

## **MID-CONNECTICUT PROJECT MUNICIPAL ADVISORY COUNCIL**

The Mid-Connecticut Project Municipal Advisory Council (MAC) held its third meeting on Wednesday, April 22, 2009, at the Trash Museum in Hartford, Connecticut.

### **PARTICIPATING MUNICIPALITIES AND THEIR REPRESENTATIVES:**

|               |         |             |                 |
|---------------|---------|-------------|-----------------|
| Canton        | Richard | Barlow      | First Selectman |
| East Hartford | Melody  | Currey      | Mayor           |
| Ellington     | Michael | Stupinski   | First Selectman |
| Harwinton     | Frank   | Chiaramonte | First Selectman |
| Killingworth  | Richard | Cabral      | First Selectman |
| Newington     | John    | Salomone    | Town Manager    |
| Old Lyme      | Timothy | Griswold    | First Selectman |
| Wethersfield  | Bonnie  | Therrien    | Town Manager    |
| Winchester    | Keith   | Robbins     | Town Manager    |
| Windsor Locks | Steve   | Wawruck     | First Selectman |

### **CRRA MANAGEMENT ATTENDEES:**

Tom Kirk, President  
Jim Bolduc, Chief Financial Officer  
MaryAnne Bergenty, Field Manager  
Mike Bzdyra, Government Relations Liaison  
Jeff Duvall, Manager of Budgets and Forecasting  
Peter Egan, Environmental Affairs & Development Director  
Mike Tracey, Director of Operations  
Paul Nonnenmacher, Director of Public Affairs

### **PITA COMMUNICATIONS:**

Paul Pita, Pita Communications  
Jenny Smith, Pita Communications

### **CRRA BOARD MEMBERS:**

Alan Desmarais

### **MDC:**

Brian Anderson, Council 4 AFSCME  
Gil Bironi, Local 184 AFSCME  
Bob Facey, MDC Local 3713  
William Gilnack, Local 184 AFSCME  
Dean Gozzo, Local 184  
Donelle Marquez, Local 1026 AFSCME  
Thomas Raffa, Sr., Local 1026 AFSCME  
Abdul Rabah, MDC  
Conepicor Roman, Local 184  
Pasquale J. Salemi, MDC  
Jim Sandler, MDC  
Roy Thompson, MDC

## **1. CALL TO ORDER**

Municipal Advisory Committee Chairman Timothy Griswold called the meeting to order at 9:04 a.m.

## 2. PLEDGE OF ALLEGIANCE

3. **PUBLIC COMMENT - Mr. Gil Bironi** said that he is the President of Local 184, part of the American Federation of State, County and Municipal Employees, (hereinafter referred to as “AFSCME”). He said he represents many of the workers at the Mid-Connecticut Project. Mr. Bironi’s complete commentary is attached as “Exhibit A”.

**Mr. Anderson** said that he would like to back up what Mr. Bironi has said. He said that CRRA has been trying to dispose of its lawfully executed contract with the MDC. He said for these gentlemen doing a very job at the plant very well. Mr. Anderson said that CRRA had recently tried to cut the small cost of living allowance that these blue collar workers get, which is on the 3% range, while at the same time CRRA has tried to put through pay raises for management which is the complete reversal of leadership. He said CRRA tried to slip this increase through as something called a “market progression analysis.” Mr. Anderson said CRRA is trying to dump its pension obligations for these workers.

**Mr. Anderson** said that CRRA has acted poorly as a watchdog and that two of the four plants that it has been entrusted with as a state watchdog agency have slipped through public fingers into private hands, those of Covanta and Waste Management Corporations, both of which have terrible records.

**Mr. Anderson** said that in 2001, the *Chicago Tribune* reported that Waste Management agreed to pay \$457 million to settle a class-action lawsuit that alleged it violated a federal securities law. He said that Covanta went bankrupt in 2002 and that *The Virginian- Pilot* newspaper reported in 2006 that one well-known financial advisor labeled this company a bad risk. Mr. Anderson said that both of these companies have records of not listening to its citizens and not answering government complaints when asked to stop littering. He urged the municipal officials present to please step in where Governor Rell has failed to and provide some oversight to the Mid-Connecticut Project.

**Mr. Anderson** said that Senate Bill 1058 before the legislature details placing this project into private hands or to have it taken away from the government workers who have done a great job of running it and put it into the hands of a privatized operation. He said this plan is sensitive, it’s very important for the public, it keeps fees lower for the ratepayer than if it does get into privatized hands. He said he and his buddies urge those present to please consider and that he would be happy to answer any questions.

**Mr. Anderson** said that since its inception the Metropolitan District Commission (hereinafter referred to as “MDC”) has run this facility. He said processing garbage is the job of those employees and is their only duty. Mr. Anderson said that they have never failed to do that, and they have done their jobs religiously. Mr. Anderson said leaks in the system only occur when the process trash goes over to the privatized area when there is equipment down or boilers down. Mr. Anderson said that the workers are very successful and very good at what they do. He invited those present to come and look at the operation and what those men and women have to do to take care of the towns that they serve.

