

**CONNECTICUT RESOURCES RECOVERY AUTHORITY**

**FOUR HUNDRED AND THIRTY-NINTH**

**MARCH 20, 2014**

A regular meeting of the Connecticut Resources Recovery Authority Board of Directors was held on Thurs. March 20, 2014, in the Board Room at 100 Constitution Plaza, Hartford, CT. Those present were:

Directors: Chairman Don Stein  
Vice-Chairman Barlow  
John Adams  
Ralph Eno  
Joel Freedman  
Jim Hayden  
Joe MacDougald  
Scott Shanley  
Steve Edwards, Southwest Project Ad-Hoc (present by telephone)  
Bob Painter, CSWS Project Ad-Hoc

Present from CRRA in Hartford:

Tom Kirk, President  
Mark Daley, Chief Financial Officer  
Jeff Duvall, Director of Budgets and Forecasting  
Peter Egan, Director of Environmental Affairs and Operations  
Laurie Hunt, Director of Legal Service  
Tina Mateo, Assistant Director of Budgets and Cash Management  
Moirra Kenney, HR Specialist/Board Administrator

Others present: John Farley, Esq., Halloran & Sage; John Pizzimenti, USA Hauling; Jim Sandler, Esq., Sandler & Mara.

Chairman Stein called the meeting to order at 9:30 a.m. and said a quorum was present.

**PUBLIC PORTION**

Chairman Stein said 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 Stein proceeded with the meeting agenda.

**APPROVAL OF THE MINUTES OF THE REGULAR JAN. 30, 2014, BOARD MEETING  
MINUTES**

Chairman Stein requested a motion to approve the minutes of the Regular Jan. 30, 2014, Board Meeting. Director Adams made the motion which was seconded by Director Shanley.

The motion previously made and seconded to approve the minutes as amended was approved unanimously by roll call. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Edwards, Director Hayden, Director Painter, and Director Shanley voted yes. Director Freedman abstained.

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Joel Freedman			X
James Hayden	X		
Scott Shanley	X		
<b>Ad-Hocs</b>			
Bob Painter, CSWS	X		
Steve Edwards, Southwest	X		

**APPROVAL OF THE MINUTES OF THE REGULAR FEB. 20, 2014, BOARD MEETING MINUTES**

Chairman Stein requested a motion to approve the minutes of the Regular Feb. 20, 2014, Board Meeting. Director Adams made the motion which was seconded by Director Shanley.

The motion previously made and seconded to approve the minutes as amended was approved unanimously by roll call. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Edwards, Director Freedman, Director Hayden, Director Painter, and Director Shanley voted yes.

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Joel Freedman	X		
James Hayden	X		
Scott Shanley	X		
<b>Ad-Hocs</b>			
Bob Painter, CSWS	X		
Steve Edwards, Southwest	X		

**REVIEW AND RECOMMEND RESOLUTION REGARDING RATIFICATION OF EMERGENCY PROCUREMENT**

Chairman Stein requested a motion on the above referenced item. The motion was made by Director Adams and seconded by Vice-Chairman Barlow.

**RESOLVED:** That the CRRA Board of Directors ratifies the Emergency Procurement as substantially presented and discussed at this meeting.

The motion previously made and seconded was passed unanimously by roll call. Chairman Stein, Vice Chairman Barlow, Director Adams, Director Freedman, Director Hayden, Director Painter and Director Shanley voted yes.

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Joel Freedman	X		
James Hayden	X		
Scott Shanley	X		
<b>Ad-Hocs</b>			
Bob Painter, CSWS	X		
Steve Edwards, Southwest			

**MOTION TO ADD AN ITEM TO THE AGENDA TO DISCUSS POSSIBLE INTERVIEWS FOR LEGAL RFQ**

Chairman Stein requested a motion to add an item to the agenda concerning discussion of possible legal firm interviews. The motion was made by Director Adams and seconded by Vice-Chairman Barlow.

The motion previously made and seconded was approved unanimously by roll call. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Edwards, Director Freedman, Director Hayden, Director Painter, and Director Shanley voted yes.

