

CONNECTICUT RESOURCES RECOVERY AUTHORITY

FOUR HUNDRED AND TWENTY-SIXTH MEETING

JULY 26, 2007

A Regular meeting of the Connecticut Resources Recovery Authority Board of Directors was held on Thursday, July 26, 2007 at 100 Constitution Plaza, Hartford, Connecticut. Those present were:

Chairman Michael Pace

Directors: Mark Cooper
 James Francis
 Michael Jarjura (Present beginning at 10:40 a.m.)
 Edna Karanian
 Mark Lauretti
 Theodore Martland
 James Miron (Present by telephone beginning at 10:55 a.m.)
 Raymond O'Brien
 Jason Perillo, Ad Hoc – Bridgeport Project
 Linda Savitsky (Present beginning at 9:47)
 Timothy Griswold, Ad-Hoc – Mid-Connecticut Project

Present from the CRRA staff:

Tom Kirk, President
Jim Bolduc, Chief Financial Officer
Michael Bzdyra, Government Relations Liaison
Robert Constable, Controller
Peter Egan, Director of Environmental Affairs
Floyd Gent, Director of Operations
Laurie Hunt, Director of Legal Services
Paul Nonnenmacher, Director of Public Affairs
David Bodendorf, Senior Environmental Engineer
Michael Tracey, Operations Manager, Construction Management
Kristen Greig, Secretary to the Board/Paralegal

Also present were: Moira Kenney, Susan Hemmingway of BRRROC, John Pizzimenti of USA Hauling & Recycling, Jerry Tyminski of SCRRA

Chairman Pace called the meeting to order at 9:40 a.m. and stated that a quorum was present.

PLEDGE OF ALLEGIANCE

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

PUBLIC PORTION

Chairman Pace 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.

With no comments from the public, Chairman Pace stated that the regular meeting would commence.

APPROVAL OF THE MINUTES OF THE JUNE 20, 2007 SPECIAL BOARD MEETING

Chairman Pace requested a motion to approve the minutes of the June 20, 2007 Special Board Meeting. The motion made by Director O'Brien was seconded by Director Cooper. The motion previously made and seconded was approved unanimously.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Mark Cooper	X		
James Francis	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
James Miron	X		
Raymond O'Brien	X		
Timothy Griswold, Ad-Hoc, Mid-CT	X		
Non-Eligible Voters			
Jason Perillo, Ad-Hoc, Bridgeport Project			

APPROVAL OF THE MINUTES OF THE JUNE 28, 2007 REGULAR BOARD MEETING

Chairman Pace requested a motion to approve the minutes of the June 28, 2007 Regular Board Meeting. The motion made by Director O'Brien was seconded by Director Cooper. The motion previously made and seconded was approved by roll call. Director Martland and Director Miron abstained.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Mark Cooper	X		
James Francis	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland			X
James Miron			X
Raymond O'Brien	X		
Non-Eligible Voters			
Timothy Griswold, Ad-Hoc, Mid-CT			
Jason Perillo, Ad-Hoc, Bridgeport Project			

ADDITION TO AGENDA

Chairman Pace requested a motion to add an item to the agenda regarding closure costs associated with the Shelton landfill. Director Francis made the motion which was seconded by Director O'Brien. The motion previously made and seconded was approved unanimously by roll call.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Mark Cooper	X		
James Francis	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
James Miron	X		
Raymond O'Brien	X		
Jason Perillo, Ad-Hoc, Bridgeport Project	X		
Non-Eligible Voters			
Timothy Griswold, Ad-Hoc, Mid-CT			

RESOLUTION REGARDING THE CONTRACT WITH CT DEP FOR REIMBURSEMENTS OF CLOSING COSTS FOR THE SHELTON LANDFILL

Chairman Pace requested a motion regarding the above-captioned matter. The following motion was made by Director Francis:

RESOLVED: That the President is hereby authorized to enter into a contract with the Connecticut Department of Environmental Protection for reimbursement of costs associated with closure of the Shelton Landfill, substantially as discussed and presented at this meeting.

The motion was seconded by Director O'Brien.

Director Miron asked Chairman Pace if the settlement funds would go to the city of Shelton. Director Lauretti's response was that all funds are designated for the Project. The \$3 million was state bond money which CRRA has been attempting to obtain for 6 years.

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

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Mark Cooper	X		
James Francis	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
James Miron	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Jason Perillo, Ad-Hoc, Bridgeport Project	X		
Non-Eligible Voters			
Timothy Griswold, Ad-Hoc, Mid-CT			

FINANCE COMMITTEE UPDATE

The Board discussed the recycling revenue sharing program. Director Francis pointed out that currently the Mid-CT Project does not charge a fee for all recyclables returned, and will be offering \$10 a ton for recyclables.

