

CONNECTICUT RESOURCES RECOVERY AUTHORITY

FOUR HUNDRED AND SEVENTY-SECOND JANUARY 28, 2010

A regular meeting of the Connecticut Resources Recovery Authority Board of Directors was held on Thursday, January 28, 2010, in the Board Room at CRRA Headquarters, 100 Constitution Plaza, Hartford, Connecticut. Those present in Hartford were:

Chairman Michael Pace

Directors: David B. Damer
 Alan Desmarais
 Michael Jarjura
 Mark Lauretti (present by phone until arrival in person at 10:19 a.m.)
 Theodore Martland (present by telephone)
 Nicholas Mullane
 Raymond O'Brien (present by telephone)
 Linda Savitsky
 Stephen Edwards, Bridgeport Project Ad-Hoc
 Warren Howe, Wallingford Project Ad-Hoc

Present from CRRA management:

Tom Kirk, President
Jim Bolduc, Chief Financial Officer
Jeffrey Duvall, Manger of Budgets & Forecasting
Peter Egan, Director of Environmental Affairs & Development
Laurie Hunt, Director of Legal Services
Paul Nonnenmacher, Director of Public Affairs
Moira Kenney, Secretary to the Board/Paralegal

Also present were: Cheryl Thibeault of Covanta; Jim Sandler, Esq., of Sandler & Mara; John Pizzimenti of USA Hauling & Recycling; and Jerry Tyminski of SCRRA.

Chairman Pace called the meeting to order at 10:08 a.m. and said 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.

As there were no members of the public present wishing to speak, Chairman Pace proceeded with the meeting agenda.

APPROVAL OF THE DECEMBER 29, 2009, SPECIAL BOARD MINUTES

Chairman Pace requested a motion to approve the Dec 29, 2009, regular meeting minutes. Director Savitsky made the motion which was seconded by Director Damer.

The motion to approve the minutes was approved by roll call. Chairman Pace, Director Damer, Director Desmarais, Director Jarjura, Director Lauretti, Director Martland, Director Mullane, and Director Savitsky voted yes.

Directors	Aye	Nay	Abstain
Chairman Pace	X		
David Damer	X		
Alan Desmarais	X		
Michael Jarjura	X		
Mark Lauretti	X		
Theodore Martland	X		
Nicholas Mullane	X		
Linda Savitsky	X		
Ad-Hocs			
Stephen Edwards, Bridgeport			
Warren Howe, Wallingford			

APPROVAL OF THE DECEMBER 17, 2009, REGULAR MINUTES

Chairman Pace requested a motion to approve the Dec 17, 2009, regular meeting minutes. Director Savitsky made the motion which was seconded by Director Damer.

The motion to approve the minutes was approved by roll call. Chairman Pace, Director Damer, Director Desmarais, Director Jarjura, Director Lauretti, Director Martland, Director Mullane, Vice-Chairman O'Brien, Director Savitsky, Director Edwards and Director Howe voted yes.

Directors	Aye	Nay	Abstain
Chairman Pace	X		
David Damer	X		
Alan Desmarais	X		
Michael Jarjura	X		
Mark Lauretti	X		
Theodore Martland	X		
Nicholas Mullane	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Stephen Edwards, Bridgeport	X		
Warren Howe, Wallingford	X		

FINANCE COMMITTEE REPORTS

ADDITION OF AN ITEM TO THE AGENDA CONCERNING THE ADOPTION OF THE SOUTHWEST DIVISION OPERATING BUDGET AND TIP FEE FOR THE STUB PERIOD OF JANUARY 1, 2010 – JUNE 30, 2010

Chairman Pace requested a motion to add an item to the agenda.

Director Savitsky made the motion to add an item to the agenda concerning the Southwest division operating budget and tip fee for the stub period of January 1, 2010 – June 30, 2010.

Director Desmarais seconded the motion to add an item to the agenda.

