

CONNECTICUT RESOURCES RECOVERY AUTHORITY

THREE HUNDRED SEVENTY-SEVENTH MEETING

SEPTEMBER 23, 2004

A Regular meeting of the Connecticut Resources Recovery Authority Board of Directors was held on Thursday, September 23, 2004 at 100 Constitution Plaza, Hartford, Connecticut. Those present were:

Chairman Michael Pace

Directors: Stephen Cassano, Vice-Chairman
Benson Cohn
Mark Cooper
James Francis
Michael Jarjura (Present beginning at 11:15 a.m.)
Edna Karanian
Mark Lauretti
Theodore Martland
Raymond O'Brien
Andrew Sullivan
Timothy Griswold (Ad-Hoc for Mid-CT Project)
(Present until 11:50 a.m.)
Sherwood Lovejoy (Ad-Hoc for Bridgeport Project)

Present from the CRRA staff:

Thomas Kirk, President
Jim Bolduc, Chief Financial Officer
Peter Egan, Director of Environmental Affairs & Development
Floyd Gent, Director of Operation
Laurie Hunt, Managing Director of Legal Affairs
Paul Nonnenmacher, Director of Public Affairs & Communications
Nhan Vo-Le, Director of Accounting Services (Present until 9:45 a.m.)
Agata Herasimowicz, Staff Accountant (Present until 9:45 a.m.)
Nancy Jacques, Accounting Assistant (Present until 9:45 a.m.)
John Jubb, Staff Accountant (Present until 9:45 a.m.)
Diane Le, Staff Accountant (Present until 9:45 a.m.)
Marion Miller, Accounting Assistant (Present until 9:45 a.m.)
Kristen Greig, Legal Temp

Also in attendance were: David Arruda of MDC, Peter Boucher of Halloran & Sage, LLP, Douglas Cohen of Brown Rudnick Berlack Israels LLP, Dominick M. DiGangi of MDC, Valentine Doyle of HEJN, Frank Marci of USA Hauling & Recycling, Joyce Tentor of HEJN & Scott Trenholm of Carlin, Charron & Rosen

Chairman Pace called the meeting to order at 9:30 a.m. and noted 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 first item on 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.

Ms. Tentor introduced herself as a member of the Hartford Environmental Justice Network. Ms. Tentor stated that her group had some concerns regarding the transportation route used for the removal of contaminated soil from the power block area. Ms. Tentor stated that there had been tractor trailers wandering her neighborhood looking for a way to cross the interstate after missing a turn. Ms. Tentor said her group would not like to see contaminated soil traveling residential streets either here or at the final destination and asked for assurance that each driver would receive explicit directions to avoid doing so.

Chairman Pace stated that he felt this was an important issue. Mr. Kirk stated that TRC was the contractor, but the transportation was handled by a subcontractor. Mr. Kirk said that CRRA would contact TRC to ensure that their subcontractor was using the proper routes to avoid residential areas.

Ms. Tentor stated her group was also concerned with the decontamination of the vehicles and suggested that CRRA employees supervise that to make certain wash water was handled appropriately.

Chairman Pace suggested that Mr. Gent provide Ms. Tentor further answers to her questions while the Board was in Executive Session.

Ms. Tentor stated that members of her group and the Commission for the Environment for the City of Hartford did a tour of the Hartford Landfill and were prohibited from taking photographs. Ms. Tentor said she was wondering why that was. Mr. Egan explained that he was the CRRA representative that led the tour and he had not been advised prior to the tour that they would be taking photographs. Mr. Egan stated that without the opportunity to confer with CRRA management and legal counsel, he made the decision not to allow pictures for that particular tour. Mr. Egan said the matter would be discussed in-house and he would be happy to provide another tour should management decide that was appropriate.

EMPLOYEE RECOGNITION

Director Sullivan stated that Ms. Vo-Le was awarded a certificate of achievement for financial reporting. Director Sullivan explained that Carlin, Charron & Rosen, CRRA's auditor, was very complimentary of the efforts that went into the financial reporting package, which

made their job easier to accomplish.

Mr. Bolduc stated that Ms. Vo-Le and her staff kept CRRA on track through some particularly difficult times. Mr. Bolduc said Ms. Vo-Le was able to respond to multiple FOIA requests while putting together two annual reports. Mr. Bolduc said those accomplishments were a tribute to Ms. Vo-Le and her staff and expressed his appreciation for their efforts.

