

CONNECTICUT RESOURCES RECOVERY AUTHORITY

FOUR HUNDRED AND FIFTY-FOURTH **JUNE 18, 2009**

A Regular meeting of the Connecticut Resources Recovery Authority Board of Directors was held on Thursday, June 18, 2009, at 100 Constitution Plaza, Hartford, Connecticut. Those present were:

Chairman Michael Pace

Directors: David Damer
 Alan Desmarais
 Michael Jarjura
 Timothy Griswold
 Mark Laretti
 Theodore Martland
 Linda Savitsky
 Steve Edwards, Bridgeport Project Ad-Hoc
 Warren Howe, Wallingford Project Ad-Hoc
 Geno Zandri, Jr., Wallingford Project Ad-Hoc

Present from CRRRA management:

Tom Kirk, President
Jim Bolduc, Chief Financial Officer
Dave Bodendorf, Senior Environmental Engineer
Peter Egan, Director of Environmental Affairs
Laurie Hunt, Director of Legal Services
Trevor Nichols, Senior Operations Analyst
Marianne Carcio, Executive Assistant
Moirra Kenney, Secretary to the Board/Paralegal

Also present were: Brian Anderson of Council 4 AFSCME; and Jim Sandler of Sandler and Mara.

Chairman Pace called the meeting to order at 10:05 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.

PUBLIC PORTION

Chairman Pace said that the agenda allowed for a public portion in which the Board would accept written testimony and allow individuals to speak for a limit of three minutes.

Mr. Anderson, the legislative representative for Council 4 AFSCME said that he was present to ask for a correction in the minutes of the May 28, 2009, CRRA Board meeting which he alleged do not accurately reflect what he said at that meeting. Copies of his corrections are attached as "Exhibit A".

Chairman Pace said that the Board Secretary will review the public portion of the minutes and make any necessary corrections.

Director Savitsky asked Mr. Anderson to clarify which documents he is referring to in the last paragraph when it asks, "that the documents that I submitted, responding to your April 30 letter, be attached to and included with the minutes". He explained he was referring to the document he had handed out at the last meeting.

Chairman Pace suggested tabling the motion to approve the minutes. Director Savitsky agreed and noted the motion to table will provide clarification on the issue raised.

Director Desmarais asked if the hand written notes on the documents Mr. Anderson had distributed were part of the record. Mr. Anderson said those notes were his and are part of the original documents that he submitted at the May 28, 2009, Board meeting.

Director Savitsky asked that the corrected minutes of the May 28, 2009, Board meeting be sent to the Board members prior to inclusion in the July Board package for any necessary edits.

MOTION TO TABLE THE MINUTES OF THE MAY 28, 2009, REGULAR BOARD MEETING

Chairman Pace requested a motion to table the minutes of the May 28, 2009, Regular Board Meeting. Director Martland made a motion to table the minutes, which was seconded by Director Jarjura.

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

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Michael Jarjura	X		
Mark Lauretti	X		
Theodore Martland	X		
Linda Savitsky	X		
Ad-Hocs			
Steve Edwards, Bridgeport	X		
Warren C, Howe, Jr., Wallingford	X		
Geno Zandri	X		

FINANCE COMMITTEE UPDATE

Director Savitsky said she would like to report that the Finance Committee in its capacity as the Audit Committee has met with the new auditors. She said a discussion ensued where introductions and clarifications on statutory requirements were addressed. Director Savitsky said that subsequent to this the auditors met with Mr. Bolduc and management to discuss the audit process.

Mr. Bolduc said that management met with the auditors to discuss the first steps of the auditing process. He said the first step will be taking inventory at the MDC facility to review the physical inventory, perform observations, and work with MDC to review records. Mr. Bolduc said in mid-July the auditors will be in for several weeks to begin the in-depth audit.

Mr. Bolduc said the key managing partners for the audit met with management to review items pertaining to the audit such as litigation and the contingency obligations. He said the target date for the preliminary audit is early September for availability to the Finance Committee and later in September for the review and acceptance from the full Board.

