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HOUSATONIC RESOURCES RECOVERY AUTHORITY

REGULAR MEETING MINUTES

Friday, March 14, 2008, 10:45 a.m.

Brookfield Town Hall – First Floor - Room 133

Members or Alternates Present and Voting:

Brookfield, Robert Silvaggi	7
Danbury, Joel Urice	35
Kent, Dolores Schiesel	1
New Fairfield, Mike Gill	6
New Milford, Suzanne Von Holt	13
Newtown, Herbert Rosenthal	12
Ridgefield, Rudolph Marconi	11
Sherman, Andrea O'Connor	<u>2</u>
	87

Others Present:

Cheryl Reedy, HRRR Director
Lynn Waller, Public
Jonathan Bilmes, BRRFOC
Paul Nonnemacher, CRRA
Joseph Borst, Newtown First Selectman
Dave Dunleavy, AWD
Ed Hayes, Sherman Alternate

Members Not Present

Bethel, Robert Burke
Bridgewater, William Stuart
Redding, Natalie Ketcham

1. Call to Order: The meeting was called to order by Chairman Gill at 10:52 a.m. with a quorum of 87 votes present from eight towns.

2. Public Comment

There was no public comment.

3. Chairman's and Members' Comments

- The Chairman welcomed Brookfield First Selectman Bob Silvaggi, the Authority's newest member.
- J. Urice, S. Von Holt and J. Park were appointed to serve on the Nominating Committee and to present a slate of officers for the next fiscal year at the Authority's Annual Meeting in June.
- R. Oliveri was appointed to represent the Authority on the Grievance Committee for the Authority's first hauler appeal of a violation of the rules at the Danbury transfer station.
- The Chairman announced the winners of the first HRRR Regional Recycling Poster Contest, a great success in its first year with over 1,450 participants for nine member municipalities and 33 regional winners. Copies of the winning regional posters were passed around for all to enjoy. (A copy of the list of winners is attached to the minutes.)

- Members present were reminded to sign letters to Senator Dodd and Senator Lieberman during the meeting, which urge support for S. 1889, Sec. 1009, allowing for some state and local oversight of railroad facilities engaged in the transload of MSW.
- The Authority has been particularly busy in the past month weighing in on its legislative agenda at public hearing before legislative committees and with state elected officials. Chairman Gill offered the Authority's thanks for their work on this to members R. Marconi and H. Rosenthal and to State Representatives Clark Chapin and Mary Ann Carson.
- On behalf of the Authority, the Chairman offered congratulations to the Town of Sherman for its renewed and expanded municipal, school and community recycling efforts, which were cited at a statewide meeting of recycling professionals at DEP for commendation.

4. Director's Report

C. Reedy highlighted the following items in the written report provided prior to the meeting:

- WES has issued payment demand letters to four haulers with account balances over 60 days due to bring their accounts current by March 20, 2008 or lose their tipping privileges in the HRRR system.
- Recycling tonnage and revenue in the region continues to increase. As of the end of February, RTI tonnage was at 119% and revenues at 179% over the same time in 2007. Based on the increases throughout 2007, revenue sharing to HRRR in the 08-09 fiscal year will increase from \$8.34 per ton to \$23.19 per ton.
- The award ceremony for the regional recycling poster contest will be held on April 3, 2008 at 5:30 p.m. at the Union Savings Bank Galleria, 225 Main St in Danbury. All Chief Elected Officials should plan to attend or send a representative to award the savings bonds to the winners from their community.
- After four years of being turned down, HRRR has finally been able to purchase a general liability insurance policy for the office operation at a cost of \$893 for the year.
- It is time for Danbury, New Fairfield, Newtown, Redding and Ridgefield to start making their residents aware of the next household hazardous waste collection date on May 17, 9 a.m. to 2 p.m. in Newtown. Flyers are available for download on the HRRR website.
- Due to space and access constraints, Newtown has decided it will not be able to provide space for the tear off asphalt roofing shingle operation at the public works site.

There were no questions or comments on the Director's Report as presented through March 14, 2008.

