conduct electronic recycling collection services for the municipalities in CRRA's Mid-Connecticut, Wallingford and the Bridgeport Projects, substantially as presented and discussed at this meeting.

**AND FURTHER RESOLVED:** That said First Amendment to the Agreement includes a .039 price per pound for collections conducted in calendar year 2010.

Mr. Kirk said that CRRA's contract for electronic recycling is a small dollar amount and serves as a very important program for all member towns. He explained CRRA provides for disposal at collection events and that they serve as a very popular and necessary program.

Mr. Kirk said that CRRA's contractor had contracted and committed to a zero tipping fee for collection of the electronics per pound. He said the contractor has since informed CRRA he is unable to provide the service at that fee because he had anticipated the DEP putting a regulation into effect providing for revenues.

Mr. Kirk said that he would like to point out that the number two contractor had bid a number much higher than the number management is negotiating and that the number two contractor has also filed for bankruptcy. Mr. Gaffey said there is news every day of failing companies concerning recyclables.

Director Damer asked for clarification on the pricing. Mr. Gaffey said the requested amended price is 3.9 cents. Mr. Gaffey said that the DEP had informed CRRA that the program the contractor is waiting for will not go into effect until March 2010.

Vice-Chairman O'Brien said that this is a waste stream that CRRA needs to make sure is disposed of properly.

Director Griswold asked whether management has been looking into providing this service in FY'10. Mr. Gaffey said that it was his presumption that Eco will bid again and that management will be looking into the possibilities.

Director Griswold asked whether CRRA will be offering the member towns this service as they had in the past. Mr. Gaffey said that the answer is yes. Director Lauretti asked if there are also municipal pick-ups available. Mr. Gaffey said yes and that the contractor could most likely provide pick-ups twice a month.

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

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Dave Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Mark Lauretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Linda Savitsky	X		
<b>Ad-Hocs</b>			
Steve Edwards, Bridgeport			
Warren H, Howe, Jr., Wallingford			

**EXECUTIVE SESSION**

Chairman Pace requested a motion to enter into Executive Session. The motion made by Vice-Chairman O'Brien and seconded by Director Savitsky was approved unanimously by roll call. Director Savitsky requested that only the Board members be invited. No management or others were present.

The Executive Session began at 12:10 p.m. and concluded at 12:57 p.m. Chairman Pace noted that no votes were taken in Executive Session.

The meeting was reconvened at 12:57 p.m., the door was opened, and the Board secretary and all members of the public were invited back in for the continuation of public session.

**ADJOURNMENT**

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

The meeting was adjourned at 12:58 p.m.

Respectfully submitted,



Moira Kenney  
Secretary to the Board/Paralegal

## TAB 2

**RESOLUTION REGARDING THE PURCHASE OF PUBLIC OFFICIALS AND  
EMPLOYMENT PRACTICES LIABILITY INSURANCE FOR THE PERIOD  
4/1/09 – 4/1/10**

**RESOLVED:** That CRRA's Public Officials and Employment Practices Liability insurance be purchased from ACE with a \$10,000,000 limit and up to \$10,000,000 in defense costs outside the limit, and a \$250,000 retention for the period 4/1/09 – 4/1/10 for a premium of \$228,139, as discussed at this meeting.



**Connecticut Resources Recovery Authority**  
**Public Officials and Employment Practices Liability Insurance Renewal**  
**3/26/09**

**I. Current Policy**

- Expires 4/1/09 – Public Officials and Employment Practices Liability Insurance
- \$10 million limit, \$250,000 retention – Premium was \$228,139
- Insurer – ACE American Insurance Company (ACE)
- \$5M of defense expenses outside of limit

**II. Renewal Policy**

- Market remains limited for carriers willing to quote CRRA because of previous loss history and environmental exposures.
- Quotes sought from ACE (Illinois Union, A+), Berkshire-Hathaway Group (A++), Hiscox Insurance Co. (A), Darwin National Assurance Co. (A) and Landmark (A). Aon only seeks quotes from carriers with ratings of A or better.
- Landmark provided an alternative last year but would not provide defense costs outside of the limit nor match all terms and conditions offered by ACE. This year they said they did a more in-depth study of CRRA losses and declined to quote.
- ACE, the incumbent insurer, desires to retain CRRA's business and has agreed to renew with a premium the same as expiring (\$228,139). Terms are the same, including a \$10 million policy limit with an additional \$10 million for defense costs – last year's defense cost limit was \$5 million.
- All alternative markets declined to quote due to size, losses, and class of business (see Exhibit A)
- ACE coverage continues to provide terrorism for no extra charge
- ACE offered the following options:

	<b><u>Limit</u></b>	<b><u>Retention</u></b>	<b><u>Premium</u></b>
Option #1 (A+ Rating)	\$ 10,000,000*	\$250,000	\$228,139
Option #2	\$ 10,000,000*	\$500,000	\$199,620
Option #3	\$ 15,000,000**	\$500,000	\$239,077

\*Defense outside limit - capped at \$10 MM

\*\*Defense outside limit - capped at \$15 MM

**III. Management Summary & Recommendation**

- Section 1-125 of the Connecticut General Statutes (CGS) states that any director or employee of CRRA, including ad hoc members, may not be held personally

liable for damage or injury, not wanton, reckless, willful or malicious, caused in the performance of his or her duties and within the scope of his or her employment or appointment as such director, officer or employee, or ad hoc member

