



HOUSATONIC RESOURCES RECOVERY AUTHORITY

MINUTES

Wednesday, June 30, 2021, 10:00 a.m.

Via Zoom

Members or Alternates Present

Bethel, Matt Knickerbocker	7
Bridgewater, Curtis Read	1
Brookfield, Steve Dunn	6
Danbury, Joel Urice	31
Kent, Jean Speck	1
New Milford, Pete Bass	11
Newtown, Herb Rosenthal	11
Ridgefield, Rudolph Marconi	10
Roxbury, Barbara Henry	1
Wilton, Lynne Vanderslice	7
	<hr/>
	86

Others Present:

Sheldon Conn, Brookfield Alternate
Fred Hurley, Newtown Alternate
Suzanne Von Holt, New Milford Alternate
Chris Burney, Wilton Alternate
Rick Laigle, All American Waste
Jennifer Heaton-Jones, HRRRA
Jennifer Baum, HRRRA

Members Absent

New Fairfield
Redding
Sherman
Weston

Call to Order: The meeting was called to order via zoom by Chairman M. Knickerbocker at 10:04 a.m. with a quorum of 86 votes present from ten towns. M. Knickerbocker led everyone in the pledge of allegiance.

Public Comment: No public comment

Chairman and Members' Comments:

The Chairman welcomed the towns of Roxbury and Wilton to the HRRRA.

The Chairman thanked the board and staff of HRRRA for their support during legislative session and expressed his sentiments in regards to the Bottle Bill and EPR Bill.

Director's and Tonnage Report:

J. Heaton-Jones reviewed highlights from the written Directors Report and tonnage reports (Attachment A).

- J. Heaton-Jones reviewed MSW and recycling tonnage as of March 31, 2021.
- MSW tonnage to date is running at 104% and 102% compared to same month last year.

- Recycling tonnage to date is running at 102% and 69% compared to the same month last year. J. Heaton-Jones is evaluating the data to determine the reason for the decrease.
- E-waste tonnage is running at 97% compared to the same time last year.
- Glass collected from HRRAs separated glass from March 1, 2019, to June 23, 2021, is 563.15 tons. The glass recycling program is established in all HRRAs municipalities. The glass education campaign will be launched after the towns of Roxbury and Wilton receive glass containers.
- The Executive Director reviewed details in the Bottle Bill specifically regarding the five-cent surcharge on nips that will be passed on to municipalities in April of 2022. In addition the Director gave details on other bills that were passed in Connecticut pertaining to Solid Waste Management and the two EPR bills for packaging passed in Oregon and Maine waiting for the governor's signature.
- The Director reminded members that the MSW Tip Fees will increase on July 1, 2021, per the contract to \$1.56 per ton for both HRRAs Member towns and HRRAs Haulers. The Member rate will be \$91.33, and the hauler rate will be \$96.87.

Administrative Approvals:

Minutes: Motion by C. Read second by S. Dunn, to approve the minutes of April 29, 2021 (Attachment B). **Vote: The motion passed;** with 78 votes in favor, with 2 abstentions from L. Vanderslice and B. Henry.

Financial Statements:

J. Heaton-Jones reviewed the financial statements through May 31, 2021.

Motion by J. Urice, second by S. Dunn, to approve the financial statements through May 31, 2021 (Attachment C), as presented. **Vote: The motion passed unanimously;** with 86 votes in favor.

S. Dunn commented that the investment loss and gain are indicated on two separate lines.

J. Heaton-Jones stated it appears on separate lines to track the loss and gain from monthly reconciliations. That it was brought to the attention of G. Nanavaty to review and determine if it could be combined for reporting purposes.

New Business:

6a.) Nomination Committee

R. Marconi shared the nominating committee, himself, S. Von Holt and C. Read, and were unanimous in presenting the current slate. R. Marconi stated that due to Covid, it was a rushed year and the committee agrees it would serve best to extend current members. M. Knickerbocker then read the Nominating Committee report nominating M. Knickerbocker to serve as Chairman, S. Dunn as Vice Chairman, H. Rosenthal as Secretary, J. Pemberton as Treasurer and J. Speck as Assistant Treasurer for 2021-22.

Motion by J. Urice, second by B. Henry to endorse the slate. **Vote: The motion passed unanimously;** with 86 votes in favor (Attachment D).

6b.) Adoption of 2021-22 FY Budget

Motion by M. Knickerbocker, second by S. Dunn to approve the HRRAs 2021-22 fiscal year budget as presented with revenue projected at \$707,500 and expenditures totaling \$702,427 (Attachment E) with a net revenue in excess of expenditures of \$5,072. **The motion passed unanimously;** with 86 votes in favor.

