

**Policies & Procurement Committee  
June 4, 2009, Meeting**

**Draft Minutes**

Members Present: Raymond O'Brien, Committee Chairman (present by telephone)  
Theodore Martland, Vice-Chairman  
Dave Damer

CRRA Staff Present: Tom Kirk, President  
Dave Bodendorf, Senior Environmental Engineer  
Peter Egan, Director of Environmental Affairs  
Laurie Hunt, Director of Legal Services  
Trevor Nichols, Senior Operations Analyst  
Mike Tracey, Director of Operations  
Moira Kenney, Secretary to the Board/Paralegal

Members of the Public: John Pizzitmenti, USA Hauling

Chairman O'Brien called the meeting to order at 9:30 a.m. and noted that a quorum was present.

Chairman O'Brien requested that everyone stand for the Pledge of Allegiance whereupon the Pledge was recited. Noting that there were no members of the public present for comment, Chairman O'Brien stated that the regular meeting would commence.

1. **APPROVAL OF MINUTES OF THE MAY 14, 2009, POLICIES & PROCUREMENT COMMITTEE MEETING**

Chairman O'Brien requested a motion to accept the minutes of the May 14, 2009, Policies & Procurement Committee meeting. The motion was made by Director Damer and seconded by Vice-Chairman Martland.

Ms. Hunt said that the reduction on page six should say \$544,000.00.

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

2. **REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION REGARDING AGREEMENTS FOR PROPERTY APPRAISAL SERVICES**

Chairman O'Brien requested a motion on the above-referenced item. Vice-Chairman Martland made the motion, which was seconded by Director Damer.

**RESOLVED:** That the President is hereby authorized to enter into contracts with the following firms for Property Appraisal Services, substantially as discussed and presented at this meeting:

- Appraisal Economics Inc.;

- CB Richard Ellis – N.E. Partners, LP; and
- George E. Sansoucy, P.E., LLC

Mr. Kirk said this resolution is to establish a bull-pen for appraisal services. He explained the requirements in CRRA’s policies require two appraisals before considering a purchase. Mr. Kirk said that management feels that having a stable of pre-qualified appraisers will expedite evaluations and the decision making processes.

Vice-Chairman Martland asked if the firms are licensed MAI’s. Mr. Tracey said that he would check into that. He said two of the firms which were selected have done a significant amount of work for CRRA in the past, which management has been very happy with.

Director Damer asked if part of the qualifications had the appraisers fees listed.

Mr. Nichols responded that the firms did list fees and that the firms recommended by management are comparable to those rates.

Chairman O’Brien asked what properties will likely be appraised in the coming years assuming that current legislative actions stand.

Mr. Tracey said that part of the reason this process was undertaken is due to appraisals that have not been anticipated which sprung up in the past. He said properties may be broken off at South Meadows, or a possible compost facility or bulky waste landfill may require appraisals. He said the recommended firms have a broad range of experience in both the commercial real-estate market and in the waste to energy market.

Chairman O’Brien suggested that an argument for creating a bull-pen be prepared for the full Board. He asked if any of management’s recommendations are qualified to do appraisal work concerning the Franklin landfill.

Mr. Egan said that with regard to the Franklin initiatives through CRRA’s attorney’s two appraisers have already been engaged.

Director Damer suggested that a list of the kinds of appraisals that were needed in the past be provided for the full Board.

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

3. **REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION REGARDING A HOST COMMUNITY AGREEMENT WITH THE TOWN OF ELLINGTON**

Chairman O’Brien requested a motion on the above-referenced item. Director Damer made the motion, which was seconded by Vice-Chairman Martland.

**RESOLVED:** That the President of CRRA is authorized to execute the Transfer Station Host Community Agreement for the Town of Ellington, Connecticut substantially as presented and discussed at this meeting.

Mr. Egan said that 24 months ago management proposed to the full Board that a uniform host community agreement for facilities (particularly transfer stations) that CRRA may own or develop in the future be drafted. He said that was undertaken and that management was looking in particular at the four Mid-Connecticut transfer stations.

Mr. Egan said that host-community agreements are in place with two of the four towns. He said in March the Board approved a host-community agreement with Watertown and Torrington which provides for a 50 cent per ton payment to the town. Mr. Egan said it has taken another year to wrap-up Ellington's agreement as well.

Mr. Egan said the key provision in the Ellington agreement is when CRRA goes to the Connecticut Department of Environmental Protection (hereinafter referred to as "CT DEP") to renew its permits (as it does every five years) that it will support renewals. He said in the event that CRRA wants to expand the facility or look at taking in different waste Ellington has the option to renegotiate the host-community agreement.

Mr. Egan said the project has been accruing money to pay for the benefits from July 1, 2007, and the money is accrued to retroactively pay Ellington. He said that CRRA will pay this accrued money less what CRRA has already paid under an existing host-community agreement. Mr. Egan said that management will be working this summer to reach an agreement with Essex as well.

Chairman O'Brien asked where the CT DEP stands concerning Essex. Mr. Egan said that the CT DEP is standing by until an agreement is finalized with Essex. Chairman O'Brien asked if their permit process is pending based on approval of an agreement. Mr. Egan said that was correct.

Chairman O'Brien asked what is holding up the agreement. Mr. Egan said that negotiations have not gotten that far. He said that Essex had objected to the permit modifications to increase the tonnage in 2000, which the CT DEP approved in 2006. He explained at this point in time the concept of a host-benefit agreement was conceptualized and that executing an agreement with Essex is still needed.

