

Policies & Procurement Committee
April 6, 2017
Regular Meeting Draft Minutes

Members Present: Committee Chairman John Adams
 Vice-Chairman Barlow
 Patricia Widlitz

MIRA Staff Present: Tom Kirk, President
 Mark Daley, Chief Financial Officer
 Peter Egan, Director of Operations and Environmental Affairs
 Laurie Hunt, Esq., Director of Legal Services
 Tom Gaffey, Director of Recycling & Enforcement
 Roger Guzowski, Procurement Manager
 Moira Kenney, Assistant HR Manager/Board Administrator

Others Present: John Pizzimenti, USA Hauling

Committee Chairman Adams called the meeting to order at 11:00 a.m. and noted that a quorum was present.

1. PUBLIC COMMENT

Committee Chairman Adams said the agenda allowed for a public portion in which the Committee would accept written testimony and allow individuals to speak for a limit of three minutes. As there was no one present who wished to address the Committee the regular meeting commenced.

2. APPROVAL OF MINUTES OF THE MARCH 9, 2017 REGULAR MEETING

Committee Chairman Adams requested a motion to accept the minutes of the Regular March 9, 2017, Policies & Procurement Committee meeting. The motion to approve the minutes was made by Vice-Chairman Barlow and seconded by Committee Chairman Adams.

The motion to approve the minutes as amended was approved by roll call.

3. REVIEW AND RECOMMEND RESOLUTION REGARDING REVISIONS TO THE CONNECTICUT SOLID WASTE SYSTEM PERMITTING DISPOSAL & BILLING PROCEDURES

Committee Chairman Adams requested a motion on the above referenced item. The motion was made by Vice-Chairman Barlow and seconded by Committee Chairman Adams.

RESOLVED: That the Board of Directors hereby approves amendments to the CONNECTICUT SOLID WASTE SYSTEM PERMITTING, DISPOSAL AND BILLING PROCEDURES, as presented and discussed at this meeting.

Mr. Kirk said this is a technical correction to formalize a procedure which has been MIRA's practice for many years. He explained the amendment to the billing procedure addresses an occasional problem which MIRA has in the winter when the scales become inoperative due to the freezing temperatures. Mr. Kirk said when this occurs MIRA accounts for the weight brought in using an average from prior deliveries.

Committee Chairman Adams asked what the variability on the tonnage delivery is. Mr. Kirk said a standard load is roughly five to eight tons per truck. Mr. Egan explained that management uses a very detailed historical average using the specific routes taken by the trucks to establish an average but he did not know the exact variability. Mr. Kirk said MIRA's customers are comfortable with this process.

The motion previously made and seconded was approved unanimously by roll call.

4. **REVIEW AND RECOMMEND RESOLUTION REGARDING SPOT WASTE DELIVERIES**

Committee Chairman Adams requested a motion on the above referenced item. The motion was made by Vice-Chairman Barlow and seconded by Committee Chairman Adams.

RESOLVED: That the President is hereby authorized to select Spot Waste delivery offers that are responsive to the needs of the CSWS resources recovery facility during a Fuel Shortage Period in accordance with Internal Management Procedure No. 140 to ensure the desired optimal operation of the facility, substantially as discussed and presented at this meeting and;

FURTHER RESOLVED: that the President is authorized to select a Spot Waste delivery offer from John's Refuse and Recycling LLC for delivery of MSW to the CSWS Resources Recovery Facility and;

FURTHER RESOLVED: that the President is authorized to select a Spot Waste delivery offer from AJ Waste Systems LLC for delivery of MSW to the CSWS Resources Recovery Facility and;

FURTHER RESOLVED: that the President is authorized to select a Spot Waste delivery offer from CWPM LLC for delivery of MSW to the CSWS Resources Recovery Facility and;

FURTHER RESOLVED: that the President is authorized to select a Spot Waste delivery offer from Patterson Enterprises LLC for delivery of MSW to the CSWS Resources Recovery Facility and;

FURTHER RESOLVED: that the President is authorized to select a Spot Waste delivery offer from Covanta Projects of Wallingford LLC for delivery of MSW to the CSWS Resources Recovery Facility and;

FURTHER RESOLVED: that the President is authorized to select a Spot Waste delivery offer from All American Waste LLC for delivery of MSW to the CSWS Resources Recovery Facility.