**Mr. Anderson** said before the Enron issue went down the privatized companies and the state used to complain because MDC had the cheapest rates in the state and no one could compete with them until the money was lost. He asked those present to think about that clearly and stated that he was available for questions.

**Mr. Sandler** introduced himself to the group and said that he was representing the MDC and that with him is Commissioner Buddy Salemi of East Hartford. A copy of his comments is attached as “Exhibit B”.

**Chairman Griswold** asked Mr. Sandler what his position is with MDC. Mr. Sandler replied that he serves as legal counsel for MDC. Chairman Griswold asked that a copy of Mr. Sandler's comments be available for the minutes.

**Mr. Salemi** said that he is a commissioner of MDC. He said that he wished to inform those present that Mr. Sandler's position is one that the district has worked on and that he does speak for the MDC.

#### **4. APPROVAL OF MINUTES OF JANUARY 14, 2009**

**Ms. Therrien** made a motion to approve the minutes which was seconded by Mr. Salomone.

The minutes of the January 14, 2009, meeting were approved unanimously.

Ms. Currey, Mr. Salomone, and Mr. Wawruck abstained.

#### **5. MID-CONNECTICUT PROJECT UPDATE**

##### **A. OPERATIONAL PERFORMANCE**

**i. MSW DELIVERIES AND TRENDS (TONNAGE) – Mr. Tracey** said over the last nine months there has been a significant drop in tonnage coming into the Project. He said management believes the drop in tonnage is as a result of several factors including economic conditions and suspected diversion. Mr. Tracey said that CRRA has been able to supplement that drop with a significant increase in spot tonnage. He said unfortunately due to the difference in the tipping fee structure of spot tonnage and member waste that does have an effect on the bottom line of the project.

**Mr. Gaffey** said drops in waste deliveries are a statewide and national problem. He said there is a correlation between waste deliveries and economic activity. Mr. Gaffey said that the Wallingford Project can be used as a proxy because the Wallingford Project has the lowest tip fee in the state and its waste deliveries are down 8%, which clearly indicates an economic impact. Mr. Gaffey said there has been some diversion in Wallingford, but there is far more from the Mid-Connecticut Project.

**ii. RECYCLABLES DELIVERIES AND TRENDS – Mr. Gaffey** said that diversion has been linked to the downturn in waste deliveries. He said recyclables are up about 2%. Mr. Gaffey said that recyclables should trend the same way MSW does with economic activity and the increase is a result of the conversion of this facility to single-stream recycling, which has greatly added to the volume of matter coming into the facility. He said in addition there has been a significant increase in citizen participation because of the relative ease of recycling with a large wheeled tipper barrel containing co-mingled materials.

**Mr. Gaffey** said if you look at a monthly comparison of Avon, with a 15% increase, and Cromwell, with 75% growth (both of which have started single-stream recycling), that there is nearly a 20% increase in recycling. He said Glastonbury is up 32% on a year-to-date comparison and that Hartford is up 40% where a single-stream pilot project was implemented. Mr. Gaffey said increase will continue as more and more towns get on board with single-stream recycling.

**Chairman Griswold** asked if the reduction in MSW deliveries can be partially attributed to the removal of many recyclables from the waste stream. Mr. Gaffey replied yes and that he would put the figure at about 2% from the reduction in the MSW.

**Mr. Kirk** said he believes the market for recyclables has bottomed out. He said the best indication of that is the metal price, which was zero early in the year but has rebounded quite a bit. Mr. Kirk said the record high revenues associated with commodities in previous years are likely a long way off, but because of futures sales and hedging there is some price protection for fiber.

**Mr. Gaffey** said that there have been upticks recently in the commodities markets which bottomed out at the end of October. He said the global recession hurt even more. Mr. Gaffey said that Asia stopped honoring contracts

**iii. PLANT OPERATIONAL SUMMARIES – President Kirk** said the Hartford landfill closed on December 31, 2008. He said there was much television coverage of the closing which was a very significant event in CRRA's history.

**Mr. Gaffey** said that there are stacks of recyclables at docks in Asian countries. He said fortunately CRRA has both floor prices and financial hedges on fiber commodities sales agreements and its vendor deals primarily with Canada rather than Asian markets. Mr. Gaffey said that CRRA is protected around \$75.00 per ton and the high of cardboard last July was \$165.00 a ton which dropped to nothing.

**Mr. Gaffey** said that the commodities market's nosedive is unprecedented. Mr. Kirk said that regardless of the drop in the market recycling services are still being provided at zero cost by CRRA. He said that is the only place in the state with a zero tip fee as well as a huge advantage with single-stream recycling.