- CRRA is required to protect and indemnify all of its directors, officers and employees in accordance with Section 1-125 of the CGS
- Public Officials Liability Insurance covers liability resulting from “wrongful acts” – any act, error, misstatement, misleading statement, omission, neglect or breach of duty committed or attempted by the insured, or Employment Practices Violations by any Insured solely in the performance of duties for CRRA as defined by the policy
- This insurance provides secure consistent, broad coverage with fewest exclusions
- Based upon benchmarking, CRRA’s claims history and pricing, purchase of a \$10,000,000 limit is reasonable at this time
- Management in consultation with our broker recommends securing Option #1 \$10,000,000 coverage limit with \$250,000 retention and up to \$10,000,000 in defense costs outside of the limit for a premium of \$228,139
- This premium is the same as the expiring policy and CRRA is gaining enhancements to the policy as follows:
  - An addition \$5 million in defense costs outside the limit.
  - Instead of a 50/50 “hammer clause” it is a 70/30 split. This improves the defense clause providing that if CRRA refuses to settle, the amount of damages that the claim could have been settled at (plus all claim expenses incurred until the date of refusal), 70% of all subsequent payments would be paid by the insurer (instead of 50%) and 30% would be CRRA’s responsibility (instead of 50%).
  - The severability language has been improved. Currently the entire policy is null and void if there are any representations in the application that are not true and accurate. Now the policy is null and void only to the insured person who knew the facts were false or omitted – the knowledge of any insured person shall not be imputed to any other insured person.
  - Definition of a claim is expanded to include a criminal proceeding against any insured commenced by a return of an indictment, information, or similar document, or receipt or filing of a notice of charges.

#### **IV. Recommendation to CRRA Board**

The Finance Committee has reviewed and discussed the options for renewing CRRA's Public Officials and Employment Practices Liability insurance and has voted to recommend the following to the CRRA Board of Directors.

**RESOLVED: That CRRA's Public Officials and Employment Practices Liability insurance be purchased from ACE with a \$10,000,000 limit and up to \$10,000,000 in defense costs outside the limit, and a \$250,000 retention for the period 4/1/09 – 4/1/10 for a premium of \$228,139.**

CRRA's annualized budget for this program covering FY'09 and FY'10 is \$238,060 (see Premium to Budget Comparison, Exhibit B)

Program	Line of Business	Carrier	Carrier Response	Carrier Declination Reason	Premium <sup>1</sup>	Quoted ARS Commission	Intermediary, If applicable	Intermediary Commission
Public Officials	\$10M Limit, \$250k Ret	ACE - Illinois Union Insurance Company	Quoted	N/A	\$228,139.00	0.00%	N/A	N/A
Public Officials	\$10M Limit, \$500k Ret	ACE - Illinois Union Insurance Company	Quoted	N/A	\$ 199,620.00	0.00%	N/A	N/A
Public Officials	\$15M Limit, \$500k Ret	ACE - Illinois Union Insurance Company	Quoted	N/A	\$ 239,077.00	0.00%	N/A	N/A
	\$10M Limit, \$250k Ret	Berkshire-Hathaway Group - USLI	Declined	Prior losses	N/A	N/A	Swett & Crawford	5-10%
	\$10M Limit, \$250k Ret	Darwin National Assurance Company	Declined	Capacity-unable to write risks w/ >\$50-75M revenues	N/A	N/A	Professional Governmental Underwriters	5-10%
	\$10M Limit, \$250k Ret	Hiscox Insurance Company Inc.	Declined	Adverse claim experience	N/A	N/A	N/A	N/A
	\$10M Limit, \$250k Ret	Landmark	Declined	Prior litigation and ongoing disputes	N/A	N/A	Swett & Crawford	5-10%

<sup>1</sup> ARS receives premiums Clients pay for remittance to carriers, as well as refunds insurance companies pay for remittance to Clients, and deposits these payments into fiduciary accounts in accordance with applicable insurance laws until they are due to be remitted. ARS will retain the interest or investment income earned while such funds are on deposit pursuant to those laws and carrier agreements.

**PREMIUM TO BUDGET COMPARISON**

Insurance Type	2008-09		FY 2009		FY 2010		Proposed 4/1/09-4/1/10 Premium	Surplus/ (Deficit) to Budget	Old v New Premium Decrease/ Increase
	4/1/08-4/1/09 Premium	Budget	4/1/09-6/31/09 Budget	7/1/09-4/1/10 Budget	Annualized Budget	Annualized Budget			
<b>Public Officials &amp; Employees Liability</b>	\$228,139		\$58,401	\$179,659	\$238,060	\$228,139	\$9,921	\$0	

**Exhibit B**

**PUBLIC OFFICIALS & EMPLOYMENT PRACTICES LIABILITY**

**ALLOCATION OF PREMIUM SURPLUS TO BUDGET**

<b>PROJECT</b>	<b>Allocation Percentage</b>	<b>Allocation Amount</b>
<b>GENERAL</b>	4.33%	\$430
<b>SOUTHEAST</b>	1.63%	\$162
<b>SOUTHWEST</b>	8.12%	\$806
<b>MID-CT</b>	58.54%	\$5,808
<b>JETS/EGF</b>	14.78%	\$1,466
<b>WALLINGFORD</b>	<u>12.60%</u>	<u>\$1,250</u>
	<u>100.00%</u>	<u>\$9,921</u>

**EXHIBIT C**

# TAB 3

**RESOLUTION REGARDING THE PURCHASE OF ALL RISK PROPERTY  
INSURANCE FOR THE PERIOD 4/1/09 – 4/1/10**

**RESOLVED:** That CRRA's \$359 million All Risk Property Insurance be purchased for a premium of \$640,000 (including terrorism) from the following insurers with their quota shares as indicated: Zurich 32% (Rated A); Starr Tech 28% (Rated A); Arch 25% (Rated A) and Swiss Re 15% (Rated A), and

**FURTHER RESOLVED:** That CRRA procure loss control engineering services for the Mid-Connecticut facilities (WPF, PBF, EGF and Jets) and jurisdictional inspections for all required locations from XL for a price of \$14,000.



