

**Policy & Procurement Committee  
December 5, 2002 Meeting**

**Draft Minutes**

Members Present: Benson Cohn, Committee Chairman  
Theodore Martland, Committee Vice Chairman  
Ray O'Brien

CRRA Staff Present: John Clark, Operations Division Head  
Brian Flaherty, Communications Coordinator (part of meeting)  
Gary Gendron, Director of Administration  
Angelica Mattschi, Corporate Secretary  
Ann Stravalle-Schmidt, Director of Legal Services

Chairman Cohn called the meeting to order at 9:30 a.m.

**1. Approval of Minutes – October 3, 2002**

Chairman Cohn requested a motion on the referenced topic. The motion to approve the minutes of the October 3, 2002 Committee meeting made by Director O'Brien and seconded by Vice Chairman Martland was approved. Chairman Cohn abstained from the vote, as he was not present at the meeting.

**2. Approval of Minutes – November 7, 2002**

Chairman Cohn requested a motion on the referenced topic. The motion to approve the minutes of the November 7, 2002 Committee meeting was made by Director O'Brien and seconded by Vice Chairman Martland.

Chairman Cohn said that the third sentence of the second paragraph should read "because one of the attorneys at the firm is a relative" instead of "because of a personal relationship with one of the attorneys at the firm." Mr. Gendron said that the word "recuse" in that paragraph was misspelled.

The motion previously made and seconded was approved unanimously.

### **3. Approval of Minutes – November 14, 2002**

Chairman Cohn requested a motion on the referenced topic. The motion to approve the minutes of the November 14, 2002 Committee meeting was made by Director O'Brien and seconded by Vice Chairman Martland.

Chairman Cohn said that the first word, "There", should be deleted from the last paragraph. In the last line, Chairman Cohn continued, the word "firm" should read "firms," and the word "would" should be changed to "could."

Director O'Brien noted that he arrived at the he at the meeting during the interview with the Pelligrino Law Firm.

The motion previously made and seconded was approved unanimously.

#### **4. Addition to the Agenda**

Chairman Cohn requested a motion to add an executive session to the agenda in order to discuss a proposal made by Capital Properties. The motion made by Director O'Brien and seconded by Vice Chairman Martland was passed unanimously.

#### **5. Steering Committee Report**

The Committee examined and made changes to the Steering Committee Report to the General Assembly. Director O'Brien said that on page 2 of the report, Director Cohn's qualifications, such as his experience with government and quasi-public agencies and finance, should be added even though it was not required by the legislation. On page 3, under "Multiple Challenges," Director O'Brien said that "our own sanity as well as survival of the agency" should be added.

Chairman Cohn commented that the report was lacking a long term forecast and suggested that two main points be explicitly stated at the beginning of the document to say: 1) The Board of Directors are doing all they can with items that could be controlled and; 2) there were items that were not in not in CRRA's control such as the Enron bankruptcy and CL&P. Ms. Schmidt said that she would provide Mr. Flaherty with greater detail on CL&P. Director O'Brien suggested that the write-up be placed on page 5 of the report under "A plan to restructure CRRA."

Director O'Brien said that on page 4 under "Mission redefined" a last sentence should be added stating, "Under direction and oversight of the Board of Directors, the leadership and staff of CRRA can fulfill this mission." On the same page under "Elements of Recovery," Director O'Brien suggested that "in accordance with the revised Procurement policy" should be added to the last bullet which read, "Retained new Bond Counsel and General Counsel."

On page 7 under "The MDC contract dispute," Director O'Brien said that there should be a statement included that quantified the cost reduction. It was on page 26, Director O'Brien said, but it should also be included earlier in the report.

On page 8, under "legal costs to pursue Enron," Vice Chairman Martland suggested that a statement be included noting that the original \$800,000 had already been expended within the first 5 months.

On page 9, under “Resolved several outstanding legal/arbitration matters,” the Committee decided to delete the last bullet which stated, “CRRA’s breach of contract claim against Dr. Mark Mitchell was also settled.”

On page 10, under “Enhanced communication,” Director O’Brien said that the updated website which included minutes, job postings and agendas so that the general public could have access to the information should be mentioned.