**Ms. Currey** asked how the spot-market tip fee is established compared to what the Mid-Conn towns pay. She said she has been told the spot-market rate is \$55.00 a ton.

**Mr. Kirk** said that spot waste varies and in order to maintain enough trash in the system to keep the generators going it is important to maximize capacity. He said there is some point when the tipping fee doesn't meet fixed expenses and CRRA won't take the waste, however it is still well above that point. He said that rate is determined by the market and in today's case the market is determined for the most part by the private operators in Lisbon and Massachusetts. He said those private operators have discounted down into the \$20 range and that encourages private haulers to haul garbage to those plants in violation of their contracts. He said they have committed to take the member towns' garbage to CRRA and it is a constant struggle to get them to maintain contract compliance which costs the towns millions of dollars a year.

**Mr. Kirk** said that they are able to discount because of the fixed price fees they have with municipal customers. He explained when the three quarters of the plant are reserved at a fixed price and filled they are able to discount the remaining amount and make pure profit.

**iv. TRASH MUSEUM REPORT – Mr. Nonnenmacher** said that he would like to point out that although the Trash Museum has had record participation for three years in a row this year is slightly behind last year's pace, most likely due to weather this winter. He said if the calendar is any indication he expects that by the end of the year another record for participation in the Museum's environmental education programs will be set.

**Ms. Currey** said she believes this is a valuable part of what CRRA does. She said East Hartford has a number of kids who participate and that she hears positive feedback as well from the kids when she goes to the schools.

**B. FINANCIAL AND VARIANCE REPORT – Mr. Kirk** said the CFO is available

for any questions. He said that the Project is meeting its budget , but there is a substantial impact from the unfavorable tonnage deliveries. He explained that although capacity utilization is being maintained, tons are coming in at a rated discounted from what the towns pay. He said CRRA is working very hard with the towns to try to corral those diverted tons back into the Project where they are contractually obligated to go.

**i. DISCUSSION OF MERIT RAISES FOR CRRA EMPLOYEES – Mr. Kirk** said a resolution was included in the package which was provided for the CRRA Board of Directors. He said CRRA procedures call for an annual performance management process in which each employee is evaluated on his or her individual goals and missions. He said that process has been ongoing for five years and fosters good communication between employees and supervisors. He said that procedure calls for the process to evolve into a merit-raise proposal to be administered in January.

**Mr. Kirk** said this year management has recommended passing on that merit raise performance given the financial condition of the towns and the tonnage shortfalls in the facility. He said that the performance management evaluations were still provided for. Mr. Kirk said that 86% of the employees met their objectives, 10% exceeded, and 4% were below standards. He said the management portion has been performed on schedule but the merit raise increase has not been. Mr. Kirk said before voting on the resolution the CRRA Board asked that the MAC be consulted.

Chairman Griswold asked for a motion to approve this item.

#### **RESOLUTION REGARDING THE WITHHOLDING OF MERIT PAY INCREASES FOR CRRA EMPLOYEES**

**WHEREAS** in accordance with the Connecticut Resources Recovery Authority’s Hiring, Compensation, Promotion and Dismissal Procedures, and the process established by the Employee Handbook, merit-based performance reviews of all CRRA employees were duly conducted at the end of 2008; and

**WHEREAS** CRRA’s Compensation Program, built upon the foundation of its Performance Management System, states that “Merit increases will be awarded annually at the start of the calendar year from a designated budget pool established for merit increases in the given fiscal year budget;” and

**WHEREAS** CRRA’s FY 2009 General Fund budget anticipated and budgeted for average merit increases of four percent; and

**WHEREAS** the United States and Connecticut in particular is in an economic recession, with Connecticut cities and towns struggling to control their costs and balance their budgets; and

**WHEREAS** CRRA has an obligation to keep its costs as low as possible, consistent with its duty to provide reliable, environmentally sound, cost-effective trash disposal and recycling services, and feels that obligation most strongly this year in light of the recession; and

**WHEREAS** trash deliveries to CRRA’s facilities are down significantly from prior years, with reduced revenues negatively impacting disposal fees; and

**WHEREAS** the CRRA Board of Directors has commended the superior standard of performance generally prevailing among CRRA’s employees and, while the Board believes meritorious work should be rewarded the Board has deferred action on merit increases; now therefore

**BE IT RESOLVED** that the Mid-Connecticut Project Municipal Advisory Committee calls on the Connecticut Resources Recovery Authority to not award merit pay increases in 2009.

The motion was made by Ms. Therrien and seconded by Ms. Currey.

**Ms. Therrien** asked if there is also a cost-of-living increase. Mr. Kirk explained there is a potential for a cost-of-living increase at the end of the fiscal year and the performance management merit raises are typically implemented in January. He said the cost-of-living increase was 2% in July. Mr. Kirk added the recommended merit increase for performance would be 1.8%.

