

**MATERIALS INNOVATION AND RECYCLING AUTHORITY**

**FIVE HUNDRED ANDTHIRTEEN**

**APRIL 8, 2020**

A Regular Telephonic Board meeting of the Materials Innovation and Recycling Authority Board of Directors was held on Wednesday, April 8, 2020. This meeting is being conducted pursuant to Governor Lamont's Executive Order No. 7. MIRA offices are presently closed to the public due to the Corona Virus outbreak. Those present via video conferencing were:

Directors:

Chairman Stein  
Vice-Chairman Dick Barlow  
John Adams  
Edward Bailey  
Carl Fortuna, Jr.  
Jim Hayden  
Scott Shanley  
Pat Widlitz  
Thomas Swarr, CSWS Project Ad Hoc  
Luke Bronin, CSWS Ad Hoc

Present from MIRA:

Tom Kirk, President  
Mark Daley, Chief Financial Officer  
Laurie Hunt, Director of Legal Services  
Peter Egan, Director of Operations and Environmental Affairs  
Jeff Duvall, Director of Budgets and Forecasting

Public Present:

Ann Catino, General Counsel, Halloran & Sage

Chairman Stein called the meeting officially to order at 9:30 a.m. and said that a quorum was present.

**PUBLIC PORTION**

Chairman Stein said the agenda allowed for a public portion in which the Board would accept written testimony and allow individuals to speak for a limit of three minutes. As there were no members of the public who wished to address the Board, the meeting commenced.

**APPROVAL OF THE MARCH 8, 2020 BOARD MEETING MINUTES**

Chairman Stein requested a motion to approve the minutes of the March 8, 2020 Board meeting. Director Barlow made the motion which was seconded by Director Widlitz.

The motion previously made and seconded was approved unanimously by roll call vote. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Bailey, Director Hayden, Director Fortuna, Director Shanley, Director Widlitz, Ad Hoc Swarr and Ad Hoc Bronin voted yes.

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Chairman Stein	X		
Vice Chairman Barlow	X		
John Adams	X		
Edward Bailey	X		
Jim Hayden	X		
Scott Shanley	X		
Carl Fortuna	X		
Pat Widlitz	X		
<b>Ad Hoc Members</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Tom Swarr, CSWS Ad Hoc	X		
Luke Bronin, CSWS Ad Hoc	X		

**REVIEW AND APPROVE DRAFT RESOLUTION REGARDING INCREASING THE CAP ON FY 2020 TRANSFERS TO THE CSWS TIP FEE STABILIZATION FUND.**

Chairman Stein requested a motion on the above referenced item. The motion to approve was made by Director Shanley and seconded by Director Hayden.

**WHEREAS,** The Materials Innovation and Recycling Authority (“Authority”) Board of Directors adopted its Fiscal Year 2020 Property Division Operating and Capital Budget (“Property Division Budget Resolution”) at its February 13, 2019 meeting; and

**WHEREAS,** The Property Division Budget Resolution included authorized transfers of eight million seven hundred thousand dollars (\$8,700,000) in Property Division Receipts to the CSWS Tip Fee Stabilization Fund (“Authorized Transfers”); and

**WHEREAS,** As of the transfer of Property Division receipts for the month of February 2020, \$8,020,136 in FY 2020 receipts has been transferred to the CSWS Tip Fee Stabilization Fund and the Authority projects to reach such Authorized Transfers on or before the distribution of receipts for the month of April 2020; and

**WHEREAS,** The CSWS continues to experience deficits in FY 2020 budget versus actual operating revenue primarily due to the operational performance and pricing of energy produced through its resource recovery facility which deficits are expected to continue for the remainder of FY 2020; and

**WHEREAS,** The Property Division continues to experience surplus FY 2020 budget versus actual operating income.

**NOW THEREFORE, be it**

**RESOLVED:** That Fiscal Year 2020 Authorized Transfers of Property Division receipts to the CSWS Tip Fee Stabilization Fund are hereby increased by nine hundred thousand dollars (\$900,000) to nine million six hundred thousand dollars (\$9,600,000); and

**FURTHER RESOLVED:** That all other terms and conditions of the Property Division Budget Resolution concerning the adopted budgets and distribution of funds remain in full force and effect.

Following discussion, the motion previously made and seconded was approved unanimously by roll call vote. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Bailey, Director Hayden, Director Fortuna, Director Shanley, and Director Widlitz voted yes.

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Chairman Stein	X		
Vice Chairman Barlow	X		
John Adams	X		
Edward Bailey	X		
Jim Hayden	X		
Scott Shanley	X		
Carl Fortuna	X		
Pat Widlitz	X		

**CHAIRMAN AND PRESIDENTS REPORT**

**AMENDMENT TO PILOT RESOLUTION**

Chairman Stein requested a motion to amend the draft resolution to specify the amount (\$1.5 million) of the PILOT to be paid to the City of Hartford. The motion to amend was made by Director Barlow and seconded by Director Bailey, and was approved unanimously by roll call vote. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Bailey, Director Hayden, Director Fortuna, Director Shanley, Director Widlitz and Ad Hoc Swarr voted yes. Ad Hoc Bronin abstained.

