

Policies & Procurement Committee
July 6, 2022
Meeting Minutes

A Regular Meeting of the Policies & Procurement Committee of the Materials Innovation and Recycling Authority was held on July 6, 2022. Present via video or audio conferencing were:

Members Present: Ed Mone
Dave Steuber
Rich Soderman
Leonard Assard

MIRA Staff Present: Tom Kirk, President
Mark Daley, Chief Financial Officer
Peter Egan, Director of Operations & Environmental Affairs
Tom Gaffey, Director of Recycling and Enforcement
Dave Bodendorf, Senior Environmental Engineer
Roger Guzowski, Contract and Procurement Manager
Chris Shepard, Environmental Compliance Manager

Committee Chairman Mone called the meeting to order at 11:05 a.m. and invited members of the public to address the Committee. As there was no public comment, he proceeded with the agenda.

1. APPROVAL OF MINUTES OF THE JUNE 1, 2022 COMMITTEE MEETING.

Committee Chairman Mone requested a motion to accept the minutes of the June 1, 2022 Polices and Procurement Committee meeting. The motion to approve was made by Director Assard and seconded by Director Soderman.

The motion to accept the minutes was approved. Committee Chairman Mone abstained.

2. RESOLUTION REGARDING A MARKET DRIVEN SALE OF SPOT WASTE DISPOSAL CAPACITY FOR MUNICIPAL SOLID WASTE FOR THE CONNECTICUT SOLID WASTE SYSTEM RESOURCES RECOVERY FACILITY DURING A FUEL SHORTAGE PERIOD.

Committee Chairman Mone requested a motion to approve the foregoing resolution. The motion was made by Director Soderman and seconded by Director Assard.

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 Fuel Shortage Periods 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 the Spot Waste delivery offer from Paine's Inc. for delivery of MSW to the CSWS Resources Recovery Facility; and,

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

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

FURTHER RESOLVED: that the President is authorized to select the Spot Waste delivery offer from Hometown Waste & Recycling Services, Inc. for delivery of MSW to the CSWS Resources Recovery Facility; and,

FURTHER RESOLVED: that the President is authorized to select the Spot Waste delivery offer from Willimantic Waste Paper Co., Inc. for delivery of MSW to the CSWS Resources Recovery Facility, substantially as presented and discussed at this meeting.

The resolution previously made and seconded was unanimously approved.

3. RESOLUTION REGARDING MARKET DRIVEN PURCHASE OF TRANSPORTATION AND DISPOSAL SERVICES FOR PRE-COMBUSTION FERROUS METAL.

Committee Chairman Mone requested a motion to approve the foregoing resolution. The motion was made by Director Soderman and seconded by Director Assard.

RESOLVED: that the President is authorized to enter into market driven purchase of transportation and disposal services with Austin Environmental Corp for the pre-combustion ferrous metal that is generated at the CSWS Waste Processing Facility, substantially as discussed and presented at this meeting.

The resolution previously made and seconded was unanimously approved.

4. RESOLUTION REGARDING THE PURCHASE OF JET FUEL FOR THE SOUTH MEADOWS JET TURBINE FACILITY.

Committee Chairman Mone requested a motion to approve the foregoing resolution. The motion was made by Director Soderman and seconded by Director Assard.

RESOLVED: That the President is hereby authorized to enter into a market driven purchase with East River Energy, Inc. for the purchase of Ultra Low Sulfur No. 1 Diesel Fuel to support operation of the South Meadows Jet Turbine Facility, during Fiscal Year 2022, substantially as presented and discussed at this meeting; and

FURTHER RESOLVED: That the President is hereby authorized to execute a purchase order with East River Energy, Inc., and/or Santa Buckley Energy, LLC for the purchase of Ultra Low Sulfur No. 1 Diesel Fuel to support operation of the South Meadows Jet Turbine Facility during Fiscal Year 2023, substantially as presented and discussed at this meeting.

The resolution previously made and seconded was unanimously approved.

5. RESOLUTION REGARDING MIRA OFFICE SPACE OPTIONS.

Committee Chairman Mone requested a motion to approve the foregoing resolution. The motion was made by Director Soderman and seconded by Director Assard.

WHEREAS, MIRA entered into a Lease with 100-200 Corporate Place, LLC on August 15, 2015 for office space at 200 Corporate Place, Rocky Hill, CT; and

WHEREAS, the current term of the Lease ends on April 30, 2023; and

WHEREAS, the Lease contains provisions for two, 3-year extensions, the first of which begins May 1, 2023; and

WHEREAS, the current rental rate for the Lease is \$205,898 annually; and

WHEREAS, the rental rate for the extension is defined as “90 percent of the then prevailing market rate at the time of the extension”; and

WHEREAS, MIRA staff requested that the Landlord provide its lowest and best rental rate if MIRA were to agree to extend the Lease term; and

WHEREAS, to extend the Lease, MIRA is required to provide written notification of its intention no later than 9 months prior to the current term of the Lease, which date is July 30, 2022; and

WHEREAS, MIRA owns property at 300 Maxim Road in Hartford, CT, and the location is appropriate to house MIRA staff;

NOW THEREFORE, it is RESOLVED: That the Board of Directors directs MIRA management to not execute the option to extend the Lease and instead to move MIRA staff to existing office space at 300 Maxim Road;

FURTHER RESOLVED: That the Board of Directors directs MIRA management to refine logistics and costs to move MIRA staff to 300 Maxim Road, and request approval from the Board for such costs to move MIRA staff that will remain with MIRA after April 30, 2023.

The resolution previously made and seconded was unanimously approved.

6. RESOLUTION REGARDING ADDITIONAL PROJECTED LEGAL EXPENDITURES.

Committee Chairman Mone requested a motion to approve the foregoing resolution. The motion was made by Director Soderman and seconded by Director Assard.

WHEREAS, MIRA has entered into Legal Service Agreements with various law firms to perform legal services; and

WHEREAS, the Board of Directors has previously authorized certain amounts for payment of fiscal year 2023 projected legal fees; and

WHEREAS, the Board of Directors has previously authorized MIRA to incur legal costs and expenses for the services of its several outside counsels during FY 2023; and

WHEREAS, MIRA expects to incur greater than previously authorized legal expenses with one of its counsels; and

NOW THEREFORE, it is RESOLVED: That the following additional amount is authorized for payment of projected legal fees and costs to be incurred during fiscal year 2023:

<u>Firm:</u>	<u>Amount:</u>
Cohn Birnbaum & Shea	\$15,000

The resolution previously made and seconded was unanimously approved.

7. INFORMATIONAL REPORTS.

Staff members responded to the Committee’s questions regarding the Informational Reports included in the meeting package.

8. MOTION TO ADD AN EXECUTIVE SESSION TO THE AGENDA.

Committee Chairman Mone requested a Motion to Add an Executive Session to the Agenda. The motion was made by Director Soderman and seconded by Director Assard, and was unanimously approved.

9. EXECUTIVE SESSION.

Committee Chairman Mone requested a Motion to go into Executive Session to discuss pending litigation in the matter of *Zurich American Insurance Company et al. v. NAES Corporation*. The motion was made by Director Soderman and seconded by Director Assard. Committee Chairman Mone asked Mr. Kirk, Mr. Daley, Mr. Egan, and Ms. Hunt to participate in Executive Session.

The motion previously moved and seconded was unanimously approved. Executive Session began at 11:39 a.m. and ended at 12:10 p.m.

8. ADJOURNMENT.

Committee Chairman Mone requested a motion to adjourn. The motion was made by Director Soderman and seconded by Director Steuber. The meeting adjourned at 12:11 p.m.