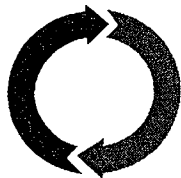


CRRA
BOARD MEETING
June 18, 2009



**CONNECTICUT
RESOURCES
RECOVERY
AUTHORITY**

100 Constitution Plaza • Hartford • Connecticut • 06103 • Telephone (860)757-7700
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MEMORANDUM

TO: CRRRA Board of Directors
FROM: Moira Kenney, Secretary to the Board/Paralegal
DATE: June 12, 2009
RE: Notice of Meeting

There will be a regular meeting of the Connecticut Resources Recovery Authority Board of Directors on Thursday, June 18, 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

June 18, 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 May 28, 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 a Transfer between Reserves (Attachment 2).

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

A. Chairman's Report

B. President's Report

C. Policies & Procurement Committee

1. Board Action will be sought for the Resolution Regarding Agreements for Property Appraisal Services (Attachment 3).
2. Board Action will be sought for Resolution Regarding a Host Community Benefit Agreement with the Town of Ellington (Attachment 4).
3. Board Action will be sought for the Resolution Regarding the Installation of a Landfill Cap over a Portion of the Phase 1 Ash Area at the Hartford Landfill (Attachment 5).
4. Board Action will be sought for the Resolution Regarding a Three Year Mowing Services Agreement for the Hartford Landfill (Attachment 6).

5. Board Action will be sought for the Recommendation Regarding the Cooperative Services Agreement between CRRA and USDA Animal and Plant Health Inspection Services/Wildlife Services. (Attachment 7).

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.

VII. Legal

1. Board Action will be sought for the Resolution Regarding Legal Expenditures (Attachment 8).

TAB 1

CONNECTICUT RESOURCES RECOVERY AUTHORITY

FOUR HUNDRED AND FORTY-SEVENTH MAY 28, 2009

A Regular meeting of the Connecticut Resources Recovery Authority Board of Directors was held on Thursday, May 28, 2009, at 100 Constitution Plaza, Hartford, Connecticut. Those present were:

Chairman Michael Pace

Directors: Alan Desmarais
 Michael Jarjura (present by phone beginning 10:15 a.m. and in person beginning 10:41 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
Michael Bzdyra, Government Relations Liaison
Jeffrey Duvall, Manager of Budgets and Forecasting
Peter Egan, Director of Environmental Affairs
Tom Gaffey, Director of Recycling and Enforcement
Laurie Hunt, Director of Legal Services
Paul Nonnenmacher, Director of Public Affairs
Mike Tracey, Director of Operations
Marianne Cracio, Executive Assistant
Moira Kenney, Secretary to the Board/Paralegal

Also present were: Brian Anderson of Council 4 AFSCME; Gil Bironi of Council 4 L184; Miguel Escalera of Kainen, Escalera & McHale; William Gilnack of MDC; John Pizzimenti of USA Hauling & Recycling; Jim Sandler of Sandler and Mara; Cheryl Thibeault of Covanta; and Jerry Tyminski of SCRRA.

Chairman Pace called the meeting to order at 10:19 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 said that Mr. Bironi is the President of Local 184, the MDC workers at the Mid-Connecticut Project. Mr. Anderson said that he is the Legislative Representative for Council 4 AFSCME. He addressed the Board with his comments, a copy of which is attached as "Exhibit A".

Mr. Bironi said people take their trash out to the curb and are not always aware of what happens to it after that point. He said that unfortunately he knows it is a dangerous, difficult and hazardous job. He said unless one is on that floor the public can't understand that job. He said that plant has been up and running every day and that the MDC workers do their job and have done so for the last 20 years. He said that those workers are happy to do so and wish to continue to do so. Mr. Bironi said he is here today to say that the workers want to continue their job at the plant and to continue working with CRRA.

Mr. Bironi said that he does not want to see the workers lose their jobs as they did in Ellington and Essex. He said the workers wish to cooperate and work with CRRA as partners in order to maintain those positions. He thanked the Board for their time.

Chairman Pace said that he appreciates Mr. Bironi's comments. He explained there are different perspectives and that the comments made the prior week at the Board meeting were not as characterized and continually characterized by MDC. He said there was a comment made, but that is was mischaracterized and was not in the context being brought to the table.

Chairman Pace said some of the things said by MDC happened prior to this Board and some did not. He said for example the return of the trucks was the initiative of this Board. He said through these discussions he has always stated that he has no problem with the workers or keeping MDC in place. Chairman Pace explained it is a matter of having efficiencies in place, a topic with which he has held a discussion on with the MDC Chairman.

Chairman Pace said that CRRA is not initiating, and is not trying to continue an adversarial path with MDC. He said it would have been nice if Mr. Bironi had shared his comments at the prior Board meeting as he can respect and respond to these comments.

Chairman Pace said at the April 23, 2009, Board Meeting Director Desmarais made the comment "that one of the first causalities of war is truth." He explained it is this particular comment to which he was referring when he stated "I love that statement." Chairman Pace said that statement struck him as the truth. He said MDC's Chairman Bill DiBella agreed during discussion and review of those statements that was the comment Chairman Pace was referring to. Chairman Pace said misunderstandings arose from that comment.

Chairman Pace said that CRRA did lose a lawsuit involving project member towns and their attorney. He said that ultimately that resulted in a \$9 million loss for the towns in attorney fees. He said that money was set aside for tip fee reduction which was explained to the towns as well.

Director Lauretti said that he wanted to make two quick points concerning the lawsuit. He said firstly that lawsuit was not generated by CRRA, and secondly, CRRA did not lose but the taxpayers

lost. He explained the 70 member towns paid with the money that CRRA wanted to give back to them. Director Lauretti said if the member towns had taken CRRA's lead they would have gotten 100% of every nickel recovered back.

Mr. Anderson said having read through a transcript of the April 23, 2009, Board meeting that the comments very much looked like folks were calling MDC liars. He said responding to that letter MDC clearly spells out with CRRA's own document that CRRA tried to privatize the Mid-Connecticut Project, cut the MDC small cost of living allowance, and is trying to separate itself from the responsibility for MDC's members' pensions. He said he and Mr. Bironi are present to protect the 99 jobs of their members and to try to get back the 26 transportation jobs that went to a company which has run itself in an unbelievably bad manner. Mr. Anderson said he does not understand why that contract continues to be renewed and that he does not believe that contract has ever been bid out. Mr. Anderson said an apology is second and that protecting their members and the services which they provide is primary.

Director Desmarais said that he thinks he was just called unreasonable. He said he did vote for the resolution to which Mr. Anderson referred, and that the intent was for MDC to have discussions with CRRA. He said this is a negotiation process subject to merit and that neither CRRA nor MDC can take away those raises. He said that the two can talk. Director Desmarais asked if Council 4 represents any other towns that have given concessions this year.

Mr. Anderson replied yes.

Director Desmaris said that the intention was for discussion to take place and that he strongly objects to being called unreasonable.

