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**HOUSATONIC RESOURCES RECOVERY AUTHORITY**  
**SPECIAL MEETING MINUTES**

**Friday, December 12, 2014, 10:00 a.m.**

**Danbury Crowne Plaza Hotel, 18 Old Ridgebury Rd, Danbury, CT**

**Members or Alternates Present and Voting**

Bethel, Matthew Knickerbocker	8
Danbury, Joel Urice	36
Kent, Bruce Adams	1
New Fairfield, Mike Gill	6
New Milford, Suzanne Von Holt	12
Newtown, Herb Rosenthal	12
Ridgefield, Andy Bodner	11
	86

**Other Present:**

Ryan Bingham, Winters Brothers  
Eric Frederickson, All American Waste  
Lynn Waller, Public  
Glenn Lockhart, Wheelabrator  
Glenn Nanavaty, Auditor  
J. Iannucci, HRRA Director  
C. Reedy, HRRA Assistant Director  
Sheldon Conn, Brookfield  
Lee Sawyer, CT DEEP  
Fred Hurley, Newtown Alternate

**Members Not Present**

Bridgewater, Brookfield, Redding and Sherman

**Call to Order:** The meeting was called to order by Chairman Gill at 10:12 a.m. with a quorum of 78 votes present from six municipalities. M. Knickerbocker arrived during agenda item 6c, bringing the total votes present to 86 from seven municipalities.

**Public Comment**

There was none.

**Chairman's and Members' Comments**

- Chairman Gill reported that he had been involved in a number of meetings and/or conference calls with R. Marconi, J. Iannucci, C. Reedy and R. Metzler since the last meeting concerning both the proposed MSW Associates transfer station in Danbury and the sale of Wheelabrator. Information from those calls/meetings will be shared with the members later in the meeting. Mr. Gill also attended the WCCOG Legislative Breakfast in Ridgefield on December 11th, representing HRRA. Director Iannucci was able to give a brief summary of three of HRRA's five legislative priorities to the legislators who attended. Chairman Gill introduced Sheldon Conn of Brookfield to the Authority. Mr. Conn will soon be appointed to replace Tom Tibolla as Brookfield's alternate on the HRRA.

- S. Von Holt thanked J. Iannucci for attending the New Milford Recycling Task Force meeting, and thanked R. Bingham from Winters for coming to the New Milford Recycling Center to provide input.
- B. Adams thanked J. Iannucci for the new single stream flyer, which he said was wonderful and well accepted by Kent residents. He also thanked R. Bingham and Winters Bros. for taking him and Kent's transfer station operator on a tour of the Winters Bros. MRF in Shelton, CT. He announced that the Kent transfer station has recently started accepting paint from residents under the PaintCare program.

### **Director's Report**

J. Iannucci highlighted some items from the written Director's Report provided to members with the agenda packet. MSW tonnage through November is at 92.7% of the tonnage at the same time in 2013, while recycling tonnage is running at 126% of 2013. A new single stream flyer was created and 10,000 copies made, many of which have already been passed out to haulers for distribution to their customers. HRRRA can customize the flyers for a particular hauler or municipality upon request. The third annual video contest award ceremony was held on November 14th. The late September Danbury HHW collection served 727 vehicles. The Director met with Justine Fallon from the Mattress Recycling Council. At the Director's request, all HRRRA municipalities will be served by one mattress transporter, Winters Bros., and all mattresses collected from the region will be taken to Park City Green in Bridgeport for recycling. A tour of Park City Green is being arranged for the RRTF. The Director met with Kristen Brown at the request of the DEEP to discuss ways to implement PAYT in the region as a pilot program for state funding. Staff has continued to participate in planning battery EPR legislation for next session. The Director handed out a presentation she prepared on the Bridgewater Organics Pilot Program for the CT Recyclers Coalition Conference in mid December. The handout also contained the final participant survey for the pilot program along with resident comments. In all, 15 tons of organics were collected from 140 households over the 36 weeks of the pilot. All American Waste moved the Bridgewater pilot to permanent status and is in discussions with HRRRA on extending curbside organics collection to another town in the HRRRA region.

M. Gill asked the staff to make sure that the tonnage reports provided to members were done on the same year as the MSW contract year, whether that be calendar year or fiscal year.