During the discussion J. Heaton Jones highlighted the most significant changes from the previous fiscal year:

- J. Baum received a 2.5% increase for a total salary of \$52,488.80. Health Insurance Benefits changed from an 80/20 split to an 85/15 split for employer/employee contribution. HRRRA's contribution totals \$29,220.96 for the 2021-22 FY.
- The HHW revenue and expense line, which is considered a pass through and has no impact on the bottom line of the budget, was increased to reflect the Town of New Milford's HHW event being managed by the HRRRA. *It should be noted this item was approved at the April 29th Executive Committee meeting at \$210,000 and was presented in the revised budget as an increase to \$240,000 along with the change in Auditor expenses from \$6550 to \$6700. It was approved by the Executive Committee at their June 30th meeting to be presented at the Special Meeting of the Full Authority this date, June 30th 2021.*

J. Urice asked if the town of Wilton will host a HHW event this year. J. Heaton-Jones confirmed Wilton will not host this year. H. Rosenthal complimented the authority on a healthy balance. R. Marconi suggested the authority establish a fund balance policy in the future. H. Rosenthal stated there is a fund balance policy. It was then suggested, and the Chairman confirmed, the fund balance will be reviewed at the next meeting in September.

6c.) HHW policy for residents with excessive material

The Executive Director and Chairman brought to the attention of the authority concerns with residents bringing excess material to HHW events. A discussion was held regarding the problem and possible solutions. J. Heaton-Jones was given directive to create a written policy and email it to the authority for approval.

6d.) Non-Compliant Haulers

The Executive Director brought to the attention of the authority the concerns and issues with non-compliant haulers who refuse to comply or are unable to obtain the required insurance. A discussion was held to review possible solutions. A sub-committee was formed to create a policy that will be presented at the September 30, 2021 HRRRA Full Authority meeting. The subcommittee members include S. Von Holt, M. Knickerbocker, L. Vanderslice, and J. Speck.

6e.) Membership Policy

The Chairman reviewed the purpose of the HRRRA Policy on Admission of New Members. The issue dates back to when the Town of Weston joined the Authority a year ago. The by-laws require the Authority to establish a policy for admission of new members. It had never been done likely because the Authority had not had anyone leave or request to join until now and it was not an issue. That led to several discussions on whether a policy should be created or whether the by-laws should be amended to include criteria for admission. A By-law subcommittee was established. One of the questions that was raised was the percentage of the vote that is needed for approval of admission of a new town. The by-laws state that the Policy must be approved by a 2/3 majority of units present and voting but are silent on what the percentage is for actual admission of members. After a few meetings were held, in which the group discussed changing the by-laws to clarify admission itself should be by a 2/3 majority, D. Pelham, HRRRA Legal Counsel, researched each municipalities ordinances, which set forth (among other things) the manner in which voting is conducted. All of the ordinance's state that approval of actions by the Authority shall require the affirmative vote of 51% of the units present and voting (with the exception of membership termination in some ordinances). The By-law subcommittee recognized that a change in the by-laws to require a 2/3 majority for admission of a new town would also require conforming changes to each town's ordinance, which would be a lengthy and difficult undertaking. Therefore, the Subcommittee is offering a policy for the admission of new members to be presented and adopted at this meeting. The policy puts in writing the same steps that the most recent towns of Weston, Roxbury and Wilton made in order to become a member.

Motion by M. Knickerbocker, second by H. Rosenthal to adopt the Policy of Admission of New Members as presented by the subcommittee.

DISCUSSION:

The discussion focused on whether or not the policy should include a 2/3 vote or 51% of total voting units for admission. J. Urice was pleased it was a policy and not a change in the by-laws. It was agreed that the establishment of a policy needs a 2/3 vote. J. Urice stated there was a lot of good information included in the presented policy, but it was missing financials and other items to vet an incoming member. A proper vetting should be required to ensure the incoming member would honor existing contracts. More importantly J. Urice's concern was with how the vote is weighted for the entrance of a new member. J. Urice does not believe that 51% is enough and it should be a 2/3 vote. M. Knickerbocker pointed out that it is not a one town one vote, it is 51% of voting units and remains consistent with the current by-laws. J. Urice believes it should be the same as adopting the policy which is 2/3 or otherwise one town or two could control this issue indefinitely. D. Pelham pointed out the reason why 51% of voting units was presented in the policy was because the by-laws must flow from the enabling ordinances of the towns. D. Pelham explained all of the member towns ordinances say the same thing, that all voting that is done by the Authority is done by a 51% of the total voting units present at a meeting. The by-laws cannot contravene the enabling statutes of the enabling towns. The only way to change the voting in the policy is to change the individual member enabling ordinances. For now, the Authority needs to follow the 51% of voting units because that is what the enabling ordinances state. H. Rosenthal noted that the by-laws point out where it requires a specific vote of 2/3 vote such as enacting a policy. J. Urice mentioned that the City of Danbury's legal counsel reviewed the language and believes that a 2/3 vote should be required. J. Urice believes if the Authority allowed Bridgeport in, it would be their Authority and they would control the Authority with their votes.

Motion to amend by J. Urice to adjust the proposed policy from 51% of voting units to require 67% of voting units to admit a new member town. **The motion to amend was ruled invalid for lack of a second.**

Vote on the main motion

Voting in favor: BE, BK, BW, NE, NM, RI, RX, WI

Voting against: DA

Not in attendance/not voting: KE, RE, WE, NF

Motion failed as the members present and voting in favor did not achieve the 2/3 supermajority of voting units required to adopt a membership policy.

Adjournment

Motion by C. Read, second by R. Marconi, to adjourn the meeting at 11:30 a.m. **The motion passed unanimously;** with 86 votes in favor.

Respectfully submitted,
Jennifer Baum

**A full recording of the June 30, 2021 HRRR Full Authority meeting is posted on the HRRR website.*