



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

r e d u c e | r e u s e | r e c y c l e

**DRAFT**  
**HOUSATONIC RESOURCES RECOVERY AUTHORITY**  
**REGULAR MEETING MINUTES**

**Thursday, February 17, 2010, 10:30 a.m.**

**Brookfield Town Hall – First Floor - Room 133**

Members or Alternates Present and Voting:

Bethel, Richard Straiton	8
Brookfield, William Davidson	7
Danbury, Joel Urice	35
New Fairfield, Mike Gill	6
New Milford, Suzanne Von Holt	13
Newtown, Herbert Rosenthal	12
Redding, Larry Kulowiec	4
Ridgefield, Rudolph Marconi	11
Sherman, Ed Hayes	<u>2</u>
	98

Members Not Present

W. Stuart, Bridgewater  
D. Schiesel, Kent

Others Present:

Andrew Bodner, Ridgefield Alternate  
Tom Tibolla, Brookfield Alternate  
Cheryl Reedy, HRRR Director  
Jen Iannucci, HRRR Admin. Asst.  
Bob Metzler, HRRR Counsel  
Lynn Waller, Public  
Frank Becker, LoPresti & Sons Carting  
Chris Coady, Hudson Baylor  
Frank Antonnacci, All American Waste  
Rob Pedersen, WES  
Dave Dunleavy, AWD/RTI  
Jim Davenport, White St Property Owner  
Brian Koonz, Danbury NewsTimes  
3 representatives from Biopure Grease Guys

Call to Order: The meeting was called to order by Chairman Gill at 10:32 a.m. with a quorum of 86 votes present from eight towns. H. Rosenthal entered the meeting at 10:33 a.m. during the pledge of allegiance, bringing the total votes present to 98 from nine municipalities.

Public Comment

- Paul Forte from Biopure Grease Guys spoke about the services his company can provide to municipalities as well as restaurants. The company will provide free pick up and a 150 gallon container to local transfer stations for the collection of used vegetable oil. The material collected stays in the state where it is made into biodiesel fuel. In response to questions from H. Rosenthal and S. Von Holt, Mr. Forte said the containers are swapped out every six months and are rodent-proof. The company is currently collecting from two transfer stations in the state and from many restaurants. Bethel signed up to start the service and Redding is considering start up. In response to a question from R. Marconi, C. Reedy noted that transfer stations that are permitted to accept used motor oil do not need any additional permits to accept used vegetable oil.

- Lyn Waller reported that many residents in the region are upset because their garbage collection bills from AWD-related companies are going up, and they think they have to pay because the federal government says so. She said the public is hungry for more information on what is happening with the sale of the transfer station and asked if the Authority could hold more discussions of that subject in public session, rather than executive session. J. Urice noted that the City of Danbury is bound by a strict confidentiality agreement and cannot share any information the City has about the sale process. C. Reedy noted that the discussions in executive session on the subject are limited to the potential purchase of real property and/or other assets whose sale price could be affected by discussion in public session. Chairman Gill said that the Authority has no more information than any member of the public on what is going on with the sale of the transfer station and related assets. Neither the U.S. Marshals Service nor its contracted sales agent has been in contact with HRRRA for a year and a half or more. H. Rosenthal noted that the ongoing investigation of claims of improper action in the Madoff case by the same U.S. Marshal who handled the AWD related assets must have surely delayed the sale process somewhat.

#### Chairman's and Members' Comments

- Several members and alternates need to be reappointed to the Authority. A sheet showing the expiration date of all terms was distributed at the meeting and previously by e-mail. Members were asked to follow up and get the information on reappointments back to the HRRRA staff.
- A. O'Connor is back home and recuperating after her surgery. The Authority sent a card and wishes her well.
- The Chairman wished J. Iannucci happy birthday, a day early.
- **Single Stream** - Chairman Gill noted that he and the Authority had been working to bring single stream recycling to residents throughout the region for the past 12-14 months, but were perpetually stymied by the impending sale of the transfer station assets, including RTI. In January, however, the RTI baler experienced significant problems and was down for repairs for a couple of weeks. The Chairman approved RTI's request to send loose loads of recyclables to a single stream processing facility during that time to stay within the requirements of RTI's DEP permit and maintain service to haulers. Based on that experience, RTI management determined that it was financially in the best interest of RTI to continue shipping loose loads that could be either dual or single stream collected even after the baler was repaired and back in operation. Since providing single stream to the region was exactly what the Authority had been trying to accomplish for more than a year, RTI agreed to approach the U.S. Marshals Service about making this change, despite a pending sale. The Chairman agreed to ask the Authority to approve the change, at least for the interim, until RTI and HRRRA can negotiate the required changes to the Regional Recycling Center Service Agreement with respect to Facility Delivery Standards, Recyclable Material, Revenue Sharing, Tip Fee, etc. (This will be taken up in a formal motion later on the agenda.)