**Ms. Currey** said at a time when everyone is asking for concessions she believes not giving a merit is a good idea and she would encourage following the trends of the communities of asking for something back.

**Mr. Kirk** said this merit increase was discussed by MDC representatives earlier and that MDC also made reference to a promotional adjustment for a single employee which was addressed at a earlier meeting.

**Mr. Barlow** said that he can certainly support the concept of withholding the merit increases, but on a procedural note the MAC group does not have by-laws and is passing resolutions.

**Chairman Griswold** said the by-laws will be covered later on. He said he believes the Committee can still vote on the resolution and give management a sense of what the Committee thinks.

**Mr. Nonnenmacher** suggested putting the rather lengthy by-laws on the table and then bringing them back at the next meeting for adoption.

The motion previously made and seconded was passed unanimously.

**C. LEGAL UPDATE – Mr. Kirk** said CRRA is being sued by ONE/CHANE and the suit is in the discovery process. The suit alleges that the Mid-Connecticut Project owes ONE/CHANE, a now-bankrupt community activist organization, about \$10 million as a result of an agreement made about 10 to 12 years ago. He said management continues to be positive about the situation and will proceed to trial absent any settlement offers.

**i. MDC-RELATED ISSUES – Mr. Kirk** said CRRA's ongoing dispute with MDC over the costs related to end-of-contract issues continues. He said that both parties have agreed to try to settle that agreement and avoid arbitration. Mr. Kirk said that CRRA is involved in a lengthy information-trading process at the moment, and that the scope of MDC's information request is extensive and will require a huge effort to meet. Mr. Kirk said that CRRA has submitted a much narrower request to MDC in the hopes of resolving this issue before a need for arbitration.

**Mr. Kirk** said there is no word yet on the Supreme Court's ruling in the New Hartford lawsuit. He said it has been six and a half months since the oral arguments, which is right about when one typically receives word from the Supreme Court. Mr. Kirk said in the event that CRRA does not win the appeal there will be no change to the Project and no change in tip fee. He said if the appeal is won there will be a \$9 million infusion with a positive impact to the tip fee, and that the \$9 million represents the portion of the award the towns paid in legal fees, with those fees being held in escrow pending the Supreme Court's decision. He said if CRRA won the money would revert to the Project's surplus.

**Mr. Barlow** asked Mr. Kirk to comment on most recent value of the MDC claims. Mr. Kirk said that the latest indication is about \$32 million and represents the cost MDC claims is attributable to the project over the past 20 years and had not been billed yet.

**Ms. Thierren** asked if there are any further Enron-related cases going on. Mr. Kirk said that there are still about four targets in what management calls the “Enron litigation.” He explained these are banks and financial institutions that were aiding and abetting Enron in their defrauding of CRRA and the towns. Mr. Kirk said those cases are on a contingency basis with and are still worth pursuing.

#### **D. LEGISLATIVE UPDATE –**

**i. FRANKLIN ASH LANDFILL LEGISLATION –** **Mr. Bzdyra** said the Legislative session ends June 3 and that committee deadlines have passed but committees still meet. Mr. Bzdyra said that Senate Bill 3 is of the most concern to CRRA, a bill proposed by two elected officials who represent the Town of Franklin that would essentially prevent CRRA from siting an ash landfill in the Town of Franklin.

**Mr. Bzdyra** said if CRRA is prevented from siting the landfill the Project member towns will end up paying an additional \$9 million to \$10 million a year until another ash landfill is sited. He explained there is only one privately-owned ash landfill in Putnam and if the ash does not go there it will be shipped out of state at a substantial cost.

**Mr. Bzdyra** said that according to the updated Solid Waste Management Plan of the Connecticut Department of Environmental Protection (hereinafter referred to as “CT DEP”), the Putnam ash landfill has about nine years of capacity left. He said it was his understanding that CRRA could have the Franklin site ready in roughly three years.

**Mr. Bzdyra** said that the bill passed the Environment Committee in February and was recently deferred to the Planning & Development Committee where it was also passed favorably. He said the bill is now sitting on the Senate calendar and that it is his understanding it has a reasonable chance of being brought up today.

**Ms. Currey** said that it was her understanding that the Putnam ash landfill is going to double or triple the size of its present ash landfill. She asked how this would impact the possibility of the CT DEP approving the Franklin site.

**Mr. Kirk** said that Wheelabrator has discussed in the press expanding the size of the Putnam landfill, but CT DEP only considers permitted capacity and is not yet considered in terms of the determination of need for capacity. Mr. Kirk said that even if that additional space was available there is still a cost issue. Mr. Kirk said to bring ash to a privately owned landfill will cost the towns about \$10 million a year with an additional \$8-\$10 in tipping fees depending on the plant. Mr. Kirk said the importance of public ownership of the ash residue landfill for the Mid-Connecticut Project for can not be overemphasized, or the impact of the cost for towns stuck with a privately-owned landfill.

