

**Policies & Procurement Committee
September 20, 2007 Meeting**

Draft Minutes

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

CRRA Staff Present: Tom Kirk, President
Jim Bolduc, Chief Financial Officer
Peter Egan, Director of Environmental Affairs and Development
Floyd Gent, Director of Operations
Laurie Hunt, Esq.
Paul Nonnenmacher, Director of Public Affairs (beginning 1:35 p.m.)
Richard Quelle, Senior Engineer
Virginia Raymond, Senior Analyst
John Romano, Project Manager
Mike Tracey, Operations Manager, Construction Management
Moirra Kenney, Secretary to the Board/Paralegal

Chairman O'Brien called the meeting to order at 12:35 p.m. and noted that there was a quorum.

Chairman O'Brien requested that everyone stand for the Pledge of Allegiance whereupon the Pledge was recited.

1. APPROVAL OF MINUTES OF THE JULY 12, 2007 POLICIES & PROCUREMENT COMMITTEE MEETING

Chairman O'Brien requested a motion to approve the minutes of the June 14, 2007 Policies & Procurement Committee meeting. Vice-Chairman Martland made the motion, which was seconded by Director Savitsky.

Chairman O'Brien asked for an update on SWEROC and the recycling center. Mr. Gent explained that SWEROC may not fund the museum post 2008 so at this point in time it doesn't make sense to expend capital on it. He went on to explain that The Director of Public Affairs, Paul Nonnenmacher will address this issue later at his portion of the agenda.

Mr. Tracey informed the committee that the company which is currently doing the job for the museum is willing to extend their bid. Mr. Gent explained that the SWEROC project was at present up in the air, as both Stamford and Norwalk have made it clear that they wish to leave. Chairman of SWEROC, Steve Edwards asks that we wait to proceed with work until the future

of SWEROC is sorted out. Chairman O'Brien stated that the subject will be revisited when more information on the future of SWEROC is available.

The motion previously made and seconded was unanimously approved.

2. **REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION REGARDING CRRA'S ADHERENCE TO STATE STATUTES GOVERNING EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION**

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

RESOLVED: That the Connecticut Resources Recovery Authority hereby adopts as its' policy to support the nondiscrimination agreements and warranties required under Connecticut General Statutes § 4a-60(a)(1) and § 4a-60a(a)(1), as amended in State of Connecticut Public Act 07-245 and sections 9(a)(1) and 10(a)(1) of Public Act 07-14.

Director Savitsky seconded the motion.

Mr. Egan explained to the committee that the current statutes govern affirmative action in two ways, one regarding sexual orientation and gender, and a second which covers everything else such as: ancestry, marital status, etc. The statute was recently revised to require that any party doing business with CT must first obtain certification, in addition to the prior mandated inclusion of the affirmative action statement in some type of resolution in their contracts. In order to comply with the statute, CRRA has to pass this resolution identically as prescribed by the State of Connecticut.

Mr. Egan went on to explain that neither of two contracts currently pending with the State can move forward until the Corporate Secretary certifies the passing of this resolution. CRRA only became aware of the certification requirement when a contract with CT DEP was returned by the Attorney General's office because the required certification was missing.

Chairman O'Brien asked Mr. Egan if our current Procurement Policies were sufficient, or if they require modification. Ms. Hunt replied that the only change necessary is the actual certification as CRRA has already been adhering to the language. She cautioned the committee that problems may develop when CRRA's contractors have to comply. In the future the Finance Department may have difficulty getting National Banks to comply with this certification.

Chairman O'Brien asked CRRA if the CT DEP has to adhere to the new statute. Mr. Egan replied that in this particular contract CRRA is the contractor and therefore needs the certification. Ms. Hunt explained to the committee that as far back as she has looked at CRRA contracts the required language has always been present.

Mr. Kirk stated that the Board can easily pass the resolution but the difficulty may lie in asking our contractors to obtain the certification.

Director Savitsky stated that the state will go through the same issues and problems. She made it clear that adopting the State of Connecticut policies may be difficult for the State to do as well. Director Savitsky does not feel this will be a huge issue. Mr. Kirk was concerned that many of our contractors may have problems with adopting this certificate.