Chairman Pace stated that CRRA was setting an example for other quasi-public agencies and read a portion of the certificate to the Board. Chairman Pace congratulated the accounting department and Ms. Vo-Le.

Ms. Vo-Le introduced her staff and thanked them for their hard work. Ms. Vo-Le also thanked the Board for taking the time to review the audit and offering comments to make it better.

Director O'Brien informed the Board that a Carlin, Charron & Rosen auditor stated it was rather atypical to be able to compile the financial report so quickly after the close of the fiscal year, which was a tribute to the accounting staff. Director Sullivan stated that the audit process was continuing in an efficient and very professional manner and added that the completion date of the audit spoke volumes about how far CRRA had come in their reporting and efficiency.

EXECUTIVE SESSION

Chairman Pace requested a motion to go into Executive Session. The motion made by Director O'Brien and seconded by Director Cooper was approved unanimously. Chairman Pace requested that the following people remain for the Executive Session:

Chairman Michael Pace
Vice Chairman Stephen Cassano
Benson Cohn
Mark Cooper
James Francis
Michael Jarjura
Edna Karanian
Mark Lauretti
Theodore Martland
Raymond O'Brien
Andrew Sullivan
Timothy Griswold
Sherwood Lovejoy

Tom Kirk
Jim Bolduc
Peter Egan
Laurie Hunt, Esq.

Peter Boucher of Halloran & Sage
Douglas Cohen of Brown Rudnick

The Executive Session began at 9:46 a.m. and concluded at 11:20 a.m. Chairman Pace noted that no votes were taken in Executive Session.

Chairman Pace requested a short recess.

Chairman Pace reconvened the Board meeting at 11:25 a.m.

Chairman Pace invited Ms. Tentor to follow-up on her earlier public comment. Ms. Tentor stated that her earlier remarks were directed toward the new remediation of the PCBs that was recently approved by the DEP. Ms. Tentor said her main concern was that CRRA stay ahead of the curve and monitor the sub-contactors who would be responsible for transportation.

APPROVAL OF THE MINUTES OF THE JULY 22, 2004 REGULAR BOARD MEETING

Chairman Pace requested a motion to approve the minutes of the July 22, 2004 Regular Board Meeting. The motion was made by Director O'Brien and seconded by Director Martland.

The motion previously made and seconded was approved. Director Karanian abstained from the vote as she was not present at the meeting.

| Eligible Voters | Aye | Nay | Abstain |
|---|------------|------------|----------------|
| Michael Pace, Chairman | X | | |
| Stephen Cassano | X | | |
| Benson Cohn | X | | |
| Mark Cooper | X | | |
| James Francis | X | | |
| Michael Jarjura | X | | |
| Edna Karanian | | | X |
| Mark Laretti | X | | |
| Theodore Martland | X | | |
| Raymond O'Brien | X | | |
| Andrew Sullivan | X | | |
| | | | |
| Non Eligible Voters | | | |
| | | | |
| Timothy Griswold, Ad Hoc, Mid-Connecticut | | | |
| Sherwood Lovejoy, Ad Hoc, Bridgeport | | | |

APPROVAL OF THE MINUTES OF THE AUGUST 5, 2004 SPECIAL BOARD MEETING

Chairman Pace requested a motion to approve the minutes of the August 5, 2004 Special Board meeting. The motion was made by Director O'Brien and seconded by Director Cooper.

The motion previously made and seconded was approved. Directors Cohn and Karanian abstained from the vote as they were not present at the meeting.

| Eligible Voters | Aye | Nay | Abstain |
|---|------------|------------|----------------|
| Michael Pace, Chairman | X | | |
| Stephen Cassano | X | | |
| Benson Cohn | | | X |
| Mark Cooper | X | | |
| James Francis | X | | |
| Michael Jarjura | X | | |
| Edna Karanian | | | X |
| Mark Lauretti | X | | |
| Theodore Martland | X | | |
| Raymond O'Brien | X | | |
| Andrew Sullivan | X | | |
| | | | |
| Non Eligible Voters | | | |
| | | | |
| Timothy Griswold, Ad Hoc, Mid-Connecticut | | | |
| Sherwood Lovejoy, Ad Hoc, Bridgeport | | | |

APPROVAL OF THE MINUTES OF THE AUGUST 20, 2004 SPECIAL BOARD MEETING

Chairman Pace requested a motion to approve the minutes of the August 20, 2004 Special Board meeting. The motion was made by Director O'Brien and seconded by Director Cooper.