Director Savitsky said that the Finance Committee (acting as the Audit Committee) had made it clear to the auditing firm what the lines of communication will be and noted that the Committee will continue to closely monitor the firm over the summer due especially in consideration of the early delivery date on the report.

Director Savitsky said that the resolution following was discussed at length by the Finance Committee.

RESOLUTION REGARDING CERTAIN MID-CONNECTICUT PROJECT RESERVES

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

WHEREAS: The Authority has determined that the Mid-Connecticut Project Facility Modification Reserves needs additional funds to cope with current expenditures and to alleviate the projected Reserve deficit: and

WHEREAS, The Authority has reevaluated the Post Litigation Expenses Reserve has determined that the Reserve can be reduced; now therefore be it

RESOLVED: That \$1.218 M be transferred from the Post Litigation Expenses Reserve to the Facility Modification Fund to alleviate the estimated Fund deficit.

Mr. Bolduc said that CRRA funds capital expenditures out of the facility modification reserve. He said there was a lot of activity this year and the back-up to the resolution explains why roughly \$1.2 million in additional dollars was needed for the facility modifications. Mr. Bolduc said one of the larger items (which was more expensive than originally estimated) was the ash-load out facility as the building had to be modified to accommodate larger trucks for ash deposits.

Mr. Bolduc said management has made some changes in order to provide pre-signals of budget overages which include the development of a capital expenditure form to identify funds in the budget as well as the addition of a contingency in the FY'10 budget. He said when construction for the year was begun the construction dollars for the MDC budget should have come out of this account and set aside, this will occur in FY'10. Mr. Bolduc said that in addition some items were postponed to try and mitigate the need for additional cash.

Mr. Bolduc said that management is recommending moving the \$1.2 million from the post-litigation reserve to fund costs associated with pursuing the global settlements, leaving approximately \$700,000 in the account to fund litigation. He explained the post-litigation is an unrestricted Board designated reserve and requires Board approval to move.

Chairman Pace said that the bulky waste shredder is a volume reduction. He said the conveyor modification represents \$1.1 million of the needed \$1.9 million for capital expenditures and stated for the record these numbers are not a surprise.

Director Savitsky said that because this is a Board designated reserve, based on the evaluation which has been done it has been determined that there are sufficient funds from the post-litigation reserve to fund the facility modifications. She said there was a healthy discussion by the Finance Committee on a go forward basis on how to manage these expenditures to avoid running negative suddenly at the year end. Director Savitsky said the Finance Committee feels confident the steps put into effect will manage this issue.

Director Griswold asked if the \$700,000 remaining in the post-litigation reserve is sufficient. Director Savitsky said that at this time the Finance Committee feels confident that the figure is sufficient.

Chairman Pace said the management will need to work closely with CRRA's attorneys to mitigate expenses moving forward and that discussion with those firms have taken place informing them of the situation. He said CRRA has a distinct obligation to keep this plant viable moving forward.

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

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Michael Jarjura	X		
Mark Lauretti	X		
Theodore Martland	X		
Linda Savitsky	X		
Ad-Hocs			
Steve Edwards, Bridgeport			
Warren C, Howe, Jr., Wallingford			
Geno Zandri			

POLICIES & PROCUREMENT COMMITTEE

RESOLUTION REGARDING PROPERTY APPRAISAL SERVICES

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

RESOLVED: That the President is hereby authorized to enter into contracts with the following firms for Property Appraisal Services, substantially as discussed and presented at this meeting:

- Appraisal Economics Inc;
- CB Richard Ellis – N.E. Partners, LP; and
- George E. Sansoucy, P.E., LLC

Director Martland said that are a number of issues which will require the services of a property appraiser. He said that management is recommending the creation of a stable of appraisers to call upon as needed.

Mr. Kirk said that CRRA has used appraisers routinely in the past with enough frequency that maintaining a stable for those services is prudent. He said that spending will be done per CRRA's policies and procedures, however a stable allows for pre-qualified providers to be easily available.

Director Damer said that although the recommended firms are pre-qualified any expenditure over \$50,000 will still come to the Board for specific approval.