Late yesterday afternoon, the Chairman received the following e-mail from Mathew Starr, Interim CEO, Automated Waste Disposal Inc. and Affiliated Companies:

“As we discussed during the interim company sale period RTI will start accepting single stream recycling as well as continue to take dual stream material. This will give all haulers in the HRRRA region the same ability to increase recycling, improve collection efficiency, as well as reduce waste volumes. As far as the logistics we will accept the single stream in the same RTI building #2 as the dual stream (due to some DEP permit restrictions). All single stream should be declared at the scale and will be tipped at the standard RTI tip fee. Please feel free to make any appropriate announcements at the HRRRA meeting or to the HRRRA haulers that we will start accepting as of 02/22/2011.”

Chairman Gill thanked Matt Starr and Dave Dunleavy for all the hard work they did to make single stream collection a possibility in the region. They did not have an easy task to convince the U. S. Marshal’s service that the change would not hurt the sale process.

Chairman Gill noted that haulers will not need to purchase new trucks or totes or make any changes they don’t voluntarily want to make. Haulers can continue to collect dual stream material the same as before, or they can simply instruct their customers to co-mingle all accepted recyclables in a blue or clear bag. A flyer was distributed to members showing all the additional items able to be recycled by the single stream processor RTI is currently using, Willimantic Waste. They include all types of paper from boxboard to junk mail, aseptic containers like milk cartons and juice boxes and all plastics #1-#7, including rigid plastics, among other items.

HRRRA will send a newsletter to haulers late this week or early next informing them of the new options for recycling collection. Local transfer stations will have the option to keep operating as they have been with dual stream separation required for their residents or to change to single stream collection.

L. Kulowiec noted that the individual haulers will set the requirements for their own customers about how their customers should set out recycling. The public should follow the direction they receive from their own hauler.

H. Rosenthal asked about the effect of this change on Newtown’s contracted dual stream recycling collection for local residents. Newtown has the option to stay with its current program or to negotiate a change with its contractors or make a change when the contract is up for renewal. HRRRA will note on any public information provided about single stream recycling that Newtown residents should follow the direction of their town public works department in how to prepare and set out their recyclables.

Director’s Report – The Director noted the following items from her report that was sent to members earlier in the week:

- Haulers delivering MSW and recycling out of state or to unpermitted CT facilities started quarterly reporting to HRRRA of tons by town. Welsh Sanitation and Cerreta Waste reported delivering 2,750 tons of MSW out of state collected in HRRRA municipalities along with 1,280 tons of recyclables. The MSW tonnage diverted from the HRRRA system by these two haulers accounts for at least 60% of the year to year decrease in MSW coming into HRRRA transfer stations in 2009 and 2010.

- DEP tightened requirements for solid waste facilities to conduct periodic, unannounced inspections of MSW loads for the presence of significant amounts of mandatory recyclables. Wheelabrator is conducting those inspections at the Newtown and Ridgefield transfer stations. Violations are reported both to the driver and to the town of origin. A load from Pioneer Waste was found to have more than the allowable limit of recyclables at the Ridgefield transfer station. Wheelabrator talked to the driver and sent information on mandatory recycling to the company owners by e-mail. Wheelabrator also provided the owner with a violation notice on behalf of HRRRA and the Town of Ridgefield.
- The public hearing on the paint stewardship bill was February 9<sup>th</sup>. HRRRA presented testimony and submitted written testimony on behalf of a number of other organizations, regions and municipalities. The bill's legislative sponsors plan to hold a press conference at the LOB the day the Environment Committee votes the bill out favorably to send to the Senate. HRRRA was asked to arrange a demo for the press conference of the current methods available for latex paint disposal. There will likely not be much notice when the press conference is scheduled, but the Director will get the word out ASAP to all HRRRA members and chief elected officials. If you could join the group in Hartford for the press conference, it would be much appreciated. You may even be able to say a few words or at least get on TV!
- The Vanguard Investment funds are set up and the results will be reported on the monthly balance sheet going forward.
- The "crime bond" was increased from \$20,000 to \$250,000 in coverage to better protect the Authority's actual exposure.
- J. Iannucci is coordinating the poster contest this year. HRRRA would like to thank three haulers who made donations to the poster contest for the first time this year, i.e. Associated Refuse Haulers of America, All American Waste and Trashranger. Union Savings has agreed to be the major sponsor again for the 4<sup>th</sup> year, and we thank them as well.
- State e-waste law was finally implemented on February 4, 2011. WeRecycle! was one of the six companies chosen to be certified electronics recyclers for the state program. Each town received an e-mail from DEP notifying either the Chief Elected Official or the Recycling Coordinator that the program has started. The ONLY thing each municipality must do to comply with the state requirement is to respond to a 3 question online survey – name of town, name of CER chosen, name of contact person. Once that is done, your municipality will be in compliance with the new law for at least another year.

#### Administrative Approvals

- a. **Motion** by J. Urice, second by R. Marconi, to approve the minutes of the November 18, 2010 HRRRA meeting as presented. **Vote:** All voting in favor, with R. Straiton abstaining.
- b. **Motion** by J. Urice, second by H. Rosenthal, to approve the HRRRA financial statements through January 31, 2011 as presented. **Vote:** All in favor.