### **Administrative Approvals**

- a. B. Adams noted that the word "buy" was misspelled in the fourth from the last line of the last page of the draft minutes of September 18, 2014. **Motion** by M. Gill, second by S. Von Holt, to approve the minutes of the September 18, 2014 as corrected by B. Adams. **Vote:** All voting in favor. H. Rosenthal and J. Urice abstain. (Vote tally: 30 in favor. 48 abstaining.)
- b. **Motion** by H. Rosenthal, second by J. Urice, to approve the HRRRA financial statements through November 30, 2014 as presented. **Vote:** All in favor. (Vote tally: 78 in favor.)
- c. **Motion** by H. Rosenthal, second by J. Urice, to approve the 2015 HRRRA meeting dates as presented. **Vote:** All in favor. (Vote tally: 78 in favor.)

### **Old Business**

- a. **Update on MSW Associates VRF DEEP permit intervention** – M. Gill reported that briefs were due today, December 12th, for the remaining parties with reply briefs due by January 9th. HRRRA

continues to monitor the hearing process to ensure that its agreement with MSW Associates is incorporated into the final decision DEEP issues, whatever that may be.

- b. **Update on HRRR Office Location Change** - J. Iannucci reported that no change in the current office location is expected for at least a year because the MPO still exists and must maintain an office in the region. When M. Knickerbocker arrived later in the meeting he noted that the WCCOG's new Director (who unexpectedly resigned yesterday, December 11th) had recommended that the newly formed COG keep two offices permanently and that no changes would be made to the existing two offices in the immediate term.
- c. **Update on Waste Management Sale of Wheelabrator** - M. Gill reported that he, R. Marconi and staff met last week in Ridgefield with V. Langone of Wheelabrator to discuss the effect the sale of Wheelabrator by Waste Management (WM) will have on the WM Parent Company Agreement provided to HRRR as part of the Waste Supply and Disposal Agreement (WSDA). It was a good meeting. The bottom line according to HRRR's legal counsel and conceded to by Wheelabrator's counsel is that WM will continue to be on the hook for the financial guarantees in the Parent Company Agreement unless or until HRRR agrees to a different guarantee arrangement with Wheelabrator. Several options are under discussion between HRRR and Wheelabrator. If some tentative agreement between HRRR and Wheelabrator can be worked out on the Parent Company Agreement, M. Gill noted that there may be a need for a special HRRR meeting in January to vote on the tentative agreement. (*M. Knickerbocker entered the meeting here at 10:30 a.m.*)

V. Langone asked if the HRRR members would consider an extension of the existing WSDA in exchange for a reduction in the tip fee. M. Gill agreed to bring that back to the HRRR members for discussion but asked V. Langone to provide specific bullet points that he could get out to the towns about how an extension would work and be structured. Due to the pending sale of Wheelabrator to Energy Capital Partners on December 17th, V. Langone has not yet provided those bullet points. H. Rosenthal pointed out that an extension of the WSDA would have to be approved by the legislative body of each town. M. Gill said that there are really two questions for member towns to consider: (1) Does HRRR continue to exist after 2019?, and (2) Do the members want to do a new contract or a contract extension beyond 2019?

### **New Business**

- a. **2013-14 FY HRRR Audit** - G. Nanavaty, HRRR's auditor, passed out a summary of significant findings from the 2013-14 audit, and members received a bound, hard copy of the audit to take back to their municipalities and file with the Town Clerk. HRRR finished the last fiscal year with a small surplus of \$3,047 rather than using the budgeted \$42,000 of fund balance during the year due to recycling program fees and investment earnings coming in higher than expected and expenses being lower than expected for the year. HRRR's fund balance at June 30, 2014 was \$664,000 or approximately 182% of budgeted expenses for the current year. That means that the Authority could operate for almost two years if its funding sources were temporarily cut. The audit found that the internal controls currently in use by the Authority staff and Executive Committee were adequate and recommended that they all remain in place. Mr. Nanavaty said it was a clean audit with no management letter comments. He noted that he goes to Winters Bros. twice a year to test the system by following weigh bills from the scale through the process until they show up at the HRRR office later in the month. He thanked H. Rosenthal for all his work as Treasurer for the Authority. **Motion** by J. Urice, second by M. Knickerbocker, to accept the 2013-14 fiscal year audit as presented. **Vote:** All in favor. (Vote tally: 86 in favor.)