Director Savitsky said this resolution was inadvertently overlooked and was determined necessary after the Finance Committee meeting. She explained it requires Board approval and covers a six month period.

The motion to approve the resolution was approved by roll call. Chairman Pace, Director Damer, Director Desmarais, Director Jarjura, Director Lauretti, Director Martland, Director Mullane, Vice-Chairman O'Brien, Director Savitsky, Director Edwards and Director Howe voted yes.

Directors	Aye	Nay	Abstain
Chairman Pace	X		
David Damer	X		
Alan Desmarais	X		
Michael Jarjura	X		
Mark Lauretti	X		
Theodore Martland	X		
Nicholas Mullane	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Stephen Edwards, Bridgeport	X		
Warren Howe, Wallingford	X		

RESOLUTION REGARDING THE ADOPTION OF THE SOUTHWEST DIVISION OPERATING BUDGET AND TIP FEE FOR THE STUB PERIOD OF JANUARY 1, 2009 – JUNE 30, 2010

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

RESOLVED: That the SouthWest Division operating budget for the period of January 1, 2010, through the June 30, 2010 be adopted substantially in the form as presented and discussed at this meeting; and

FURTHER RESOLVED: That \$100,485 of the prior year contract year's fuel settlement be used to offset the increase in the Wheelabrator service charge; and

FURTHER RESOLVED: That a municipal solid waste tip fee of \$63.00 per ton be adopted for contracted member waste for the period of January 1, 2010, through June 30, 2010.

Director Damer seconded the motion.

Mr. Bolduc said the contract, which was signed the first year with the Bridgeport Southwest towns, was for twelve months, not a fiscal year but a calendar year which went from January to December. He said that the contract had a stub period budget, the goal of which was to set the contract back to a fiscal year budget starting in July 2010 which is the FY'11 budget.

Mr. Bolduc said that that budget went to the Finance Committee. He explained while reviewing the budget with Director Edwards management realized it had not brought the stub six-month budget forward. Mr. Bolduc said that there is nothing unusual about this budget. He said the contracts for these towns are fixed and use the CPI index defined in the contract. He said that the only variable in the whole equation is that the contract has a baseline for diesel fuel at \$4.25 a gallon which is reconciled at the end of each period. He said in this case it was reconciled at the end of December. Mr. Bolduc said that it yielded approximately \$150,000 of potential rebate dollars that would go back to the towns.

Mr. Bolduc said that in discussion with Director Edwards, because this period falls in the middle of the town budgets, it was agreed to hold the tip fee at \$63.00. He said the towns' fiscal year budget ran July of last year through December of last year. He said essentially management is using up \$100,485 to keep the tip fee at \$63.000 for the remainder of these six months. Mr. Bolduc said that Director Edwards has a slight change that he wishes to make to the resolution.

Director Edwards said that this was an oversight as the contract has a stub budget and this will get us back on an annual year. He said unfortunately the towns have set their budget this fiscal year with the understanding that the tip fee is \$63.00. He said that he believes it is advantageous to use the rebate money to augment the tip fee in order to avoid placing the financial burden on the project member towns. Director Edwards said the resolution for the prior contracts is based on the deliverable which was based on meeting the minimum commitment of 130,000 tons. He said based on the reality of production that number should be about 111,000 tons because the project is not meeting its commitment. Director Edwards said the \$100,000 is really going to be over what is needed. He suggested the verbiage be changed to state "up to \$100,485" in order to avoid putting in more than what is necessary.

The Board agreed that the intent of this discussion concerning the resolution is to make it clear for the record that any money which is not needed to balance the budget out will be put back into the operating fund which is reallocated.

The motion to approve the resolution was approved by roll call. Chairman Pace, Director Damer, Director Desmarais, Director Jarjura, Director Lauretti, Director Martland, Director Mullane, Vice-Chairman O'Brien, Director Savitsky and Director Edwards voted yes.