5. Consent Action Items

- a. *Minutes and Financial Statements* – **Motion** by H. Rosenthal, second by J. Urice, to approve the consent agenda, minutes of the January 18, 2008 meeting and HRRR financial statements through February 29, 2008, as presented. **Vote:** All in favor. J. Borst noted that Newtown recommended that the owners of the asphalt tear off shingle recycling business contact the property owner adjacent to its public works facility as a possible site for their business.

6. Old Business

- a. *Municipal E-waste Planning* – J. Urice, H. Rosenthal, J. Borst and numerous other members, including S. Von Holt, indicated that the Authority should pursue a regional plan and a regional procurement process to choose a certified electronics recycler to implement the State e-waste law at a convenient and accessible location in each municipality. C. Reedy checked with DEP and confirmed that municipalities who now share a local Recycling Center, such as New Milford, Sherman and Brookfield, can also share an e-waste collection site for their residents and meet the requirements of the law. The Director will convene a meeting of the appropriate employees from

each municipality during the summer to develop a regional plan to submit to DEP for implementation prior to the January 1, 2009 effective date.

b. *Legislative Agenda Update* – The Director has testified on behalf of HRRRA at public hearings before the legislature’s Environment Committee and Energy and Technology Committee on five separate bills introduced during this session that affect HRRRA. Four of those bills involved issues on HRRRA’s approved legislative agenda. One bill unexpectedly came up during the session that would provide only benefits to HRRRA and its members on recycling with no down side and no mandates, so we testified in support of that as well at the same public hearing at which HRRRA was already testifying. The bills we are tracking this session and HRRRA’s position on each are:

- **HB 5817 AAC Resource Recovery Facilities** - This bill establishes regulatory control by the DPUC over owners/operators of resource recovery facilities, and requires DPUC to regulate rates for the disposal of solid waste at privately owned resource recovery facilities, including the WCI plants in Bridgeport and Lisbon. HRRRA testified in opposition to this bill because it would impair the Authority’s contract with WCI in mid-stream, because the bill’s language would mean that DPUC would also set HRRRA’s program fee, because HRRRA does not have the financial resources for representation in a DPUC rate setting case, because other RRAs in the state were provided with the ability to opt out of the DPUC process, but HRRRA was not, because the public does not have confidence in the DPUC rate setting process based upon its performance with electricity rates, and because HRRRA believes that competition and the market will produce the lowest price for the public, not state regulation. R. Metzler developed brief language for insertion into the proposed bill that would provide HRRRA with the same opt out afforded RRAs with a paid lobbyist, such as Bristol. Rep. Mary Ann Carson was instrumental in getting the House Chair of the Energy Committee to insert this language into the JFS reported out of the Committee last week.
- **SB 636 AAC Resources Recovery Facility Contracts** - This bill would institute regulated tip fee rates as established by the Department of Public Utility Control, and was amended to include not only private, but quasi-public agencies so as to include the Connecticut Resource Recovery Facility. HRRRA testified in opposition to this bill for the same reasons as indicated above in HR 5817. Despite the best efforts of Rep. Clark Chapin, we were not successful in getting the opt out language for HRRRA into the bill before it was favorably reported out of the Environment Committee. The bill has strong support from the CRRA’s Southwest member towns whose contract with WCI expires at the end of 2008.
- **SB 137 AA Requiring the Licensing of Private Solid Waste Haulers** - This bill would require the licensing of private solid waster haulers by the DEP, create civil and criminal penalties for operating a solid waste hauling business with such a license and impose certain requirements for solid waste contracts. HRRRA testified at the Environment Committee in opposition to this bill because, in our view, it would impose excessive cost and regulatory burdens on haulers, especially small haulers, resulting in less competition rather than more in the solid waste collection business, would limit haulers’ ability to finance capital expenditures necessary to successfully compete for municipal contracts, and would unreasonably punish the 95+% of haulers who have done nothing wrong for the sins of the 5% who have and who are being held accountable through the criminal justice system.
- **SB 357 - AAC the Expansion of the Beverage Container Redemption Provisions to Include Water Bottles** – This bill would expand the current bottle bill to include plastic water bottles in order to increase recycling and decrease litter. Unredeemed deposits would remain with the bottle distributors. HRRRA testified in opposition to this bill before the Environment Committee due to its negative effect on the Authority’s recycling

revenue sharing and thus public recycling education programs, and the negative effect on the recycling processing infrastructure throughout the State that relies on the revenue from plastic recyclables to operate cost effectively. CRRA and FCR also opposed the legislation for the same reasons as HRRRA, the effect on the State's overall recycling program and infrastructure.