Chairman Pace said that establishing the stable does not constitute a financial commitment.

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

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Michael Jarjura	X		
Mark Lauretti	X		
Theodore Martland	X		
Linda Savitsky	X		
Ad-Hocs			
Steve Edwards, Bridgeport			
Warren C, Howe, Jr., Wallingford			
Geno Zandri			

RESOLUTION REGARDING TRANSFER STATION HOST COMMUNITY AGREEMENT

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

RESOLVED: That the President of CRRA is authorized to execute the Transfer Station Host Community Agreement for the Town of Ellington, Connecticut, substantially as presented and discussed at this meeting.

Director Damer said that management has negotiated several transfer station host community agreements. He said this agreement will be consistent with those existing agreements. Director Damer said that there is one agreement still outstanding and this resolution will finalize the third out of the planned four.

Chairman Pace asked Mr. Egan to speak to the effort to negotiate a transfer station agreement with Essex. Mr. Egan said that CRRA and Essex have not had detailed discussions, and that CRRA would be contacting Essex now that the Ellington agreement is completed.

Director Griswold asked what the town of Ellington will be getting now versus what they will get pro-forma. Mr. Kirk said that the pro-forma (along with some other pre-existing conditions) is 50 cents a ton.

Mr. Egan said that based on the agreement put in place in 2000 they get \$2.50 for East Windsor waste. He said that the new agreement will provide for 50 cents per ton for all waste which will provide more revenue to Ellington than what they have received for just East Windsor waste, and places the town on par with what is paid to Torrington and Watertown. Mr. Egan said that this payment was budgeted.

Mr. Egan said that management plans to arrange a meeting with the Town of Essex to conclude an agreement. He said that there are several variables as Essex already receives two other host community benefits.

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

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Michael Jarjura	X		
Mark Lauretti	X		
Theodore Martland	X		
Linda Savitsky	X		
Ad-Hocs			
Steve Edwards, Bridgeport			
Warren C, Howe, Jr., Wallingford			
Geno Zandri			

RESOLUTION REGARDING THE INSTALLATION OF A LANDFILL CAP OVER A PORTION OF THE PHASE 1 ASH AREA AT THE HARTFORD LANDFILL

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

RESOLVED: That the President is hereby authorized to execute an agreement with David G. Roach & Sons, Inc. to install a landfill cap over approximately 12 acres of the Phase 1 Ash Area at the Hartford Landfill, substantially as presented and discussed at this meeting.

Mr. Kirk said that this is a substantial expenditure concerning 12 acres of the ash section of the landfill. He said it is time to release this contractor and that the project is on budget and proceeding as planned.

Chairman Pace said that the landfill looks great and commended management for a job well done. Mr. Bodendorf said the City of Hartford is happy with CRRA’s progress. He explained that the City has a Committee which is looking at potential future uses for the landfill. Mr. Bodendorf said management has been at the site with the Committee on several occasions and that the Committee is very happy with how the site looks.

Mr. Bodendorf said last year 7.2 acres of the ash area was finished. He said that this project will completely close off the lined ash area which is about 18 acres all together. Mr. Bodendorf said

that CRRA is also under contract for 45 acres of the main landfill which is about half completed and is expected to be completed by the end of the season. Mr. Bodendorf said that after this year there should be about 33 acres remaining to cap at the Hartford landfill the construction of which will take place in 2010, and possibly into 2011. Mr. Bodendorf said that after that the cap will be complete and CRRA will be into the 30 year post-closure care period.

Chairman Pace asked if the landfill will have grass and wildflowers growing after the capping is complete to make it look more attractive. Mr. Bodendorf said a wildflower mix has not been included and can certainly be discussed as a possibility with the current contractor and also for the West Slope.

Director Martland asked when the landfill is capped if the type of soil put on the landfill drains excessively. Mr. Kirk said that the choice of vegetation needs to have the correct root structure to hold the soil in place. He said the decision to plant wildflowers is ultimately the choice of the City of Hartford and that he is hopeful they will be in favor of wildflower mixes. Mr. Kirk said the soil is the right mix to support vegetation.