Director O'Brien felt these incentives may help prevent the skimming of high value recyclables. He also stated that because the program is one that involves profit sharing, skimming would mean less profit to go around in the future.

Director Karanian praised the group for their efforts on the roll out and educational process in developing the program.

Mr. Bdzyra agreed that the program was of interest to not only towns but also to legislators. Mr. Nonnenmacher is in agreement that the benefits of the Mid-Connecticut project need to be stressed within the scope of the public eye as well as that of the legislation.

Director Savitsky reminded members present that it is important to continue to go directly to municipalities to retain their cooperation.

At this point in the discussion Director Martland introduced a recycling idea inspired by his recent travels to Paris. The Chairman and other members agreed the idea of placing recycling receptacles in cities was of interest and discussion ensued. The Board considered approaching Hartford representatives to ask if the \$100,000.00 CRRA already gives to the city for recycling efforts could be used to incorporate a pilot program regarding this idea which would also involve education.

Mr. Kirk informed Board members that an alternative to the proposed certificate concept will be developed to ensure adherence to the program.

RESOLUTION REGARDING WRITE-OFF OF A RECEIVABLE FOR THE BRIDGEPORT PROJECT

Chairman Pace requested a motion regarding the above-captioned matter. The following motion was made by Director Francis:

RESOLVED: That management is authorized to write-off the uncontrolled receivable balances relating to the municipal share credit benefit inappropriately received by the towns in the amounts of \$11,677.37, \$124,041.48 and \$30,710.77 for towns of Bethany, East Haven and Woodbridge, respectively.

Director Francis informed members present that towns participating in the Bridgeport Project had received funds mistakenly. Because the billing error was made on the part of CRRA, and in an effort to maintain diplomatic relations, the Board is asked to accept the proposed settlement. SWAB had already voted not to pursue collection of the full amounts due, which was met with some opposition.

Director Lauretti urged the board to accept the settlement to avoid the costly legal fees associated with obtaining the funds. Mr. Bolduc did however urge sensitivity in dealing with future altercations stressing that avoiding legal fees may not provide enough motivation to settle on future issues.

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

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Mark Cooper	X		
James Francis	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
James Miron	X		

Raymond O'Brien	X		
Linda Savitsky	X		
Jason Perillo, Ad-Hoc, Bridgeport Project	X		
Non-Eligible Voters			
Timothy Griswold, Ad-Hoc, Mid-CT			

RESOLUTION SOUGHT REGARDING SPOT WASTE DELIVERY LETTER AGREEMENT BETWEEN BRRFOC AND CRRA

Chairman Pace requested a motion regarding the above-captioned matter. The following motion was made by Director Francis:

RESOLVED: That the President is authorized to execute reciprocal Letter Agreements between BRRFOC and CRRA for the delivery of the spot waste substantially as presented and discussed at this meeting.

Chairman Pace asked that the minutes reflect Director Francis's concern that although projected revenue with the cost of diverting Bristol's waste to CRRA are included, there is no indication of the projected revenue and cost for CRRA to divert trash to Bristol.

Mr. Gent addressed the issue. Because CRRA is a much larger facility than Bristol they have not been able to divert trash to the Bristol facility. The contract is in existence merely to reflect the reciprocal nature between the two businesses and the cost has been predetermined if that opportunity arises in the future. A contract with the Windsor/Bloomfield landfill is in existence to compensate for Bristol's inability to accept trash from CRRA .

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

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Mark Cooper	X		
James Francis	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
James Miron	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Timothy Griswold, Ad-Hoc, Mid-CT	X		
Non-Eligible Voters			
Jason Perillo, Ad-Hoc, Bridgeport Project			

CHAIRMAN'S, PRESIDENT'S AND COMMITTEE REPORTS

CHAIRMAN'S REPORT

Chairman Pace had nothing to report and asked Mr. Kirk for his report.

PRESIDENT'S REPORT

Mr. Kirk's report was restricted to discussion within Executive Session.

Director O'Brien asked Mr. Kirk if there were any updates on the payment of Watertown's renewal taxes, an issue Mr. Kirk asked Mr. Gent to address.

Mr. Gent informed members present that an agreement has been presented to only Watertown. However, Watertown wants to make sure the other host towns are in agreement before moving forward with this issue. CRRA is working with Watertown to set up a meeting with the host communities in Ellington, Essex, and Torrington with their CEO's and town managers. The meetings will discuss proposed agreements with all four towns with an emphasis on finding a solution that is agreeable to all parties.

