



MID-CONNECTICUT PROJECT MUNICIPAL ADVISORY COMMITTEE

The Mid-Connecticut Project Municipal Advisory Committee (MAC) held its eighth meeting on Wednesday, May 26, 2010, at the Trash Museum in Hartford, Connecticut.

PARTICIPATING MUNICIPALITIES AND THEIR REPRESENTATIVES:

Town	First Name	Last Name	Title/Proxy
Barkhamsted	Donald	Stein	First Selectman
Bloomfield	Sydney	Schulman	Mayor
Granby	John	Adams	First Selectman
Goshen	Donald	Stein	Proxy for First Selectman Robert Valentine
Hartford	Susan	McMullen	Chief of Staff / Proxy for Mayor Eddie Perez
Litchfield	Donald	Stein	Proxy for First Selectman Leo Paul
Manchester	Brooks	Parker	Environmental Services Manager / Proxy for Town Manager Scott Shanley
Naugatuck	Sheila	Baummer	Proxy for Mayor Robert Mezzo
Newington	John	Salomone	Town Manager
Norfolk	Donald	Stein	Proxy for First Selectman Susan Dyer
Old Lyme	Timothy	Griswold	First Selectman
Old Saybrook	Timothy	Griswold	Proxy for First Selectman Michael Pace
Simsbury	Richard	Sawitzke	Proxy for First Selectman Mary Glassman
Torrington	Ryan	Bingham	Mayor, CHAIRMAN
Waterbury	Timothy	Griswold	Proxy for Mayor Michael Jarjura
West Hartford	John	Phillips	Proxy for Town Manager Ronald Van Winkle
Windsor Locks	Steven	Wawruck	First Selectman, VICE CHAIRMAN

CRRA MANAGEMENT ATTENDEES:

Thomas D. Kirk, President
 James P. Bolduc, Chief Financial Officer
 Mary Anne Bergenty, Field Manager
 Marianne Carcio, Executive Assistant
 Jeffrey Duvall, Manager of Budgets & Forecasting
 Peter W. Egan, Director of Environmental Affairs & Development /
 Acting Director of Operations
 Paul Nonnenmacher, Director of Public Affairs
 Ronald Gingerich, Manager of Development, Environmental
 Compliance & Information Technology
 Michael R. Bzdyra, Government Affairs Liaison

MEMBERS OF THE PUBLIC:

James P. Sandler, The Metropolitan District

1. CALL TO ORDER

Municipal Advisory Committee **Chairman Ryan Bingham** called the meeting to order at 8:41 a.m.

2. PLEDGE OF ALLEGIANCE

All in attendance rose and recited the Pledge of Allegiance.

3. ROLL CALL

Upon request of **Chairman Bingham**, Mr. Nonnenmacher called the roll and reported that, including proxies, 17 votes were represented at the meeting, meaning there was no quorum.

4. APPROVAL OF MINUTES OF MARCH 3, 2010, MEETING

Chairman Bingham requested clarifications to the minutes. None were offered.

5. LEGISLATIVE UPDATE

Mr. Bzdyra discussed Senate Bill 394, which, in CRRA's view, would require private entities as well as CRRA to obtain a certificate of need before applying to the Department of Environmental Protection for permits to site and develop a solid waste facility. He also discussed cuts to state bonding and warned CRRA may get much less than the \$10 million it has been promised to cover part of the costs of closing the Hartford landfill. He also summarized House Bill 5124, a wide-ranging solid waste and recycling bill that would, among other things, increase reporting requirements for private haulers.

Mr. Adams asked CRRA to provide the text of a letter Mid-Connecticut Project CEOs could send to state officials.

Mr. Nonnenmacher said regulations to implement the electronics recycling legislation were finalized yesterday. **Mr. Egan** explained the system established in those regulations and the list of items that must be collected for recycling under the system.

Ms. Baummer asked whether the price CRRA pays for its electronics recycling covers all electronic devices. **Mr. Bzdyra** said it does. **Mr. Wawruck** asked whether covered and non-covered electronic devices will have to be segregated at collection points. **Mr. Parker** said some contractors will do that.

Mr. Griswold asked whether CRRA's system of centralized electronics recycling collections would continue. **Mr. Egan** and **Ms. Bergenty** said it will.

6. UPDATE ON ACTIVITIES OF MID-CONNECTICUT PROJECT SPECIAL COMMITTEE

Mr. Nonnenmacher discussed the process and timetable for the Special Committee's work. Under Section 22a-268(f) of the Connecticut General Statutes, the Committee must report on future waste disposal options for Mid-Connecticut Project cities and towns by November 15, 2010.

7. MID-CONNECTICUT PROJECT UPDATE – CRRA MANAGEMENT

A. UPDATE ON EXPANSION OF PLASTICS RECYCLING

Mr. Nonnenmacher explained CRRA has begun accepting additional types of plastic for recycling and that CRRA has brochures and flyers that towns can customize and use to educate their residents about the changes.