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Joel Freedman	X		
James Hayden	X		
Scott Shanley	X		
<b>Ad-Hocs</b>			
Bob Painter, CSWS	X		
Steve Edwards, Southwest	X		

**REVIEW AND RECOMMEND RESOLUTION REGARDING DISTRIBUTION OF RECYCLING REBATES TO THE CONNECTICUT SOLID WASTE SYSTEM PARTICIPATING MUNICIPALITIES**

Chairman Stein requested a motion on the above referenced item. The motion was made by Vice-Chairman Barlow and seconded by Director Adams.

**WHEREAS:** the Authority has encouraged municipalities to recycle to the maximum extent possible by not charging a tipping fee for the acceptance of recyclables at the Authority’s regional recycling facilities since commencing operations; and

**WHEREAS:** the Board of Directors adopted the fiscal Year 2013 Connecticut Solid Waste System Budget anticipating that a rebate of \$10.00 per ton of acceptable recyclables delivered from member municipalities would be possible; and

**WHEREAS:** the Connecticut Solid Waste System operations generated sufficient revenues in excess of expenses to rebate \$10.00 per ton delivered by the municipalities; and

**WHEREAS:** the Authority has accrued sufficient funds for such a rebate and the fiscal year 2013 audit has been performed and the auditors have confirmed that the funds are accrued and available.

**NOW THEREFORE,** be it

**RESOLVED:** That the Board of Directors approves the use of \$263,476.00 to provide a \$10.00 per ton rebate to the Connecticut Solid Waste System municipalities with contractual recycling commitments based on their pro-rate share of acceptable recycling tonnage delivered to the Mid-Connecticut Regional Recycling Center system during the period of November 16, 2012, through June 30, 2013.

The motion previously made and seconded was passed unanimously by roll call. Chairman Stein, Vice Chairman Barlow, Director Adams, Director Freedman, Director Hayden, Director MacDougald, Director Painter and Director Shanley voted yes.

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Joel Freedman	X		
James Hayden	X		
Joe MacDougald	X		
Scott Shanley	X		
<b>Ad-Hocs</b>			
Bob Painter, CSWS	X		

Steve Edwards, Southwest			
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**REVIEW AND RECOMMEND RESOLUTION REGARDING THE TRANSFER OF THE MONTVILLE LANDFILL POST CLOSURE RESERVE TO THE SOUTHWESTERN CONNECTICUT REGIONAL RESOURCES RECOVERY AUTHORITY**

Chairman Stein requested a motion on the above referenced item. The motion was made by Director Shanley and seconded by Director Freedman.

**WHEREAS:** the Connecticut Resources Recovery Authority (“CRRA”) maintains the Montville Landfill Post-Closure reserve for the benefit of the Southeastern Connecticut Regional Resources Recovery Authority (“SCRRA”); and

**WHEREAS,** the Southeast Project’s Fiscal Year 2014 Budget reflects a contribution of \$350,000 into the Montville Landfill Post-Closure reserve through equal monthly contributions

**WHEREAS,** SCRRA performs all post-closure activities related to the Montville Landfill and is reimbursed for these activities from the Montville Landfill reserve Post-Closure reserve; and

**WHEREAS,** SCRRA now desires to simplify the funding process for the Montville Landfill activities by transferring its funds from CRRA to SCRRA as approved by the SCRRA Board of Directors on December 11, 2013 (Attached); and

**WHEREAS,** CRRA has no liabilities recorded for the fund in the Montville Landfill Post-Closure reserve;

**NOW THEREFORE,** be it

**RESOLVED;** That the Board of Directors approve that the remaining Fiscal Year 2014 contributions for Montville Landfill Post-Closure Reserve be funded immediately and that the reserve be transferred to SCRRA after the remaining contributions are completed.

The motion previously made and seconded was passed unanimously by roll call. Chairman Stein, Vice Chairman Barlow, Director Adams, Director Eno, Director Freedman, Director Hayden, Director MacDougald, and Director Shanley voted yes.

