

Policies & Procurement Committee
April 10, 2014
Regular Meeting Draft Minutes

Members Present by phone: Committee Chairman John Adams
 Vice-Chairman Barlow (present by telephone)
 Ralph Eno (present by telephone)

CRRA Staff Present: Tom Kirk, President
 Mark Daley, Chief Financial Officer
 Peter Egan, Director of Environmental Affairs
 Roger Guzowski, Contracts and Procurement Manager
 Laurie Hunt, Director of Legal Services
 Moira Kenney, HR Specialist/Board Administrator

Also Present: John Pizzimenti, USA Hauling.

Committee Chairman Adams called the meeting to order at 11:02 a.m. and noted that a quorum was present.

Committee Chairman Adams noted there were no members of the public present who wished to address the Committee and said the regular meeting would commence.

1. APPROVAL OF MINUTES OF THE MARCH 6, 2014, REGULAR POLICIES & PROCUREMENT COMMITTEE MEETING

Committee Chairman Adams requested a motion to accept the minutes of the Regular March 6, 2014, Policies & Procurement Committee meeting. The motion to approve the minutes was made by Vice-Chairman Barlow and seconded by Director Eno.

The motion to approve the minutes was approved by roll call.

2. REVIEW AND RECOMMEND RESOLUTION REGARDING THREE YEAR LEGAL SERVICES AGREEMENTS

Committee Chairman Adams requested a motion on the above referenced matter without the General Counsel portion. The motion to approve was made by Vice-Chairman Barlow and seconded by Committee Chairman Adams.

RESOLVED: That the President is hereby authorized to execute, deliver, and perform on behalf of this Authority, Legal Services Agreements as were substantially set forth in the Request for Qualifications dated January 21, 2014, for a period of three years commencing on July 1, 2014 and terminating on June 30, 2017, with the law firms listed below. Except for the General Counsel position, all other counsel positions will be “on call”.

BOND COUNSEL

Pullman & Comley
Sidley Austin
McCarter & English

CONSTRUCTION

Halloran & Sage
Brown Rudnick
McCarter & English
McElroy, Deutsch

EMPLOYMENT

Halloran & Sage
Kainen, Escalera
Carmody Torrance
Cohn Birnbaum
McCarter English
McElroy, Deutsch
Willinger, Willinger & Bucci

ENERGY/DPUC

Halloran & Sage
Brown Rudnick
Carmody Torrance
Day Pitney
Duncan, Weinberg
McCarter & English
Pullman & Comley

ENVIRONMENTAL

Halloran & Sage
Brown Rudnick
Carmody Torrance
Cohn Birnbaum
Day Pitney
Duncan, Weinberg
McCarter & English
Pullman & Comley

LITIGATION

Halloran & Sage
Brown Rudnick
Carmody Torrance
Cohn Birnbaum
Day Pitney
Kainen, Escalera
McCarter & English
McElroy, Deutsch
Willinger, Willinger & Bucci

REAL ESTATE

Halloran & Sage
Brown Rudnick
Carmody Torrance
Cohn Birnbaum
Day Pitney
McCarter & English
McElroy, Deutsch
Willinger, Willinger & Bucci

SOLID WASTE

Halloran & Sage
Brown Rudnick
Carmody Torrance
Cohn Birnbaum
McCarter English
Pullman & Comley

Director MacDougald explained that he would be abstaining from the vote due to a conflict of interest with Day Pitney.

Mr. Kirk said initially the Board was only interviewing General Counsel, however after further discussion the Board agreed to undertake a more in depth interview process on May 1, 2014. The Committee discussed aspects to the interview process which they felt should be included.

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

3. **REVIEW AND RECOMMEND RESOLUTION REGARDING REMOVAL OF SEDIMENT FROM THE COAL POND AT THE SOUTH MEADOWS SITE.**

Committee Chairman Adams requested a motion on the above referenced matter. The motion to approve was made by Vice-Chairman Barlow and seconded by Committee Chairman Adams.

RESOLVED: that payment of expenses associated with removal of accumulated sediment from the coal pond shall be funded from the Mid-Connecticut Operating Account, substantially as discussed and presented at this meeting, and be it

FURTHER RESOLVED: that payment of expenses associated with transportation and disposal of the accumulated sediment shall be funded from the Mid-Connecticut Operating Account, substantially as discussed and presented at this meeting.

Mr. Egan said the Board approved spending up to \$366,000 from the Mid-Connecticut operating account for removal of sediment which has accumulated in the coal pond at the South Meadows waste to energy facility over the last ten to twelve years. Mr. Egan said it is appropriate that the Mid-Conn operating account is funding this because the sediment was substantially accumulated during the time that the plant was run under the Mid-Conn Project.

Mr. Egan said activities commenced in November and Clean Harbors, under a contract with NAES Corporation, began preparing the area for dewatering activities. He said due to conditions discovered after the vegetation was removed, as well as weather conditions which made the area very wet, additional time was required to pump the water and the project has cost more. Mr. Egan said CRRA is billed at a time and material rate and the project took until mid to late December, was demobilized for winter, and will resume when the site is dry enough, which is likely in June.

Mr. Egan said as a result of the delays this resolution authorizes additional funds from the Mid-Conn operating reserve for about \$38,700, in addition to what was estimated last fall. He said the second resolution provides for the transportation and disposal of the material removed from the pond. Mr. Egan said these funds will also come from the Mid-Conn operating account as the materials accumulated during the term of the Mid-Conn Project.

Mr. Egan said management has estimated about 2,900 cubic yards of materials will need to be removed. He explained that totals about 430,050 tons of overall material (assuming 1.5 tons/cubic yard) for which disposal costs are about \$60.50 a ton, for a total cost estimate of \$265,000 for removal. Vice-Chairman Barlow asked if the original contract with Clean Harbors had a completion date. Mr. Egan said he believed that date was late spring, which will have to be corrected as management would prefer to wait until the weather is better this summer.

Director Eno asked if there will be any additional costs associated with extending the completion date. Mr. Egan replied no. He said it is a time and materials' estimate and nothing else has changed at this point. Vice-Chairman Barlow asked if the contract will be modified with a new completion date. Mr. Egan replied yes.

Director MacDougald asked if there will be additional environmental costs. Mr. Egan replied no. He said the testing is complete and the data developed in the fall is still applicable. Director MacDougald asked if the coal pond will continue to be used. Mr. Egan replied yes. He said the material is being removed to provide more capacity for storm water which falls on the site.

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

INFORMATIONAL

Committee Chairman Adams said the Informational Section had been thoroughly reviewed and discussed.

EXECUTIVE SESSION

Committee Chairman Adams 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 Vice-Chairman Barlow and seconded by Director Eno was approved unanimously. Committee Chairman Adams requested that the following people remain for the Executive Session, in addition to the Committee members:

Tom Kirk
Mark Daley
Laurie Hunt
Peter Egan

The Executive Session commenced at 11:35 a.m. and ended at 12:00 p.m. Committee Chairman Adams noted that no votes were taken.

The meeting was reconvened at 12:00 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

Committee Chairman Adams requested a motion to adjourn the meeting. The motion made by Vice-Chairman Barlow and seconded by Director Eno was approved unanimously by roll call.

The meeting was adjourned at 12:00 p.m.

Respectfully submitted,

Moira Kenney
HR Specialist/Board Administrator