Directors	Aye	Nay	Abstain
Chairman Pace	X		
David Damer	X		
Alan Desmarais	X		
Michael Jarjura	X		
Mark Lauretti	X		
Theodore Martland	X		
Nicholas Mullane	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Stephen Edwards, Bridgeport	X		
Warren Howe, Wallingford			

RESOLUTION REGARDING THE ADOPTION OF THE 2011 SOUTHWEST DIVISION OPERATING BUDGET AND TIP FEE

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

RESOLVED: That the fiscal year SouthWest Division operating budget be adopted as substantially in the form as presented and discussed at this meeting; and

FURTHER RESOLVED: That a fiscal year 2011 municipal solid waste tip fee of \$64.16 be adopted for contract member waste.

Director Damer seconded the motion.

Mr. Bolduc said that these budgets are less complex than budgets typically brought before the Board as they are driven by fixed contracts with Consumer Price Index (hereinafter referred to as “CPI”) indexes. He said that this one has the same proviso with the reconciliation of the diesel fuel because every year it resets back to the \$4.25. Mr. Bolduc said at the end of the year reconciliation is done and any excess funds are available for a potential rebate.

Chairman Pace asked Mr. Bolduc to explain what he meant by 75% of the CPI. Mr. Bolduc said that the 2.42% number represents the CPI index for the Northeast Region, which includes New York, northern New Jersey, Long Island, Connecticut, and Pennsylvania. He said that it is the CPI for urban wage earners and clerical workers and the 75% is the contract factor to be applied to the operator fee.

Mr. Edwards said that the fact that these conditions are stipulated in the contract makes the budget process easier as there is a set fee using the CPI index.

The motion to approve the resolution was approved by roll call. Chairman Pace, Director Damer, Director Desmarais, Director Jarjura, Director Lauretti, Director Martland, Director Mullane, Vice-Chairman O’Brien, Director Savitsky and Director Edwards voted yes.

Directors	Aye	Nay	Abstain
Chairman Pace	X		
David Damer	X		
Alan Desmarais	X		
Michael Jarjura	X		
Mark Lauretti	X		
Theodore Martland	X		
Nicholas Mullane	X		
Raymond O’Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Stephen Edwards, Bridgeport	X		
Warren Howe, Wallingford			

RESOLUTION REGARDING THE DISBURSEMENT OF AUTHORITY FUNDS

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

RESOLVED: That the funds of the Authority deposited or invested in any financial institution (except Trustee-held funds) be subject to withdrawal at any time through checks, notes, drafts, bills of exchange, acceptance, or other instruments (including wire transfer and electronic banking) for the payment of money when made, signed, accepted or endorsed on behalf of the

Authority, by two of the following: Tom Kirk, Jim Bolduc, Bettina Ferguson, Jeff Duvall or Tina Mateo, provided however that Tom Kirk, Jim Bolduc or Bettina Ferguson must at least be one of the two signers.

FURTHER RESOLVED: That any funds transferred solely between Authority bank accounts shall require a signature from only one of the individuals authorized above.

FURTHER RESOLVED: That funds of the Authority held by the Trustee be subject to withdrawal at any time upon written requisitions or instructions for the payment of money, when made, signed, accepted or endorsed on behalf of the Authority by any one of the individuals authorized above.

Director Savitsky seconded the motion.

Director Savitsky said that this item was passed on by the Finance Committee and tabled by the full Board. She said the current resolution contains changes discussed by the Finance Committee and Board. Director Savitsky said at this point the resolution has been discussed in great detail.

The motion to approve the resolution was approved by roll call. Chairman Pace, Director Damer, Director Desmarais, Director Jarjura, Director Lauretti, Director Martland, Director Mullane, Vice-Chairman O'Brien and Director Savitsky voted yes.

