



HOUSATONIC RESOURCES RECOVERY AUTHORITY

MINUTES

Thursday, January 25, 2024, 10:30 a.m.

Newtown Municipal Center, Conference Room

3 Primrose Street, Newtown CT 06470

Members or Alternates Present

Bethel, Dan Carter	8
Bridgewater, Curtis Read	1
Danbury, Farley Santos	0
Kent, Marty Lindenmayer	1
New Fairfield, Pat Del Monaco	5
New Milford, Suzanne Von Holt	11
Newtown, Herb Rosenthal	10
Redding, Julia Pemberton	3
Ridgefield, Rudy Marconi	9
Roxbury, Patrick Roy	1
Sherman, Don Lowe	1
Wilton, Matthew Knickerbocker	7
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Others Present:

Jeff Capeci, First Selectman, Newtown
Fred Hurley, Newtown Alternate
Barbara Henry, Roxbury Alternate
Glenn Nanavaty, Auditor
Patti Oberg, All American Waste
Rick Laigle, All American Waste
Rich O'Neill, Oak Ridge Waste
Joe Sardone, Oak Ridge Waste
Zane Kmietek, Oak Ridge Waste
Shannon Barry, Oak Ridge Waste
Jennifer Heaton-Jones, HRRRA
Jennifer Baum, HRRRA
Tammy Thornton, HRRRA

Members Absent:

Brookfield, Weston

Call to Order:

The meeting was called to order by Chairman M. Knickerbocker at 10:31 a.m. with 57 votes present from 12 towns.

Public Comment:

No Public Comment

Chairman and Members' Comment:

The Chairman welcomed the newly elected Chief Elected Officials; Marty Lindenmayer, First Selectman of Kent, Jeff Capeci First Selectman of Newtown, not in attendance Steve Dunn, First Selectman of Brookfield, Melissa Lindsey First Selectman of New Fairfield and Mayor Roberto Alves. The Chairman recognized Farley Santos soon to be Danbury HRRRA Alternate

R. Marconi shared that he is pleased to have the City of Danbury participating with the authority again and gave a warm welcome to F. Santos.

Director's and Tonnage Report:

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

- The Director summarized initiatives the HRRRA staff implemented in 2023 on behalf of the HRRRA municipalities including:
 - Enhanced public education with the support of newly hired T. Thornton
 - Streamlining the hauler application process and updated insurance policies.
 - J. Baum revived quarterly hauler meetings.
 - Supported member municipalities in implementing innovative waste reduction programs through grants that included unit based pricing and organics diversion.
 - Worked extensively on the 2023 legislative session that resulted in passing the first tire EPR bill in the nation.
- J. Heaton-Jones recently met with Oak Ridge Waste's CEO John Decker regarding concerns with Ridgefield's transfer station as well as the current \$2.00 per ton fuel surcharge. The meeting resulted in:
 - Oak Ridge agreeing to reduce the fuel surcharge in February based on recent reduction in fuel agreements.
 - A resolution to several outstanding items pertaining to the Ridgefield transfer station.
 - And pulling out the cost of residual (aka contamination) from the recycling tip fee as a separate line item to create more transparency. The hope is to create motivation for HRRRA haulers and towns to be more proactive with public education and outreach. The percentage of contamination in the mixed recycling is 28.5%
- MSW tonnage is currently 99% compared to 2022 and 101% compared to the same month 2022.
- Recycling tonnage is currently 92% compared to 2022 and 108% compared to the same month 2022.
- Glass collected from March 2019 to date 3,455,500 lbs. / 1728 tons.
- Markets showed improvement in the last quarter of 2023 resulting in a reduction of the recycling tip fee from \$84.54 to \$70.34. This rate was effective January 1, 2024 and will be in effect until March 31, 2024.

R. Marconi asked if the HRRRA receives tonnage reports from Wheelabrator on the amount of MSW received from the HRRRA region. J. Heaton-Jones reported the Authority does not receive those reports.

Action Item: J. Heaton-Jones will request a tonnage report from Wheelabrator for the HRRRA region.

A discussion ensued on waste beyond 2029.

Administrative Approvals:

Minutes: Motion by D. Lowe second by P. Del Monaco, to approve the minutes of September 28, 2023, (Attachment B). **Vote: The motion passed;** with 56 votes in favor with abstentions from M. Lindenmayer (KE)

Financial Statements: J. Heaton-Jones reported no concerns on the current financial statements through December 31, 2023. The budget is on track. (Attachment C). No **motion** was made to approve the financial statements through December 31st 2023.