Mr. Kirk informed members present that a current agreement with CRRA's brokerage house for benefits and administration will be extended for an additional 6 months to allow continuation of the present work slope, while management pursues an RFQ. He assured the Board that the continuation will be at no cost to CRRA per the brokerage arrangement. In the future CRRA will continue to attempt to keep any termination and renewal of contracts on the same dates to streamline the Request for Proposal process. In this particular case the timing will be changed so the brokerage house can continue with their work.

ORGANIZATIONAL SYNERGY & HUMAN RESOURCES COMMITTEE

Ms. Greig introduced her replacement, Moira Kenney, to the Board. Chairman Pace also informed the Board of three other employee departures, but assured members present that the resignations were all due to personal matters.

LEGISLATIVE REPORT

Mr. Bdzyra gave the Board a summary of the legislative session. Efforts to change quorum requirements were stalled in several committees. Through the efforts of management and member town persistence, CRRA obtained \$15 million in state bond funds for closure costs for the Hartford Landfill in Governor Rell's proposed capitol budget. An electronic recycling bill was passed by the General Assembly and will go into effect beginning 1/1/09. The bill requires manufacturers to be charged a fee to assist in recycling efforts. Potential effects on CRRA were discussed with an emphasis on attempting to provide a self sustaining and user friendly program that would adhere to the electronics recycling bill. Mr. Kirk mentioned that CRRA's relationship with the DEP is strong and the organization will assist in implementation.

Lastly Mr. Bdzyra informed members the bottle bill expansion ultimately failed but will likely be back next year.

POLICIES & PROCUREMENT COMMITTEE

RESOLUTION REGARDING COOPERATIVE SERVICES AGREEMENT BETWEEN CRRA AND THE DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE WILDLIFE SERVICE

Chairman Pace requested a motion regarding the above-captioned matter. The following motion was made by Director O’Brien:

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

The motion was seconded by Director Martland.

Director O’Brien noted that there was a discrepancy in dates on the contract summary. Mr. Egan stated that the term of the contract is from September 1, 2007, to June 30, 2008. The contract was praised by Director O’Brien for obtaining the desired results while still being cost effective.

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

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Mark Cooper	X		
James Francis	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
James Miron	X		
Raymond O’Brien	X		
Timothy Griswold, Ad Hoc, Mid-CT	X		
Linda Savitsky	X		
Non Eligible Voters			
Jason Perillo, Ad Hoc, Bridgeport Project			

RESOLUTION REGARDING A PORTION OF THE MSW/INTERIM ASH DISPOSAL AREA OF THE HARTFORD LANDFILL

Chairman Pace requested a motion regarding the above-captioned matter. The following motion was made by Director O’Brien:

RESOLVED: That the President is hereby authorized to execute an agreement with R. Bates & Sons, Inc. to install a landfill cap over approximately 45 acres of the MSW/Interim Ash Disposal Area of The Hartford Landfill, install a new onsite access road, and relocate a leachate force main and electric services, substantially as presented and discussed at this meeting.

The motion was seconded by Director Savitsky.

Mr. Kirk recommended that the Board accept the resolution based on CRRA’s choice of the lowest bid and confidence with the price estimate.

Director Martland asked what happens to the run off rain water from the landfill. Mr. Bodendorf explained that ash is covered with a membrane as well as a plastic cover and then by 18 inches of material specifically designed to manage precipitation and prevent problems with plant roots. The run off water never comes in contact with the ash and is eventually diverted into catch basins and the storm sewer system.

Chairman Pace suggested that CRRA consider utilizing dredged silt from the lower Connecticut River valley area to be used to mix into the landfill material used to divert run off. This practice is used by other towns and may save money for the state if it is tied into the dredging.

According to Mr. Kirk the material requirements are strict; he will insure the contractor explores the possibility of using the material with due regard to budgetary costs.

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

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Mark Cooper	X		
James Francis	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
Raymond O’Brien	X		
Timothy Griswold, Ad Hoc, Mid-CT	X		
Linda Savitsky	X		
Non Eligible Voters			

Jason Perillo, Ad Hoc, Bridgeport Project			
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RESOLUTION REGARDING CONSTRUCTION QUALITY ASSURANCE SERVICES TO SUPPORT CLOSURE OF THE PORTION OF THE MSW/INTERIM ASH DISPOSAL AREA OF THE HARTFORD LANDFILL

Chairman Pace requested a motion regarding the above-captioned matter. The following motion was made by Director O'Brien:

RESOLVED: The President is hereby authorized to enter into a contract with Fuss & O'Neil, Inc. to perform Construction Quality Assurance (CQA) services associated with the capping of a portion of the MSW/Interim Ash Disposal Area of 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.