Director Desmarais said that this is not the optimum time to plant grass seed. Mr. Bodendorf said that is correct and that a provision in the current contract exists to provide an irrigation system if necessary. He said the establishment of vegetation on a three to one slope is very important.

Chairman Pace asked if there have been any problems at the landfill. Mr. Bodendorf said there had been a problem with the initial phase of the ash area where there was some slippage with the material that was placed. He explained the design was revised and the project was successfully completed by incorporating that change in the design which has increased the safety factor.

Director Desmarais said that management's recommendations for firms to be included in the stable are the three lowest from the eighteen bids that were submitted. He said the bids were all significantly under the estimates that TRC had come up with for doing the cap.

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

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Michael Jarjura	X		
Mark Lauretti	X		
Theodore Martland	X		
Linda Savitsky	X		
Ad-Hocs			
Steve Edwards, Bridgeport			
Warren C, Howe, Jr., Wallingford			
Geno Zandri			

RESOLUTION REGARDING A THREE YEAR MOWING SERVICES AGREEMENT FOR THE HARTFORD LANDFILL

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

RESOLVED: That the President is hereby authorized to execute an agreement with Earthcare Service to provide mowing services at the Hartford Landfill, substantially as presented and discussed at this meeting.

Chairman Pace said that this resolution is for a three year agreement to mow the Hartford Landfill. He said that planting wildflowers would add ground coverage as well as provide an attractive aspect to the landfill capping. Mr. Kirk said that it is CRRA’s responsibility to maintain the landfill from an engineering standpoint.

Mr. Bodendorf said that the contract doesn’t require Earthcare to mow the landfill but rather provides CRRA the authority to request that it does so when necessary. He said that mowing is important to keep the thicker woody vegetation that can develop from growing as it has caused difficulties at other landfills by blocking out the growth of groundcover.

Director Desmarais asked where the funds for this resolution are coming from. Mr. Bolduc said that the cost for post-closure was partially coming out of the operating budget. He said that once the landfill is officially closed by the Connecticut Department of Environmental Protection (hereinafter referred to as the “DEP”) the funds will come strictly from the post-closure reserve.

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

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Michael Jarjura	X		
Mark Lauretti	X		
Theodore Martland	X		
Linda Savitsky	X		
Ad-Hocs			
Steve Edwards, Bridgeport			
Warren C, Howe, Jr., Wallingford			
Geno Zandri			

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

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

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

Director Damer said that this resolution approves a longstanding agreement that CRRA has with the United States Department of Agriculture Animal and Plant Health Inspection Services to monitor and control nuisance birds.

Mr. Kirk said the services are very effective. He noted that because there is no longer any MSW going to the Hartford landfill these services will only be needed at the Mid-Conn South Meadows facility. He said that due to timing issues this resolution was not brought to the Policies & Procurement Committee and was brought to the Board directly as a result.

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

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Michael Jarjura	X		
Mark Lauretti	X		
Theodore Martland	X		
Linda Savitsky	X		
Ad-Hocs			
Steve Edwards, Bridgeport			
Warren C, Howe, Jr., Wallingford			
Geno Zandri			

EXECUTIVE SESSION

Chairman Pace requested a motion to enter into Executive Session. The motion made by Director Savitsky and seconded by Director Jarjura was approved unanimously by roll call. Chairman

Pace requested that the following people remain for the Executive Session, in addition to the Board members:

Tom Kirk
 Jim Bolduc
 Laurie Hunt, Esq.

The Executive Session began at 10:40 a.m. and concluded at 11:23 p.m. Chairman Pace noted that no votes were taken in Executive Session.