Mr. Anderson said that he was called a Nazi liar and that he did not hear an apology for referring to a labor union as a Nazi sympathizing organization and he does not hear an apology for a letter that basically says that MDC lied about the fact that CRRA tried to cut the COLAs of MDC's hard-working members.

APPROVAL OF THE MINUTES OF THE APRIL 23, 2009, REGULAR BOARD MEETING

Chairman Pace requested a motion to approve the minutes of the April 23, 2009, Regular Board Meeting. Vice-Chairman O'Brien made a motion to approve the minutes, which was seconded by Director Savitsky.

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

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Alan Desmarais	X		
Michael Jarjura	X		
Mark Lauretti	X		
James Miron	X		
Theodore Martland	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Steve Edwards, Bridgeport	X		
Warren C, Howe, Jr., Wallingford	X		

APPROVAL OF THE CORRECTED MINUTES OF THE JAN. 29, 2009, REGULAR BOARD MEETING

Chairman Pace requested a motion to approve the corrected minutes of the Jan 29, 2009, Regular Board Meeting. Vice-Chairman O'Brien made a motion to approve the minutes, which was seconded by Director Savitsky.

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

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Alan Desmarais	X		
Michael Jarjura	X		
Mark Lauretti	X		
James Miron	X		
Theodore Martland	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Steve Edwards, Bridgeport	X		
Warren C, Howe, Jr., Wallingford	X		

FINANCE COMMITTEE UPDATE

Director Savitsky said CRRA solicited for independent audit services, followed a time line and received three proposals along with a few declinations from firms which chose not to propose. She said interviews were conducted with two of the three firms as one firm did not meet the qualifications.

Director Savitsky said appointing the auditor is a Board responsibility. She said this is the Board's oversight over management and it is very important that the Board understand it works closely with the auditor to lay out a plan and review any issues. She said a determination was made that the Finance Committee is the Audit Committee and that as a result all communications which come from the auditors will come back to the Finance Committee.

Director Savitsky said that she could not attend the interviews. She said it came down to two firms, one of which had a history with CRRA as a former auditor and that much discussion ensued. She said the Committee asked for additional information and came out of the Finance Committee meeting with no recommendation.

Director Savitsky said for discussion purposes she would like to insert the name of Bollam, Sheedy, Torani & Co., LLP, into the resolution.

RESOLUTION REGARDING A CONTRACT FOR INDEPENDENT AUDITING SERVICES

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 President of the Authority be, and hereby is, authorized to enter into a contract with the auditing firm of Bollam, Sheedy, Torani & Co., LLP, as substantially presented at this meeting. This contract will commence on June 1, 2009, and expire on March 31, 2012.

Director Desmarais said one of the firms interviewed has CRRA experience as well as quasi-public experience and is based in Connecticut. He said the second firm is based in New York and has very little experience in the State of Connecticut but has experience in the solid waste management area.

Director Desmarais said that the firm with Connecticut experience was a prior auditor with CRRA. He explained the concern by the Committee is that the firm served as CRRA's auditor up until 2002 and as part of that discussion the Finance Committee requested documents concerning that period to overlook the firm's disclosures during that time period. He said the results did not add much to the conversation.

Director Lauretti asked if the firm being discussed was pre-Enron or Enron era. Director Desmarais said that the firm was Enron era.

Vice-Chairman O'Brien said that the 2002 audit happened after Enron had folded.

Mr. Kirk clarified that the firm which served as an auditor for CRRA was acquired by UHY and some of the principals of that organization are still with UHY.

Director Desmarais said that there is about a \$30,000 difference between the two firms.

Vice-Chairman O'Brien added that what concerns him is that the report on Sept 22, 2002, after the Enron issue did not say very much about what the Attorney General characterized as an illegal loan. He said what he read of it does not refer to the advice of counsel in failing to characterize that as a misstep. He said as far as he can see this issue was not characterized either way.

Director Savitsky said that she normally looks at the number of hours a firm has indicated that it plans to spend on the engagement. She said anticipating this Mr. Bolduc spoke with the incumbent firm which indicated the number of hours it had planned to spend on the audit was in the 420 hour range, which was closer to the 500 hours indicated by the New York firm, which is closer than the 310 hours indicated by the in-state firm. She said that 310 struck her as being low for the first year of any audit engagement which has a learning curve involved. She said that is a pretty big difference.

Director Lauretti asked if the fee can be negotiated. Chairman Pace said the Committee has done that before. He said that he always looks at travel as a consideration.

Director Desmarais said that travel costs are not a consideration as the charge is a lump sum fee. He said in consideration of Director Savtiksy's comment the firm which indicated 310 hours for the audit has had experience with CRRA before. He said he would not get too caught up in the hours.

Vice-Chairman O'Brien said that most of the tasks CRRA asked its former auditor to do in addition to the general work have been included in the RFP for this, and is therefore likely to be on the high side. He said the firm's experience with CRRA may not prove advantageous as CRRA is far more open and transparent. Vice-Chairman O'Brien said that the idea of spending more money is not favored by him, and that perhaps that number can be negotiated. He said, however, there is an urgency to bring them on Board as CRRA needs to have the audit report available for the Finance Committee's review by the 17th of September and they need to get started. He said he would like to see the Board make a decision today.

Director Savitsky said it doesn't hurt to have a fresh set of eyes considering the firm's experience in solid waste management.

Director Desmarais said that the New York firm came with one representative which indicated a lack of commitment to him. He said he does not think that it has much to offer in the way of additional capabilities or knowledge.

Director Savitsky said that not bringing a manager is common when there is no specific request by the interviewee.

Director Miron asked what the conflict between UHY and Pepe & Hazard was. Vice-Chairman O'Brien explained that UHY had performed an audit of Pepe & Hazard's 401k accounts.

The Board undertook a substantial discussion concerning the selection of an auditor.

Director Savitsky asked that the Board return to this item after a brief recess.

BRIEF RECESS

WITHDRAWAL OF THE MOTION REGARDING A CONTRACT FOR INDEPENDENT AUDITING SERVICES

Director Savitsky said that she was withdrawing the motion she had previously made concerning a contract for independent auditing services.

Vice-Chairman O'Brien agreed to the withdrawal as he had seconded the motion.

RESOLUTION REGARDING A CONTRACT FOR INDEPENDENT AUDITING SERVICES

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 President of the Authority be, and hereby is, authorized to enter into a contract with the auditing firm of UHY as substantially presented at this meeting. This contract will commence on June 1, 2009, and expire on March 31, 2012.

Director Savitsky said that the rules of audits and the relationship to management and the Board have evolved over the last few years. She said that the Finance Committee has a responsibility to understand its duties and roles and will carefully oversee the auditing process. She said that the Finance Committee will meet with UHY and hold discussions prior to the audit.

Director Miron said that he was going to vote no on this resolution. He explained he follows Director Savitsky's lead and is not convinced that the Board should change from its original resolution.

Chairman Pace said it was important to note that the Attorney General's office took no action against UHY after the Enron issue.

The motion previously made and seconded did not pass. Director Miron and Director Lauretti voted no.

