



H·R·R·A
www.hrra.org

Old Town Hall
162 Whisconier Road
Brookfield, CT 06804

203.775.6256 x304
203.740.9167
info@hrra.org

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HOUSATONIC RESOURCES RECOVERY AUTHORITY
REGULAR MEETING MINUTES

Thursday, September 18, 2014, 10:30 a.m.

Brookfield Town Hall, Room 209

Members or Alternates Present and Voting

Bethel, Matthew Knickerbocker	8
Brookfield, Tom Tibolla	7
Danbury, Mark Boughton	36
Kent, Bruce Adams	1
New Fairfield, Mike Gill	6
New Milford, Suzanne Von Holt	12
Ridgefield, Andy Bodner	11

Other Present:

Ryan Bingham, Winters Brothers
Eric Frederickson, All American Waste
Lynn Waller, Public
Paul Curry, Bay State Textiles
Adam Fernand, Bay State Textiles
J. Iannucci, HRRRA Director
C. Reedy, HRRRA Assistant Director

Members Not Present

Bridgewater, Newtown, Redding and Sherman

Call to Order: The meeting was called to order by Chairman Gill at 10:40 a.m. with a quorum of 81 votes present from seven municipalities.

Public Comment

There was none.

Chairman's and Members' Comments

M. Gill noted that the Danbury HHW collection will be held on Saturday, September 27th, from 9 am to 2pm. Based on the numbers in Newtown in the spring and in New Milford in early September, participation is expected to be higher than in previous years.

The Chairman read a letter of resignation from Larry Kulowiec, Redding's Representative to HRRRA, due to Mr. Kulowiec's retirement from employment by the Town of Redding. C. Reedy noted that Sherman's HRRRA Alternate, Ruth Byrnes, is on an extended medical leave of absence. Members thanked Mr. Kulowiec for his service to the region and wished both these HRRRA representatives well.

M. Gill noted that some members had conflicts and could not attend this HRRRA meeting. He reminded members that meeting dates are presented to the Authority and approved a year in advance. Please let the staff know who keeps the schedule for you and/or your HRRRA representative and alternate so that

they can get the list of meeting dates on members' calendars early in 2015. The Authority's next meeting is scheduled for December 19th, to try to coordinate with the Danbury Chamber's annual Leaders Luncheon. However, the Chamber may schedule its luncheon on December 12th instead. The HRRRA meeting will be changed and members will be notified in advance if the Chamber schedules its meeting on December 12th.

Director's Report

J. Iannucci reported that the annual video contest was underway with videos due to HRRRA on October 20th. She also noted that she and the Chairman recently held a haulers' meeting at which there was good give and take. HRRRA is preparing a revised flyer for haulers to use to better educate their customers about recycling. The rules for truck to truck transfer of MSW have been clarified with DEEP and communicated to haulers. No more than 10 cubic yards of waste may be transferred at one location. Any transfer of more than 10 cubic yards at one location constitutes a transfer station and must be permitted as such.

The pilot organics program in Bridgewater will end as of September 30th and be taken over by All American Waste. More than 99.9% of those who signed up for the program will stay with it through to the end. J. Iannucci explained that three towns in the central part of the state are doing a pilot funded by the CT Recyclers Coalition to provide local residents with a drop off for source-separated organics at their local transfer stations. Any HRRRA municipality interested in adding a curbside or local transfer station organics option for local residents may contact J. Iannucci for assistance.

Administrative Approvals

- a. M. Boughton noted that R. Bingham was listed as being in attendance at the June meeting twice in the minutes. **Motion** by M. Knickerbocker, second by B. Adams, to approve the minutes of the June 19, 2014 as amended. **Vote:** All in favor. (Vote tally: 81 in favor.)
- b. **Motion** by M. Gill, second by M. Knickerbocker, to approve the HRRRA financial statements through August 31, 2014 as presented. **Vote:** All in favor. (Vote tally: 81 in favor.)

Old Business

- a. **Update on MSW Associates VRF DEEP permit intervention** – M. Gill reported that the principal for MSW Associates, Joe Putnam, testified under oath that the transfer station, if permitted, would follow the state solid waste management plan and deliver MSW tipped at the transfer station to a WTE facility, and also would not accept MSW or recyclables generated within the HRRRA region through 2019. DEEP agreed to put those two requirements into its draft permit language, making the testimony a requirement of the permit and enforceable by DEEP. Since those were the two issues that HRRRA raised in its complaint to DEEP, the Authority entered into a settlement with MSW Associates and withdrew from the DEEP permit hearing process, thus saving the Authority from further expenditures of legal fees while still accomplishing the goal originally established. HRRRA can reopen the hearing if the agreed upon language does not end up in the final permit recommended by the Hearing Officer.