The motion previously made and seconded was approved. Directors Cohn and Martland abstained from the vote as they were not present at the meeting.

| Eligible Voters | Aye | Nay | Abstain |
|------------------------|------------|------------|----------------|
| Michael Pace, Chairman | X | | |
| Stephen Cassano | X | | |
| Benson Cohn | | | X |
| Mark Cooper | X | | |
| James Francis | X | | |
| Michael Jarjura | X | | |
| Edna Karanian | X | | |
| Mark Lauretti | X | | |
| Theodore Martland | | | X |
| Raymond O'Brien | X | | |
| Andrew Sullivan | X | | |
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|---|--|--|--|
| Non Eligible Voters | | | |
| | | | |
| Timothy Griswold, Ad Hoc, Mid-Connecticut | | | |
| Sherwood Lovejoy, Ad Hoc, Bridgeport | | | |

RESOLUTION REGARDING FINANCE COMMITTEE RECOMMENDATIONS TO BOARD OF DIRECTORS REGARDING RENEWAL OF CASUALTY INSURANCE PROGRAM

Chairman Pace requested a motion regarding the referenced item. Director Sullivan made the following motion:

RESOLVED: That the Board of Directors authorizes the renewal of the \$1 million Commercial General Liability policy through American International Group (AIG) for a premium of \$177,000, and

FURTHER RESOLVED: That the Board of Directors authorizes the purchase of \$1 million of Automobile Liability insurance through AIG for a premium of \$100,329, and

FURTHER RESOLVED: That the Board of Directors authorizes the purchase of \$30 million Umbrella excess of \$1 million covering Commercial General Liability (CGL) and Auto Liability through American International Group (AIG) for a premium of \$326,250, and

FURTHER RESOLVED: That the Board of Directors authorizes the purchase of a \$30 million limit for Pollution Legal Liability insurance through AIG for a premium of \$375,000.

The aggregate premium is \$978,579.

Director O'Brien seconded the motion.

Director Sullivan stated that the matter was discussed in detail at the Finance Committee meeting. Director Sullivan said that there was a savings of \$1,273,000 compared to the budget due to increased competition in the marketplace. Director Sullivan explained that these were annual policies, so CRRA could not be certain they would continue to realize the benefits of that in the future.

Director Sullivan reviewed the increases in coverage compared to last year's policies and recommended that the Board approve the resolution.

The motion previously made and seconded was approved unanimously.

| Eligible Voters | Aye | Nay | Abstain |
|---|------------|------------|----------------|
| | | | |
| Michael Pace, Chairman | X | | |
| Stephen Cassano | X | | |
| Benson Cohn | X | | |
| Mark Cooper | X | | |
| James Francis | X | | |
| Michael Jarjura | X | | |
| Edna Karanian | X | | |
| Mark Lauretti | X | | |
| Theodore Martland | X | | |
| Raymond O'Brien | X | | |
| Andrew Sullivan | X | | |
| | | | |
| Non Eligible Voters | | | |
| | | | |
| Timothy Griswold, Ad Hoc, Mid-Connecticut | | | |
| Sherwood Lovejoy, Ad Hoc, Bridgeport | | | |

RESOLUTION REGARDING THE FISCAL YEAR 2004 FINANCIAL STATEMENT AND AUDIT REPORT

Chairman Pace requested a motion regarding the referenced item. Director Sullivan made the following motion:

RESOLVED: That the Board hereby approves and endorses the Fiscal Year 2004 Financial Statement and Audit Report, substantially as discussed and presented at this meeting.

Director O'Brien seconded the motion.

Director Sullivan stated that the draft audit was reviewed by the Finance Committee and noted that some changes in language were recommended. Director Sullivan recognized that the changes were incorporated in Management's Discussion and Analysis.