**Connecticut Resources Recovery Authority**  
**All Risk Property Insurance Renewal**  
**3/26/09**

**I. Current Policy**

- Expires 4/1/09 – \$359 million Blanket All Risk including Boiler & Machinery, insuring real and personal property, Business Interruption and Extra Expense
- Property damage & boiler & machinery deductible \$50,000, except Mid-CT, Wallingford Facilities and Jets, which have a \$250,000 deductible and Mobile Equipment which has \$100,000 deductible
- Business Interruption/Extra Expense, deductible is the amount of loss during first 45 days after the occurrence
- Three Insurers – XL 35%, Starr Tech 33%, Zurich 32%
- Engineering inspection services, were purchased from XL, for \$22,900
- 4/1/08 – 4/1/09 total premium - \$623,879 (including terrorism at \$36,979 and engineering at \$22,900)

**II. Renewal Policy**

- Aon Risk Services (Aon), CRRA's broker/consultant, evaluated CRRA's Maximum Foreseeable Loss (MFL) at the Mid-CT facility to gage if the criteria used to determine the insurance limit purchased made sense.
- The analysis suggested that the current limit of \$359 million is appropriate, even though values increased slightly.
- Mid-CT Project is CRRA's highest valued single facility which totals \$361M for property damage and business interruption.
- Aon proposes the current limit of \$359 million as it maintains current market capacity and takes into consideration the potential significant loss scenarios.
- The \$359 million applies on a blanket basis for property damage to all locations
- Aon marketed the program to all companies listed on the spreadsheet attached (Exhibit A)
- Premium increased to \$640,000 (including terrorism)
- Deductibles are same as last year - property damage, \$50,000, except Mid-CT, Wallingford facilities and Jets, \$250,000; mobile equipment, \$100,000.
- Solid quotes were received from Zurich, XL, Starr Tech, Arch and Swiss Re.

- Although XL took a major share in last year's property insurance limit (35%), their initial quote this year of \$725,000 was well above Aon's target premium number of \$564,000. Ultimately, XL came down to around \$661,000, but was still above the consensus premium of \$640,000.
- Zurich was the first to respond offering a 32% share; Starr Tech offered a maximum share of 28%, Arch offered a maximum share of 25% and Swiss Re offered a maximum of 15%.
- This leaves two incumbent insurers on the program (Zurich and Starr Tech) and adds two new ones (Arch and Swiss Re).

### Engineering

Most states, counties or cities require periodic inspections of commercial boilers or pressure vessels (jurisdictional inspections/engineering). The law or regulations may also require a certificate that attests the equipment complies with these requirements.

In addition to these engineering services, last year CRRA increased the scope of engineering services purchased:

- loss control visits where the company loss control engineer completed extensive evaluation of the risk and provided summaries of findings and written recommendations to mitigate against potential property damage. These services were provided for the following facilities:
  - (1) Mid-CT Electric Generating Facility (EGF)
  - (2) Mid-CT Power Block Facility (PBF)
  - (3) Mid-CT Waste Processing Facility (WPF)
  - (4) Mid-CT Twin Packs
  - (5) Wallingford Waste-to-Energy Facility
  - (6) Trash Museum and Mid-CT IPC – Hartford
  - (7) Garbage Museum and Stratford IPC - Stratford
- Because of the value of and complexity of the Mid-CT facilities, recently conducted inspections which produced recommendations for improvements, and discussions with in-house engineers, it was determined that loss control engineering of the type described above continues to be beneficial to CRRA
- Aon has stated that underwriters need engineering reports to evaluate the potential risk of loss and adequate protection of that risk. Without that, underwriters will not provide quotes especially on power generation exposures.

- This year has been the most competitive in the last couple of years. The fact that CRRA put into place a "formalized" loss control inspection plan and followed up those inspections with a spreadsheet of responses to those open recommendations cannot be discounted as a factor in stimulating this competition. This shows an understanding of the potential loss of risk and a willingness to improve that risk.
- Going forward, it is important to prove to the markets that the safety programs currently in place at the sites are well documented and that the operators are being held accountable where there is a need for improvement.
- This year Aon sought proposals for similar engineering, albeit for fewer facilities, only the Mid-CT WPF, PBF, EGF and Twin Packs, and received the following proposals:

Starr Tech	\$10,500
XL	\$14,000
Global Risk Consultants	\$17,700
Paragon	\$21,200

- Our in-house engineering professionals reviewed all proposals and sample reports/recommendations (actual in the case of XL) and believe that XL provides the most comprehensive oversight for the least amount of money.