Directors	Aye	Nay	Abstain
Chairman Pace	X		
David Damer	X		
Alan Desmarais	X		
Michael Jarjura	X		
Mark Lauretti	X		
Theodore Martland	X		
Nicholas Mullane	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Stephen Edwards, Bridgeport			
Warren Howe, Wallingford			

FINANCE COMMITTEE UPDATE

Director Savitsky said that the Finance Committee has plans to discuss the Mid-Conn budget as its approval takes place under a time constraint. She said that the February Finance Committee meeting will be reviewing that budget and urged any Board members to join the Committee for further discussion.

POLICIES & PROCUREMENT COMMITTEE

RESOLUTION REGARDING SIGNATORY AUTHORITY FOR HAZARDOUS WASTE MANAGEMENT REPORTS AND OTHER APPLICABLE INFORMATION

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

RESOLVED: Pursuant to Conn. Gen. Stat. Section 22a-277(c) the board hereby authorizes the President to delegate to David M. Bodendorf, Senior Environmental Engineer, and Christopher R. Shepard, Environmental Engineer, as duly authorized representatives of the Authority, the authority to sign permit-required reports and other applicable information submitted by CRRA to the Connecticut Department of Environmental Protection, in connection with hazardous waste management and permitting programs, substantially as presented and discussed at this meeting. This delegation of authority, in the President's opinion, would be appropriate for the prompt and orderly transaction of the business of the Authority.

Director Damer seconded the motion.

Vice-Chairman O'Brien said this resolution is fairly straightforward and beneficial to CRRA.

Mr. Egan said that CRRA has many environmental permits, under different regulations, most of which require that when information is submitted to the Government it is certified as correct by someone from CRRA. He said typically he is that signatory.

Mr. Egan said that in 2009 some signatory authority concerning water related matters was delegated to Chris Shepard. He said that six months prior there were two new permits for two landfills under the hazardous waste regulations. Mr. Egan said this resolution gives authority to Mr. Bodendorf and Mr. Shepard to sign monitoring reports and landfill inspection reports. He said he is in close contact with these employees for questions and issues and is comfortable delegating this authority to them.

Chairman Pace pointed out the Mr. Bodendorf is also responsible for the day to day operations and is first hand with these responsibilities and is then signing directly off on work that he has performed. Vice-Chairman O'Brien agreed.

Director Desmarais asked what the purpose of the delegation is.

Mr. Egan said that it reduces his personal workload and delegates the workload to someone who is equally competent.

Director Desmarais said there is a benefit to having review of a document. He said in reference to internal controls, would Mr. Egan maintain review of these documents and asked whether there will be upper-level oversight of those documents.

Mr. Egan replied yes. He explained that he has regular conversations and meetings with his staff and any issues which are relevant will be discussed. He said that he does not scrutinize these reports and Mr. Bodendorf and Mr. Shepard do. Mr. Egan said that he makes sure the reports are submitted in a timely manner through his reviews of the compliance calendar.

Director Desmarais asked if the Connecticut Department of Environmental Protection (hereinafter referred to as the “CT DEP”) and the Environmental Protection Agency (hereinafter referred to as “EPA”) are comfortable with the change in signatories.

Mr. Egan said that the CT DEP and EPA will be notified of the change.

Vice-Chairman O’Brien said that although this resolution provides for efficiency it does not relive Mr. Egan or Mr. Kirk of their responsibility with compliance. Mr. Egan said that was correct.

Director Damer said that he was concerned any item which goes to the CT DEP is important. However discussion during the Policies & Procurement Committee provided assurance that Mr. Egan would have oversight on these matters.

Director Edwards asked, from an internal point of view, whether these changes in delegations may cause a request for a salary increase with these new job responsibilities. Mr. Egan replied no.

The motion to approve the resolution was approved by roll call. Chairman Pace, Director Damer, Director Desmarais, Director Jarjura, Director Lauretti, Director Martland, Director Mullane, Vice-Chairman O’Brien and Director Savitsky voted yes.