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Alan Desmarais	X		
Michael Jarjura	X		
Mark Lauretti		X	
James Miron		X	
Theodore Martland	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Steve Edwards, Bridgeport			
Warren C, Howe, Jr., Wallingford			

RESOLUTION REGARDING A CONTRACT FOR INDEPENDENT AUDITING SERVICES

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

RESOLVED: That the President of the Authority be, and hereby is, authorized to enter into a contract with the auditing firm of Bollam, Sheedy, Torani & Co., LLP, as substantially presented at this meeting. This contract will commence on June 1, 2009, and expire on March 31, 2012.

Director Martland stated for the record that the Finance Committee will be meeting with the auditors.

Director Lauretti added that an attempt to renegotiate the fee with the auditors will also be made. He said the Board has an obligation to try and negotiate the number down.

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

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Alan Desmarais	X		
Michael Jarjura	X		
Mark Lauretti	X		
James Miron	X		
Theodore Martland	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Steve Edwards, Bridgeport			
Warren C, Howe, Jr., Wallingford			

RESOLUTION REGARDING THE FOURTH AMENDMENT TO THE AGREEMENT WITH FCR, LLC, FOR THE OPERATION OF AN INTERMEDIATE PROCESSING CENTER TO SERVE THE MUNICIPALITIES OF THE SOUTHWEST REGIONAL RECYCLING OPERATING COMMITTEE AND SECOND AMENDMENT TO THE LEASE AGREEMENT

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

WHEREAS: The current Operating & Lease Agreement with FCR, LLC, to Operate the Southwest Regional Recycling Center expires July 1, 2009, and;

WHEREAS: The Operating Agreement between CRRA, SWEROC and FCR, LLC, provides for extension options and;

WHEREAS: SWEROC approved a two-year extension of the Operating and Lease Agreements with modifications included in the Amendments to said Agreements and the related Fiscal Year 2010 budget at its meeting held on April 22, 2009, and:

WHEREAS: Approval of said extension and Amendments enables the continuation of recycling services to the SWEROC member towns pursuant to state recycling goals and;

WHEREAS: CRRA and SWEROC during the two-year period may work with FCR on retrofitting the facility to accommodate single-stream recycling to increase recycling rates for SWEROC towns similar to the experience at CRRA's Mid-Connecticut Regional Recycling Center ;

RESOLVED: That the President is hereby authorized to execute a fourth amendment to the Operating Agreement and second amendment to the Lease Agreement with FCR, LLC, to provide for a two-year extension for the operation of the Southwest Regional Recycling Facility.

Director Edwards said that this resolution is good for the towns which stayed in SWEROC and that it allows the towns to continue operation of the Stratford IPC with a favorable life for the remaining towns. He said SWEROC has reached an agreement with FCR that buys time as financially the project is not prepared to switch over to single-stream.

Vice-Chairman O'Brien thanked Director Edwards, Mr. Gaffey and others for bringing this group together and moving forward with keeping the recycling effort alive.

Director Miron said that he is concerned that the Stratford museum is most likely closing. He said recycling is a major part of CRRA's mission and that the recycling museum plays a significant role in that mission.

Mr. Gaffey said that this agreement is a separate agreement from that issue. He said there are several agreements that involve CRRA and SWEROC, one of which was amended around 1999 when CRRA took most of the administrative duties (including operating the museum) from SWEROC. He said it is clearly a successful museum and the question is under this budget is how to fund it.

Director Edwards said that SWEROC is working on ways to fund the museum. He explained the problem is that project once had 60,000 tons supporting the \$250,000 budget item from the project. He said in order to get the overall cost for recycling down that cost had to be itemized out so that a zero tip fee was achieved.

Director Edwards said that Mr. Nonnenmacher is working diligently to try to come up with creative means to keep the museum open. He said a \$100,000 fee may be applied and that there are many issues on the table being used to try to keep the museum open until at least January.

Director Miron said that the museum serves far more than the surrounding area and that he thinks both of the museums should be part of every project as they both serve the CRRA mission. He suggested that the whole State be involved in funding the museum.

Director Edwards said it is not just on the towns but should be on the Connecticut Department of Environmental Protection and the State of Connecticut as the museums serve as resources for the entire state. He said the bottle bill and new revenue services are all avenues of potential funding.

Director Miron said that he would like to hold a Board meeting at the Stratford location for the Board members to take part in enjoying what the museum has to offer.

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

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Alan Desmarais	X		
Michael Jarjura	X		
Mark Lauretti	X		
James Miron	X		
Theodore Martland	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Steve Edwards, Bridgeport	X		
Warren C, Howe, Jr., Wallingford			

RESOLUTION REGARDING THE ADOPTION OF THE FISCAL YEAR 2010 SOUTHWEST REGIONAL RECYCLING OPERATING BUDGET AND TIP FEE

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

WHEREAS: On April 22, 2009, SWEROC approved a two year extension of the Operating Agreement with FCR; and

WHEREAS, CRRA approved same two-year Operating Agreement extension and Lease Agreement extension with FCR; and

WHEREAS, Approval of said extension and Amendments enables the continuation of CRRA recycling services to the SWEROC member towns pursuant to state recycling goals; and

WHEREAS: On April 22, 2009, SWEROC accepted the Authority's proposed SouthWest Regional Recycling Operating Budget and SWEROC adopted certain regional expenses totaling \$38,000: now therefore be it

RESOLVED: That the fiscal year 2010 SouthWest Regional Recycling Operating budget totaling \$2,228,000.00 be adopted as presented at this meeting and that a fiscal year 2010 member tipping fee of \$0.00 per ton be adopted; and

FURTHER RESOLVED: That the Southwest Connecticut Regional Recycling Operating Committee budget totaling \$38,000.00 be adopted as presented at this meeting.

Director Edwards said that this budget has been vetted and approved by the SWEROC Board.

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

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Alan Desmarais	X		
Michael Jarjura	X		
Mark Lauretti	X		
James Miron	X		
Theodore Martland	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Steve Edwards, Bridgeport	X		
Warren C, Howe, Jr., Wallingford			

**RESOLUTION REGARDING THE PURCHASE OF WORKERS
COMPENSATION/EMPLOYERS LIABILITY INSURANCE FOR THE PERIOD 7/1/09 –
7/1/10**

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 CRRA purchase Workers Compensation/Employers Liability insurance with a statutory limit and \$1,000,000 limit for Employers Liability, for a premium of \$56,896 from Connecticut Interlocal Risk Management Agency (CIRMA) for the term 7/1/09 – 7/1/10, as discussed at this meeting.

Director Savitsky said that this resolution is straightforward and CIRMA has provided good service and is reasonable.

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

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Alan Desmarais	X		
Michael Jarjura	X		
Mark Lauretti	X		
James Miron	X		
Theodore Martland	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Steve Edwards, Bridgeport			
Warren C, Howe, Jr., Wallingford			

CAFR AWARD

Director Savitsky said that CRRA has received the CAFR award for its auditing report which is the highest award which can be given by the Government Finance Officers of the USA and Canada.