### **III. Management Summary & Recommendation**

- Policy expiration on 4/1/09 requires approval at the March 26, 2009 Board meeting for continuance of coverage
- Property insurance, business interruption and extra expense on CRRA property is required due to ownership and/or contractual requirements
- Management recommends securing the \$359 million all risk property insurance coverage for the period 4/1/09 – 4/1/10 as follows:

<u>Insurer</u>	<u>% Participation of \$359M</u>
Zurich (Rating A)	32%
Starr Tech (Rating A)	28%
Arch (Rating A)	25%
Swiss Re (Rating A)	15%

	April 1, 2008 – 2009	April 1, 2009 – 2010	Comments
Limit of Liability	\$359 million	\$ 359 million	Equals 100% reported values for PBF & EGF plus BI & Extra Expense for Mid-CT Project
Deductibles Property Damage:	\$50,000 except \$250,000 at Mid-CT and Wallingford facilities and jets, \$100,000 Mobile	No change	
Time Element:	Equip. 45 days	No change	
Annual Premium	\$564,000	\$640,000	13% Increase
Engineering	\$22,900  (jurisdictional inspections & loss prevention visits to 7 facilities w/reports & recommendations)	\$14,000  (jurisdictional inspections & loss prevention visits to 4 facilities w/reports & recommendations)	Mid-CT consists of 4 facilities and is largest potential loss; Wallingford no longer necessary; IPC's and Museums just done and no longer issues
Terrorism	\$36,979	Within premium	
<b>TOTAL</b>	<b>\$623,879</b>	<b>\$654,000</b>	<b>5 % Increase</b>

#### **IV. Finance Committee Recommendation to the CRRA Board**

**The Finance Committee has reviewed and discussed the options for renewing CRRA's Property Insurance and recommends the purchase of the \$359 million policy for a premium of \$640,000 from the following four (4) insurers with their quota shares as indicated: Zurich 32%; Starr Tech 28%; Arch 25% and Swiss Re 15%; and engineering services from XL for \$14,000.**

**The overall premium for \$359 million of property insurance, including business interruption and extra expense, engineering and terrorism coverage is \$654,000 (\$30,121 more than last year).**

CRRA's annualized budget for this program covering FY '09 and FY '10 is \$675,953 (see Premium to Budget Comparison, Exhibit B).

**Connecticut Resources Recovery Authority - Quote Disclosure Report  
April 1, 2009 - 2010**

Line of Business	Carrier	Carrier Response	Carrier Declination Reason	Premium (Limit)	Quoted ARS Commission	Intermediary, If applicable	Intermediary Commission
Property including Terrorism	ACE/Starr Tech	Quoted		\$640,000 (\$99,999,999)	None	N/A	None
Property including Terrorism	AIG	Indication Only		\$850,000	None	N/A	None
Property excluding Terrorism	Allianz	Indication Only		\$830,000 to \$850,000	None	N/A	None
Property including Terrorism	Arch	Quoted		\$640,000 (\$90,270,001)	None	N/A	None
Property including Terrorism	Commonwealth	Declined	Risk Requirements		None	N/A	None
Property including Terrorism	HDI/Gerling America	Declined	Occupancy		None	N/A	None
Property including Terrorism	Liberty Mutual Group	Declined	Risk Requirements		None	N/A	None
Property including Terrorism	Lloyds/Travelers Syndicate	Indication Only		\$890,000	None	N/A	None

**Connecticut Resources Recovery Authority - Quote Disclosure Report  
April 1, 2009 - 2010**

Line of Business	Carrier	Carrier Response	Carrier Declination Reason	Premium (Limit)	Quoted ARS Commission	Intermediary, If applicable	Intermediary Commission
Property including Terrorism	Scor Reins Co	Declined	Risk Requirements		None	N/A	None
Property including Terrorism	Swiss Reinsurance	Quoted		\$640,000 (\$53,850,000)	None	N/A	None
Property including Terrorism	X L America	Quoted		\$661,871 (\$125,650,000)	None	N/A	None
Property including Terrorism	Zurich Insurance Group	Quoted		\$640,000 (114,880,000)	None	N/A	None

**PREMIUM TO BUDGET COMPARISON**

Insurance Type	2008-09		FY 2009		FY 2010		Proposed 4/1/09-4/1/10 Premium	Surplus/ (Deficit) to Budget	Old v New Premium Decrease/ Increase
	4/1/08-4/1/09 Premium	Budget	4/1/09-6/31/09 Budget	7/1/09-4/1/10 Budget	4/1/09-4/1/10 Annualized Budget	4/1/09-4/1/10 Premium			
<b>All Risk Property</b>	\$600,979		\$184,649	\$491,304	\$675,953	\$654,000	\$21,953	\$ (53,021)	

Premiums include terrorism/exclude engineering

**Exhibit B**

# TAB 4



*RECOMMENDED DRAFT RESOLUTION FOR CRRA BOARD OF DIRECTORS*

***RESOLUTION REGARDING ESTABLISHMENT OF BRIDGEPORT POST PROJECT RESERVES***

**WHEREAS**, The Authority is in the process of completing its Post Project Financial Audit; and

**WHEREAS**, The Authority has initially projected remaining Project liabilities that exist following the Bridgeport Project closure; and

**WHEREAS**, The Authority has performed an initial analysis of its Bridgeport Project potential future risk liabilities and has determined additional funds be appropriated for potential future risk expenditure;

**Now, Therefore, it is RESOLVED**, a Post Project Reserve be established to retain necessary funds to meet residual Bridgeport Project Expenses, with the level of funding to be determined in conjunction with the audit currently in progress and

**FURTHER RESOLVED**, a Risk Fund Reserve be established to retain anticipated funds needed to cover outstanding post Bridgeport Project risk associated with claims and litigation with the level of funding to be determined in conjunction with the audit currently in progress.

