

MATERIALS INNOVATION AND RECYCLING AUTHORITY

FIVE HUNDRED AND TWENTY-SIX

February 1, 2021

A Special Telephonic Board meeting of the Materials Innovation and Recycling Authority Board of Directors was held on Monday, February 1, 2021. Present via video or audio conferencing were:

Directors:

Chairman Stein
Vice-Chairman Dick Barlow
John Adams
Edward Bailey (joined at 10:07)
Jim Hayden
Scott Shanley
Susan Weisselberg
Bert Hunter
Suzette Brown
Luke Bronin, CSWS Project Ad Hoc (joined 10:20)

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
Tom Gaffey, Director of Recycling and Enforcement
Roger Guzzowski, Contracts and Procurement Manager

Public Present:

Ann Catino, Halloran & Sage

Chairman Stein called the meeting officially to order at 10:02 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.

EXECUTIVE SESSION

Chairman Stein requested a motion to enter into Executive Session to discuss pending claims and litigation related to FCR,LLC v. MIRA (including MIRA’s consideration of settlement) pursuant to Conn. Gen. Stat. Section 1-210(b)(4). The motion was made by Director Hayden and seconded by Director Weisselberg. 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
- Tom Gaffey
- Ann Catino

The motion previously made and seconded was approved unanimously by roll call. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Shanley, Director Hayden, Director Weisselberg, Director Hunter, and Director Brown voted yes.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice Chairman Barlow	X		
John Adams	X		
Edward Bailey			
Scott Shanley	X		
Jim Hayden	X		
Susan Weisselberg	X		
Bert Hunter	X		
Suzette DeBeatham-Brown	X		
Ad Hoc Members	Aye	Nay	Abstain

Luke, Bronin CSWS Ad Hoc			

The Executive Session commenced at 10:07 a.m.

The meeting was reconvened at 10:46 a.m. for the continuation of public session. Chairman Stein noted that no votes were taken in Executive Session.

RESOLUTION AUTHORIZING THE PRESIDENT TO AGREE TO A SETTLEMENT AND TO TRANSFER FUNDS

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

RESOLVED: That the President is hereby authorized to proceed with settlement of all matters between the Authority and FCR, LLC, substantially as presented and on the terms discussed at this meeting, and to execute all documents (including, without limitation, a Settlement and Release Agreement), make all payments, release all claims, and do all other things reasonably necessary to implement said Agreement and accomplish such settlement; and

Further **RESOLVED:** That management is authorized to transfer the sum of \$3,930,000 from the Property Division General Fund to the CSWS Operating Fund, which sum includes the settlement cost of \$1,300,000 and the estimated cost to process recycling deliveries from February 1, 2021 through June 30, 2021 of \$2,630,000 but excludes lost revenue from operation of the recycling facility to be accommodated through use of the CSWS Tip Fee Stabilization Fund.

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

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice Chairman Barlow	X		
John Adams	X		
Edward Bailey	X		
Scott Shanley	X		
Jim Hayden	X		

Susan Weisselberg	X		
Bert Hunter	X		
Suzette DeBeatham-Brown	X		
Ad Hoc Members	Aye	Nay	Abstain
Luke, Bronin CSWS Ad Hoc	X		

EXECUTIVE SESSION

Chairman Stein requested a motion to enter into Executive Session to discuss pending RFPs, pursuant to Conn. Gen. Stat. Section 1-210(b)(24), and Feasibility Estimates and Evaluations relative to prospective public supply contracts, pursuant to Conn. Gen. Stat. Section 1-210(b)(7), including MIRA RFP's and prospective contracts for Operation, Maintenance and Optional Redevelopment of the CSWS Recycling Facility; Brokerage of Recycled Commodities from the CSWS Recycling Facility; Transportation, Recycling and/or Disposal of CSWS Metals; and property insurance renewals; and the potential impact of same upon the FY 2021 and draft FY2022 CSWS operating and capital budget scenarios.

The motion was made by Director Bailey and seconded by Director Hayden. 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
- Tom Gaffey
- Ann Catino

The motion previously made and seconded was approved unanimously by roll call. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Bailey, Director Shanley, Director Hayden, Director Weisselberg, Director Hunter, Director Brown, and Director Bronin voted yes.

Directors	Aye	Nay	Abstain
Chairman Stein	X		

Vice Chairman Barlow	X		
John Adams	X		
Edward Bailey	X		
Scott Shanley	X		
Jim Hayden	X		
Susan Weisselberg	X		
Bert Hunter	X		
Suzette DeBeatham-Brown	X		
Ad Hoc Members	Aye	Nay	Abstain
Luke, Bronin CSWS Ad Hoc	X		

The Executive Session commenced at 10:57 a.m. and concluded at 12:01 p.m. Chairman Stein noted that no votes were taken in Executive Session, and adjourned the meeting.