

**Policies & Procurement Committee  
September 11, 2008, Meeting**

**Draft Minutes**

Members Present: Raymond O'Brien, Committee Chairman  
Theodore Martland, Vice-Chairman  
Linda Savitsky

CRRA Staff Present: Tom Kirk, President  
Jeffrey Duvall, Manager of Budgets and Forecasting  
Peter Egan, Director of Environmental Affairs  
Tom Gaffey, Enforcement/Recycling Director  
Ron Gingerich, Compliance and IT Manager  
Laurie Hunt, Director of Legal Services  
Trevor Nichols, Senior Operations Analyst  
Paul Nonnenmacher, Director of Public Affairs  
Rich Quelle, Senior Engineer (present until 10:15 a.m.)  
Mike Tracey, Director of Operations  
Moira Kenney, Secretary to the Board/Paralegal

Chairman O'Brien called the meeting to order at 9:36 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 JULY 10, 2008, POLICIES & PROCUREMENT COMMITTEE MEETING**

Chairman O'Brien requested a motion to accept the minutes of the July 10, 2008, Policies & Procurement Committee meeting. The motion was made by Vice-Chairman Martland and seconded by Director Savitsky.

The minutes were approved unanimously by roll call.

2. **REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION REGARDING MODIFICATION TO THE TRAVEL & EXPENSE POLICY**

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

Chairman O'Brien asked Mr. Kirk why the CRRA Directors are limited to a reimbursement of 2,500 miles or less annually a year. He informed Mr. Kirk it was his understanding that he was under the impression that modifications to the policy were supposed to change this amount.

Chairman O'Brien asked why the Directors were bound by that number. He explained that he lives in the far end of the state and puts at least 50 percent more than 2,500 miles on his vehicle for meetings. He explained he travels 125 miles per round trip to the monthly Board meeting at Constitution Plaza, and an additional five miles to the Murphy Road location for two committee meetings.

Mr. Kirk explained the policy is set by the Board of Directors and that changes can certainly be made per their discretion. He explained consistency between the policies of the CRRA employees and Board of Director's is recommended by management. He explained the 2,500 was settled on because IRS reimbursement assumes all costs of operating the car, including the deductible costs for insurance in the premiums that are charged. He said the \$2,500 mile threshold was chosen by the Board and could be changed.

Chairman O'Brien said that the draft modification to the travel and expense policy was supposed to allow for full deductible reimbursement and that those changes were not made. Mr. Kirk said the change being offered today was to include Directors in the policy (as they were not included prior to the modifications).

Director Savitsky asked Chairman O'Brien if he had gone over the 2,500 miles. Chairman O'Brien explained that he had gone way over that amount. Director Savitsky suggested tabling the motion until clarification was given on whether there would be an IRS ramification for changing the reimbursement limit.

Ms. Hunt said that she believes that Mr. Kirk's explanation of how the 2,500 miles is selected is due to an IRS restriction. Mr. Kirk explained the policy can be changed by the Board of Directors. Mr. Kirk said that the IRS assumes a portion of the charge per mile includes reimbursement for the possibility of a deductible and reimbursement of any deductible may need to be treated as income. Mr. Kirk said management will investigate any tax impacts of the requested policy change.

Director Savitsky suggested that perhaps the statutes specifications on reimbursement for reasonable expenses for the CRRA Board of Directors should supersede the modification unless the insurance agencies recommendation is based on a legal reason or liability issue relative to the Board of Directors. Director Savitsky said this figure should not be perceived as a deterrent to the Board members.

Chairman O'Brien said that Mr. Kirk had informed him that the policy was partially created by the Board to discourage employees from using their cars for CRRA business for more than 2,500 miles. Mr. Kirk said CRRA encourages the use of company cars when reasonable if they are available.