Mr. Trenholm gave a brief overview of the audit. Mr. Trenholm stated that the Financial Statements, Management's Discussion and Analysis, the footnotes to the Financial Statements, and the Supplemental Schedules were management's representation. Mr. Trenholm explained that Carlin, Charron & Rosen's responsibility was to express an opinion of the financial statements based on their audit. The unqualified clean opinion expressed by the auditor indicated that the financial statements properly reflected the results of the Authority's operations and its cash flows.

Mr. Trenholm stated that there were no disagreements regarding matters of accounting principles and how those accounting principles were adopted and implemented by management.

Mr. Trenholm added that there were no significant adjustments during the course of the audit.

Chairman Pace noted that Mr. Tremholm's statements were key to what the Board had asked management to do and what management was doing. Chairman Pace said the fact that there were no significant adjustments affirmed that accounting practices and policies to ensure transparency were in place.

Mr. Trenholm asked the Board to turn to the second page of Exhibit D of the audit. Mr. Trenholm pointed out "Undesignated" deficits for the Mid-Connecticut and Bridgeport projects and stated that the auditors would like the Board to address the use of nonexistent Unrestricted net assets. Mr. Trenholm stated that the Board could either un-designate the designated net assets to cover the undesignated deficit or there needed to be a plan to generate revenue in excess of expenses that would turn undesignated deficits into net assets.

Mr. Bolduc stated that this issue had existed for many years and noted that Bridgeport was correcting itself. Mr. Bolduc said that management was looking into various options to correct the problem.

Director Sullivan stated that once the Board approved the audit, it would be submitted to the State and the trustees on September 30.

The motion previously made and seconded was approved unanimously.

| Eligible Voters | Aye | Nay | Abstain |
|---|------------|------------|----------------|
| | | | |
| Michael Pace, Chairman | X | | |
| Stephen Cassano | X | | |
| Benson Cohn | X | | |
| Mark Cooper | X | | |
| James Francis | X | | |
| Michael Jarjura | X | | |
| Edna Karanian | X | | |
| Mark Lauretti | X | | |
| Theodore Martland | X | | |
| Raymond O'Brien | X | | |
| Andrew Sullivan | X | | |
| | | | |
| Non Eligible Voters | | | |
| | | | |
| Timothy Griswold, Ad Hoc, Mid-Connecticut | | | |
| Sherwood Lovejoy, Ad Hoc, Bridgeport | | | |

RESOLUTION REGARDING THE ADOPTION OF AN ISSUANCE AND RETIREMENT OF BONDS, NOTES AND OTHER OBLIGATIONS OF THE AUTHORITY PROCEDURE

RESOLUTION REGARDING THE ADOPTION OF AWARDED LOANS, GRANTS AND OTHER FINANCIAL ASSISTANCE PROCEDURES

Director Sullivan made a motion to table the above-referenced matters until legal notice could be given. The motion seconded by Director O'Brien was approved unanimously.

The matters were tabled to be addressed at the November meeting.

RESOLUTION REGARDING PROJECTED LEGAL EXPENDITURES

Chairman Pace requested a motion regarding the referenced item. Director Sullivan made the following motion:

WHEREAS: CRRA has entered into Legal Services Agreements with various law firms to perform legal services; and

WHEREAS: CRRA is projecting additional outside legal services for fiscal year 2005.

NOW THEREFORE, it is RESOLVED: that the following amounts be authorized for projected legal fees to be incurred through June 30, 2005:

| <u>Firm:</u> | | <u>Amount:</u> |
|----------------------------|----|----------------|
| Anderson Kill & Olick | \$ | 500,000 |
| Brown Rudnick | | 120,000 |
| Halloran & Sage | | 500,000 |
| Kainen & Escalera & McHale | | 75,000 |
| McCarter & English | | 400,000 |
| Pepe & Hazard | | 50,000 |
| Perakos Zitzer | | 75,000 |
| Pullman & Comley | | 100,000 |
| Sidley Austin Brown & Wood | | 100,000 |

Director O'Brien seconded the motion.

Director Sullivan explained that the above-referenced resolution was intended to inform the Board of what had been spent and to authorize expenditures through June 30, 2005.