Directors	Aye	Nay	Abstain
Chairman Pace	X		
David Damer	X		
Alan Desmarais	X		
Michael Jarjura	X		
Mark Lauretti	X		
Theodore Martland	X		
Nicholas Mullane	X		
Raymond O’Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Stephen Edwards, Bridgeport			
Warren Howe, Wallingford			

RESOLUTION REGARDING ENGINEERING SUPPORT ASSOCIATED WITH INSTALLMENT OF A FUEL TANK FOR THE JET TURBINE FACILITY AT THE SOUTH MEADOWS SITE

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

RESOLVED: That the President is hereby authorized to enter into a contract with TRC Environmental Corporation to provide engineering support associated with the installation of a new fuel tank at the South Meadows Jet Turbine Facility, substantially as discussed and presented at this meeting.

Director Desmarais seconded the motion.

Director Damer said that the Board has already provided authorization in proceeding with the replacement of the jet fuel tank at the South Meadows facility. He said that this resolution details some changes in managing the bids for that work.

Mr. Egan said that the jet fuel tank at the South Meadows site is approximately 60 years old. He explained that it holds jet fuel and supports the four jet peaking units' twin packs on site. Mr. Egan said that an inspection the past summer revealed that there is corrosion around a bottom chime and the engineers' report indicates that it should be replaced by the summer of 2011. He said this matter was discussed at the September meeting and the Board authorized funding to replace the fuel tank.

Mr. Egan said at that time NGS was managing the tank replacement and had provided CRRA with an estimated price. He said that after further investigation NGS determined that it was not capable from a staffing and knowledge standpoint to undertake contract management of the investigation to design the engineering and perform the bidding to identify and install the tank. Mr. Egan said that this resolution is to give the engineering design project to an engineering firm to bid out to the private-sector installation of the new tank.

Mr. Egan said that the tank's size is going down from 5 million gallons to 500,000 gallons, which will serve a pivotal need for the facilities' black-start capabilities for which CRRA recovers a payment from ISO New England. He said he hopes the construction will be done this calendar year. Mr. Egan said the tank needs to be taken out of service by the summer of 2011 and this project needs to be started now. He said TRC is the appropriate contractor for this matter as it has the information and experience at this site as well as remediating with the contractors at the site for the past eight years which gives them an advantage and insight on how to manage this project effectively and assemble a bid package to attract installation and fabrication companies to assemble the tank.

Director Lauretti asked if this resolution is just for the engineering services for installation. Mr. Egan said that was correct.

The motion to approve the resolution was approved by roll call. Chairman Pace, Director Damer, Director Desmarais, Director Jarjura, Director Lauretti, Director Martland, Director Mullane, Vice-Chairman O'Brien and Director Savitsky voted yes.

Directors	Aye	Nay	Abstain
Chairman Pace	X		
David Damer	X		
Alan Desmarais	X		
Michael Jarjura	X		
Mark Lauretti	X		
Theodore Martland	X		
Nicholas Mullane	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Stephen Edwards, Bridgeport			
Warren Howe, Wallingford			

CHAIRMAN'S REPORT

Chairman Pace said that CRRA is still in the process of moving forward and looking at organizational structure as Wallingford is phased out. He said there are also many political issues he is also working to address with management. Chairman Pace said that there was a meeting at the Legislative Office Building called by Mayor Currey in an initiative with other towns which are looking to change the governance of the CRRA Board through legislative action. He said she made several comments which are incorrect. He said for example she said that CRRA's overhead and administrative fee were substantially higher than they actually are. Chairman Pace said he was somewhat taken by surprise when the meeting was closed suddenly. He said he approached the microphone and stated that he wanted to speak and the meeting was re-opened so he could say a few words.

Director Savitsky said for the record that the group which has been meeting for a long time under the auspice of a CRCOG committee is required to hold such meetings in public. She asked whether minutes are available for these meetings which have taken place and asked management to procure notes of the meetings.