Chairman O'Brien said that he would not support this modification. He said that he would like the Directors to be covered under the reimbursement without a mileage specification. Vice-Chairman Martland asked that something in the modification indicate that Directors are covered in that event that an issue occurs. Director Savitsky suggested that the portion which discusses damages and liability for

the Directors be separate from the employee portion. She stated the Directors, employees, and CRRA need to be covered and protected.

Mr. Kirk said that the changes requested by Chairman O'Brien would be made and the policy returned for Committee approval.

### **MOTION TO TABLE**

Director Savitsky made a motion to table the modification to the travel and expense policy.

The motion to table was seconded by Vice-Chairman Martland.

The motion to table was approved unanimously by roll call.

### **3. REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION REGARDING RATIFICATION OF EMERGENCY PROCUREMENT CONTRACTS**

Chairman O'Brien requested a motion on the above-referenced item. Director Savitsky made the following motion:

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

The motion was seconded by Vice-Chairman Martland.

Chairman O'Brien said that the resolutions for ratification as emergencies certainly qualified under the circumstances. He pointed out that the last paragraph of page two should say "this vendor is qualified" versus "this vendor is quality".

Vice-Chairman Martland asked that Mr. Quelle provide further clarification on the necessary repairs for the electro-magnetic drum cited in the second emergency repair.

Mr. Quelle said that the drum is used to remove the ferrous metal out of the MSW. He said that the primary flail mill breaks open the garbage bags and reduces the size of the waste. Mr. Quelle said at this point the belts run over magnetic drums. Mr. Quelle explained the drums contain fixed permanent magnets covered in a skin which is contained by the rotating drum. He explained the drums pull out ferrous material. He said there are two of these drums in each line and the smaller drum's skin had worn through causing small filings and nails to attach to the permanent magnet causing the effectiveness of the magnet to decrease.

Mr. Quelle explained this normally is a repair which should have been done by MDC. He explained that due to MDC's continued difficulties with its recently revised procurement process this crucial repair was put off to such an extent that Mr. Quelle took the equipment back from MDC in order to get the repairs taken care of.

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

4. **REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION REGARDING THE ADOPTION OF THE POLICY AND PROCEDURE FOR THE DISTRIBUTION OF RECYCLING REBATES TO MEMBER MUNICIPALITIES**

Chairman O'Brien requested a motion on the above-referenced item. Director Savitsky made the following motion:

**WHEREAS:** CRRA has encouraged member 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 has adopted budgets that include funds to be rebated to member municipalities based on the amount of acceptable recyclable tons annually delivered and;

**WHEREAS:** Monetary rebates reward member municipalities for the delivery of acceptable recyclables and provide further economic incentive to maximize their local recycling programs and;

**WHEREAS:** CRRA has invested in the installation of state-of-the-art, single stream, processing technology at the Mid-Connecticut facility to increase citizen participation and recycling rates in pursuit of accomplishing the new statewide recycling goal and is planning to do the same at the Stratford facility therefore;

**RESOLVED:** That the Board of Directors hereby adopts the Procedures for the Distribution of Recycling Rebates to member municipalities and the President is hereby authorized to issue rebate checks to said member municipalities substantially as presented at this meeting.

The motion was seconded by Vice-Chairman Martland.

Vice-Chairman Martland said that he believes this resolution is a good idea. Chairman O'Brien said that he agrees with Vice-Chairman Martland.

Mr. Kirk said that it was his understanding that this resolution would not provide for the distribution of rebates for 2008, consistent with discussions at the July Directors meeting.

Mr. Gaffey said that it was his understanding that those towns which have yet to receive a rebate would do so if this resolution was adopted. Chairman O'Brien said that was also his understanding per discussion at the Board of Director's meeting.

Director Savitsky said that she believed that this liability was accounted for in the 2008 fiscal year books. She said the liability needs to be confirmed with Mr. Bolduc and Ms. Vo-Le. She asked if the magnitude of the amounts was known. Mr. Nonnenmacher said that the total was about \$90,000.00 for the towns involved.