The motion previously made and seconded was approved unanimously.

| Eligible Voters | Aye | Nay | Abstain |
|---|------------|------------|----------------|
| Michael Pace, Chairman | X | | |
| Stephen Cassano | X | | |
| Benson Cohn | X | | |
| Mark Cooper | X | | |
| James Francis | X | | |
| Michael Jarjura | X | | |
| Edna Karanian | X | | |
| Mark Lauretti | X | | |
| Theodore Martland | X | | |
| Raymond O'Brien | X | | |
| Andrew Sullivan | X | | |
| | | | |
| Non Eligible Voters | | | |
| | | | |
| Timothy Griswold, Ad Hoc, Mid-Connecticut | | | |
| Sherwood Lovejoy, Ad Hoc, Bridgeport | | | |

RESOLUTION REGARDING EXPENDITURES FOR ODOR MONITORING SERVICES AT THE MID-CONNECTICUT WASTE PROCESSING FACILITY

Chairman Pace requested a motion regarding the referenced item. Director O'Brien made the following motion:

RESOLVED: That the President of CRRA be authorized to increase, to \$76,701.00, the existing Fiscal Year 2005 Request for Services with TRC Environmental Corporation for Odor Monitoring Support at the Mid-Connecticut Waste Processing Facility, substantially as presented and discussed at this meeting.

Vice-Chairman Cassano seconded the motion.

Mr. Kirk stated that the MCAPS air processing system had eliminated virtually all of the odors emanating from the Mid-Connecticut facility, but there were occasional incidences, especially when there were operational issues at the plant. Mr. Kirk stated that CRRA was working closely with MDC to eliminate those issues, but felt CRRA's desire to be a good neighbor called for odor monitoring controls on evenings and weekends.

Mr. Kirk explained that the odor monitoring service would patrol the plant during evening hours to double check that the operator was taking appropriate measures to control odors. Mr. Kirk said that CRRA was hoping to get to the point where this service was no longer needed, but until then it was necessary to do everything possible to eliminate the odors.

Chairman Pace stated that it was important to be a good neighbor and noted his concern that CRRA had to pay for this service because the operator was not taking the necessary actions

to eliminate the problem.

Vice-Chairman Cassano suggested that CRRA look into that doors that would close automatically. Mr. Gent responded that CRRA was looking into newly designed doors and evaluating the overall ventilation system. Mr. Gent also noted that the operator was not completely at fault because there were also some capital expenditures that CRRA might have to look into.

Mr. Gent stated that he had met with representatives from MDC and said they were also concerned about the matter. Mr. Gent noted that MDC was cooperative with CRRA regarding this issue.

Chairman Pace asked about other activities that could mitigate the odors. Mr. Kirk responded that the longer material was in the plant, the more likely is was to create odors. Mr. Gent noted that there was a limitation to the amount of time that material could stay in the MSW area. Mr. Gent stated that material was processed by MDC in a prompt fashion.

Mr. Gent stated that excessive inventories of RDF and power block outages caused problems this summer. Mr. Gent noted that CRRA was working with Covanta on the power block issues and excessive RDF was sent elsewhere.

Mr. Francis asked if the contract value covered only this fiscal year. Mr. Egan responded in the affirmative and explained that the activity was a specific request for services for a twelve month period under a three-year engineering agreement. Mr. Egan noted that the three-year agreement had no value.

Director Lauretti asked what the cost of the extra activity was. Mr. Egan responded that the additional inspections were \$22,315.

Director O'Brien pointed out that 21 events were costing \$22,000. Mr. Egan stated that each 8 hour day cost \$1,100. Director O'Brien asked if the \$20,000 cost for the hotline response was on an "as needed" basis. Mr. Egan stated that figure was an "as needed" estimate and explained that TRC would only respond when the hotline was called. Director O'Brien asked what TRC did when the hotline was called. Mr. Egan explained that TRC would first drive to the complainant's site and get information from the complainant. TRC would then drive around the complainant's area and follow a prescribed route to identify source of the odor and confirm that the odor was from CRRA activities. Director O'Brien asked if CRRA received a report from each incident. Mr. Egan responded in the affirmative.

Chairman Pace asked if there were occasions when the hotline was called and the odor was found to be from a source other than a CRRA facility. Mr. Egan responded affirmatively and stated that there had been several occasions when odors were identified to be from MDC's sewage treatment facility. Mr. Egan explained that odors could also be coming from other sources including dumpsters in the vicinity of the complainant.