M. Boughton said that Danbury was not in agreement with HRRRA's settlement with MSW Associates. He said he is very skeptical that the agreed upon terms could ever be monitored and feels the agreement is not enforceable.

M. Gill said he and the Mayor spoke a number of times before HRRRA agreed to the settlement with MSW Associates. They agreed to disagree on the issue of whether this was the right course for the Authority to take. The Authority worked diligently with its legal counsel, R. Metzler, and counsel for the City to do its best not to jeopardize or prejudice Danbury's case with MSW Associates. M. Boughton said, however, that HRRRA's settlement with MSW Associates has already been used against the City in the DEEP proceeding.

New Business

- a. **Vanguard Accounts - Authorize Director to Act - Motion** by M. Knickerbocker, second by M. Gill, to approve the Organization Resolution from Vanguard, as attached, authorizing Mike Gill, Herb Rosenthal and Jen Iannucci to act on the organization's accounts and to sign checks on behalf of the Authority. Vote: All in favor (Vote tally: 81 in favor.)

- b. **Sale of Wheelabrator** - Waste Management has agreed to sell Wheelabrator to Energy Capital Partners (ECP), once approved by FERC, anticipated to be in late 2014. M. Gill reported that he and R. Marconi, J. Iannucci and C. Reedy met with Glenn Lockhart and Vin Langone from Wheelabrator last week to discuss how or if this will affect Wheelabrator's agreement with HRRRA. Wheelabrator believes the effect will be minimal, if any. R. Metzler, however, pointed out that the Wheelabrator agreement is backed up by a Parent Company Agreement signed by Waste Management. That Parent Company Agreement remains in effect until or unless HRRRA agrees to a change in the guaranteeing party or terms. ECP won't sign a Parent Company Agreement, and other communities have been asked to accept a guarantee agreement from Wheelabrator itself. As the issue was still in flux, V. Langone and G. Lockhart were asked to bring a proposal back to HRRRA if Wheelabrator wanted to see a change in the Parent Company Agreement.

M. Gill also reported that there was discussion with Wheelabrator about what could be done to keep more tonnage in the region. Wheelabrator was asked to look at the tip fee and come back with a proposal, preferably one that involved getting rid of the put or pay requirement in the contract as well as a lower tip fee to make the region's transfer stations more competitive. M. Gill noted that he told Wheelabrator that there was little appetite among HRRRA members for extending the contract in exchange for lowering the tip fee. Members present agreed with that assessment.

M. Knickerbocker said that the entire paradigm of solid waste disposal in the region has to be rethought by the time 2019 arrives. The economics of the Wheelabrator long term contract don't work. The towns run up against an economic penalty as they become more successful with recycling. When 2019 comes, he suggested that the region not do a new contract and let the market take care of the region's disposal needs. That would send a message to the state that if they want a burn plant in southeast CT, then they will have to figure out how to subsidize it since the cost of other disposal options are less expensive. C. Reedy agreed that as 2019 approaches, HRRRA municipalities will have to weigh the environmental benefits of WTE, compliance with the state solid waste management plan and the total cost of the solid waste system in deciding where to dispose of the solid waste generated within their borders. M. Knickerbocker said he would like to help come up with a new model that makes more economic sense for the future.

- c. **2015 Legislative Agenda** - There was no objection to the following items being placed on HRRRA's legislative agenda for 2015 and shared with local legislators at the HVCEO legislative breakfast in December, if it is held this year.

- Transfer station applications should have to receive all local approvals before being considered for a DEEP permit.
- If the State wants a WTE plant to be viable in southeast Connecticut, then the State should figure out some way to help subsidize its operation so that it's not more expensive than alternative forms of disposal.
- Staunch opposition to any desires by OPM or DEEP to organize municipalities into solid waste regions or to combine existing solid waste regions. The state provides no funding for solid waste regions or to municipalities for solid waste, so there are no state savings from further regionalization in this area.
- All battery stewardship legislation to increase recycling.
- Carpet stewardship legislation to increase recycling.
- Tire stewardship legislation to reduce illegal dumping.

M. Boughton suggested that HRRRA prepare bill language for each of these items to give to legislators and have them report back to HRRRA on the bills they have introduced.

Bay State Textiles

M. Gill asked P. Curry and A. Fernand from Bay State Textiles if they would like to say anything to the group before the meeting adjourned. Bay State is working with several of the towns in the region such as New Fairfield, Kent and Bethel. They are starting to introduce the program to local Superintendents to get by in for locating bins on school property. Bay State only places bins on municipal properties and only accepts textiles at its bins.

Adjournment: Motion by M. Knickerbocker, second by M. Gill, to adjourn the meeting at 11:45 a.m.
Vote: All in favor. (Vote tally: 81 in favor.)