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Chairman Stein	<b>X</b>		
Vice-Chairman Barlow	<b>X</b>		
John Adams	<b>X</b>		
Ralph Eno	<b>X</b>		
Joel Freedman	<b>X</b>		
James Hayden	<b>X</b>		
Joe MacDougald	<b>X</b>		
Scott Shanley	<b>X</b>		

<b>Ad-Hocs</b>			
Bob Painter, CSWS			
Steve Edwards, Southwest			

**REVIEW AND RECOMMEND RESOLUTION REGARDING THE PURCHASE OF JET FUEL FOR THE SOUTH MEADOWS JET TURBINE FACILITY**

Chairman Stein requested a motion on the above referenced item. The motion was made by Director Adams and seconded by Vice-Chairman Barlow.

**RESOLVED:** That the President is hereby authorized to execute a purchase order with Santa Buckley energy, Inc. for purchase of Ultra Low Sulfur No. 1 Diesel Fuel to support operation of the South Meadows Jet Turbine Facility, substantially as presented and discussed at this meeting.

The motion previously made and seconded was passed unanimously by roll call. Chairman Stein, Vice Chairman Barlow, Director Adams, Director Eno, Director Freedman, Director Hayden, Director MacDougald, and Director Shanley voted yes.

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Joel Freedman	X		
James Hayden	X		
Joe MacDougald	X		
Scott Shanley	X		
<b>Ad-Hocs</b>			
Bob Painter, CSWS			
Steve Edwards, Southwest			

**REVIEW AND RECOMMEND RESOLUTION REGARDING RENEWAL OF ALL RISK PROPERTY INSURANCE**

Chairman Stein requested a motion on the above referenced item. The motion was made by Director Freedman and seconded by Director Hayden.

**RESOLVED:** That CRRA purchase CRRA’s \$375 Million Property Insurance from the following four (4) insurers with their shares as indicated:

- Zurich (Rated A+) 42%
- Swiss Re (Rated A+) 28%
- Starr Tech (Rated A+) 15%
- XL (Rated A) 15%

for the period 4/1/14 – 4/1/15 for a premium of \$889,984 and other terms and conditions as discussed at this meeting;

**FURTHER RESOLVED:** That CRRA purchase loss control engineering services from XL GAPS for the period 4/1/14 – 4/1/15 for an amount not to exceed \$15,225 as discussed at this meeting.

The motion previously made and seconded was passed unanimously by roll call. Chairman Stein, Vice Chairman Barlow, Director Adams, Director Eno, Director Freedman, Director Hayden, Director MacDougald, and Director Shanley voted yes.

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Joel Freedman	X		
James Hayden	X		
Joe MacDougald	X		
Scott Shanley	X		
<b>Ad-Hocs</b>			
Bob Painter, CSWS			
Steve Edwards, Southwest			

**REVIEW AND RECOMMEND RESOLUTION REGARDING RENEWAL OF OFFICIALS & EMPLOYMENT PRACTICES**

Chairman Stein requested a motion on the above referenced item. The motion was made by Director Freedman and seconded by Director MacDougald.

**RESOLVED:** That CRRA’s Public Officials and Employment Practices Liability insurance be purchased from ACE with a \$10,000,000 limit and up to \$10,000,000 in defense costs and expenses outside the limit, and a \$150,000 self-insured retention for the period 4/1/14 – 4/1/15 for a premium of \$144,796, as discussed at this meeting.

The motion previously made and seconded was passed unanimously by roll call. Chairman Stein, Vice Chairman Barlow, Director Adams, Director Eno, Director Freedman, Director Hayden, Director MacDougald, and Director Shanley voted yes.

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		

Ralph Eno	X		
Joel Freedman	X		
James Hayden	X		
Joe MacDougald	X		
Scott Shanley	X		
<b>Ad-Hocs</b>			
Bob Painter, CSWS			
Steve Edwards, Southwest			

**REVIEW AND RECOMMEND RESOLUTION REGARDING RENEWAL OF CRIME INSURANCE**

Chairman Stein requested a motion on the above referenced item. The motion was made by Director MacDougald and seconded by Director Hayden.

**RESOLVED:** That CRRA purchase the three-year Commercial Crime policy from Travelers Casualty & Surety Company with a \$3,000,000 limit, \$100,000 deductible, for the period 4/1/14 – 4/1/17 for an annual premium of \$3,444 as discussed at this meeting.

The motion previously made and seconded was passed unanimously by roll call. Chairman Stein, Vice Chairman Barlow, Director Adams, Director Eno, Director Freedman, Director Hayden, Director MacDougald, and Director Shanley voted yes.