Chairman Pace asked if the incidences where CRRA activities were not the source of the odors were reported to the Mayor or environmental groups. Mr. Egan responded that those complaints were reported to MDC. Mr. Kirk responded that CRRA management met with the Mayor of East Hartford and his interested constituents at the beginning of every summer and as needed throughout the summer. Mr. Kirk noted that prior to the installation of the MCAP system, CRRA received hundreds of complaints per year. CRRA received only 14 complaints this year of which Mr. Egan estimated 8-10 to be a result of CRRA activities. Mr. Kirk stated it was CRRA's responsibility to have zero tolerance for odor problems and recognized that by working with the contractor, this need should be eliminated next summer.

Director O'Brien questioned why it was necessary to pay \$137.50 per hour to see if something smelled. Mr. Kirk responded that the person who monitored the odors was a Certified Environmental Professional and acknowledged that it was an expensive service. Mr. Kirk explained that he would like to be able to tell Mayor Larson and the other neighbors that CRRA was doing everything it possibly could to eliminate the odor problem.

Chairman Pace asked management to look into other corrective actions in the future.

Director Karanian asked if MDC had a similar odor monitoring service. Mr. Kirk responded that he did not think so. Director Sullivan suggested that if the odor problems were also coming from the MDC facility, they should join CRRA in financing the efforts.

Mr. Kirk explained that it was CRRA's hope that between good operating practices and capital improvements, the issue would be resolved.

The motion previously made and seconded was approved unanimously.

| Eligible Voters | Aye | Nay | Abstain |
|--------------------------------------|------------|------------|----------------|
| Michael Pace, Chairman | X | | |
| Stephen Cassano | X | | |
| Benson Cohn | X | | |
| Mark Cooper | X | | |
| James Francis | X | | |
| Michael Jarjura | X | | |
| Edna Karanian | X | | |
| Mark Lauretti | X | | |
| Theodore Martland | X | | |
| Raymond O'Brien | X | | |
| Andrew Sullivan | X | | |
| | | | |
| Non Eligible Voters | | | |
| | | | |
| Sherwood Lovejoy, Ad Hoc, Bridgeport | | | |

RESOLUTION REGARDING ENVIRONMENTAL MONITORING AT THE ELLINGTON LANDFILL

Chairman Pace requested a motion regarding the referenced item. Director O'Brien made the following motion:

RESOLVED: That the President is hereby authorized to enter into a Request for Services with Fuss & O'Neill, Inc. to conduct environmental investigation activities on property adjacent to the Ellington Landfill, substantially as discussed and presented at this meeting.

Director Cooper seconded the motion.

The motion previously made and seconded was approved unanimously.

| Eligible Voters | Aye | Nay | Abstain |
|--------------------------------------|------------|------------|----------------|
| Michael Pace, Chairman | X | | |
| Stephen Cassano | X | | |
| Benson Cohn | X | | |
| Mark Cooper | X | | |
| James Francis | X | | |
| Michael Jarjura | X | | |
| Edna Karanian | X | | |
| Mark Lauretti | X | | |
| Theodore Martland | X | | |
| Raymond O'Brien | X | | |
| Andrew Sullivan | X | | |
| | | | |
| Non Eligible Voters | | | |
| | | | |
| Sherwood Lovejoy, Ad Hoc, Bridgeport | | | |

RESOLUTION REGARDING DELIVERY OF COVER SOILS TO THE HARTFORD LANDFILL

Chairman Pace requested a motion regarding the referenced item. Director O'Brien made the following motion:

RESOLVED: That the President is hereby authorized to enter into a contract with DeRita Construction Co., Inc. for delivery of contaminated soil to be used as daily cover at the Hartford Landfill, and as approved by the Connecticut Department of Environmental Protection, substantially as discussed and presented at this meeting.

Director Cooper seconded the motion.

Mr. Kirk explained that CRRA was getting an excellent price on the soil, which was saving CRRA about \$1 million per year.