The motion was seconded by Director Jarjura.

Mr. Bodendorf performed an analysis of the two firms who submitted bids. Although Fuss & O'Neil is slightly more expensive than the competitors' bid they offer stronger qualifications and personnel for the project and were selected as CRAA's top choice. Mr. Bodendorf stated that he will be present at construction meetings to work with Fuss and O'Neil on the project.

The motion previously made and seconded was approved. Director Martland voted nay.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Mark Cooper	X		
James Francis	X		
Mike Jarjura	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland		X	
Raymond O'Brien	X		
Timothy Griswold, Ad Hoc, Mid-CT	X		
Linda Savitsky	X		
Non Eligible Voters			
Jason Perillo, Ad Hoc, Bridgeport Project			

AUTHORIZATION FOR PAYMENT OF PROJECTED LEGAL EXPENDITURES

Chairman Pace requested a motion regarding the above-captioned matter. The following motion was made by Director O'Brien:

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 payments of fiscal year 2007 projected legal fees; and

WHEREAS, CRRA expects to incur greater than anticipated 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, 2007:

<u>Firm:</u>	<u>Amount:</u>
Pepe & Hazard	\$100,000

The motion was seconded by Director Savitsky.

Attorney Hunt explained to Board members that before she can ask accounting to accrue the \$100,000.00 she first needs the approval of the Board. The money would be used to pay an outstanding account with Pepe & Hazard in order to continue an ongoing litigation dispute with AIG.

The motion previously made and seconded was approved unanimously.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Mark Cooper	X		
James Francis	X		
Mike Jarjura	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Timothy Griswold, Ad Hoc, Mid-CT	X		
Linda Savitsky	X		
Non Eligible Voters			
Jason Perillo, Ad Hoc, Bridgeport Project			

AUTHORIZATION FOR PAYMENT OF ADDITIONAL PROJECTED ADDITIONAL LEGAL EXPENSES

Chairman Pace requested a motion regarding the above-captioned matter. The following motion was made by Director O'Brien:

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 payments of fiscal year 2008 projected legal fees; and

WHEREAS, CRRA expects to incur greater than anticipated 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, 2008:

<u>Firm:</u>	<u>Amount:</u>
Pepe & Hazard	\$400,000

The motion was seconded by Director Martland.

Director Francis requested a monthly update of actual expenditures. The motion was seconded by Director Cooper and a roll call was taken. Director Francis abstained, and the motion passed.

Director Savitsky made a motion to table this item until after executive session. The motion was seconded by Director O'Brien and approved unanimously.

EXECUTIVE SESSION

Chairman Pace requested a motion to enter into Executive Session to discuss pending litigation, real estate acquisition, and personnel matters with appropriate staff. The motion was made by Director O'Brien and seconded by Director Savitsky. The motion previously made and seconded was approved unanimously. Directors Cooper and Francis did not participate in the executive session due to conflicts of interests. Chairman Pace requested that the following people be invited to the Executive Session in addition to the Directors and Mid-Connecticut Ad-Hocs:

Tom Kirk
Jim Bolduc
Laurie Hunt, Esq.

The Executive Session began at 11:15 a.m. and concluded at 12:10 p.m. Chairman Pace noted that no votes were taken in Executive Session.

The meeting was reconvened at 12:10 p.m.

AUTHORIZATION FOR PAYMENT OF ADDITIONAL PROJECTED ADDITIONAL LEGAL EXPENSES CONTINUED

Chairman Pace requested a motion regarding the above-captioned matter. The following motion was made by Director O'Brien:

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 payments of fiscal year 2008 projected legal fees; and

WHEREAS, CRRA expects to incur greater than anticipated 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, 2008

<u>Firm:</u>	<u>Amount:</u>
Pepe & Hazard	\$400,000

The motion was seconded by Director Martland.

The motion previously made and seconded was approved by roll call. Director Francis abstained.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Mark Cooper	X		
James Francis			X
Mike Jarjura	X		
Edna Karanian	X		
Mark Laretti	X		
Theodore Martland	X		
Raymond O'Brien	X		
Timothy Griswold, Ad Hoc, Mid-CT	X		
Linda Savitsky	X		
Non Eligible Voters			
None			

ADJOURNMENT

Chairman Pace requested a motion to adjourn the meeting. The motion to adjourn was made by Director O'Brien and seconded by Director Savitsky and was approved unanimously.

There being no other business to discuss, the meeting was adjourned at 12:15 p.m.

Respectfully submitted,

Moira Kenney
Secretary to the Board/Paralegal