Mr. Kirk said this resolution is for the most recent spot waste procurement which concluded March 31, 2017, and was extended until this coming Monday. He said MIRA was in a position to accept additional waste which came in from \$33 per ton for larger deliveries up to \$77 a ton from smaller hauler deliveries. Mr. Kirk said these deliveries are above MIRA's marginal costs.

The motion previously made and seconded was approved unanimously by roll call.

5. **REVIEW AND RECOMMEND RESOLUTION REGARDING THREE YEAR LEGAL SERVICES AGREEMENTS**

Committee Chairman Adams requested a motion on the above referenced item. The motion was made by Vice-Chairman Barlow and seconded by Director Adams.

RESOLVED: The President is hereby authorized to execute, deliver, and perform on behalf of the Authority, Legal Services Agreements as were substantially set forth in the Request for Qualifications dated January dated January 30, 2017, for a period of three years commencing on July 1, 2017, and terminating on June 30, 2020, with the law firms listed below. Except for the General counsel position, all counsel positions will be "on call".

Mr. Kirk said this resolution puts a legal counsel stable in place for MIRA to utilize. He said at the direction of the Committee all firms interested in providing counsel to MIRA are on call and those which meet certain qualifications and specifications will be called on for specific tasks on an as needed basis.

Ms. Hunt said that she interviewed Robinson and Cole as they were the only new bidder. Mr. Kirk said MIRA cast a wide net when seeking law firms, he said several past applicants declined to bid this time around as they had not received any work from MIRA in the past.

The motion previously made and seconded was approved unanimously by roll call.

6. **REVIEW AND RECOMMEND RESOLUTION REGARDING REPEAL OF THE AUTHORITY'S TELEPHONIC MEETING POLICY AND PROCEDURE**

Committee Chairman Adams requested a motion on the above referenced item. The motion was made by Vice-Chairman Barlow and seconded by Committee Chairman Adams.

RESOLVED: That the Board hereby repeals in its entirety the Authority's Telephonic Meeting Policy and Procedure.

Mr. Kirk said this procedure was originally put into place in an effort to prevent sensitive meeting material to be addressed via phone meetings which made public accessibility limited. He said in response to this criticism a policy was put into place which required a specific number of Board members to attend meetings in person and to establish a location for the public to participate. Mr. Kirk said although these changes were well received they have become unnecessary over time due to the consistently extensive transparency by the MIRA Board and management.

Ms. Hunt explained the policy required (in line with the statutory requirements for a quorum) that six Directors, with two from municipal service, were in the room at regular meetings, however because that was so difficult and created so many time constraints the policy was limited to only be utilized when MIRA has a full Board in place. She explained it has been many years since MIRA has had a full eleven member Board and as a result this policy has become irrelevant.

Ms. Hunt said the right for the public to address the Board for a limit of three minutes was written into MIRA's by-laws. Vice-Chairman Barlow asked if the by-laws contained this policy. Ms. Hunt replied no.

The motion previously made and seconded was approved unanimously by roll call.

7. INFORMATIONAL

Chairman Adams said the Informational material had been thoroughly reviewed.

Vice-Chairman Barlow asked how management is proceeding with the host community agreements which expire in June. Mr. Egan said he has spoken with Torrington and plans to speak with Watertown soon. He said he is optimistic that amendments can be put in place to extend the contracts to coincide with the Tier 1 agreements.

8. ADJOURNMENT

Committee Chairman Adams requested a motion to adjourn the meeting. The motion made by Vice-Chairman Barlow and seconded by Committee Chairman Adams was approved unanimously by roll call.

The meeting was adjourned at 11:32 a.m.

Respectfully submitted,

Moira Kenney
Assistant HR Manager/Board Administrator