Director Desmarais said the Certificate of Achievement for Excellence in Financial Reporting, or CAFR was given to CRRA for producing a comprehensive financial report which has been reviewed by three peers and that it meets the necessary standards. He said the individuals review the report item by item to ensure compliance with the standards. Director Desmarais said it is a great achievement which highlights the capability within CRRA.

Vice-Chairman O'Brien suggested a formal presentation be made to Ms. Vo-Le and her accounting staff at the next Board meeting.

ORGANIZATIONAL SYNERGY & HUMAN RESOURCES COMMITTEE

RESOLUTION AUTHORIZING HUMAN RESOURCES CONSULTING SERVICE AGREEMENTS

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

RESOLVED: That the President is hereby authorized and directed to execute, deliver and perform on behalf of the Authority, Human Resources Consulting Services Agreements as were substantially set forth in the RFQ for a period of three years with the firms listed below, as presented and discussed at this meeting. All of the human resources consulting services obtained through the firms below will be obtained on an "on-call" basis.

- A. **Temporary Staffing Services**
 - 1. CareersInCT.com LLC
 - 2. Horizon Staffing Services (AAA Human Capital)
 - 3. Jaci Carroll Staffing Services, Inc.
 - 4. Lauren & Linium Staffing
 - 5. Roth Staffing Companies, L.P.
 - 6. Spec Personnel, LLC
 - 7. Staffing Now, Inc.
 - 8.
- B. **Recruiting Services**
 - 9. CPS Human Resource Services
 - 10. Horizon Staffing Services (AAA Human Capital)
 - 11. Horton International, LLC
 - 12. Jaci Carroll Staffing Services, Inc.
 - 13. Lauren & Linium Staffing
 - 14. Marchese Consulting LLC
 - 15. Randi Frank Consulting, LLC
 - 16. Retensa, LLC
 - 17.
- C. **General and Miscellaneous HR Consulting Services**
 - 18. CPS Human Resource Services
 - 19. Horizon Staffing Services (AAA Human Capital)
 - 20. Kevin F Fahey LLC
 - 21. Marchese Consulting LLC
 - 22. Prout Group, The, LLC
 - 23. Retensa, LLC

Director Savitsky excused herself from the discussion as she has had a prior relationship with one of the selected firms.

Director Jarjura said that the Organizational Synergy and Human Resources Committee had met and agreed unanimously to retain the services of the consulting services detailed in the resolution. He explained the resolution provides for a bull-pen of services that CRRA can call on for consulting services.

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

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Alan Desmarais	X		
Michael Jarjura	X		
Mark Lauretti	X		
James Miron	X		
Theodore Martland	X		
Raymond O'Brien	X		
Linda Savitsky			X
Ad-Hocs			
Steve Edwards, Bridgeport			
Warren C, Howe, Jr., Wallingford			

POLICIES & PROCUREMENT COMMITTEE

RESOLUTION REGARDING CONSTRUCTION QUALITY ASSURANCE SERVICES TO SUPPORT COMPLETION OF CLOSURE OF THE PHASE 1 ASH AREA OF 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 Jarjura.

RESOLVED: That the President is hereby authorized to enter into a contract with TRC Environmental Corporation to perform Construction Quality Assurance (CQA) services associated with the capping of the remaining un-capped portion of the Phase 1 Ash Area of the CRRA Hartford Landfill, substantially as discussed and presented at this meeting.

Mr. Egan said that this resolution details a contract with an engineering firm to provide quality assurance/quality control engineering support for the closing of the final 10 acres of the ash area of the Hartford landfill. He explained the 10-acre construction contract will be coming to the Board in June.

Mr. Egan said this contract is for the engineering firm to support CRRA in overseeing that construction activity. He said four firms were given a scope of work and asked for a price, one firm choose not to bid, and the remaining three firm's prices are listed in the write-up.

Mr. Egan said that management is recommending TRC, which is about \$11,000 higher for the project than SCS Engineering; however SCS planned to sub-contract a significant number of hours with a local company. He said that TRC will have an individual from TRC present and that management believes it is worth the additional dollars to use the more experienced individual and company with an employee on-site in the event of any issue. Mr. Egan said that TRC is also the engineering firm which designed the construction closure drawings.

Vice-Chairman O'Brien noted that the individual from TRC which will be on site also quickly caught another issue with the cover material and addressed and handled that situation quickly and said his expertise is in Hartford's best interest to use.

Director Martland said that he normally prefers the low bidder but dislikes the usage of sub-contractors.

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

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Alan Desmarais	X		
Michael Jarjura	X		
Mark Lauretti	X		
James Miron	X		
Theodore Martland	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Steve Edwards, Bridgeport			
Warren C, Howe, Jr., Wallingford			

RESOLUTION REGARDING FY 2010 PROJECTED LEGAL EXPENDITURES

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

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>
Berchem Moses & Devlin	\$ 25,000
Brown Rudnick	835,000

Cohn Birnbaum & Shea	40,000
Halloran & Sage	1,340,000
Heneghan Kennedy & Doyle	49,000
Kainen, Escalera & McHale	300,000
McCarter & English	75,000
Perakos & Zitser	40,000
Pepe & Hazard	600,000
Pullman & Comley	150,000
Sidley Austin	150,000
Hinckley, Allen & Snyder	50,000

Further RESOLVED: That the President be authorized to expend up to \$500,000 from the Landfill Development Reserve Account for payment for legal fees incurred in fiscal year 2010 in connection with the Authority's development of a new ash landfill in the State of Connecticut; and

Further RESOLVED: That the President be authorized to expend up to \$450,000 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; and

Further RESOLVED: That the President be authorized to expend up to \$25,000 from the Bridgeport Risk Fund Reserve Account for payment for legal fees incurred in fiscal year 2010 in connection with continuing Bridgeport Project.

Director Savitsky said that she has some concerns over several firms within this resolution.

Director Jarjura suggested that this motion be passed with two amendments.

AMENDMENT OF THE MOTION REGARDING FY 2010 PROJECTED LEGAL EXPENDITURES

Director Jarjura said that as the maker of this motion that he was amending the resolution to omit Halloran & Sage, Pepe & Hazard, and Brown Rudnick.

Vice-Chairman O'Brien agreed to the amendments as he had seconded the original motion. He clarified that the first two "further resolves" were also omitted as part of the amendment as they pertain to firms which were removed from the original motion.

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>
Berchem Moses & Devlin	\$	25,000
Cohn Birnbaum & Shea		40,000
Heneghan Kennedy & Doyle		49,000
Kainen, Escalera & McHale		300,000
McCarter & English		75,000
Perakos & Zitser		40,000
Pullman & Comley		150,000
Sidley Austin		150,000
Hinckley, Allen & Snyder		50,000

Further RESOLVED: That the President be authorized to expend up to \$25,000 from the Bridgeport Risk Fund Reserve Account for payment for legal fees incurred in fiscal year 2010 in connection with continuing Bridgeport Project.