Chairman Pace said he thinks it is interesting that Mayor Currey opened the meeting by discussing transparency and accountability with Mr. Barlow and another gentleman who discussed efficiency. He said he would be curious concerning not only the minutes of those meetings but also regarding contracts with other individuals.

Chairman Pace said the make-up of the CRCOG Board is something to be explored for the best interest of the towns. Chairman Pace said he was a volunteer brought to CRRA to work with management by order of the Legislature to bring the company back. He said Mayor Currey was invited to join the Board, as she is critical of it, however she declined.

Chairman Pace said at the end of the day the feeling he got from attending that meeting is that the CRCOG group wants to take over CRRA. Director Jarjura asked how the Legislature felt about these efforts. Chairman Pace said he believes there are some inside discussions taking place and possible affiliations with other organizations.

Director Savitsky asked whether the Chairman of the Environment Committee was there. Mr. Kirk said that the Chairman of the Committee was not present.

Chairman Pace said there are questions that need to be answered by the Legislature before putting the seventy Mid-Conn Project towns at risk.

Director Lauretti said he has expressed commentary regarding these matters over the years. He said he was in attendance at the meeting with the intention of offering his own commentary. He said he did not have to as Chairman Pace represented the interest of the Board, the Towns, and the State of Connecticut quite well.

Director Savitsky asked whether there was indication of further meetings by this group. Director Desmarais said that the meeting just ended any handouts were a compilation of other material that has been seen before. Director Savitsky asked whether there was an independent analysis done that would show how costs could be changed and or saved.

Vice-Chairman O'Brien asked whether this message would be discussed further at the CRRA Annual Meeting. Chairman Pace said that could be a possibility. Vice-Chairman O'Brien said the Board has to look at the cost for manning the Waste Processing Facility which comes out to \$31.50 a ton. Mr. Kirk said that item is on the agenda for the CRRA Annual Meeting. He said that management wants to make sure any comparisons which may be made are accurate.

PRESIDENT'S REPORT

Mr. Kirk said the recent forensic audit revealed a mathematical presentation discrepancy concerning CRRA cumulative spending over \$50,000. He said the issue was brought to the attention of the Policies & Procurement Committee and a correction was made, the correct version of which is included in the Supplemental Package.

Mr. Kirk said the dispute between CRRA and MDC concerning post-expiration costs is in arbitration. He said CRRA has not made much progress on the arbitration road. He said that the sub-dispute is over MDC's choice for arbitrator, a choice which CRRA does not feel is independent. Mr. Kirk said that the issue of whether or not arbitrators must be independent will be decided by a judge hopefully within the next 6-8 weeks.

Mr. Kirk said concerning the SouthWest division a settlement was made with Wheelabrator to eliminate any possibility of shortfall charge for the tons that were not delivered according to the minimum commitment of the contract. He said the agreement works for CRRA and the Towns.

President Edwards asked Mr. Kirk whether this was for the past year or the contract. Mr. Kirk said he believes it is for the past year, although Wheelabrator seems to be in agreement that as long as it continues to accept spot waste from flow-controlled towns it does not have the right to an under-delivery charge.

Mr. Kirk said that new hauler agreements for the Mid-Conn facilities and new MSAs for post-2012 are under development. He said that management hopes to have MSA drafts out to the towns and returned back with comments by April 30th.

Mr. Kirk said that the SouthWest division continues in discussion in an effort to find a solution to allow conversion of the Stratford facility to single-stream. He said that the Project is struggling to find enough tons. Mr. Kirk said with Greenwich the Project has just about 40,000 tons, which barely permits economic sense of a conversion to single stream. He said it is a struggle to find those tons and as a result a multitude of options are being considered.

Mr. Kirk said one option is to shut down the facility and truck the single stream items to Hartford or even using a third-party contractor to process the waste.

Director Edwards said it is questionable whether Greenwich will remain a SWEROC member town after June. He explained that Greenwich's transportation costs have been offset in an effort to keep its membership and tonnage in SWEROC. Director Edwards said that Greenwich has been dealing with issues related to transportation.