Mr. Kirk said that the enforcement team for CRRA has given notice to any towns which were violating the stipulations set forth regarding eligibility of the recycling rebate. He said that Mr. Gaffey had also drafted letters to the same effect to any violators.

Director Savitsky asked Mr. Gaffey if there is a procedure in place in response to contract violations. Mr. Gaffey said that another inspector is sent out after the letters are mailed. Mr. Gaffey said there is also direct communication from CRRA inspectors' to the transfer station attendants. He said there have been several instances where perhaps communication was not passed down to the Public Works Director from either the Mayor or First Selectman of towns in violation. Mr. Gaffey said that management has been crystal clear in making it clear that the violation of the contract includes only nickel deposits.

The Committee discussed the aspects concerning the recycling rebate resolution at length.

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

**5. INFORMATIONAL**

The Committee informed Ms. Hunt the final tally of the figures from the legal reports were positive. Ms. Hunt said that the lower than expected figures were partially due to much of the legal action management had hoped to undertake being postponed until this coming fiscal year.

**6. EXECUTIVE SESSION**

Chairman O'Brien requested a motion to enter into Executive Session to discuss pending litigation, real estate acquisition matters, and RFP responses. The motion made by Director Savitsky and seconded by Vice-Chairman Martland was approved unanimously. Chairman O'Brien requested that the following people remain for the Executive Session, in addition to the Committee members:

Tom Kirk  
Laurie Hunt, Esq.  
Peter Egan  
Ron Gingerich  
Trevor Nichols

The Executive Session commenced at 10:15 a.m. and concluded at 11:29 a.m. Chairman O'Brien noted that no votes were taken.

**7. REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION REGARDING ASH RESIDUE TRANSPORTATION AND DISPOSAL SERVICES FOR THE MID-CONNECTICUT RESOURCE RECOVERY FACILITY, ASH RESIDUE TRANSPORTATION AND DISPOSAL SERVICES FOR THE WALLINGFORD RESOURCE RCOVERY FACILITY AND ASH RESIDUE DISPOSAL SERVICES FOR THE PRESTON RESOURCE RECOVERY FACILITY**

Chairman O'Brien requested a motion on the above-referenced item. Vice-Chairman Martland made the following motion:

**RESOLVED:** That the Board of Directors, in accordance with the Connecticut Resources Recovery Authority's Procurement Policy, hereby approve the contract with We Care Transportation, LLC, and Murphy Road Recycling for Municipal Solid Waste Export Services as presented and discussed at this meeting.

**FURTHER RESOLVED:** That the President is hereby authorized to execute an agreement with Covanta Mid-Connecticut, Inc. to provide transportation and disposal services for ash residue from the Wallingford Resource Recovery Facility, substantially as presented and discussed at this meeting; and

**FURTHER RESOLVED:** That the President is hereby authorized to execute an agreement with Wheelabrator Technologies Inc. to provide disposal services for ash residue from the Preston Resource Recovery Facility, substantially as presented and discussed at this meeting.

The motion was seconded by Director Savitsky.

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

8. **REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION REGARDING TRANSPORTATION AND DISPOSAL OF PROCESS RESIDUE, NON-PROCESSIBLE WASTE AND BYPASS WASTE FOR THE MID-CONNECTICUT PROJECT**

Chairman O'Brien requested a motion on the above-referenced item. Director Savitsky made the following motion:

**RESOLVED:** That the President is hereby authorized to enter into an agreement with Waste Management of Massachusetts, Inc. to provide transportation and disposal services for process residue, non-processible waste and bypass waste for the Mid-Connecticut Project, substantially as presented and discussed at this meeting.

The motion was seconded by Vice-Chairman Martland.

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

**ADJOURNMENT**

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

The meeting was adjourned at 10:31 a.m.

Respectfully submitted,

Moira Kenney  
Secretary to the Board/Paralegal