- HB 5138 AAC Private, Municipal and State Recycling - The purpose of the bill is to increase recycling rates in the state of Connecticut by instituting a series of single stream, container accessibility and pay-as-you-throw PILOT programs, with state funding, in municipalities of different sizes across the state. It also would require DEP to undertake a statewide recycling public education program, require all state facilities to implement recycling, and require recycling bins to be placed next to every trash bin in public, non-municipal spaces. The only municipal mandate is for the few communities in CT that have not undertaken curbside collection of recyclables to do so. HRRRA enthusiastically testified before the Environment Committee in support of this bill.

7. New Business

- a. *Additional Appropriation* – **Motion** by J. Urice, second by H. Rosenthal to approve an additional appropriation from fund balance (to come from an unbudgeted donation from Union Savings Bank) to the Education: Public Education line to cover the cost of piggy banks provided to each student participating in the Earth Day Recycling Poster Contest. **Vote:** All in favor. C. Reedy noted that if HRRRA purchases the piggy banks rather than Union Savings Bank making the purchase directly, it will save about \$200 in sales tax and allow the entire Union Savings Bank donation to be spent on product purchase.
- b. *Budget Transfer* – **Motion** by J. Urice, second by D. Schiesel, to approve the transfer of \$500 from Education: Staff Education to Travel/Mileage Reimbursement. **Vote:** All in favor. The travel budget line will be short in the near future due to all the trips the Director has had to make to Hartford to testify at public hearings and the increase in the IRS mileage reimbursement rate to \$.505/mile, an increase of \$.05 per mile during the past year from rising gasoline prices.
- c. *2008-09 RTI Tip Fee* – **Motion** by J. Urice, second by S. Von Holt, to set the RTI recycling tip fee at \$39/ton for the 2008-09 fiscal year, as recommended by the Director. This is the same tip fee in effect in the current fiscal year. **Vote:** All in favor.
- d. *New Regional Recycling System Planning* – Plans are underway for the late May planning retreat approved at the last meeting. The Director will be in touch with a date in the next two weeks. The Director prepared a draft agenda, a list of tasks to be completed prior to the retreat, and a draft calendar of the planning process as a guide. Today the Executive Committee approved a task authorization for R. W. Beck for analysis of data HRRRA will collect and preparation work for the retreat. HRRRA's legal counsel, Bob Metzler, will also attend. The planning timeline is to complete the system design and procurement process prior to the next municipal elections in November 2009 so that the Authority members on board now who participate in the planning process will make the decisions. There will be multiple points along the way in the process at which municipalities will be asked to vote on the record about their intention to participate further or opt out. At some point there will be financial penalties if a municipality causes the Authority to expend time or funds on planning by pulling out of the process contrary to its recorded vote. Financial penalties will not apply if the final local municipal approval by town meeting, city council, etc. is unsuccessful as long as the Chief Elected Official of the municipality vigorously supported and publicly advocated for participation. All this is to protect the Authority and the participating municipalities from a repeat of the experience several years ago with the New Milford transfer station in which the Authority spent more than \$160,000 on planning only to have a former mayor publicly advocate against the proposal at the final point in the approval

process. C. Reedy has or will meet with known vendors in the area who are likely bidders on the project for informal discussions to learn what services and infrastructure these vendors already have in place. After the May retreat, a hauler meeting will be held to bring haulers into the planning process. And in November and December 2008, the plan calls for a series of four public hearings throughout the region to solicit public input and opinion.

Adjournment: On a **motion** by H. Rosenthal, second by R. Marconi, the meeting was adjourned at 11:45 a.m. without opposition.