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

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Alan Desmarais	X		
Michael Jarjura	X		
Mark Lauretti	X		
James Miron	X		
Theodore Martland	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Steve Edwards, Bridgeport			
Warren C, Howe, Jr., Wallingford			

RESOLUTION CONGRATULATING EAST HAVEN HIGH SCHOOL

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

WHEREAS the State Solid Waste Management Plan specifically calls for efforts to “build support for programs to engage citizens in actions needed to maximize waste reduction and recycling;” and

WHEREAS since 1993 the Garbage Museum in Stratford, Connecticut, has been teaching people how to protect their environment by recycling and thinking before throwing something into the trash; and

WHEREAS the Garbage Museum has been operated by the Connecticut Resources Recovery Authority since 1997; and

WHEREAS the Garbage Museum has become a favorite destination for students and created a positive image for the Connecticut Resources Recovery Authority; and

WHEREAS a group of students from East Haven High School created a short film about the Garbage Museum and its fight for survival for the Connecticut Student Film Festival; and

WHEREAS their film, “Trash-o-saurus in Trouble,” was honored as Best Documentary; and

WHEREAS the film was selected from all others entered in several categories to be shown at the Connecticut Film Festival in June; now therefore,

BE IT RESOLVED that the Connecticut Resources Recovery Authority Board of Directors congratulates students **ANTHONY PALM, JAKE DEMAIO, KALEE HOYT, MELISSA MORRO, RYAN GOLIA, JEN CUOMO** and **ALBERT KOZIATEK** of East Haven High School, along with their teacher, **JAY MILES**, for their success in the Connecticut Student Film Festival and wish them continued success in all their future endeavors.

Mr. Kirk said the resolution details recognition of a well-put-together video by a group of very talented students, copies of which were made available to the Board. Mr. Kirk noted another group of students had put together similar efforts in Shelton.

Director Savitsky said that she would like to see both groups recognized for their achievements at a Board meeting.

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

Directors	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Alan Desmarais	X		
Michael Jarjura	X		
Mark Lauretti	X		
James Miron	X		
Theodore Martland	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Steve Edwards, Bridgeport	X		
Warren C, 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.

The Executive Session began at 11:50 a.m. and concluded at 1:23 p.m. Chairman Pace noted that no votes were taken in Executive Session.

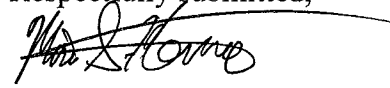
The meeting was reconvened at 1:23 p.m., the door was opened, and the Board secretary and all members of the public (of which there were none) were invited back in for the continuation of public session.

ADJOURNMENT

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

The meeting was adjourned at 1:28 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Moira Kenney", with a long horizontal line extending to the right across the signature.

Moira Kenney
Secretary to the Board/Paralegal

TAB 2

**RESOLUTION REGARDING CERTAIN MID-CONNECTICUT
PROJECT RESERVES**

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.

Facility Modification Reserve Review

I. Budget Work Completed/In progress

WPF

MDC-Projects

	<u>Budgeted</u>	<u>Actual</u>	<u>Variance</u>
Replace VS Drives	\$ 85,000	\$ 67,000	\$ 18,000
WPF Emergency Lighting Installations	\$ 140,000	\$ 67,000	\$ 73,000
MDC Applied Overhead Costs	\$ 32,963	\$ 19,631	\$ 13,332
sub-total	\$ 257,963	\$ 153,631	\$ 104,332

Worked Budgeted But Not Invoiced

CV - 104 & 204 Bearing lube cooling system	\$ 80,000	\$ 80,000 (A)	\$ -
Fire system upgrades	\$ 600,000	\$ 600,000 (A)	\$ -
MDC Applied Overhead To Worked Not Invoiced	\$ 99,620	\$ 99,620 (A)	\$ -
sub-total	\$ 779,620	\$ 779,620	\$ -
MDC Applied Overhead Incorrectly Stated In Budget	\$ 35,418	\$ -	\$ 35,418
Sub-total	\$ 1,073,000	\$ 933,251	\$ 139,750

CRRA-Projects

Bulky Waste Shredder	\$ 500,000	\$ 764,000	\$ (264,000)
CV - 123 & 223 conveyor mods	\$ 200,000	\$ 449,400	\$ (249,400)
CV - 126 & 226 conveyor mods	\$ 200,000	\$ 524,282	\$ (324,282)
CV - Replace / Rebuild 101/201	\$ 350,000	\$ 192,750	\$ 157,250
Platform & Guarding	\$ 170,000	\$ 140,850	\$ 29,150
CV - 131 & 231 upgrade two (2) 1000hp motors	\$ 200,000	\$ 291,550	\$ (91,550)
Replace System Compressor (2)	\$ 120,000	\$ 163,000	\$ (43,000)
Resurface MSW Feed Areas	\$ 75,000	\$ 108,884	\$ (33,884)
Replace RLUP Steel Door	\$ 70,000	\$ 138,000	\$ (68,000)
Refurbishment Of Maxim Rd Railroad Crossing	\$ 40,000	\$ 40,000	\$ -
Trommel doors/thrust rings	\$ 200,000	\$ 272,000	\$ (72,000)
Upgrade/Replace Control Room PLC/SCADA	\$ 85,000	\$ 24,044	\$ 60,956
WPF Control Room/AC Replacement	\$ 400,000	\$ 627,000	\$ (227,000)
Sub-total	\$ 2,610,000	\$ 3,735,760	\$ (1,125,760)

PBF

Ash Load out Building Modification	\$ 1,820,000	\$ 2,507,634	\$ (687,634)
Upgrade PBF Control Room PLC's	\$ 1,200,000	\$ 1,623,096	\$ (423,096)
Paving	\$ 25,000	\$ 58,508	\$ (33,508)
Sub-total	\$ 3,045,000	\$ 4,189,238	\$ (1,144,238)

RRC

Single Stream Upgrade	\$ 3,500,000	\$ 2,909,862	\$ 590,138
Sub-total	\$ 3,500,000	\$ 2,909,862	\$ 590,138

Transfer Stations (Combined)

Miscellaneous	\$ 51,000	\$ 29,000	\$ 22,000
Paving/ Curbing	\$ 35,000	\$ 48,000	\$ (13,000)
Sub-total	\$ 86,000	\$ 77,000	\$ 9,000

Sub-Total For Work Completed/In Progress	\$ 10,314,000	\$ 11,845,111	\$ (1,531,111)
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(A) Projects in progress assumes Actual is in line with Budgeted, upon completion

II Budgeted Work To Be Eliminated

	<u>Budgeted</u>	<u>Actual</u>	<u>Variance</u>
WPF	\$ 474,000	\$ -	\$ 474,000
PBF	\$ -	\$ -	\$ -
RRC	\$ 25,000	\$ -	\$ 25,000
Transfer Stations (Combined)	\$ 88,000	\$ -	\$ 88,000
Sub-total	\$ 587,000	\$ -	\$ 587,000
Budgeted Work Sub-Total	\$ 10,901,000	\$ 11,845,111	\$ (944,111)

III Work Completed But Not Budgeted

Repair of 1200hp motors (2)	\$ -	\$ 86,450 (B)	\$ (86,450)
Upgrade At Automation System	\$ -	\$ 24,000 (C)	\$ (24,000)
Removal Of Processed Residue Load out Area Dumpster	\$ -	\$ 10,000 (C)	\$ (10,000)
WPF Scale House Remodel	\$ -	\$ 43,000 (C)	\$ (43,000)
Sub-total	\$ -	\$ 163,450	\$ (163,450)

IV Total Impact On The Facility Modification Fund

	\$ 10,901,000	\$ 12,008,561	\$ (1,107,562)
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V Summary

Facility Modification Reserve Fund- Beginning Balance 07/01/2008	\$ 5,790,798
FY 09 Contributions To Reserve	\$ 5,000,000
FY 09 Net Expenditures	\$ (12,008,561)
Facility Modification Reserve Fund- Projected Ending Balance 06/30/2009	\$ (1,217,763)
Surplus/Deficiency (D)	\$ (1,217,763)

(B) Emergency repair of the 1200hp motors as approved by the BOD.