Mr. Kirk said the SWEROC project runs on a net-cost basis. He said in the past management has subsidized recycling with tipping fees from waste disposal, which are not available in the new agreement. He said management is trying to negotiate a deal which will most likely not offer the types of rebates offered in Hartford. Mr. Kirk said it is management's goal to keep that site a publically owned facility which frankly may not be possible.

Mr. Kirk said keeping Greenwich is very important. Director Edwards said, ideally, picking up West Haven or North Haven is a better option as they are located centrally for transportation costs however they are currently contracted with Willimantic Waste. Mr. Kirk said the commitment of the SWEROC towns to the SWEROC project is through June 30, 2011, and they have until June 30, 2010, to provide notice of whether or not they are exiting the Project.

The Board undertook a discussion concerning ownership of the Stratford facility.

Mr. Kirk said that the Policies & Procurement Committee and Future Options Committee have been updated on the Summit Bio Fuel option. He said management is still struggling to find an acceptable return to match the risk and is hopeful to find a solution in the future.

SHORT RECESS

Chairman Pace said that there would be a five min. recess followed by the Executive Session.

The meeting was recessed from 11:15 a.m. until 11:20 a.m.

EXECUTIVE SESSION

Chairman Pace requested a motion to enter into Executive Session to discuss pending litigation, real estate acquisition, pending RFP's, and personnel matters with appropriate staff. The motion made by Director Jarjura and seconded by Director Damer was approved unanimously by roll call. Chairman Pace requested that the following people be invited to the Executive Session in addition to the Directors:

Tom Kirk
Jim Bolduc
Peter Egan
Laurie Hunt, Esq.

The motion to enter into Executive Session was approved unanimously by roll call. Chairman Pace, Director Damer, Director Desmarais, Director Jarjura, Director Lauretti, Director Martland, Director Mullane, Vice-Chairman O'Brien and Director Savitsky voted yes.

Directors	Aye	Nay	Abstain
Chairman Pace	X		
David Damer	X		
Alan Desmarais	X		
Michael Jarjura	X		
Mike Lauretti	X		
Theodore Martland	X		
Nicholas Mullane	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Stephen Edwards, Bridgeport			
Warren Howe, Wallingford			

The Executive Session began at 11:20 a.m. and concluded at 12:01 p.m. Chairman Pace noted that no votes were taken in Executive Session.

The meeting was reconvened at 12:02 p.m., the door to the Board room 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.

RESOLUTION REGARDING ADDITIONAL PROJECTED LEGAL EXPENDITURES

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

WHEREAS, the Attorney General has entered into a Professional Services Agreement with the law firm of Pepe & Hazard LLP for the prosecution of the Enron Global litigation, pursuant to which Agreement, the Authority pays the out-of-pocket expenses of such litigation; and

WHEREAS, the Board of Directors has previously authorized a certain amount for payment of such projected expenses during fiscal year 2010; and

WHEREAS, CRRA expects to incur additional legal expenses in connection with this matter;

NOW THEREFORE, it is RESOLVED: That the following additional amount be authorized for payment of legal expenses to be incurred through June 30, 2010:

Firm:

Amount:

Pepe & Hazard

\$35,000

Further RESOLVED: That the President be authorized to expend up to \$35,000 from the Post Litigation Reserve Account for payment of legal expenses incurred in the remaining months of fiscal year 2010 in connection with the Enron Global litigation continuing under the aegis of the Attorney General.

The motion was seconded by Director Damer.

Chairman Pace asked that a letter be forwarded to the Attorney General on the basis that he is able to make a legal decision.

Vice-Chairman O'Brien asked for a letter of opinion on the vote concerning this resolution.

The motion to approve the resolution was approved by roll call. Chairman Pace, Director Damer, Director Desmarais, Director Jarjura, Director Martland, Director Mullane and Vice-Chairman O'Brien, voted yes. Director Lauretti and Director Savitsky voted no.