**Ms. Currey** asked if Franklin has to have a referendum on this or can it be done without. Mr. Kirk said it can be done without and that there is an advisory referendum planned for April 30, 2009, in which CRRA is not actively involved, and that CRRA is not bound by that referendum. The Committee discussed the break-up of opinions on this matter in Franklin.

**Mr. Salomone** asked if there is a fall-back position to negotiate a public-private partnership with the Putnam landfill if it does expand as it is already permitted. He said that the Project has the value of

financing at a favorable rate as a public entity. Mr. Salomone said the costs of expanding an existing landfill may be less costly than initiating a new site.

**Mr. Kirk** said before CRRA went public with the landfill location it spent the better part of a year negotiating with Wheelabrator in the hope of negotiating a good price for landfill delivery. He said Wheelabrator was very responsive and in those negotiations CRRA determined the \$10 million additional cost of using Putnam rather than Franklin. Wheelabrator is full aware of its power owning the only ash landfill in the state and that a publicly owned ash landfill presents the most substantial savings for the towns.

**Mr. Bzdyra** said it is understandable why public officials may be opposing this bill but there is a process in statutes which is responsible for covering what CRRA is trying to do, and that CRRA is asking for this process to move forward.

**Chairman Griswold** asked if CT DEP has some responsibility to the Solid Waste Management Plan as this is a solution to a problem in Connecticut. He asked if they have an opinion on this matter.

**Mr. Bzdyra** said that he can't speak for the CT DEP. He said in some ways CT DEP led CRRA to this site based on very strict siting criteria that was used several years ago to offer several possible sites for this landfill. He said that the state had committed many years ago to trash-to-energy as the most environmentally safe and responsible way to manage trash and the by-product is still ash which has to go somewhere.

#### **MOTION TO APPROVE AND SUBSEQUENT AMENDMENTS**

**Chairman Griswold** requested a motion to pass the resolution regarding legislative proposal to bar CRRA from building an ash landfill in Franklin.

The motion to approve was made by Mr. Robbins and seconded by Ms. Therrien.

**Mr. Salomone** moved to offer an amendment to the resolution to add "whereas the existing Connecticut General Statutes provide ash landfill permitting standards adequate to protect the environment and public health."

The motion to amend the resolution was seconded by Mr. Cabral.

**Ms. Currey** said that she is not comfortable voting on this without hearing what the people of Franklin have to say. She said she thinks if it continues to be a concern that she would not vote in favor at this point.

**Chairman Griswold** called for a vote on the amendment. Ms. Currey and Ms. Therrien voted no on the amendment.

**Chairman Griswold** called for a vote on the original resolution as amended. Ms. Currey said that she did not mean to vote against the amendment.

**Mr. Cabral** made a motion to amend the be it resolved, as he is uncomfortable with such a heavy handed approach. He said he knows if he was passionate about an issue he would be resentful of another town voting a resolution to force him to not avail his rights. He said he does believe there are other avenues to air this out rather than legislation.

**Mr. Egan** said this legislation would prohibit CRRA from obtaining either through purchase or condemnation certain parcels of land in Franklin and Windham to construct and develop an ash residue landfill. He explained it would not prohibit CRRA from obtaining those parcels of land for a construction and demolition debris landfill nor would it prohibit Covanta or some private-sector operator or some other resource recovery authority from obtaining these parcels of land to site a landfill. Mr. Egan said the legislation specifically prohibits only CRRA and only for an ash residue landfill.

**Mr. Kirk** said this legislation is specially targeted to eliminate this site. He said the impact of this legislation passing is very significant and its longer-term impact is that it may cause CRRA to choose a site that does not rate as well under the CT DEP criteria. Mr. Kirk said that CRRA would probably commit to do something out-of-state if it cannot build in Franklin due to the enormous cost and legwork required to approach a secondary site. Mr. Kirk said that this legislation keeps from happening a process the legislature put in place. The legislature directed CRRA to find four ash landfill sites and develop them, two on each side of the Connecticut River, and the CT DEP found those sites.

**Mr. Cabral** said that he is concerned that if CRRA changes that resolution verbiage it may be interpreted that CRRA does not strongly feel that this is the best site for the ash landfill.

**Chairman Griswold** said that this motion as amended is a statement from the MAC group to the CRRA Board that this site should continue through the regulatory process. He said as a CRRA Board member he is biased but believes that we need a plan and that the CT DEP may support this but is not acting as an advocate.

**Mr. Salomone** said that the by-laws say that a quorum of 30 or so municipalities are required and although there are about 12 participating municipalities that is not close to the by-laws-stipulated amount. He said he is uncomfortable having six people vote for this resolution and the disinterest in attending of other Project member towns may not exclude their right to vote. Mr. Salomone said at the same time he does not like legislation that earmarks right to approach and he has opposition to that.