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Joel Freedman	X		
James Hayden	X		
Joe MacDougald	X		
Scott Shanley	X		
<b>Ad-Hocs</b>			
Bob Painter, CSWS			
Steve Edwards, Southwest			

**REVIEW AND RECOMMEND RESOLUTION REGARDING RENEWAL OF FIDUCIARY LIABILITY INSURANCE**

Chairman Stein requested a motion on the above referenced item. The motion was made by Director Freedman and seconded by Director MacDougald.

**RESOLVED:** That CRRA purchase the three-year Fiduciary Liability policy from Travelers Casualty and Surety Company with a \$3,000,000 limit, and a separate \$1,000,000 outside the

limit for defense expenses, and no deductible for the period 4/1/14 – 4/1/17 for an annual premium of \$4,309.

The motion previously made and seconded was passed unanimously by roll call. Chairman Stein, Vice Chairman Barlow, Director Adams, Director Eno, Director Freedman, Director Hayden, Director MacDougald, and Director Shanley voted yes.

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Joel Freedman	X		
James Hayden	X		
Joe MacDougald	X		
Scott Shanley	X		
<b>Ad-Hocs</b>			
Bob Painter, CSWS			
Steve Edwards, Southwest			

**EXECUTIVE SESSION**

Chairman Stein requested a motion to enter into Executive Session to discuss pending litigation, trade secrets, personnel matters, security matters, pending RFP’s, and feasibility estimates and evaluations. The motion, made by Director Adams and seconded by Director Eno, was approved unanimously. Chairman Stein asked the following people join the Directors in the Executive Session:

- Tom Kirk
- Mark Daley
- Peter Egan
- Laurie Hunt
- John Farley, Esq.

The Executive Session began at 11:21 a.m. and concluded at 1:06 p.m. Chairman Stein noted that no votes were taken in Executive Session.

The motion previously made and seconded to go into Executive Session was approved unanimously by roll call. Chairman Stein, Vice Chairman Barlow, Director Adams, Director Edwards, Director Eno, Director Freedman, Director Hayden, Director MacDougald, Director Painter and Director Shanley voted yes.

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		

Ralph Eno	X		
Joel Freedman	X		
James Hayden	X		
Joe MacDougald	X		
Scott Shanley	X		
<b>Ad-Hocs</b>			
Bob Painter, CSWS	X		
Steve Edwards, Southwest	X		

**REVIEW AND RECOMMEND RESOLUTION REGARDING ADDITIONAL PROJECTED LEGAL EXPENSES**

Chairman Stein requested a motion on the above referenced item. The motion was made by Director Shanley and seconded by Director MacDougald.

**WHEREAS**, CRRA obtained Board authorization to pay projected legal fees and expenses from appropriate budgets and reserves in May, 2013; and

**WHEREAS**, CRRA expects to incur greater than authorized legal costs for these services; and

**WHEREAS**, CRRA now seeks Board authorization to expend funds from one of its Board-designated reserves to pay these additional legal costs;

**NOW THEREFORE, it is**

**RESOLVED:** That the following additional amount be authorized for projected legal fees and costs to be incurred during fiscal year 2014:

<u>Firm:</u>	<u>Amount:</u>
Halloran & Sage	\$750,000

**FURTHER RESOLVED:** That the President is authorized to pay such additional legal fees and costs from the Mid-Connecticut Litigation Reserve.

The motion previously made and seconded was passed unanimously by roll call. Chairman Stein, Vice Chairman Barlow, Director Adams, Director Eno, Director Freedman, Director Hayden, Director MacDougald, Director Painter and Director Shanley voted yes.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Joel Freedman	X		

James Hayden	X		
Joe MacDougald	X		
Scott Shanley	X		
<b>Ad-Hocs</b>			
Bob Painter, CSWS	X		
Steve Edwards, Southwest			

**ADJOURNMENT**

Chairman Stein requested a motion to adjourn the meeting. The motion to adjourn was made by Director Shanley and seconded by Director MacDougald and was approved unanimously.

There being no other business to discuss, the meeting adjourned at 1:06 p.m.

Respectfully Submitted,

Moira Kenney  
 HR Specialist/Board Administrator