(C) Projects needed in conjunction with the ash load out construction.

(D) To be funded from the Post Litigation Expense Reserve.

TAB 3

RESOLUTION REGARDING PROPERTY APPRAISAL SERVICES

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

Connecticut Resources Recovery Authority

Contract Summary for Contract entitled Property Appraisal Services Agreement

Presented to CRRA Board on:	June 18, 2009
Vendor/Contractor(s)	Appraisal Economics Inc. CB Richard Ellis – N.E. Partners, LP George E. Sansoucy, P.E., LLC
Effective Date:	July 1, 2009
Contract Type/Subject Matter:	Three-Year Agreement for Property Appraisal Services
Facility(ies) Affected:	Not Applicable
Original Contract	Not Applicable
Term:	July 1, 2009 through June 30, 2012
Contract Dollar Value:	Not Applicable. All services will be provided pursuant to a Request for Services ("RFS")
Amendment(s)	Not Applicable
Term Extensions:	Not Applicable
Scope of Services:	On-call property appraisal services
Other Pertinent Provisions:	Any work under the Agreements will be pursuant to a Request for Services ("RFS"). Any RFS in excess of \$50,000 per fiscal year will require approval by the Board of Directors.

Connecticut Resources Recovery Authority

Property Appraisal Services Agreement

June 18, 2009

Executive Summary

From time to time CRRA requires the assistance of firms to provide property appraisal services for a variety of types of properties and purposes. CRRA's "Procurement Policies and Procedures" establishes a "Request for Qualifications" ("RFQ") process to obtain such services.

CRRA has not previously conducted an RFQ process for such services, but, because the need for such services has increased in frequency in recent years, CRRA determined that an RFQ process was the most prudent approach for acquiring them.

The development of a "stable" of qualified property appraisers will enable CRRA to procure services in a more cost effective and timelier manner. Recent appraisal work includes valuations of the waste-to-energy plants of Bridgeport, Mid-Connecticut and Wallingford. In addition, the 4 Mid-Connecticut transfer stations, the Milford transfer station and CRRA-owned land in Waterbury were all appraised.

CRRA issued an RFQ for property appraisal services in March 2009 in order to solicit firms with which to contract for the three-year period beginning July 1, 2009.

CRRA received responses to the RFQ from eight firms. Operations staff evaluated the responses. Based on those evaluations, the firms listed below have been selected for recommendation to the Board of Directors.

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

This is to request approval of the CRRA Board of Directors for the President to enter into agreements with the firms identified above to provide services as described below for the three-year period beginning July 1, 2009 and ending June 30, 2012. Any work performed under such an agreement will be pursuant to a Request for Services ("RFS"), and any RFS that is in excess of \$50,000 per year will require approval of the Board of Directors.

Discussion

CRRA's "Procurement Policies and Procedures" establishes an RFQ process as "a process by which CRRA identifies persons to perform services on behalf of . . . CRRA through the solicitation of qualifications, experience, [and] prices." CRRA has historically used the RFQ process to pre-qualify firms for a variety of technical services that it requires (e.g., engineering services). In accordance with its Procurement Policy and Procedures and Connecticut State Statute, CRRA is required to solicit for technical and professional services once every three years. While CRRA has not previously acquired property appraisals through an RFQ process, such services are clearly the type of technical services for which an RFQ process is appropriate. In addition, the frequency with which CRRA has required property appraisal services has recently increased. For these reasons, CRRA determined that the most prudent approach to acquiring property appraisal services was through an RFQ process.

CRRA issued an RFQ for property appraisal services on March 19, 2009. The availability of the RFQ was advertised in seven Connecticut newspapers (the Connecticut Post, the Hartford Courant, the New Haven Register, the New London Day, the Waterbury Republican-American, the Northeast Minority News and La Voz Hispana) and on CRRA's web site. The "Notice to Firms" was also posted on the Connecticut Department of Administrative Services web site. Statements of Qualifications ("SOQs") were due by April 28, 2009.

A total of eight firms responded to the RFQ. They are as follows:

- Appraisal Economics Inc.
- Austin McGuire Company
- Blue Ribbon Appraisals LLC
- CB Richard Ellis
- Federal Appraisal & Consulting
- George E. Sansoucy, P.E., LLC
- J.F. Mulready Company LLC
- Marc Gottesdiener & Co., Inc.

The SOQ submitted by Austin McGuire Company was a day late and, for that reason, was not given further consideration.

The SOQs submitted by the other seven firms were first evaluated for administrative sufficiency and responses to CRRA's "Questionnaire Concerning Affirmative Action, Small Business contractors and Occupational Health and Safety." They were then evaluated for technical merit by CRRA Operations staff. SOQs were evaluated on the respondent's strengths and qualifications, experience with controversial facilities, the background and experience of the staff, payment rates and potential conflicts.

The following three firms were ranked highest in the evaluation conducted by CRRA staff and were selected for recommendation to the Board of Directors:

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

These three firms all had the highest ratings for strengths and qualifications, experience with controversial facilities, background and experience of staff and the absence of potential conflicts. Staff decided to recommend three firms to the Board for two reasons. First, because of requirements in CRRA's Procurement Policies and Procedures, CRRA routinely obtains appraisals from two different firms for any property that it is interested in disposing of or acquiring. Second, there is a very wide range of types of properties and facilities for which CRRA might have an interest and, combined, these three firms amply cover that wide range.

Appraisal Economics Inc. has significant appraisal experience with waste-to-energy facilities and power plants. In addition, it has previously been retained by CRRA for appraisal services and performed to CRRA's satisfaction.

CB Richard Ellis – N.E. Partners, LP is the largest full service real estate firm located in Connecticut. The firm's Valuation and Advisory Services Group has experience with appraising controversial properties and facilities. It has previously worked on appraisals of controversial CRRA projects and performed to CRRA's satisfaction.

George E. Sansoucy, P.E., LLC specializes in the analysis and valuation of public utility infrastructure, energy projects and complex industrial properties and in consultation services on regulatory matters involving the energy industry. The firm has previously performed appraisal services for three of CRRA's four waste-to-energy facilities and performed to CRRA's satisfaction.