On page 13, the last paragraph under “Appointed new bond counsel,” Director O’Brien suggested that the word “chose” be changed to “selected” and that a sentence be added stating that “this recommendation was fully endorsed by the full Board at the October meeting.”

On page 14, Director O’Brien said that a section should be added regarding the Non-Project Ventures.

On page 16, under “Procurement policies and procedures,” Chairman Cohn added a bullet stating that a “competitive process was used wherever possible.”

Director O’Brien distributed a document regarding page 17 of the report on the “Perceived Vulnerability” and “Corrective Action” section to the Committee members that contained some of his notes. There was a discussion regarding the Constitution Plaza Headquarters and it was decided that an explicit statement that CRRA had a lease

was necessary in that section. There was also a discussion on the Outside Lobbyist Issues. Mr. Flaherty said that the Organizational Synergy and Human Resources (OS&HR) Committee had largely dealt with that issue and had comments on the section. The P&P Committee commended the OS&HR Committee for their work in that section.

On page 18, under “CRRA grant to National Geographic Society,” Director O’Brien said that, in addition to Vice Chairman Martland’s verbiage, it should be clearly stated that the principal was intact and had not been eroded. On the same page, Mr. Gendron asked whether a section regarding the Shelton landfill was necessary or appropriate. It was not a high profile issue, Director O’Brien said. Ms. Schmidt suggested that the issue be removed from the report since the proposal had not yet been examined.

On page 25, under “Capitalize on Green Power,” Director O’Brien suggested adding, “CRRA is pursuing right to the credits.”

On page 26, under “Additional measures bring more savings,” Director O’Brien said that the amount of savings on tip fees from the bulleted list of savings should be included because that information was what the towns wanted to see. Director O’Brien also had the same comment on page 28 under “Reinvest SCRF and other reserves in higher yielding funds.”

Vice Chairman Martland suggested that “Repeal DEP air testing funding” section on page 30 should also be placed in the Executive Summary. Mr. Egan explained that

CRRA paid DEP \$1.78 million for 385,000 in services related to emissions testing of CRRA's four resource recovery projects. He said that the legislation that created this tax wasn't specifically just for emissions testing, but for 6 or 7 different general DEP activities associated with municipal waste converters. Vice Chairman Martland asked whether the cost could be reduced. Mr. Flaherty responded that this was one of several areas where CRRA would pursue some savings.

There was a discussion regarding Adriaen's Landing and improved revenues from existing energy production. Chairman Cohn said that there were a lot of speculations in the matter and that the idea of finding marketing opportunities for steam should be kept without mentioning Adriaen's Landing. Chairman Cohn added that it could be listed as a potential item.

On page 34, under "Background," Director O'Brien suggested that recycling information be included to demonstrate that CRRA was not only burning but also recycling. Mr. Flaherty replied that Mr. Gaffey had input on the section.

Director O'Brien distributed a draft resolution regarding the Legislative Program Review and Investigations Report for the Committee's review. Director O'Brien said that the resolution was written for the Board's approval at the December Board meeting because the Legislative Review and Investigations Committee Chair requested a response prior to the filing of the report. Chairman Cohn said that the resolution might need additions as to why CRRA could not be a private organization or a state agency.

## **6. Policies Requiring Further Review and Revision**

Chairman Cohn requested that each member of the Committee review the materials distributed and do a rank order of the policies. Chairman Cohn said that he would mathematically combine the rank order of the Index. The Committee could then work on the policies based on those results, he said. Director O'Brien suggested that some of the policies be designated to their appropriate committee.

## **Executive Session**

Chairman Cohn requested a motion to go into an executive session to discuss a proposal made by Capital Properties. The motion was made by Director O'Brien and seconded by Vice Chairman Martland. Chairman Cohn requested that Mr. Gendron remain during the executive session.

The executive session commenced at 11:00 a.m. and concluded at 11:25 a.m.

Chairman Cohn said that based on discussions during executive session, a subcommittee was formed made up of himself and Directors O'Brien and Martland to pursue CRRA's options for relocation and reducing cost of space. Staff would be preparing estimates of the known options as a basis for negotiations, he said.

## **ADJOURNMENT**

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

The meeting was adjourned at 11:27 a.m.

Respectfully submitted,

Angelica Mattschi  
Corporate Secretary