Old Business:

6a.) By-laws (Attachment D)

The Chairman reviewed the history and structure of why the HRRRA created a weighted voting structure. M. Knickerbocker explained that when the Authority was first created members paid dues based on population and at the time it was determined that the voting would align with the financial obligations of each member. Once the waste-to-energy plant was built and the authority began receiving revenue, membership fees were removed. Conversation ensued regarding the procedure to revise the HRRRA bylaws to move from weighted population voting to “one town, one vote”.

M. Knickerbocker sought legal counsel at the state level and was advised the HRRRA can change the bylaws with a 2/3 vote of the present members at an authority meeting. Subsequently, all member municipalities will need to revise the HRRRA concurrent ordinance pertaining to membership of the HRRRA.

R. Marconi stated the Town of Ridgefield has already revised their local ordinance and inquired on the procedure moving forward – does the HRRRA hold a vote or should towns update their concurrent ordinance first.

The Chairman stated the HRRRA can vote on the change to the bylaws. Should the vote pass to adopt the bylaw change to one town, one vote, it would not take effect until all members change their concurrent ordinance.

H. Rosenthal asked if a municipality would lose their membership if they did not pass the change in the concurrent ordinance to one town one vote? It was determined that would not be the case unless the other members voted to removed them.

P. Del Monaco asked if municipalities change their concurrent ordinance and the vote does not pass, are they required to change the ordinance again.

J. Capeci asked why not change the by-laws to reflect the concurrent ordinances do not need to be changed?

The Chairman suggested holding a vote prior to changing local ordinances. It will require HRRRA staff sending a notice of the by-law change with complete text of the proposed amendment and postmarked not more than twenty days or less than seven days before the meeting date.

R. Marconi was in the belief that a vote was held to revise local ordinances. The Chairman confirmed there was a vote to support a resolution to change local ordinances.

Motion by D. Carter second by R. Marconi to proceed with holding a vote on amending the bylaws to adopt a one town, one vote change, at the HRRRA meeting on February 29th. **Vote: The motion passed unanimously;** with 57 votes in favor.

New Business:

7a.) 2022-23 FY HRRRA audit (Attachment E)

G. Nanavaty reviewed the HRRRA 2022-2023 fiscal year audit. G. Nanavaty stated there were no issues with the audit. Every document requested was provided and no adjustments were required. G. Nanavaty stated the organization is functioning well and recommended that the board continue to function in the same manner.

Motion by R. Marconi, second by C. Read, to approve the 2022-2023 FY Draft Audit (Attachment E), as presented. **Vote: The motion passed unanimously;** with 57 votes in favor.

7b.) Non-Compliant haulers and CT DEEP lack of enforcement support

The Director shared that staff continues to struggle with enforcement with little or no support from CT DEEP. The state department has made it clear that they do not regulate haulers and it is the municipalities responsible to ensure that haulers are in compliance with state laws.

J. Heaton-Jones suggested that as municipalities move towards updating municipal ordinances, they consider adding stronger enforcement language for haulers who refuse to register and comply with local and state solid waste laws.

A discussion ensued on local enforcement policies.

Action Item: J. Heaton-Jones to seek legal counsel to draft ordinance language for hauler enforcement and operating hours.

R. Marconi suggested including the town's responsibility for legal fees should a case advance to litigation.

7c.) Renewal of regional HHW contract (Attachment F)

The Chairman highlighted the household hazardous waste contract for municipalities to maintain current pricing. The Chairman suggested towns present the contract to local board of selectmen to vote.

No questions ensued.

6d.) Banning the sales of Nips via local ordinance.

M. Knickerbocker explained there could be a proposal to change the state statute under the home rule provision to allow towns to ban the sale of alcoholic miniatures at the municipal level. The change in law would not ban nips at the state level, it would allow municipalities to have the right to ban them through ordinance.

J. Heaton-Jones explained the current law that allows for a 5 cent surcharge on nips and giving the money to the towns does not prevent the litter from happening. Only a ban on the miniature bottles would effectively stop it or a large deposit on the containers.

The HRRRA did not vote on supporting a ban on miniatures at the local level.

6e.) HRRRA 2024 Legislative agenda

J. Heaton-Jones reviewed the topics of interest.

- Organics law that would phase in a mandate for all generators including individuals and a requirement for municipalities to provide disposal access.
- EPR for batteries, carpet, and HHW
- There is word there will be a large environment bill, still to be determined.

The Director will email the authority a full comprehensive list of legislative items.

Adjournment

Motion by M. Lindenmayer, second by D. Lowe, to adjourn the meeting at 11:54 a.m. **Vote: The motion passed unanimously;** with 57 votes in favor.

Respectfully submitted.

J. Baum