B. OPERATIONAL PERFORMANCE

i. MSW DELIVERIES AND TRENDS

ii.. RECYCLABLES DELIVERIES AND TRENDS
iii. PLANT OPERATIONAL SUMMARIES

Mr. Gingerich directed members' attention to detailed reports in the agenda package for all three items. In particular, he noted that trash deliveries in April 2010 were 3 percent greater than in April 2009, that deliveries of recyclables are up 3 percent year-to-date and the trash-to-energy plant recorded its highest unit-capacity factor of the year. **President Kirk** said the turnaround in performance is evidence that CRRA's capital investments in the facility are paying off.

iv. TRASH MUSEUM REPORT

Mr. Nonnenmacher directed members' attention to reports in the agenda package for this item. He also pointed out that the Trash Museum is seeking volunteers to help with its education programs.

C. FINANCIAL AND VARIANCE REPORT

President Kirk directed members' attention to financial reports contained in the agenda package. He said management is predicting a modest surplus of \$2.5 million for Fiscal Year 2010.

D. LEGAL UPDATE

i. MDC-RELATED ISSUES

President Kirk updated committee members on arbitration with the Metropolitan District (MDC), which centers around MDC's claim that CRRA is responsible for \$32 million in post-contract pension and benefits liabilities for MDC employees who have worked at the waste processing facility (WPF) under MDC's contract to operate the WPF. He said if CRRA is found responsible for those costs, management's intent is to pay them in future years. **Ms. McMullen** asked whether those costs would be passed to MDC towns if MDC is found to be responsible, and **President Kirk** said they would.

Mr. Schulman asked whether either party had asked for an expedited ruling. He said it troubles him that December 2011 (when MDC's contract with CRRA expires) is rapidly approaching and, based on his experience with complex litigation, the arbitration process will not be completed before the MDC-CRRA contract expires. He said the claim could be a substantial cost to the towns and the sooner it is resolved, the less impact it will have on the towns. He said he has the same comments and questions for MDC.

Mr. Salomone said the dispute has been a horrendous situation for towns that are served by both MDC and CRRA. **President Kirk** said management is aware of the costs, but cannot accept the \$32 million claim because of the costs to the 70 Mid-Connecticut Project towns.

Mr. Adams asked whether the issue is the amount of the liability or the liability itself. **President Kirk** said the amount will be an issue, but less of an issue than the liability.

Mr. Griswold asked whether the amount of MDC's claim had grown radically over time. **President Kirk** responded that the claim was originally \$7 million, but grew in increments to its present \$32 million, and the claim is not something CRRA can try to seek from the towns at this time.

Ms. McMullen asked whether CRRA had a plan for the possibility that it would be found liable for the claim. **President Kirk** said CRRA would add 50 cents or \$1 or \$2 to disposal fees under the next

municipal service agreements (MSAs) to cover those costs. She asked whether CRRA could sell bonds to finance the claim. **Mr. Bolduc** responded that because CRRA has no taxing power, it could not get such financing in the bond market.

ii. ONE / CHANE LITIGATION

President Kirk reviewed the history of this suit. He said a judge tried to mediate the dispute but failed and trial is scheduled to start June 6. **Mr. Schulman** asked for a copy of the judge's ruling on CRRA's motion for summary judgment. President Kirk said he would provide it.

8. COMMENTS AND QUESTIONS FROM MUNICIPAL ADVISORY COMMITTEE MEMBERS

Mr. Adams asked when management would calculate the impact on future disposal fees should CRRA get no bond money for the Hartford landfill closure. **President Kirk** said the calculation would be made when CRRA receives a final decision on bond funds.

Mr. Wawruck asked whether the current disposal fee is based on CRRA's receiving the full \$10 million remaining in the Legislature's commitment. **President Kirk** said it is. Mr. Wawruck asked how not receiving the \$10 million would impact the disposal fee. President Kirk said getting \$5 million less would result in about \$6 being added to the disposal fee, but management is confident CRRA can absorb a \$5 million reduction. The Committee engaged in a substantial discussion about contacting legislators to support the funding.

Mr. Stein asked about CRRA's deadline for accepting comments on the draft Tier 1 MSA. **President Kirk** said CRRA is still accepting comments and will hold a series of informational workshops on the MSA. He noted many towns have commented on flow control-related language in the MSA and explained CRRA is simply asking towns to adopt a flow-control ordinance and CRRA will provide enforcement as it has traditionally. He said that will be made clearer in the next draft of the MSA.

9. PUBLIC COMMENT

No member of the public spoke.

8. ADJOURNMENT

Chairman Bingham declared there were no further items on the agenda, and the meeting was adjourned at 9:50 a.m.

Respectfully Submitted,

Paul Nonnenmacher
Director of Public Affairs