# TAB 5

**RESOLUTION REGARDING MARKET PROGRESSION ADJUSTMENT FOR  
THE DIRECTOR OF OPERATIONS**

**RESOLVED:** That the salary for the Director of Operations be adopted as presented and discussed by the Organizational Synergy & Human Resources Committee.

Please see accompanying Confidential Package

# TAB 6

*RECOMMENDED DRAFT RESOLUTION FOR CRRA BOARD OF DIRECTORS*

**RESOLUTION REGARDING REQUEST FOR SERVICES FOR  
SINGLE-STREAM RECYCLING MARKETING AND PUBLIC  
RELATIONS CAMPAIGN**

**RESOLVED:** That the President is hereby authorized to approve a Request for Services with Pita Communications LLC for services associated with CRRA's single-stream recycling marketing and public relations campaign substantially as presented and discussed at this meeting.

# **Connecticut Resources Recovery Authority**

## **Summary for RFS entitled Single-Stream Recycling Marketing & Public Relations Campaign**

Presented to the CRRRA Board on: March 26, 2009

Vendor/contractor(s): Pita Communications LLC

Effective date: January 1, 2009

Contract type/subject matter: Public Relations Services Agreement

Contract term: January 1, 2009, through December 31, 2011

Contract number: 090116

Facility(ies) affected: Mid-Connecticut Project

RFS dollar value: \$90,000

RFS term: February 23, 2009, through June 30, 2009

Scope of services: Public relations, marketing and associated activities in support of CRRRA's single-stream recycling initiative.

# Connecticut Resources Recovery Authority

## RFS for Single-Stream Recycling Marketing & Public Relations Campaign

March 26, 2009

### EXECUTIVE SUMMARY

For several years, Connecticut's recycling rate was stagnating. CRRA, as part of its responsibility for implementing the state Solid Waste Management Plan, which calls for significant increases in recycling, decided that single-stream recycling would help achieve those increased recycling rates, so in 2008 it invested \$3 million to convert its Mid-Connecticut Project recycling processing facility to accept single-stream deliveries.

Because single-stream recycling represents a major change from the more-familiar dual-stream system – in which the homeowner separates paper and cardboard from containers – it must be supported with a public awareness campaign to maximize its effectiveness and thus maximize CRRA's return on investment. Already, single-stream recycling is now being offered in 43 towns, with that number continuing to grow. Many towns, including Hartford, Torrington, Granby, Harwinton and Avon, have asked CRRA to support the rollout of single-stream with a public-awareness campaign.

Normally, such a campaign would involve print and broadcast advertising. However, because of the uncertainty in the newspaper business – several weekly newspapers in which CRRA had been advertising recently closed, and many others are on the brink of failure – management decided to focus on broadcast advertising, specifically radio. Radio advertising is particularly attractive for this purpose for two reasons:

- The variety of radio stations in the Mid-Connecticut Project service area blanket the full population and demographic range CRRA needs to reach for this purpose. The Mid-Connecticut Project serves 70 towns in five different media markets with a total population of about 1.3 million.
- The economic recession has hit radio advertising particularly hard, so broadcasters are offering deep discounts and other value-added features, meaning we can maximize our buying power.

Pita Communications LLC, to whom CRRA awarded a three-year Public Relations Services Agreement after a Request for Qualifications (RFQ) process in 2008, will work with CRRA to develop two 30-second radio spots that will explain single-stream recycling and its superiority to other forms of recycling. Pita's media planner will select a menu of radio stations to achieve CRRA's audience goals and its media buyer will negotiate the purchasing of advertising. The advertising will air in April, May and June. Management has allocated \$90,000 for this campaign, or about seven cents per person in the targeted area. Pita Communications developed the "Phillip D. Bag" campaign which was successful in increasing awareness of mixed-paper recycling and enhancing CRRA's public image.

The campaign will be designed to enhance CRRA's public image by branding CRRA as Connecticut's recycling leader while increasing recycling in Mid-Connecticut Project towns. While results concerning the former goal cannot be measured without scientific public-opinion polling, the latter can be measured



by total recycling tons received and the ratio of recycling tons to trash received from participating towns.

This is to request approval of the CRRA Board of Directors for the President to approve a Request for Services for this campaign. Because the value of this RFS passes the \$50,000 threshold set forth in Section 5.9 of CRRA's "Procurement Policies and Procedures" Board approval is required.

## **DISCUSSION**

CRRA's "Procurement Policies and Procedures" requires that under this contract any RFS, "together with all other change orders or similar amendments to such Contracts, exceeds \$50,000 over the original contract price, shall be prior authorized only by the two-thirds (2/3) vote of the full Board." The dollar value of this RFS is \$90,000.

Pita Communications LLC was one of three firms selected to receive Public Relations Services Agreements after CRRA issued a Request for Qualifications for firms to provide public relations, advertising and marketing services in 2008. This particular firm was chosen for its commendable work in developing and executing the award-winning "Phillup D. Bag" campaign which was successful in increasing awareness of mixed-paper recycling and enhancing CRRA's public image. This Agreement was approved by the Board on November 20, 2008.

The RFS under consideration by the Board was approved by the Policies & Procurement Committee at its meeting of March 5, 2009.

## **Financial Summary**

Funds for this RFS are available in Mid-Connecticut Project budget line 41-001-506-52118 "Regional Recycling Marketing & Public Relations."