The motion previously made and seconded was approved unanimously.

| Eligible Voters | Aye | Nay | Abstain |
|--------------------------------------|------------|------------|----------------|
| | | | |
| Michael Pace, Chairman | X | | |
| Stephen Cassano | X | | |
| Benson Cohn | X | | |
| Mark Cooper | X | | |
| James Francis | X | | |
| Michael Jarjura | X | | |
| Edna Karanian | X | | |
| Mark Lauretti | X | | |
| Theodore Martland | X | | |
| Raymond O'Brien | X | | |
| Andrew Sullivan | X | | |
| | | | |
| Non Eligible Voters | | | |
| | | | |
| Sherwood Lovejoy, Ad Hoc, Bridgeport | | | |

RESOLUTION REGARDING EMERGENCY REPAIRS TO THE MID-CONNECTICUT PROJECT RECYCLING SCALES

Chairman Pace requested a motion regarding the referenced item. Director O'Brien made the following motion:

RESOLVED: That the Board of Directors hereby ratifies the entrance into a contract for emergency repairs to the Mid-Connecticut Recycling Center scales in accordance with Connecticut Resources Recovery Authority's Procurement Policy.

Director Martland seconded the motion.

Director O'Brien suggested that language "entrance into a contract" be amended. Chairman Pace stated the language would be changed to read "entry into a contract."

Mr. Kirk explained that CRRA's Procurement policy required that emergency purchases be ratified by the Board. Mr. Kirk explained that the scale was hit by lightning which required immediate attention.

Director O'Brien asked if the damage was covered by insurance. Mr. Bolduc said the damage was covered but the damages did not exceed the deductible.

The motion previously made and seconded was approved unanimously.

| Eligible Voters | Aye | Nay | Abstain |
|--------------------------------------|------------|------------|----------------|
| | | | |
| Michael Pace, Chairman | X | | |
| Stephen Cassano | X | | |
| Benson Cohn | X | | |
| Mark Cooper | X | | |
| James Francis | X | | |
| Michael Jarjura | X | | |
| Edna Karanian | X | | |
| Mark Lauretti | X | | |
| Theodore Martland | X | | |
| Raymond O'Brien | X | | |
| Andrew Sullivan | X | | |
| | | | |
| Non Eligible Voters | | | |
| | | | |
| Sherwood Lovejoy, Ad Hoc, Bridgeport | | | |

RESOLUTION REGARDING SOLID WASTE INDUSTRY SPECIALIST LEGAL SERVICES

Chairman Pace requested a motion regarding the referenced item. Director Cohn made the following motion:

RESOLVED: That the President is hereby authorized to enter into Legal Services Agreements for three-year terms with the law firms listed below for the provision of "on call" Solid Waste Industry Specialist Legal Services, substantially as discussed and presented at this meeting, and pending acceptable rates:

- McCarter & English, LLP
- Byrne & Storm, P.C.
- Dechert LLP

Director O'Brien seconded the motion.

Director Cohn explained that a Request for Qualifications was issued, which resulted in the listed firms being chosen for a panel. Chairman Pace noted that there were some firms that were new to CRRA. Director Cohn stated that the Policies and Procurement Committee wanted management to have options in case other firms had conflicts.

Chairman Pace asked how many firms were approved for Solid Waste Industry Specialist Legal Services. Director Cohn responded that there were only the three firms listed in the resolution and CRRA's General Counsel.

Director O'Brien stated that the Committee discussed issuing another RFQ in a year to get in sync with the other three-year Legal Service Agreements.

The motion previously made and seconded was approved unanimously.

| Eligible Voters | Aye | Nay | Abstain |
|--------------------------------------|------------|------------|----------------|
| Michael Pace, Chairman | X | | |
| Stephen Cassano | X | | |
| Benson Cohn | X | | |
| Mark Cooper | X | | |
| James Francis | X | | |
| Michael Jarjura | X | | |
| Edna Karanian | X | | |
| Mark Lauretti | X | | |
| Theodore Martland | X | | |
| Raymond O'Brien | X | | |
| Andrew Sullivan | X | | |
| | | | |
| Non Eligible Voters | | | |
| | | | |
| Sherwood Lovejoy, Ad Hoc, Bridgeport | | | |

CHAIRMAN'S AND COMMITTEE REPORTS

Policies & Procurement Committee

Director Cohn stated that the Policies & Procurement Committee interviewed and selected the firms for the Solid Waste Industry Specialist RFQ at its September 9th meeting. Director Cohn noted that the Procurement Policy required CRRA staff to submit a list of procurements that were exceptions to the competitive process and cumulative expenses over \$50,000. Director Cohn said those reports could be found in the Supplemental Board Package.