Chairman O'Brien asked for clarification on the last paragraphs regarding the resolution. Mr. Egan will add a few sentences to help make the explanation more clear. Director Savitsky cautioned Mr. Egan that we should make sure the State doesn't do a look back period for monies previously spent. Chairman O'Brien questioned if the Procurement Policy would have to be revamped to which Ms. Hunt explained that new certification and requirements are routine and will not be a problem.

The motion previously made and seconded was approved unanimously.

3. **REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION REGARDING SOLID WASTE CONSULTING SERVICES TO SUPPORT PROCUREMENTS OF TRANSPORTATION AND DISPOSAL SERVICES FOR ASH RESIDUE**

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

RESOLVED: That the President is hereby authorized to enter into a Request for Services with Alternative Resources, Inc. for solid waste consulting services to support procurement of transportation and disposal services for ash residue, substantially as discussed and presented at this meeting.

Director Savitsky seconded the motion.

Mr. Egan stated the June Policies & Procurement Meeting discussed how CRRA intended to go about procuring a contractor to help with the close of the Hartford Landfill. The search involved finding a contractor with Alternative Resources to provide additional assistance for the staff and to assist in bids and negotiations. The ash area of the Hartford Landfill will close about 14 months from now, which is the time frame in which CRRA needs to secure a contractor.

Chairman O'Brien felt that despite a high level of urgency there wasn't enough information on timing or a timing schedule. Mr. Egan responded that he would clarify that information on the term sheet where he will make also the term of the RFS clear.

Chairman O'Brien wanted to be sure that CRRA is proceeding carefully. Mr. Egan will add deadlines for several tasks. He clarified that CRRA is still negotiating the RFS price, and it may be reduced by about 6-7 thousand: and in no case will it exceed 76.5 thousand dollars.

The motion previously made and seconded was approved unanimously.

4. **REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION REGARDING CONTRACT WITH CT DEP FOR REIMBURSEMENT OF COSTS ASSOCIATED WITH ANNUAL STACK TESTING AT MID-CT FOR CALENDAR YEARS 2008 AND 2009**

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

Director Martland seconded the motion.

RESOLVED: That the President is hereby authorized to enter into a contract with the Connecticut Department of Environmental Protection for reimbursement of costs associated with the annual stack testing at the Mid-Connecticut RRF for calendar years 2008 and 2009, substantially as discussed and presented at this meeting.

Mr. Egan informed the committee this is actually the third time the reconstituted Board has seen this resolution. The contract, which is reissued every two years, essentially takes monies from the Solid Waste Assessment and reimburses it back to the operators of the facilities to conduct annual air emission testing. Mr. Kirk informed the committee that he has asked Ms. Hunt to pursue attempts to enforce our tax free status.

When asked by Chairman O'Brien how CRRA has done regarding compliance with stack testing, Mr. Egan explained that CRRA has done very well. The boilers demonstrated to be in compliance in Wallingford, except for one unit which has had an issue with dioxine being slightly over the permissible level. CRRA is planning to do the retest the 1st week of October, but overall CRRA performs well under the CT DEP's emission limits.

The motion previously made and seconded was approved unanimously.

5. **REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION REGARDING THE UPGRADE OF THE AUTOMATION SYSTEM AT THE MID-CONNECTICUT WASTE PROCESSING FACILITY**

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

RESOLVED: That the President is hereby authorized to execute an agreement with I & C Systems Engineering to upgrade the automation system located at the Mid-Connecticut Waste Processing facility, substantially as presented and discussed at this meeting.

Director Savitsky seconded the motion.

Chairman O'Brien inquired as to how many interested parties there were all together. Mr. Quelle informed the committee why there were only two companies listed. Mr. Quelle explained that the specific nature of the bid may have caused fewer contractors to express interest in the project. Months were spent up front with a consultant to lay down specific requirements which made companies unable to mark up the costs.