- c. **Motion** by H. Rosenthal, second by R. Straiton, to approve the 2011 transfer of \$550 from Staffing to Audit, and \$1,200 from Staffing to Office Expenses. **Vote:** All in favor. The audit line was budgeted below the price of the proposal eventually accepted by the Authority. A new computer, chair, business cards and other supplies were needed for the new Administrative Assistant. Funds were available in Staffing to cover both of these shortfalls because the line was budgeted for the new hire to start in September, but she did not start until November.

New Business:

- a. *2011-12 RTI Tip Fee* – **Motion** by M. Gill, second by J. Urice, to set the RTI tip fee for the fiscal year commencing July 1, 2011 at a price not to exceed \$39 per ton subject to adjustment by the Executive Committee based on negotiations with RTI with respect to single stream processing changes. **Vote:** All in favor.
- b. *Housatonic Railroad* – **Motion** by M. Gill, second by H. Rosenthal, to authorize the Director to prepare and present testimony, with content as approved by the Executive Committee, if or when a public hearing is held as part of the determination of need process for the Housatonic Railroad transfer station DEP permit application. **Vote:** All in favor.
- c. *Hauler Municipal Registration Forms* – C. Reedy went over the municipal registration forms, as updated for recent changes in state law and changes requested by various municipalities. Since these forms are used by HRRRA to register solid waste collectors on behalf of all member municipalities, except New Milford, members should contact the HRRRA office prior to May 1<sup>st</sup> (when the forms for 2011-12 are mailed out) with any concerns or requested changes. W. Davidson asked that a copy of the state laws with respect to littering and tarping of solid waste loads be included in the registration packet.

Old Business:

- a. *Single Stream Recycling Processing and RTI Default and/or Termination* – **Motion** by H. Rosenthal, second by J. Urice, resolved that the Authority respond to Recycling Technologies, Inc.'s announcement that it will accept the delivery of single stream recycling as follows: (1) that the Authority hereby authorizes Recycling Technologies, Inc. to accept single stream recycling under the Regional Recycling Center Service Agreement on an interim basis, and (2) that the Chairman and the Director of the Authority be and they hereby are authorized and directed to negotiate with RTI an amendment to the Regional Recycling Center Service Agreement to reflect the acceptance of single stream recycling of all recyclables authorized by the DEP and to bring the results of such negotiations to the executive Committee for its consideration and approval or rejection of the amendment. **Vote:** All in favor. No action was taken on the RTI Agreement default and/or termination pending the outcome of the contract negotiations from the previous motion.
- b. *Transfer station ownership update* – The Authority has not received any updates from what was reported at the last meeting from anyone associated with the possible sale of the transfer station and other related assets.

- c. *Municipal initiatives to meet minimum guaranteed tonnage under the WSDA* – R. Metzler reported that he and the Chairman and the Director met with legal counsel from most of the member municipalities to discuss options available, including flow control, franchising, municipal collection and contracting, to keep members and the region above the minimum guaranteed tonnage required by the WSDA. No decisions were reached at the meeting. Town and corporation counsels asked that HRRAs attorney review all the existing flow control ordinances and make comments back to them on any suggested changes. R. Metzler thanked all the members for sending copies of their local ordinances to him for review. There are still some authorizing resolutions from some towns he is waiting to receive. When the review is complete, Attorney Metzler will provide comments and any suggestions directly to the legal counsel of each member municipality, who can then discuss all that directly with their chief elected official.
- d. *Settlement of Wheelabrator Contract Issue* – **Motion** by J. Urice, second by M. Gill to add this item to the agenda. **Vote:** All in favor. Over the last 4 years the HRRAs program fee collected by Wheelabrator has not been sufficient to meet the program fee specified in the Waste Supply and Disposal Agreement (WSDA) between HRRAs and Wheelabrator. Tonnage coming into the system has fallen more rapidly than Wheelabrator has been able to raise the annual program fee resulting in a net shortfall to HRRAs at December 31, 2010 of approximately \$10,000. (Worksheet prepared by Rob Pedersen from Wheelabrator attached.) The only corrective action allowed by the WSDA is to raise the program fee portion of the tip fee even more. The effect of such an increase would be that those haulers who are voluntarily bringing MSW into the system would pay more because of the few haulers who continue to divert MSW from the system. Neither HRRAs nor Wheelabrator wants to penalize the haulers who are working through the system for the behavior of those who aren't. Thus, C. Reedy and V. Langone have discussed the options and propose a settlement of the program fee shortfall through December 31, 2010. From its own funds, not from tip fees, Wheelabrator would pay HRRAs half the shortfall or \$5,000, and HRRAs would agree to "forgive" or write off the other half of the shortfall. Wheelabrator has signed off on this proposed settlement. **Motion** by H. Rosenthal, second by J. Urice, that the Authority accept the proposed settlement for the program fee shortfall and agree to write off \$5,000 in program fees receivable through the contract year ended December 31, 2010. **Vote:** All in favor.

Adjournment: **Motion** by J. Urice, second by R. Straiton, to adjourn the meeting at 12:140 p.m. **Vote:** All in favor.