Organizational Synergy & Human Resources Committee

**RESOLUTION REGARDING HUMAN RESOURCES COMMITTEE
RECOMMENDATIONS TO BOARD OF DIRECTORS REGARDING CONTINUATION
OF HEALTH/DENTAL/LIFE/LONG-TERM & SHORT-TERM DISABILITY
INSURANCE PROGRAMS**

Chairman Pace requested a motion regarding the referenced item. Vice-Chairman Cassano made the following motion:

RESOLVED: That the Board of Directors authorizes the continuation of the health and dental insurance through Anthem for the period of July 1, 2004 through December 31, 2004 for an estimated premium of \$145,600, and

FURTHER RESOLVED: That the Board of Directors authorizes the continuation of life, long-term disability and short-term disability insurance through The Standard Insurance for the period of July 1, 2004 though December 31, 2004 for a premium of \$30,000.00

The aggregate premium is \$175,600.

Director O'Brien seconded the motion.

Vice-Chairman Cassano explained that the resolution was a six-month continuation of the policies at the existing costs.

The motion previously made and seconded was approved unanimously.

| Eligible Voters | Aye | Nay | Abstain |
|--------------------------------------|------------|------------|----------------|
| Michael Pace, Chairman | X | | |
| Stephen Cassano | X | | |
| Benson Cohn | X | | |
| Mark Cooper | X | | |
| James Francis | X | | |
| Michael Jarjura | X | | |
| Edna Karanian | X | | |
| Mark Lauretti | X | | |
| Theodore Martland | X | | |
| Raymond O'Brien | X | | |
| Andrew Sullivan | X | | |
| | | | |
| Non Eligible Voters | | | |
| | | | |
| Sherwood Lovejoy, Ad Hoc, Bridgeport | | | |

Vice-Chairman Cassano reported that the Committee was working on new policies including Workplace Violence, Progressive Discipline and an Employee Awards Policy for the Employee Handbook.

Chairman's Report

Chairman Pace stated that he had been working with management and CRRA's legal counsel regarding the sale of the bankruptcy claim.

Chairman Pace said that he asked the Organizational Synergy Committee to begin work on a new project which would be worked out in the next month or so.

Chairman Pace stated that there needed to be some follow-up on the business plan and the initiatives with DEP for policy review.

Vice-Chairman Cassano asked if a report had to be filed with the legislature this fall. Mr. Kirk responded that CRRA was required to file quarterly reports. Mr. Kirk stated that in addition to the required reports, CRRA was producing a video intended to educate stakeholders and legislators. Chairman Pace stated that since CRRA was not allowed to utilize lobbyists, information needed to be presented in a true, factual manner through print and other visual means.

Vice-Chairman Cassano observed that CRRA had set aside resources to identify a potential landfill while the State and MDC were also looking into other long-term disposal and energy options. Vice-Chairman Cassano suggested that CRRA lead the way in organizing discussions that would encourage each of these entities to work collectively with the DEP. Chairman Pace stated that CRRA had been taking the lead and asked DEP to develop policy as CRRA continued with its business plan.

Mr. Kirk stated that he met with Ms. Jane Stahl of the DEP and expressed CRRA's frustration that the DEP had not progressed in developing a solid-waste management plan. Mr. Kirk said that by creating that plan, the DEP would be validating steps that CRRA would want to take toward developing options for disposal. Mr. Kirk indicated that he was certain that any new solid waste management plan would include the need for additional ash disposal so it was CRRA's plan to move ahead with their plans. Mr. Kirk added that CRRA's legislative package would encourage the legislature to direct the DEP to complete that initiative this year.

Vice-Chairman Cassano stated that by joining forces with everyone responsible for the disposal of waste and the DEP, decisions could be made on what the State's needs were in terms of waste management. Chairman Pace stated that he would entertain support to make Vice-Chairman Cassano a sole-member Committee to work with Mr. Kirk to organize a meeting regarding this matter.

ADJOURNMENT

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

There being no other business to discuss, the meeting was adjourned at 12:19 p.m.

Respectfully submitted,

Kristen B. Greig
Legal Temp