**Chairman Griswold** said he can inform the Board that out of the 70 towns that only so many people were present to represent the group. He said regardless of whether the rest of the group is in attendance the representatives that are there want to send a message.

**Mr. Desmarais** made a motion to add a resolve stating “the advisory council believes that the interests of the general public are best served by allowing the CT DEP regulatory process to go forward and so is opposed.” He said there needs to be an ash landfill in the State of Connecticut. Mr. Desmarais said having publicly owned facilities is in the best interest of the State.

**Mr. Cabral** made a motion to amend the resolution as follows, “That the Mid-Connecticut Advisory Committee believes that the interests of the general public are best served by allowing the CT DEP regulatory process to go forward and so opposes legislation that would prevent the Connecticut Resources Recovery Authority from building an ash landfill in the Town of Franklin.”

After discussion, **Mr. Cabral** agreed to a friendly amendment to change his amendment to, “That the Mid-Connecticut Advisory Committee believes that the interests of the general public are best served by allowing the CT DEP regulatory process to go forward and so opposes legislation that would prevent the Connecticut Resources Recovery Authority from building an ash landfill.”

The motion to approve the amendment was seconded by Mr. Chiamonte.

**Mr. Robbins** asked what the projected financial incentive for the host community is on a yearly basis. **Mr. Kirk** said that figure is \$1.5 million in the context of about a \$6 million budget which is very significant. **Mr. Robbins** said that he is not in favor of shipping out of state when those costs will be rising dramatically over the years.

**Mr. Kirk** said there are also good public policies reasons for this as well. **Mr. Bzdyra** said that the CT DEP makes it very clear in the Solid Waste Management plan that Connecticut should be self-sufficient when it comes to solid waste management.

**Mr. Nonnenmacher** read the amended resolution for the record.

## **RESOLUTION REGARDING LEGISLATIVE PROPOSAL TO BAR CRRA FROM BUILDING AN ASH LANDFILL**

**WHEREAS** Connecticut has committed to using its trash as fuel to generate electricity rather than disposing of it in landfills; and

**WHEREAS** Connecticut's six trash-to-energy plants dispose of more than three quarters of the state's non-recyclable solid waste; and

**WHEREAS** the by-product of the trash-to-energy process is ash; and

**WHEREAS** the ash residue must be disposed of in a properly engineered, permitted and built ash landfill; and

**WHEREAS** ash disposal is a significant portion of the cost of trash disposal; and

**WHEREAS** a publicly-owned ash landfill will reduce the cost of trash disposal; and

**WHEREAS** the existing Connecticut General Statutes provide ash landfill permitting standards adequate for protecting the environment and public health; and

**WHEREAS** the Connecticut Resources Recovery Authority is charged by Connecticut General Statutes Section 22a-285(a) with developing such a publicly-owned ash landfill; and

**WHEREAS** municipalities of the Mid-Connecticut Project will enjoy the benefits of such a publicly-owned ash landfill; now therefore,

**BE IT RESOLVED** that the Mid-Connecticut Project Municipal Advisory Committee believes that the interests of the general public are best served by allowing the Department of Environmental Protection regulatory process and so opposes legislation that would prevent the Connecticut Resources Recovery Authority from building an ash landfill.

**Chairman Griswold** asked for a vote on the second amendment. The vote was approved unanimously.

**Chairman Griswold** asked for a vote on the original resolution as twice amended. The vote was approved unanimously.

### **ii. OTHER LEGISLATIVE ISSUES – No discussion.**

## **6. TRASH DIVERSIONS AND CONTRACT VIOLATIONS – CRRA MANAGEMENT –**

**Mr. Kirk** said that management had made earlier references concerning financially damaging diversions from the Project to private facilities throughout the State.

**Mr. Gaffey** said that the Mid-Connecticut Project tip fee is \$62.00 per ton. He explained the surrounding private facilities with spot market rates offer waste in Agawam, Mass., at the \$20-\$30 range, Bridgeport in the \$39.00-per-ton, Preston (which is owned by Covanta) is also the \$20-\$30 range. Mr. Gaffey said that Bristol (which is owned by Covanta but operated by the Bristol Resources Recovery Facility Operating Committee) is at \$25.00 for spot waste. Mr. Gaffey said that Lisbon, which is owned and operated by Wheelabrator (as is Bridgeport), is in the \$35.00 range.

**Mr. Gaffey** said the Mid-Connecticut Project towns near the New York and Massachusetts borders have haulers which invariably take waste and go north to Agawam or Lisbon, and over to Old Saybrook, even Preston. He explained some Mid-Connecticut Project waste in the lower region is going to Bridgeport and some is going to Bristol. Mr. Gaffey said that CRRA knows this because enforcement officers, many of whom once served as municipal and state police, follow the trucks and have an extensive documentation process that involves not only following the trucks but also inspecting the loads in facilities where they have access. Mr. Gaffey said these enforcement officers then approach the customers with the evidence and confirm that they are customers of these haulers. He said CRRA does not have access to the floor in Agawam despite repeated requests to Covanta for such access.