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Chairman Stein	X		
Vice Chairman Barlow	X		
John Adams	X		
Edward Bailey	X		
Jim Hayden	X		
Scott Shanley	X		
Carl Fortuna	X		
Pat Widlitz	X		
<b>Ad Hoc Members</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Tom Swarr, CSWS Ad Hoc	X		
Luke Bronin, CSWS Ad Hoc			X

**REVIEW AND APPROVE DRAFT RESOLUTION REGARDING AUTHORIZING FY 20 PILOT.**

Chairman Stein requested a motion on the above-referenced item. The motion to approve was made by Director Barlow and seconded by Director Bailey.

**WHEREAS**, the Fiscal Year 2020 CSWS Operating and Capital Budget approved by this Board on February 13, 2019, included a line item for payment of a PILOT to the City of Hartford; and

**WHEREAS** the Term of the Authority’s prior PILOT Agreement with the City expired on June 30, 2019; and

**WHEREAS** the Parties now wish to enter into a new Agreement for Payment In Lieu Of Taxes, with a Term commencing upon execution and ending on June 30, 2020, and with terms and conditions that are substantially the same as the parties’ prior PILOT Agreement (except for the Term);

**NOW THEREFORE, be it**

**RESOLVED** That the President is hereby authorized to negotiate and execute a new Agreement for Payment In Lieu Of Taxes in the amount of \$1.5 million with the City of Hartford, with terms and conditions substantially as discussed at this meeting.

Following discussion, the motion previously made and seconded was approved unanimously by roll call vote. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Bailey, Director Hayden, Director Fortuna, Director Shanley, Director Widlitz and Ad Hoc Swarr voted yes. Ad Hoc Bronin abstained.

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Chairman Stein	X		
Vice Chairman Barlow	X		
John Adams	X		
Edward Bailey	X		
Jim Hayden	X		
Scott Shanley	X		
Carl Fortuna	X		
Pat Widlitz	X		
<b>Ad Hoc Members</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Tom Swarr, CSWS Ad Hoc	X		
Luke Bronin, CSWS Ad Hoc			X

**REVIEW AND APPROVE DRAFT RESOLUTION REGARDING RATIFICATION OF EMERGENCY PROCUREMENT CONTRACT.**

Chairman Stein requested a motion on the above referenced item. The motion to approve was made by Director Widlitz and seconded by Director Adams.

**RESOLVED:** That the MIRA Board of Directors ratifies the Emergency Procurement as substantially presented and discussed at this meeting.

Following discussion, the motion previously made and seconded was approved unanimously by roll call vote. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Bailey, Director Hayden, Director Fortuna, Director Shanley, Director Widlitz, Ad Hoc Swarr and Ad Hoc Bronin voted yes.

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Chairman Stein	X		
Vice Chairman Barlow	X		
John Adams	X		
Edward Bailey	X		
Jim Hayden	X		
Scott Shanley	X		
Carl Fortuna	X		
Pat Widlitz	X		
<b>Ad Hoc Members</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Tom Swarr, CSWS Ad Hoc	X		
Luke Bronin, CSWS Ad Hoc	X		

**EXECUTIVE SESSION**

Chairman Stein requested a motion to enter into Executive Session to discuss pending litigation and pending RFP responses, potential lease of MIRA real estate, trade secrets, personnel matters, security matters, and feasibility estimates and evaluations. The motion was

made by Director Adams and seconded by Director Shanley. Chairman Stein requested that the following people remain for the Executive Session, in addition to the Board members:

Tom Kirk  
 Mark Daley  
 Peter Egan  
 Laurie Hunt  
 Ann Catino, Legal Counsel

The motion previously made and seconded was approved unanimously by roll call vote. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Bailey, Director Hayden, Director Fortuna, Director Shanley, Director Widlitz, Ad Hoc Swarr and Ad Hoc Bronin voted yes.

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Chairman Stein	X		
Vice Chairman Barlow	X		
John Adams	X		
Edward Bailey	X		
Jim Hayden	X		
Scott Shanley	X		
Carl Fortuna	X		
Pat Widlitz	X		
<b>Ad Hoc Members</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Tom Swarr, CSWS Ad Hoc	X		
Luke Bronin, CSWS Ad Hoc	X		

The Executive Session commenced at 10:05 a.m.

The meeting was reconvened at 11:00 a.m. Chairman Stein noted that no votes were taken, and adjourned the meeting without further discussion.

Respectfully Submitted,

Kanchan Arora  
 Consultant