Director Savitsky asked why there was a \$150,000 difference between the two offers. Mr. Quelle explained the other companies had done some networking earlier, creating some risk in the two partnering together.

Mr. Tracey explained to the Board the general consensus of CRRA is that all of the right coverage is being used in an efforts to solicit the bids. The Operations department covered all the local publications, construction trade journals, and posted the information on the CRRA website.

Chairman O'Brien asked Mr. Quelle if CRRA can be sure the company chosen was accredited. Mr. Quelle assured the Committee I & C Systems Engineering comes highly recommended, their references all still use them for projects, and as far as experience went, they had done the same conversion already and were therefore familiar with the process.

The motion previously made and seconded was approved unanimously.

6. REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION REGARDING THE REPLACEMENT OF TROMMEL THRUST RINGS AT THE MID-CONNECTICUT WASTE PROCESSING FACILITY

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

RESOLVED: That the President is hereby authorized to execute an agreement with Infinity Constructors, Inc. to replace trommel thrust rings at the Mid-Connecticut Waste Processing Facility, substantially as presented and discussed at this meeting.

Director Martland seconded the motion.

Director Savitsky asked for an explanation as to what trommel rings were. Mr. Quelle explained that they provide support for units located in the waste processing facility. The units are big cylindrical barrels twelve feet in diameter which are supported by a thrust assembly. The replacement is part of the wear component of the unit which is done every five years. Five rings were done last year. This year's will be an additional three.

Mr. Tracey explained that this project and project after are both part of the capital reporting project. Mr. Gent added that CRRA made a commitment to save costs by doing the work internally and not through MDC. The savings for CRRA are upwards to the hundreds of thousands.

Chairman O'Brien stated that in this case was it correct to say that this project will be behind us for the next two or three years which Mr. Quelle agreed with.

The motion previously made and seconded was approved unanimously.

7. REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION REGARDING THE PURCHASE OF TWO HIGH SPEED RUBBER ROLL UP DOORS FOR THE MID-CONNECTICUT WASTE PROCESSING FACILITY

Chairman O'Brien requested a motion on the above-captioned matter. Director Martland made the following motion:

RESOLVED: That the Board of Directors, in accordance with the Connecticut Resources Recovery Authority's Procurement Policy, hereby approves the procurement of two (2) New High Speed Rubber Roll-up Doors from BODE Equipment Company for use at the Mid-Connecticut Waste Processing Facility, substantially as presented and discussed at this meeting.

Director Savitsky seconded the motion.

The Committee reviewed a slight change in the language of the write-up. Mr. Romano explained a company was incorrectly referred to as the manufacture of a door which they did not actually make, but the corrected write-up eliminated the error.

Chairman O'Brien asked Mr. Romano if we have 18 doors, 75% of which are the new high speed door did two or three remain which needed to be replaced. John Romano explained that there were two doors remaining to be done. Chairman O'Brien asked that that number be specified in the write-up. He also asked what the particular condition of the doors was. Mr. Romano explained they were both serviceable.

Chairman O'Brien also asked why we still have two doors left of the original design when we have made such an effort to keep odor complaints behind us. Mr. Romano explained the two remaining doors don't have much of an effect on odor as one is an internal door leading to two exterior doors which are usually closed. The second is a shop door which is not open unless the shop is in use. Mr. Kirk added that these two doors are the least to be concerned about as odor concerns go.

The motion previously made and seconded was approved unanimously.

8. REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION REGARDING THE MUNICIPAL GOVERNMENT ADVISOR SERVICES AGREEMENTS

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

RESOLVED: That the President is hereby authorized to execute, deliver, and perform on behalf of the Authority, Municipal Government Advisor Services Agreements as were substantially set forth in the Request for Qualifications dated June 25, 2007, for a period

of one year commencing on October 1, 2007, and terminating on September 30, 2008, with the firms listed below.

Brown Rudnick Berlack & Israels

Pepe & Hazard LLP

The Committee was concerned that using a local firm may eliminate the ability to cover the Southern end of the State. Director Martland and Director Savitsky urged canvassing the Fairfield County area for a respondent with greater knowledge and influence in areas other than Hartford County.