Chairman O'Brien asked if CRRA is within the current 300 tons per day stipulation. Mr. Egan said that is not the case every day of the year. He explained there are some days when that tonnage is exceeded, a factor which has been recognized by all parties for a decade. Mr. Egan said the permit modifications were submitted as a result of the permitted daily tonnage numbers overage at the request of CT DEP.

Chairman O'Brien asked if the 710 tons is closer to reality. Mr. Egan said yes. Chairman O'Brien asked if there is enough money in the budget if Essex agrees to the uniform tip fee to pay for the actual tonnage which has gone into the facility since 2007. Mr. Egan said that is correct and that it will cover all the waste over 300 tons a day.

Vice-Chairman Martland asked what would happen if Essex said no. Mr. Egan said if Essex said no management would sit down with the CT DEP to discuss the situation.

Director Damer asked if there is an exposure now with the exceeding of the per ton per day permit. Mr. Egan said CRRA is not exceeding on an annual aggregate basis. He said there are issues

on Tuesdays after long weekends which occurs about 10-20 days a year but is not typically exceeded. Mr. Egan said to allay the fears of the Town's for what looks like significant permit increases language was put in the permit to establish a quarterly daily average.

Mr. Egan said the resolution contains two errors which he will correct for the Board. He said the footnote on the last page should say "July 1, 2007" and that Torrington isn't mentioned on the first full paragraph of the memo.

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

4. **REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION REGARDING THE INSTALLATION OF A LANDFILL CAP OVER A PORTION OF THE PHASE 1 ASHE AREAS AT THE HARTFORD LANDFILL**

Chairman O'Brien requested a motion on the above-referenced item. Vice-Chairman Martland made the motion, which was seconded by Director Damer.

**RESOLVED:** That the President is hereby authorized to execute an agreement with David G. Roach & Sons, Inc. to install a landfill cap over approximately 12 acres of the Phase 1 Ash Area at the Hartford Landfill, substantially as presented and discussed at this meeting.

Chairman O'Brien said that the resolution is straightforward. Mr. Bodendorf said that the summary page contains the correct contract dollar value whereas the write-up has the incorrect contract dollar value which he will correct for the Board meeting. He said the correct dollar value is \$2,476,099.00.

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

5. **REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION REGARDING A THREE YEAR MOWING SERVICES AGREEMENT FOR THE HARTFORD LANDFILL**

Chairman O'Brien requested a motion on the above-referenced item. Director Damer made the motion, which was seconded by Vice-Chairman Martland.

**RESOLVED:** That the President is hereby authorized to execute an agreement with Earthcare Service to provide mowing services at the Hartford Landfill, substantially as presented and discussed at this meeting.

Mr. Bodendorf said that the mowing has been done by a contractor whose contract ends in June 30, 2009. He explained management does not expect to reach the \$50,000 mark the first year as the area that needs to be mowed will expand over the next few years as more capping takes place.

Chairman O'Brien said that the current contract, Niro Landscape Contractors, was much higher of a cost than managements' recommendation Earthcare Service. He asked if the current contractor was bid out. Mr. Bodendorf said that was correct. He said he believes that Brook Valley made an error in their per acre price.

Director Damer asked what mowing costs have run for the last three years. Mr. Bodendorf said costs have run from \$54,000-\$55,000 and that it has been just over \$50,000 for the Hartford Landfill mowing costs.

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

**7. INFORMATIONAL**

Chairman O'Brien said that there were no comments on the informational section of the package and noted that the Committee had thoroughly reviewed the material.

**8. DISCUSSION**

Mr. Kirk provided the Committee with a legislative update concerning bills which pertain to CRRA business.

Mr. Kirk said that MDC had prepared an agenda for a meeting the CRRA. He said that management had drafted its own agenda of items which mostly pertain to a resolution of issues with MDC. He said that as of now there is nothing imminent with the MDC and CRRA meeting.

Mr. Kirk said that he wanted to introduce a concept that management has been working on for the better part of two years. He said that the performance at the power side of the facility has been lagging. He said that the investments made in the fuel prep side have paid substantial dividends in particular the 25% increase in motor capacity which has increased the capability of processing fuel.

Mr. Kirk said CRRA's contractor is struggling with capacity and availability with the boilers essentially due to the erosion of the pressure parts of the furnace. He said the three areas of concern are the super heaters, screen tubes and water walls. He said the super heater fix is being treated as an expandable item and change-outs are scheduled.

Mr. Kirk said the struggle is with the water walls and screen tubes. He said despite an overlay of incoanel their failure rate is killing availability and capacity utilization. Mr. Kirk said the performance guarantees for CRRA's contractor are easy to meet. He said CRRA can't expect its contractor to foot the bill for improvements when it is already easily meeting performance criteria.

Mr. Kirk said that management is in the process of financing capital spending towards improvements in the pressure parts furnace area of the boilers to try and reach historic availability of the facility for the remaining years of the contract. He said that management anticipates having the cash available and wants to move forward with this quickly as it is an advantage for the towns.

The Committee discussed the issue at length.

Chairman O'Brien said that management needs to prepare hard numbers listing the payback for fixing the generators.

**ADJOURNMENT**

Chairman O'Brien requested a motion to adjourn the meeting. The motion made by Vice-Chairman Martland and seconded by Director Damer was approved unanimously by roll call.

The meeting was adjourned at 10:16 a.m.

Respectfully submitted,

Moira Kenney  
Secretary to the Board/Paralegal