**Mr. Gaffey** said CRRA was granted access for one week on January 26, 2009, to the Bristol project from Town Manager Robert E. Lee where there was a large amount of diverted tons. He said that Monday there was 680 tons, Tuesday 580 tons, and Wednesday 420 tons. He explained the drop in tonnage was because CRRA was present and inspecting the waste.

**Mr. Gaffey** said that Maryanne Bergenty runs the field operation for CRRA. He said that all Maryanne has to do is be there and the haulers will literally turn around and leave. Mr. Gaffey said by Thursday the Bristol Project was so low on tonnage it started accepting spot waste at \$25.00 a ton to fill in.

**Mr. Gaffey** said to compete with spot-market prices CRRA has to charge around the \$40-\$45 range and is currently at \$40.00 at the Mid-Connecticut Project. Mr. Gaffey explained the Mid-Connecticut Project price is due to marginal cost cut-off points where operations must be paid which is around the high \$30's.

**Mr. Desmarais** said that the towns are paying the haulers the tip fee and the only people gaining money are the haulers.

**Mr. Gaffey** said that CRRA has been on top of this and it takes a long time to accumulate the evidence. He said to combat this towns can adopt flow control ordinances which will have to be updated to be consistent with the United Haulers supreme court decision. Mr. Gaffey said that CRRA has model ordinances which provide the legal authority to inform the haulers that waste is supposed to go to the Mid-Connecticut Project.

**Mr. Barlow** asked what incentive towns like Hartford have to use flow control and there is really no great incentive for municipalities. Mr. Gaffey said the incentive is that the more member waste there is from member towns, commercial or otherwise, the better off the budget and the tip fee.

The Committee undertook a discussion concerning flow control.

### **A. DISCUSSION ABOUT ACCEPTING NON-PROJECT TRASH**

**7. CRRA PUBLIC-AWARENESS SUPPORT FOR SINGLE STREAM RECYCLING INTRODUCTION**

**A. CUSTOMIZABLE FLYER FOR PRINTING AND DISTRIBUTING BY TOWNS**

**B. PUBLIC-AWARENESS MEDIA CAMPAIGN**

**Mr. Nonnenmacher** said CRRA introduced single-stream recycling to Connecticut in the fall of 2008. He said it has helped to increase recycling rates and excites people about recycling, something that hasn't occurred since its inception 18-19 years ago. Mr. Nonnenmacher said efforts to educate the public on single-stream are being developed and one such effort is via customizable flyers for each town which can be printed and sent to the town's residents.

**Mr. Nonnenmacher** said after consulting with Pita Communications CRRA is recommending the best way to educate the public on single-stream is a radio campaign. He turned the discussion over to Paul Pita, President of Pita Communications, and his co-worker Jenny Smith.

**Mr. Pita** said the flyer mentioned by Mr. Nonnenmacher serves to create awareness and educate the project member towns on the ease and availability of single-stream. He said these efforts are a result of collaboration between the towns and CRRA. Mr. Pita said the strategy behind radio spots is designed to reach residents and to help the state. He said in addition the spots can be broadcast on town Web sites as well as the CRRA websites and leverages what technology allows with media.

**Mr. Pita** said the radio buys will involve intense negotiations with the radio stations for live reads and interviews with Mr. Nonnenmacher and the radio personalities.

**Ms. Smith** explained to begin a marketing strategy, Pita looks at all available channels and media available, which include print, television, internet and radio. She said in Pita's experience with this type of public awareness campaign radio is a hugely successful and cost-effective medium to use. She explained it allows for repetition of a positive message and guaranteed placement by choosing a mix of stations reaching a variety of target audiences.

**Ms. Smith** said that by reaching a mix of stations within towns of the Mid-Connecticut Project region Pita believes it can generate overall visibility and awareness of single-stream and continue to reinforce the positive green attitude in the state. She said radio is one of the least expensive media. Ms. Smith said radio stations are offering deep discounts and promotions due to the economic conditions.

**Ms. Smith** said Pita is proposing a mix of 18 of the highest-rated stations in the state covering central Connecticut and extending to Windham, Waterbury and Old Saybrook. She said the proposal is to approach and negotiate the stations for a plan of up to a six-week campaign with up to 3,000 spots including interviews, on-air reads and promotions.

**Ms. Smith** said this is a great opportunity to build on the visibility created from the radio campaign and the grassroots efforts of communities and prompts positive action from the consumer.

**Mr. Kirk** said that this expenditure was budgeted for up to \$90,000 and planned for. He said the CRRA Board had expressed interest in the MAC's input and reminded those present that every ton of recyclables is a ton less of trash and there is a substantial benefit to the Project to increase recycling.