Directors	Aye	Nay	Abstain
Chairman Pace	X		
David Damer	X		
Alan Desmarais	X		
Michael Jarjura	X		
Mark Lauretti		X	
Theodore Martland	X		
Nicholas Mullane	X		
Raymond O'Brien	X		
Linda Savitsky		X	
Ad-Hocs			
Stephen Edwards, Bridgeport			
Warren Howe, Wallingford			

RESOLUTION REGARDING ORGANIZATIONAL SYNERGY & HUMAN RESOURCES COMMITTEE RECOMMENDATION TO THE BOARD OF DIRECTORS REGARDING PERFORMANCE AND MERIT INCREASE OF CERTAIN SENIOR MANAGEMENT

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

RESOLVED: That the Board of Directors authorizes a merit increase of 1.9% for certain Senior Management.

Director Savitsky seconded the motion.

Director Jarjura read for the record that the resolution in the original package read, “That the Board of Directors authorizes a merit increase of 1.9% for the Senior Management.”

Chairman Pace said that his definition of Senior Management is currently four positions.

MOTION TO AMEND THE RESOLUTION REGARDING ORGANIZATIONAL SYNERGY & HUMAN RESOURCES COMMITTEE RECOMMENDATION TO THE BOARD OF DIRECTORS REGARDING PERFORMANCE AND MERIT INCREASE OF CERTAIN SENIOR MANAGEMENT

Director Jarjura made a motion to amend the resolution which he had read from the original package.

RESOLVED: That the Board of Directors authorizes a merit increase of 1.9% to the Director of Legal Services and the Director of Environmental Affairs and Development.

Vice-Chairman O’Brien seconded the motion to amend the original resolution.

Director Savitsky offered a friendly amendment to change the resolution to say “incumbent members thereof.”

Chairman Pace said that the Board is voting to amend the original resolution to define certain Senior Management is exclusive of four and but only two.

The motion to approve the resolution as amended was approved by roll call. Director Damer, Director Desmarais, Director Jarjura, Director Lauretti, Director Martland, Director Mullane, Vice-Chairman O’Brien and Director Savitsky voted yes. Chairman Pace voted no.

Directors	Aye	Nay	Abstain
Chairman Pace		X	
David Damer	X		
Alan Desmarais	X		
Michael Jarjura	X		
Mark Lauretti	X		
Theodore Martland	X		
Nicholas Mullane	X		
Raymond O’Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Stephen Edwards, Bridgeport			
Warren Howe, Wallingford			

VOTE ON THE ORIGINAL MOTION ON A RESOLUTION REGARDING ORGANIZATIONAL SYNERGY & HUMAN RESOURCES COMMITTEE RECOMMENDATION TO THE BOARD OF DIRECTORS REGARDING PERFORMANCE AND MERIT INCREASE OF CERTAIN SENIOR MANAGEMENT

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

RESOLVED: That the Board of Directors authorizes a merit increase of 1.9% to the incumbent thereof Director of Legal Services and the Director of Environmental Affairs and Development.

Director Damer seconded the motion.

The motion to approve the resolution as amended was approved by roll call. Chairman Pace, Director Damer, Director Desmarais, Director Jarjura, Director Lauretti, Director Martland, Director Mullane, Vice-Chairman O’Brien and Director Savitsky voted yes.

Directors	Aye	Nay	Abstain
Chairman Pace	X		
David Damer	X		
Alan Desmarais	X		
Michael Jarjura	X		
Mark Lauretti	X		
Theodore Martland	X		
Nicholas Mullane	X		
Raymond O’Brien	X		
Linda Savitsky	X		
Ad-Hocs			
Stephen Edwards, Bridgeport			
Warren Howe, Wallingford			

ADJOURNMENT

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

There being no other business to discuss, the meeting was adjourned at 12:08 p.m.

Respectfully submitted,

Moira Kenney
Secretary to the Board/Paralegal