The meeting was reconvened at 11:23 p.m., the door was opened, and the Board secretary and all members of the public (of which there were none) were invited back in for the continuation of public session.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Michael Jarjura	X		
Mark Lauretti	X		
Theodore Martland	X		
Linda Savitsky	X		
Ad-Hocs			
Steve Edwards, Bridgeport			
Warren C, Howe, Jr., Wallingford			
Geno Zandri			

RESOLUTION REGARDING FY 2010 PROJECTED LEGAL EXPENDITURES

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

WHEREAS, CRRA has negotiated three-year Legal Service Agreements with various law firms for the provision of legal services from July 1, 2008, through June 30, 2011; and

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

NOW THEREFORE, it is RESOLVED: That the following amounts be authorized for projected legal fees to be incurred during fiscal year 2010:

<u>Firm:</u>	<u>Amount:</u>
Brown Rudnick	335,000
Halloran & Sage	1,340,000
Pepe & Hazard	200,000

FURTHER RESOLVED: That the President be authorized to expend up to \$50,000 from the Post Litigation Reserve Account for payment of legal expenses incurred in fiscal year 2010 in connection with the Enron Global litigation continuing under the aegis of the Attorney General.

AMENDMENT TO THE MOTION

Director Martland offered an amendment to the motion. He asked that the funds for Halloran & Sage be reduced from \$1,340,000 to \$335,000 for the first quarter of the fiscal year.

Director Savitsky seconded the amendment and said that this is with an understanding that Ms. Hunt will return to the Board prior to any change in the spending amount.

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

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Michael Jarjura	X		
Mark Lauretti	X		
Theodore Martland	X		
Linda Savitsky	X		
Ad-Hocs			
Steve Edwards, Bridgeport			
Warren C, Howe, Jr., Wallingford			
Geno Zandri			

APPROVAL OF THE RESOLUTION REGARDING FY 2010 PROJECTED LEGAL EXPENDITURES AS AMENDED

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

WHEREAS, CRRA has negotiated three-year Legal Service Agreements with various law firms for the provision of legal services from July 1, 2008, through June 30, 2011; and

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

NOW THEREFORE, it is RESOLVED: That the following amounts be authorized for projected legal fees to be incurred during fiscal year 2010:

<u>Firm:</u>	<u>Amount:</u>
Brown Rudnick	335,000
Halloran & Sage	335,000
Pepe & Hazard	200,000

FURTHER RESOLVED: That the President be authorized to expend up to \$50,000 from the Post Litigation Reserve Account for payment of legal expenses incurred in fiscal year 2010 in connection with the Enron Global litigation continuing under the aegis of the Attorney General.

The motion to approve the resolution as amended and discussed was approved unanimously by roll call.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Michael Jarjura	X		
Mark Lauretti	X		
Theodore Martland	X		
Linda Savitsky	X		
Ad-Hocs			
Steve Edwards, Bridgeport			
Warren C, Howe, Jr., Wallingford			
Geno Zandri			

EXECUTIVE SESSION

Chairman Pace requested a motion to enter into Executive Session. The motion made by Director Jarjura and seconded by Director Damer was approved unanimously by roll call. Chairman Pace requested that the following people remain for the Executive Session, in addition to the Board members:

Tom Kirk
Jim Bolduc
Laurie Hunt, Esq.

The Executive Session began at 11:38 a.m. and concluded at 12:15 p.m. Chairman Pace noted that no votes were taken in Executive Session.

The meeting was reconvened at 12:16 p.m., the door was opened, and the Board secretary and all members of the public (of which there were none) were invited back in for the continuation of public session.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Michael Jarjura	X		
Mark Lauretti	X		
Theodore Martland	X		
Linda Savitsky	X		
Ad-Hocs			
Steve Edwards, Bridgeport			
Warren C, Howe, Jr., Wallingford			
Geno Zandri			

MOTION TO ADD AN ITEM TO THE AGENDA CONCERNING THE USE OF DEBT SERVICE STABILIZATION FUND

Chairman Pace requested a motion to add an item to the agenda concerning the use of the debt service stabilization fund. Director Lauretti made the motion to add the item to the agenda, which was seconded by Director Jarjura.