# TAB 7

**RESOLUTION REGARDING THE PURCHASE OF THREE  
HIGH SPEED RUBBER ROLL UP DOORS FOR THE MID  
CONNECTICUT WASTE PROCESSING FACILITY**

**RESOLVED:** That the President is hereby authorized to execute an agreement for three (3) New M & I High Speed Rubber Roll-up Doors from BODE Equipment Company for use at the Mid-Connecticut Waste Processing Facility, substantially as presented and discussed at this meeting.

# **Connecticut Resources Recovery Authority**

## **Purchase of Three New High Speed Rubber Rollup Doors Mid-CT Waste Processing Facility**

Presented to the CRRA Board on: March 26, 2009

Vendor/ Contractor(s): BODE Equipment Co.

Effective date: Upon Execution

Contract Type/Subject matter: Non-competitive Process/ Vendor has patent

Facility (ies) Affected: Mid-CT Waste Processing Facility

Original Contract: Not applicable

Term: 60 days from Notice to Proceed

Contract Dollar Value: \$138,452

Amendment(s): Not applicable

Term Extensions: Not applicable

Scope of Services: (3) High Speed Rubber Roll Up Doors  
Type: M & I

Bid Security: None

Other Pertinent Provisions: None

# **Connecticut Resources Recovery Authority Mid-Connecticut Project**

## **Purchase of Three New High Speed Roll-Up Doors Mid-CT Waste Processing Facility**

*March 26, 2009*

### **Executive Summary**

This is to request approval of the CRRA Board of Directors to authorize the President to approve the purchase of three (3) new M & I High Speed Rubber Roll-up Doors for the Mid Connecticut Project, Waste Processing Facility.

### **Discussion**

The purchase and installation of these three high speed roll-up doors will cover the openings on the East and West side of the facility processing area which access the secondary shredders and the maneuvering hall exit door. These areas currently have poor-functioning and costly repairable doors. With the installation of the three high speed doors CRRA will be able to effectively control odors and fugitive dust, provide better access and maintain temperatures within the processing area.

The Metropolitan District Commission ("MDC") is the operator of the CRRA Mid Connecticut Project Waste Processing Facility. The facility has 18 roll up doors either of metal or new rubber design of which 75% are of the new high speed design as provided by BODE Equipment. The original facility steel doors have been subject to severe operating conditions and there has been minimal interest by outside door companies to provide maintenance.

In 1999 CRRA investigated various options and uses of the high-speed doors and determined that the M & I door is the superior product for this application. The following are specific highlights of the patented M & I high speed door.

- This door is very unique to the industry. Using a patented design, this door uses a drive gear at the top of each guide assembly driving the up and down operation.
- There are no pulleys, springs or cables inside the guides.
- The bottom edge has no aluminum, sand or steel bottom beam but is completely fabric. It has an integrated stop and reverse sensing device that allows the door to come down on an object, cause no harm/damage.
- It requires no roll wind bar for this door as other manufacturers will utilize aluminum ribs to provide stiffness. The specific design does not require any stiffeners which allows for full access.
- This door is the only design or type in the North American Market.

- The M & I high speed door can handle wind gusts up to 110 miles per hour.
- The electrical panel comes fully equipped with specific diagnostic points indicating where problems are occurring. There is no guess work in troubleshooting electrical problems. Other manufactures use a PLC which requires wiring diagrams and personnel involvement to trace the problems.
- The breakaway feature is unique in that there is no bottom beam and the design is integrated into the curtain. When struck by a vehicle or object, the rubber curtain will fold out from the frame. To replace the curtain a simple press of the restart button is required and the door will re-set the curtain.

The M & I high speed door as provided by BODE Equipment Company is superior over any steel or fabric door based on its reliability, operating costs and no replacement parts. This design is initially less expensive than a steel door (approximately 20%). M & I high speed doors are instantly capable of being reset in their guides; a steel door once struck will no longer function and require new parts. Repair response on steel doors at the WPF has averaged one to two months depending on the available contractor. The M & I high speed door is capable of resetting itself and avoiding interruptions to operations thus providing a cost effective solution.

BODE Equipment Company has previously provided CRRA the M & I door. They have been responsive to our maintenance needs which we have not been able to obtain from local roll up door companies. Additionally, they are the only authorized supplier, installer and maintainer of the M & I patented high speed roll-up doors in the New England area.

The scope of services for this project as provided by BODE Equipment is as follows:

- Furnish all material, labor, equipment plus incidentals for the replacement of the East and West processing area steel doors and the Maneuvering Hall south exit door.
- Removal of existing steel roll-up door plus frame and siding removal.
- Reconditioning frames after removal and the installation of the two new M&I high speed doors per manufactures specifications.
- Also included, is all necessary electrical work and performance testing of the doors for final approval.

### **Financial Summary**

The project was not solicited through a public procurement process because of the unique patented design and reliability of the M & I door. The sole source New England Distributor for the M & I door is BODE Equipment Company which has quoted the above scope of work for three doors including receivers and controllers at a cost of \$138,452. This is a savings of \$32,548 vs. traditional steel doors. In addition to the lower capital investment, the BODE doors are less costly to maintain. Historically, CRRA has spent about \$7,630 for maintenance on the doors being replaced. Comparatively, maintenance for the BODE doors will cost \$1,200 which is a savings of \$6,430 per year. For a full breakdown of costs associated with this proposed purchase, you can refer to the NPV analysis in TABLE 1 and the graph.

Section 3.1.2.3 of CRRA's Procurement Policies and Procedures provides an exception for goods or services for which the contractor has proprietary, patent or intellectual property rights.