- b. **HHW Vendor for 2015-17** - An RFP for a HHW vendor was posted on the DAS website and sent out to all known vendors in the state in October. Responses were due December 1st. There were four responses from Clean Harbors, CARE Environmental, MXI and Tradebe Environmental Services. J. Iannucci prepared a spread sheet of notable parts of each response to allow for comparison. HRRRA Staff recommended awarding the contract to MXI based on disposal price (no charge for any type of paint), no set up fee, overall pricing, outstanding references, insurance that met the requirements, and no exceptions taken to the RFP. In addition, M. Gill noted that MXI had volunteered to do a CESQG program for small businesses in conjunction with the Newtown and Danbury collections in coming years. **Motion** by M. Knickerbocker, second by J. Urice, to recommend to the participating municipalities awarding the regional HHW vendor contract for 2015-17 to MXI based on the RFP responses and staff recommendations resulting from those responses. **Vote:** All voting in favor. S. Von Holt abstained. (Vote tally: 74 in favor. 12 abstain.)
- c. **New State Solid Waste Management Plan Presentation** - Lee Sawyer, Project Manager from DEEP for the Department's Comprehensive Materials Management Strategy (CMMS), formerly known as the Solid Waste Management Plan, addressed the members concerning DEEP's desire to engage municipalities and regional entities in updating the plan/strategy. He passed out an overview of the process. The project is required by PA 14-94 in order to achieve the state's 60% diversion from landfill and WtE by 2024 goal. The Department will be taking a market-based approach to the update. The plan is to have a larger planning session in the various regions in March 2015 as well as to survey municipal officials online. Members were encouraged to go to the DEEP website, take the online survey and sign up to receive e-mails on the CMMS process at <http://www.ct.gov/deep/CMMS>.

F. Hurley said he was happy to hear that DEEP will talk to municipal officials first before writing the strategy. He asked whether the Department had looked at the conflicts between the solid waste management goals and the storm water discharge goals? L. Sawyer said no, but that the Department will have to find an answer for that.

M. Gill noted that because the HRRRA is on the border of CT and NY that there are some things that it is difficult for the region to do because of potential interference in interstate commerce. The state's policy of preferring WtE over landfilling solid waste is a particular problem on the border when landfill disposal is so much less expensive than WtE. He also noted that MIRA, a quasi-state agency, stole about 8,000 tons of MSW from the HRRRA region last year and more this year, which puts all the municipalities in HRRRA at risk for put or pay financial penalties. MIRA, he said, is not helping other regions in the state at all. Chairman Gill also noted that while Deputy Commissioner McCleary promised that there would be grants available for regions if PA 14-94 passed, that no money was appropriated for such grants. L. Sawyer said the Recycle CT Foundation had received funding of \$1million for use in the first year and a half as it tries to secure other donations. M. Gill suggested that the state look at escheats for part of the funding needed, and L. Sawyer said he would check into that. M. Gill also noted that HRRRA wouldn't want to be forced to become a bigger solid waste planning group through state action as recently happened with the regional planning agencies.

S. Von Holt said that the towns that make up HRRRA have something that is working for solid waste, and asked that the state not rearrange it. H. Rosenthal added that would be a novel approach.

C. Reedy asked that the strategy not require adoption of PAYT as a prerequisite for grant funding since it cannot be easily adopted in all regions of the state, e.g. in the HRRA region due to the nature of the solid waste system here. She also asked that the strategy better coordinate solid waste facility permitting between the state and local governments. It would seem to save money and time for everyone if the state waited to accept solid waste facility permit applications until after such facilities first had been approved by local governments.

G. Lockhart from Wheelabrator said he found the CMMS process very encouraging from a private sector perspective. The SWMP needed to be redone in order for HRRA to plan for the future with Wheelabrator.

Everyone thanked Mr. Sawyer for his informative presentation.

**Adjournment: Motion** by M. Knickerbocker, second by J. Urice, to adjourn the meeting at 11:34 a.m.  
**Vote:** All in favor. (Vote tally: 86 in favor.)