**Mr. Nonnenmacher** said while single-stream is increasing it is not yet available in every town. He said the spots will direct people to the CRRA Web site, which has a town-by-town guide telling people where single stream is available and with further links that will direct people to towns' sites as well. He said that this may encourage other towns to become interested in single-stream if residents express interest.

**Ms. Bergenty** said that she can provide information on waste flow ordinances and other information to help towns get the single-stream efforts off the ground.

**Mr. Wawruck** said some of the cost savings that were realized from barrels was falling off and that his town has since converted to the 65-gallon barrels and he endorses this and is moving forward with it.

**Mr. Barlow** asked how quickly this campaign will begin. He said he would like to allow the majority of towns to put this into place before the launch.

**Mr. Nonnenmacher** said assuming approval from the CRRA Board it could get off the ground in a few weeks. He said in some form CRRA delivery records show single-stream deliveries have come from 59 of the 64 towns being served and it is spreading.

**Mr. Barlow** said he thinks it is important that the member towns be canvassed to try and get an idea of who can become involved. Mr. Griswold said a letter communicating this information will be sent as well.

**i. SUGGESTED RESOLUTION ON PUBLIC-AWARENESS MEDIA CAMPAIGN**

**RESOLUTION REGARDING A PUBLIC-AWARENESS MEDIA CAMPAIGN FOR SINGLE-STREAM RECYCLING IN MID-CONNECTICUT PROJECT MUNICIPALITIES**

**Chairman Griswold** asked for a motion to approve the above referenced resolution.

The motion was made by Ms. Currey and seconded by Mr. Wawruck.

**WHEREAS** the Connecticut Resources Recovery Authority has invested \$3 million to offer single-stream recycling to Mid-Connecticut Project cities and towns; and

**WHEREAS** single-stream recycling has been proven to increase recycling rates, lowering the cost of trash disposal for municipalities and residents; and

**WHEREAS** the Connecticut Solid Waste Management Plan calls for the state to increase its recycling rate from 30 percent to 58 percent; and

**WHEREAS** state statutes charge Connecticut Resources Recovery Authority with implementing the Solid Waste Management Plan; and

**WHEREAS** public awareness and education has been proven to increase participation in recycling; now therefore

**BE IT RESOLVED** that the Mid-Connecticut Project Municipal Advisory Committee calls on the Connecticut Resources Recovery Authority to develop and implement a media campaign targeted toward Mid-Connecticut Project cities and towns to increase awareness of single-stream recycling.

The motion previously made and seconded was approved unanimously.

**8. ADMINISTRATION OF MUNICIPAL ADVISORY COMMITTEE**

**A. INTRODUCTION OF PROPOSED BYLAWS**

**Chairman Griswold** said that the by-laws would be taken up at the next meeting. Mr. Kirk urged the Committee members to make any edits and changes with their current copy.

**Mr. Barlow** said that he would like to see the proxy changed to allowance of a long-time proxy.

**Mr. Nonnenmacher** explained that the proxy language was written as such in an effort to keep CEOs directly involved in the meetings and to avoid miscommunication with designated proxies.

**Mr. Cabral** agreed with Mr. Barlow's suggestion that designated proxies be allowed.

**i. SELECTION OF SUB-COMMITTEE ON BYLAWS**

**B. DISCUSSION AND POSSIBLE ACTION ON FUTURE MEETING DATES**

**RESOLUTION REGARDING FUTURE MEETING DATES OF THE  
MID-CONNECTICUT PROJECT MUNICIPAL ADVISORY COMMITTEE**

**WHEREAS** the Connecticut Resources Recovery Authority Board of Directors created the Mid-Connecticut Project Municipal Advisory Committee as a means of establishing better relations between CRRA and the cities and towns it serves; and

**WHEREAS** scheduled meeting dates will allow members to plan in advance to attend these meetings, giving them more opportunities to participate in the Municipal Advisory Committee; now therefore,

**BE IT RESOLVED** that the Mid-Connecticut Project Municipal Advisory Committee will meet at 8:30 a.m. in the board room at the CRRA Trash Museum, 211 Murphy Road, Hartford, Connecticut, on the following dates:

- Wednesday, July 22, 2009
- Wednesday, November 18, 2009
- Wednesday, February 10, 2010
- Wednesday, May 26, 2010
- Wednesday, August 25, 2010
- Wednesday, November 18, 2010

**Ms. Currey** asked that the meeting schedule and by-laws be sent to the membership in advance of the next meeting.

**9. COMMENTS AND QUESTIONS FROM MUNICIPAL ADVISORY COMMITTEE MEMBERS**

**10. ADJOURNMENT**

Chairman Griswold requested motion to adjourn. This motion was made by Mr. Cabral and seconded by Mr. Robbins. The meeting was adjourned at 11:20 a.m.

Respectfully Submitted,

Moira Kenney  
Board Secretary/Paralegal