The purchase of three (3) new M & I Rubber High Speed Rollup Doors from BODE Equipment Company will be funded from the Facility Modification Reserve as planned for in the fiscal year 2009 Mid Connecticut Capital Improvements Budget.

**TABLE 1**

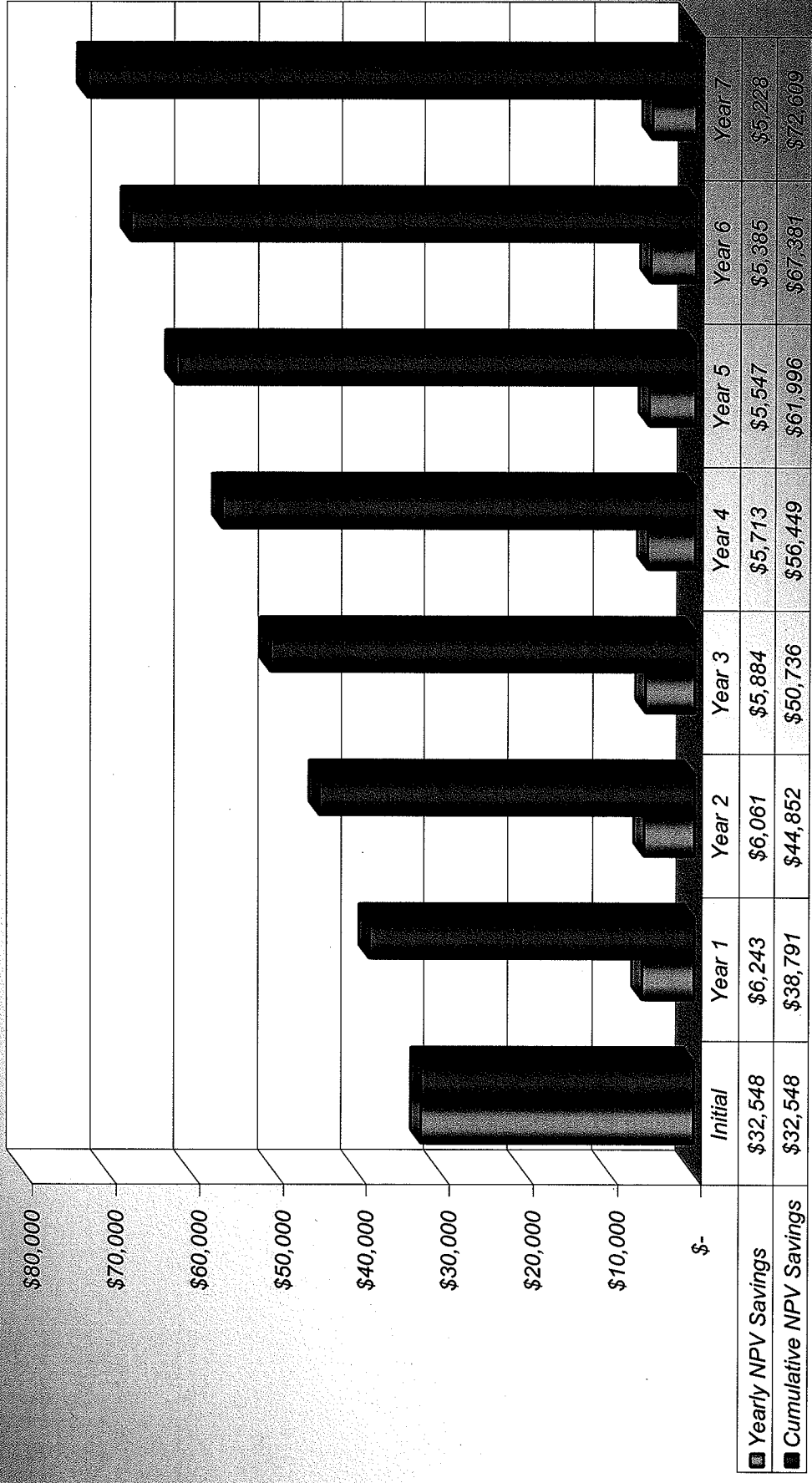
**MID-CT PROJECT**

**BODE HIGH SPEED RUBBER ROLL-UP DOOR NPV ANALYSIS**

Input Data	Historical Maintenance Costs for (3) "Steel" Doors							Total
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	
Capital Cost of (3) new BODE High Speed Rubber Roll-Up Doors	\$ 138,452							\$ 138,452
Capital Cost of (3) new "Steel" Doors	\$ 171,000							\$ -
Maintenance cost (annual) on (3) BODE Doors	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200	\$ 8,400
Maintenance cost (annual) on (3) "Steel" Doors	\$ 7,630	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200	\$ 146,852
Discount Rate	3%							
<b>7-Year NPV Chart</b>								
<b>(3) BODE High Speed Rubber Roll-Up Doors</b>								
Purchase Price	\$ 138,452							\$ 138,452
Major Maintenance Costs								\$ -
Maintenance Costs	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200	\$ 8,400
Total Cost	\$ 138,452	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200	\$ 146,852
<b>(3) Steel Non-BODE Roll-Up Doors</b>								
Purchase Price	\$ 171,000							\$ 171,000
Major Maintenance Costs								\$ -
Maintenance Costs	\$ 7,630	\$ 7,630	\$ 7,630	\$ 7,630	\$ 7,630	\$ 7,630	\$ 7,630	\$ 53,410
Total Cost	\$ 171,000	\$ 7,630	\$ 7,630	\$ 7,630	\$ 7,630	\$ 7,630	\$ 7,630	\$ 224,410
<b>Summary:</b>								
BODE Doors Annual Cost Savings vs. Non-BODE Doors	\$ 32,548	\$ 6,430	\$ 6,430	\$ 6,430	\$ 6,430	\$ 6,430	\$ 6,430	\$ 77,558
BODE Doors Cumulative Cost Savings vs. Non-BODE Doors	\$ 32,548	\$ 38,978	\$ 45,408	\$ 58,268	\$ 64,698	\$ 71,128	\$ 77,558	
Yearly NPV Savings	\$ 32,548	\$ 6,243	\$ 5,884	\$ 5,713	\$ 5,547	\$ 5,385	\$ 5,228	\$ 72,609
Cumulative NPV Savings	\$ 32,548	\$ 38,791	\$ 44,852	\$ 56,449	\$ 61,996	\$ 67,381	\$ 72,609	
<b>BODE Doors NPV Savings vs. Non-BODE Doors (7 Yr Cum Total)</b>								
	\$ 72,609							