To summarize, the 3 firms selected all have the proper credentials and have experience with waste-to-energy facilities, complex industrial properties, and public utilities. In addition, they all have previously performed appraisal services for CRRA.

The agreements that are to be executed with these firms will have an effective date of July 1, 2009 and will extend through June 30, 2012.

Financial Summary

CRRA makes no financial commitment to any firm in the three-year services Agreements. This selection simply qualifies a firm as eligible to undertake work for CRRA at a later date, when a specific need is actually identified. Any such future work would be procured through an RFS, and any RFS for more than

\$50,000 per fiscal year would require prior approval by the CRRA Board of Directors.

The cost for any particular task specific RFS that is negotiated with any particular property appraisal firm pursuant to these three-year service agreements will be based on the hourly rates for time (i.e., professional labor rates) and materials (e.g., daily rental rate for water sampling equipment) that are pre-established in these three-year service agreements.

TAB 4

**RESOLUTION REGARDING TRANSFER STATION HOST
COMMUNITY AGREEMENT**

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.

Connecticut Resources Recovery Authority

Contract Summary for

Transfer Station Host Community Agreement between CRRA and the Town of Ellington, CT

Presented to the CRRA Board on: June 18, 2009

Counter Party: Town of Ellington, CT

Effective date: Upon Execution

Contract Type/Subject matter: Host Community Benefit Agreement.

Facility Affected: Ellington Transfer Station (Mid-Connecticut Project).

Term: Upon Execution through June 30, 2017.

Host Benefit: \$0.50 per ton of MSW delivered to the transfer station, beginning July 1, 2007, escalated annually by CPI.

Key Provisions: If CRRA seeks a modification to the CTDEP Solid Waste Operating Permit for the transfer station that results in either an increase in the permitted tonnage of waste to be processed, or in the addition of a new type of waste that is not currently processed at the transfer station, the host community has the right to request that the contract be reopened for negotiation.

Other information: Upon execution of the contract, the Town of Ellington will receive its host community benefit payment retroactive to July 1, 2007 (as did Watertown and Torrington).

Connecticut Resources Recovery Authority

Transfer Station Host Community Agreement Between CRRA and Ellington, Connecticut

June 18, 2009

Executive Summary

This matter was brought before the Board of Directors at its June 28, 2007 meeting. At the request of CRRA management the matter was tabled at that time. Management has now negotiated a final Transfer Station Host Community Agreement with the Town of Ellington and seeks Board approval to enter into this agreement. The Board of Directors has previously approved Transfer Station Host Community Benefit Agreements with Watertown and Torrington that provide the same host community payment.

Discussion

Background Information

CRRA owns and operates four transfer stations supporting the Mid-Connecticut Project: the Ellington, Essex, Torrington, and Watertown transfer stations. Generally, the transfer stations began operating in the 1987 to 1990 time frame. In response to increasing waste deliveries to the transfer stations since the Mid-1990s, CRRA submitted to the CT DEP in calendar year 2000 applications for permit modifications to increase the tons of MSW permitted to flow through each transfer station. *Table 1* provides a summary and status of each of the permit modification applications.

Table 1 – MSW Tonnage Limits at Mid-Connecticut Project Transfer Stations – As of June 2009

Transfer Station	Original Permitted Daily Tons	Proposed/Revised Daily Tons	Status of Permit Modification
Ellington	287	560	Approved 5/18/06
Essex	300	710	Pending approval
Torrington	300	650	Approved 4/22/04
Watertown	350	550	Approved 4/7/08

Pursuant to Section 22a–270 of the Connecticut General Statutes, CRRA is not required to pay taxes or assessments levied by any municipality or political subdivision having taxing powers. In short, CRRA is exempt from paying property taxes (among other taxes) to any of the communities hosting a CRRA facility. Despite this tax exempt status, CRRA did take into consideration the best interests of the municipalities that host

CRRA's Resource Recovery Facilities and entered into host community PILOT (Payment In Lieu Of Taxes) agreements with these municipalities. This is not the case with all the Mid-Connecticut transfer stations.

As *Table 1* shows, CRRA permit modifications for the Ellington and Watertown and Torrington transfer stations have been approved. Still pending approval is the permit modification for the Essex transfer station. When seeking a significant modification for the facility permit, CRRA will notify local officials in the host community to apprise them of the change. Subsequent to notifying the towns of Essex and Watertown of the permit modifications, officials of both communities indicated they would object to the respective permit modification unless the towns received monetary compensation. While CRRA could invoke its tax exempt status, CRRA's Board of Directors and management believe such a course of action would be neither prudent nor fair. CRRA has since executed an agreement with Watertown. CRRA has not yet negotiated an agreement with Essex.

Rational for a Prescribed Compensation Program

It is possible that moving forward CRRA will from time to time seek additional modifications to the Mid-Connecticut Project transfer station permits. Establishing some form of host community benefit will go a long way toward maintaining the community good will, trust and support needed to get permit modifications and permit renewals through the CTDEP approval process.

Establishment of a host community benefit recognizes that there are impacts to the towns in which the transfer stations are sited, primarily in the areas of increased traffic and wear and tear on local roads, and providing some compensation for these potential impacts. The benefits contained in this agreement have been negotiated with and agreed to by the Town of Ellington.

Pursuant to Section 22a-266 (19) (b) of the General Statutes of Connecticut, "...in entering into a contract for a resources recovery facility, solid waste facility, volume reduction plant or solid waste management system, the authority shall consider the best interests of the municipality or region to be served by such facility, plant or system." Not only is it in the best interests of the municipalities, it is only fair that these host communities receive consideration for the real and personal property located in their communities. Any other business or institution would pay taxes on the assessed value of the property or a PILOT.

Form of Prescribed Compensation Program

To avoid the appearance of arbitrariness or favoritism in the development of host community agreements, CRRA recommends that a proscribed methodology be consistently applied when calculating PILOT payments for all four Mid-Connecticut Project transfer stations. Therefore, while the parties to this particular Agreement are

CRRA and the Town of Ellington, these terms are substantially the same as the terms in the Watertown and Torrington agreements.

Financial Summary

The FY2010 Mid-Connecticut Budget includes \$35,100 for the Ellington host community benefit payment under this Agreement: 65,000 tons x \$0.54 per ton.

In addition, payments under this agreement are retroactive to July 1, 2007, less the payments made to Ellington for delivery of East Windsor waste under an existing Agreement¹. Accordingly, upon execution of this Agreement Ellington will receive payment as follows. Adequate funds have been set aside to make this retroactive payment.