There was substantial discussion about the limited number of respondents and why Pepe was selected, then direction from the committee to sign Brown Rudnick and re-bid to seek additional firms.

The motion made by Director Savitsky and seconded by Vice-Chairman Martland was approved unanimously.

9. REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION REGARDING REQUEST FOR JUNK MAIL RECYCLING MARKETING CAMPAIGN

Chairman O'Brien requested a motion on the above captioned matter and Director Martland made the following motion:

RESOLVED: That the President is hereby authorized to approve a Request for Services with Pita Communications LLC for services associated with a junk mail recycling marketing campaign substantially as presented and discussed at this meeting.

Director Savitsky seconded the motion.

Mr. Nonnenmacher informed the committee that the creation of Phillip D. Bag to assist with junk mail recycling was a big hit, and that paper recycling tonnage has increased this year. Chairman O'Brien asked that statement of our objectives about spending this money be created in future write-ups. He would like to see both objectives and ways of measuring these objectives so both the Board and the public can see figures representing how the money was used.

Mr. Gent proposed creating a baseline prior to advertising. He also pointed out that the stated objective was originally to improve recycling by 10%. He explained that measuring the changes in recycling will be difficult when towns start being paid \$10 a ton for their recycling.

Director Savitsky pointed out that measuring the requests for Phillip D. Bag at functions is also a form of measurement. Mr. Kirk informed the committee that we will do our best to give quantitative results on results of funds spent on campaign.

Mr. Nonnenmacher informed the board that Phillip D. Bag was approached by NBC 30 to be at the Health and Wellness Center, as well as Wallingford events. Ultimately the goal is for Phillip D. Bag and the junk mail recycling campaign to be state-wide. Mr. Nonnenmacher has a list of 10-12 events that Phillip is attending. He will add a schedule of Phil's appearances to the write-up on objectives for the junk mail recycling campaign.

Chairman O'Brien noted that CRRA's Controller has confirmed that funds are available for this expenditure from Mid-Connecticut Project surplus funds.

The motion previously made and seconded was approved unanimously.

10. REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION REGARDING AN AGREEMENT FOR METALS RECOVERY AND MARKETING SERVICES WITH WTE RECYCLING, INC.

Chairman O'Brien requested a motion on the above-captioned matter. Director Martland made the following motion:

RESOLVED: That the President be authorized to enter into a contract with wTe Recycling, Inc. for the transportation, processing, and marketing of metals generated at the Mid-Connecticut Resources Recovery Facility and the Hartford Landfill using the Shredded Auto Scrape Philadelphia Index substantially in accordance with the terms and conditions discussed at this meeting.

Director Savitsky seconded the motion.

Chairman O'Brien pointed out to Moira Kenney that all resolutions that come to the Policies and Procurement Committee should be titled recommendations until they are approved.

Ms. Raymond explained to the committee that it was time to renew the contract for removal of ferrous metals from the waste processing facility. She explained there was only one bidder, but that has been the case for 16 years. Ms. Raymond explained that the reason for this is that a very limited amount of contractors can handle removal of the metals. The company used by CRRA received permission from Massachusetts, but to CRRA's knowledge no other company has ever gone through the process which would allow them to be able to handle the metal.

Chairman O'Brien found it difficult to follow the write-up and asked that a chart that indicates index values vs. processing fees with CRRA be created. Mr. Gent agreed to expand upon the chart.

The motion previously made and seconded was approved unanimously.

11. EXECUTIVE SESSION

Chairman O'Brien requested a motion to enter into Executive Session to discuss pending litigation.

The motion was made by Director Martland and seconded by Director Savitsky. The motion previously made and seconded 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.

The Executive Session commenced at 1:32 p.m. and concluded at 1:54 p.m.

The meeting reconvened at 1:56 p.m. and Chairman O'Brien noted that no votes were taken in Executive Session.

ADJOURNMENT

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

The meeting was adjourned at 1:58 p.m.

Respectfully submitted,

Moira Kenney
Secretary to the Board/Paralegal