**NPV Savings Analysis**  
*High Speed Bode Doors vs. Traditional Steel Doors*



**TAB 8**

**RESOLUTION REGARDING REQUEST FOR SERVICES FOR PROFESSIONAL  
CONSULTING ENGINEERING SERVICES FOR THE MID-CONNECTICUT  
RESOURCES RECOVERY FACILITIES**

**RESOLVED:** The President is authorized to execute the Request for Services with Dvirka and Bartilucci Consulting Engineers for professional consulting services associated with the operation and maintenance of the Mid-Connecticut Resources Recovery facilities.

**RESOLUTION REGARDING REQUEST FOR SERVICES FOR PROFESSIONAL  
CONSULTING ENGINEERING SERVICES FOR THE MID-CONNECTICUT  
RESOURCES RECOVERY PROJECT**

**RFS SUMMARY**

Presented to Board: March 26, 2009

Contractor: Dvirka and Bartilucci Consulting Engineers

Effective Date: Upon execution

Contract Type: RFS for professional consulting services under Contract No. 080116 for Consulting Engineering and Land Surveying Services Agreement dated July 1, 2007

Facilities: Mid-Connecticut RRF and associated transfer stations

Term, Original Contract: June 30, 2010

Cost Estimate: \$109,229

Deliverables: Interim draft memorandum reports, economic models and sensitivities to the models shall be developed

Budget Status: Monies are available in the current FY09 budget

# **RESOLUTION REGARDING REQUEST FOR SERVICES FOR PROFESSIONAL CONSULTING ENGINEERING SERVICES FOR THE MID-CONNECTICUT RESOURCES RECOVERY FACILITIES**

## **EXECUTIVE SUMMARY**

This is to request approval of the CRRA Board of Directors for the President to enter into an RFS with Dvirka and Bartilucci Consulting Engineers to assist in the evaluation of various Mid-Connecticut facility operating options that may be implemented upon termination of the Mid-Connecticut Project as currently structured.

## **DISCUSSION**

The Mid-Connecticut Project as currently structured will come to term in 2012 with the expiration of the initial term of the Municipal Services Contracts ("MSAs"), the Waste Disposal Services Contract ("Operator Agreement"), and the Electrical Energy Purchase Agreement ("Electricity Agreement"). To assist CRRA in determining the highest and best use of the Mid-Connecticut facilities post 2012, Senior Management is seeking the services of a consulting engineer to evaluate a variety of scenarios for the continued operation and maintenance of the Mid-Connecticut facilities. Working with CRRA staff, the consultant shall prepare for each of the scenarios operations and economic models that will include MSW processing rates, capital improvements, debt service, staffing, labor costs, maintenance and repair, utilities, residuals disposal, insurance, supplies, subcontractors, and CRRA related administrative and permit compliance costs. Consultant shall assist CRRA in assessing the technical feasibility of the scenarios. The feasibility evaluations and the economic modeling results shall be presented to CRRA in preliminary draft memorandum reports that provide the results of the work for each scenario. The reports shall include discs containing the spreadsheets prepared. A full report on all of the scenarios will be prepared upon receipt of CRRA's comments regarding all of the memorandum reports.

## **FINANCIAL SUMMARY**

Money for the proposed services is appropriated and available within the FY09 budget.

# TAB 9

## **CONNECTICUT RESOURCES RECOVERY AUTHORITY**

### **Request regarding Authorization for Payment of Projected Additional Legal Expenses**

March 26, 2009

#### **Executive Summary**

This is to request Board authorization for payment of additional projected fiscal '09 legal expenses.

#### **Discussion:**

At the request of the eight MDC member towns, the Authority has been working with the MDC to understand and evaluate MDC's claim for payment by the Authority of MDC's "separation costs" when the CRRA-MDC contract expires at the end of 2011. The Authority has engaged its employment counsel, Kainen, Escalera, & McHale, to assist us in this complex matter, which will include the need for actuarial review and analysis.

We are therefore seeking board authorization to incur legal expenses for this matter.

**BOARD RESOLUTION REGARDING ADDITIONAL PROJECTED LEGAL  
EXPENDITURES**

**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 2009 projected legal fees; and

**WHEREAS**, CRRA expects to incur unanticipated legal expenses in connection with Mid-Connecticut Project matters;

**NOW THEREFORE, it is RESOLVED:** That the following additional amount be authorized for payment of legal fees and costs to be incurred through June 30, 2009:

Firm:

Amount:

Kainen, Escalera & McHale

\$175,000