For FY2008 Deliveries:

Payment due Ellington for FY2008 deliveries = \$22,661.68

Calculated as follows:

64,130 tons x \$0.50 per ton = \$32,065.15

Less host community payment for East Windsor waste of \$9,403.47
(4179.32 tons x \$2.25 per ton)

For FY2009 Deliveries:

\$0.52 per ton for all MSW received less the amount paid for East Windsor deliveries
(@\$2.25 per ton)

¹ CRRA and Ellington entered into an Agreement in May 2000 that provides that CRRA pay Ellington \$2.25 per ton for each ton of MSW originating in the Town of East Windsor. Prior to the May 2000 agreement, MSW originating in East Windsor was not received at the Ellington transfer station. This 2000 Agreement and the associated payments for East Windsor deliveries will terminate upon execution of the new Transfer Station Host Community Agreement. Payments made under the 2000 Agreement between 7/1/07 and the Effective date will be deducted from the retroactive payment due under the new Agreement.

TAB 5

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

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.

**Connecticut Resources Recovery Authority
Contract Summary for Contract
Entitled**

**Hartford Landfill Phase 1 Ash Area
Final Closure**

Presented to the CRRA Board on: June 18, 2009

Vendor/ Contractor(s): David G. Roach & Sons, Inc.

Effective date: Upon Execution

Contract Type/Subject matter: Public Bid/Construction

Facility (ies) Affected: Hartford Landfill

Original Contract: None (this is initial contract)

Term: 150 days from Notice to Proceed

Contract Dollar Value: \$2,496,791

Amendment(s): Not Applicable

Term Extensions: Not Applicable

Scope of Services: Installation of approximately 12 acres of landfill cap in the Phase 1 Ash Area of the Hartford Landfill.

Other Pertinent Provisions: None

Connecticut Resources Recovery Authority Mid-Connecticut Project - Hartford Landfill Phase 1 Ash Area Final Closure

June 18, 2009

Executive Summary

Modification to Permit 064-4(L) requires CRRA to install a membrane cap over the Phase 1 Ash Area (“Ash Area”) of the Hartford Landfill upon the Ash Area reaching its final permitted grade. Approximately 7.2 acres was capped in 2008. The remaining 12 acre area is now ready for capping.

This is to request approval of the CRRA Board of Directors for the President to enter into an agreement with David G. Roach & Sons, Inc. (Roach) to install a landfill cap over approximately 12 acres of the Ash Area.

Discussion

Until December 31, 2008, the Ash Area at the Hartford Landfill received ash residue from the combustion of refuse-derived fuel at the Mid-Connecticut Resource Recovery Facility. Ash deliveries ceased on that date in accordance with the Modification to Permit to Construct No. SW 064-5-L and Permit to Operate No. 064-4-L-O dated March 29, 2007.

The final cap will consist of a state-of-the-art Linear Low Density Polyethylene (LLDPE) impervious membrane with associated drainage features to prevent the infiltration of rain water into the ash monocell. Additionally, the cap will include geotextile fabric, drainage piping, and soil layers to protect the membrane and promote drainage and vegetative growth. The Construction Drawings, Technical Specifications, and Construction Quality Assurance Plan for the project were provided by TRC.

CRRA advertised the project for public bid in the following publications on Sunday, March 15, or the next published edition:

Hartford Courant
Manchester Journal Inquirer
Connecticut Post
New Haven Register
LaVoz Hispania de Connecticut
Northeast Minority News

The project was also posted on the CRRA and the State of Connecticut DAS websites and the following publications were provided with a copy of the Bid Notice:

Cprojects.com
 F.W. Dodge Reports
 New England Construction News
 Reed Construction Data

On March 25, 2009, thirty-six persons attended the mandatory pre-bid meeting at the Hartford Landfill.

A total of sixteen sealed bids were received until 3:00 pm on April 21, 2009. At 3:30pm that day the bids were opened. A list of the bidders and their associated bid prices is presented in the table below along with TRC's estimated project cost.

BIDDER	BID PRICE
David G. Roach & Sons, Inc.	\$2,496,791.00
Botticello, Inc.	\$2,581,245.30
E. T. & L. Corp.	\$2,597,868.00
J. Bates & Sons, LLC	\$2,833,082.50
Laureiro Contractors, Inc.	\$2,837,000.00
Manafort Brothers, Inc.	\$2,880,459.00
O & G Industries	\$2,962,000.00
R. Bates & Sons, Inc.	\$2,966,100.00
Ralph Computaro & Sons Excavating, Inc.	\$3,003,225.00
Mather Corporation	\$3,103,000.00
True Blue Environmental Services	\$3,312,727.00
Cherry Hill Construction	\$3,342,700.00
Supreme Industries, Inc.	\$3,576,000.00
Stamford Wrecking Co.	\$3,589,305.72
C. J. Fucci Construction Co.	\$3,739,995.00
Mactec Development Corp.	\$4,895,153.00
T R C Estimate	\$3,224,673.00

Due to the large number of bids, and the price distribution of the bids, the detailed review of the bids was limited to the three low bidders. Each of the bids from the three low bidders was found to be administratively complete. Pursuant to its engineering agreement with CRRA, TRC reviewed the bid pricing of each of the forty lumps sum and three unit price items within the bid. CRRA staff also reviewed the bid pricing of each of the bid items. Based on those reviews, both CRRA staff and TRC noted two bid items, "Ash Relocation and Regrading" and "Cover Soil – Supply" in the Roach bid that required further confirmation by the bidder. On April 28, 2009, CRRA staff and TRC interviewed Roach at CRRA headquarters regarding its bid in general and these items in

particular. Subsequent to this interview and ensuing communications, Roach provided CRRA written confirmation of all of its bid pricing.

As an added measure of due diligence, CRRA staff directed TRC to accompany Roach to its soil suppliers and obtain samples of the proposed soil materials for the project. Those samples were delivered by TRC to laboratories for physical and chemical testing. Based on the results received to date on that testing, the soil materials proposed by Roach appear to meet the project specifications.

CRRA staff also checked the references provided by Roach. Staff spoke with three references, each of whom confirmed that Roach has the capability to complete such work. Comments received from the references included: "I highly recommend them"; "They are reasonable on change orders"; "They did a good job, I would recommend them".

Background information provided with the bid indicates Roach has adequate experience in the construction industry in general and landfill projects in particular. The company was founded in 1992 and has been working on environmental projects such as landfill caps since its inception. In fact, Roach has completed over twenty projects involving landfills. Roach has a bonding capacity of \$5,000,000 on individual projects and an aggregate capacity of \$15,000,000.

After careful review of the bid price submitted by the low bidder, Roach, by both TRC and CRRA environmental staff, and after interviewing Roach, checking references and experience, and performing due diligence on its proposed soil material sources, CRRA environmental staff recommend award of the bid to Roach.

Financial Summary

The table below lists the bids of the three low bidders from lowest to highest, along with an Engineer's Estimate of the project cost provided by TRC.

Bidder	Bid Price
David G. Roach & Sons, Inc.	\$2,496,791.00
Botticello, Inc.	\$2,581,245.30
E. T. & L. Corp.	\$2,597,868.00
T R C Estimate	\$3,224,673.00

This project complies with the State of Connecticut Prevailing Wage Law administered by the Wage and Workplace Standards Division of the Department of Labor.

This activity was contemplated when the FY 2010 capital budget was developed. There are adequate funds in the Hartford Landfill Closure Reserve account for this project.

TAB 6

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

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.