The motion to add an item to the agenda was approved unanimously.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Michael Jarjura	X		
Mark Lauretti	X		
Theodore Martland	X		
Linda Savitsky	X		
Ad-Hocs			
Steve Edwards, Bridgeport	X		
Warren C, Howe, Jr., Wallingford	X		
Geno Zandri	X		

USE OF DEBT SERVICE STABILIZATION FUND

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

WHEREAS, on February 26, 2009, the Authority adopted a budget and established the tip fee for the Mid-Connecticut Project for fiscal year 2010 (“FY10”) at \$69.00 per ton; and

WHEREAS, in the months since the adoption of said budget, the Authority has received several requests for lower tip fees from Mid-Connecticut Project municipalities concerned over the impact of FY10 trash disposal costs on over-burdened municipal budgets and stressed taxpayers; and

WHEREAS, the State of Connecticut has not yet adopted a budget, begetting additional uncertainty and apprehension over the ultimate impact of the State budget on municipalities and taxpayers; and

WHEREAS, solid waste deliveries to the Mid-Connecticut Project are running below projected levels, due in part to the availability of temporary low cost alternatives, and the Authority is making every effort to address this matter from all angles; and

WHEREAS, the Authority continues to perform analyses of its Mid-Connecticut Project Reserves; and

WHEREAS, the Authority has funds reserved in the Debt Service Stabilization Fund expressly to mitigate projected tip fee increases in fiscal years 2011 and 2012 (“FY11” and “FY12”); and

WHEREAS, the balance in the Debt Service Stabilization Fund as of April 30, 2009 is \$4,829,602; and

WHEREAS, the use in FY 10 of the funds in the Debt Service Stabilization Fund would enable the Authority to provide a subsidy to customers of \$6.00 per ton; and

WHEREAS, in recognition of the impacts of the current economic crisis, and concern over tonnage diversions, the Authority believes that municipalities and taxpayers would receive a greater benefit from use of the reserved stabilization funds to provide a subsidy in FY10, even though the lack of such funds will result in higher tip fees in FY11 and FY12;

NOW THEREFORE, it is hereby

RESOLVED: That the Debt Service Stabilization Fund shall be used to provide a subsidy in the amount of \$6.00 per ton to all Mid-CT member solid waste customers for FY10, effective July 1, 2009; and

FURTHER RESOLVED: That at the request of any municipality, said municipality’s subsidy shall not be credited against such municipality’s FY 10 monthly invoices, but shall rather be retained by the Authority, and deposited in a restricted account; and

FURTHER RESOLVED: That any funds so deposited shall be identified as allocable to such requesting municipality and shall be held for the benefit of such municipality only and shall be protected from any other use; and

FURTHER RESOLVED: That such retained funds shall be used as a subsidy against each such requesting municipality's FY 11 monthly invoices.

Chairman Pace said the purpose of this resolution is to use the funds to provide relief to the Mid-Conn funds. He said that once this resolution is voted on he will ask Director Griswold to bring the resolution to the advisory council for its subsequent advice and consent.

The motion as amended and discussed was approved by roll call.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Michael Jarjura	X		
Mark Lauretti	X		
Theodore Martland	X		
Linda Savitsky	X		
Ad-Hocs			
Steve Edwards, Bridgeport	X		
Warren C, Howe, Jr., Wallingford	X		
Geno Zandri	X		

EXECUTIVE SESSION

Chairman Pace requested a motion to enter into Executive Session. The motion made by Director Jarjura and seconded by Director Damer was approved unanimously by roll call. Chairman Pace requested that the following people remain for the Executive Session, in addition to the Board members:

Tom Kirk
 Jim Bolduc
 Laurie Hunt, Esq.

The Executive Session began at 12:20 a.m. and concluded at 12:55 p.m. Chairman Pace noted that no votes were taken in Executive Session.

The meeting was reconvened at 12:55 p.m., the door was opened, and the Board secretary and all members of the public (of which there were none) were invited back in for the continuation of public session.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
David Damer	X		
Alan Desmarais	X		
Timothy Griswold	X		
Michael Jarjura	X		
Mark Lauretti	X		
Theodore Martland	X		
Linda Savitsky	X		
Ad-Hocs			
Steve Edwards, Bridgeport			
Warren C, Howe, Jr., Wallingford			
Geno Zandri			

ADJOURNMENT

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

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

Respectfully submitted,

Moira Kenney
Secretary to the Board/Paralegal