

Policies & Procurement Committee
February 1 , 2023
Meeting Minutes

A Regular Meeting of the Policies & Procurement Committee of the Materials Innovation and Recycling Authority was held on February 1, 2023. Present via video or audio conferencing were:

Members Present: Ed Mone (Committee Chairman)
Rich Soderman
Leonard Assard

Members Present: Dave Steuber

MIRA Staff Present: Mark Daley, President and CFO
Tom Gaffey, Director of Recycling and Enforcement
Roger Guzowski, Supply Chain Manager
Dave Bodendorf, Manager of Engineering, Construction and Power Assets

Committee Chairman Mone called the meeting to order at 11:00 a.m. Following the Pledge of Allegiance, Committee Chairman Mone 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 JANUARY 11, 2023 COMMITTEE MEETING.

Committee Chairman Mone requested a motion to accept the minutes of the January 11, 2023 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 with Directors Mone and Assard approving and Director Soderman abstaining since he was not in attendance at that meeting.

2. DISCUSSION REGARDING PROCESS FOR SALE SCRAP OR DISPOSAL OF SURPLUS EQUIPMENT FROM MIRA'S PROPERTY DIVISION

Committee Chairman Mone kicked off this discussion item. Mark Daley introduced the discussion indicating that there was a Property Division budget resolution proceeding through the Finance Committee which anticipates revenue from the sale and scrap of surplus equipment and directs that any revenues, which are indeterminable at this point are deposited in the Property

Division General Fund which will help South Meadows through the decommissioning of the energy plant. Mr. Daley indicated that the purpose of this related discussion in the Policies & Procurement Committee was to get concurrence from the Policies & Procurement Committee regarding process for such sale and scrap, indicating that management intended to follow a competitive process in accordance with MIRA's Procurement Policies and Procedures (BOD014). Roger Guzowski, reviewed Section 5.12 thereof which is the only section that specifically addressed the disposition of personal property. Roger then reviewed other Sections regarding the competitive process which might be considered relevant to this process, including language in Section 3.1.1 and Section 3.2 which indicates that Contracts may not be split in amount or duration in order to evade the intent of the Act or these Policies and Procedures. Based on that Section, Roger indicated that because Management believes the collective value of the surplus and scrap equipment to be greater than \$50,000, Management is planning to proceed with any sale or sales as a public solicitation, even if Management ultimately ends up selling pieces individually as a result of bids or proposals received. Mr. Daley reviewed for the Board some of the equipment contemplated in this discussion and indicated that MIRA may also sell some scrap metal via existing contracts. Mr. Daley reiterated that any sales contract for greater than \$50,000 would come back to the Board for approval and that there would be a reporting process similar to the one used for procurement for sales less than \$50,000. There was some discussion among the Directors regarding what approval process would be appropriate for the sale of individual items. Any such discussion may continue at the full Board Meeting when the Property Division budget resolution is brought to the full Board later this month. The discussion ended with an acknowledgement from Director Mone that there is no resolution nor vote before the P&P committee at this time.

3. INFORMATIONAL REPORTS.

Director Mone reviewed each of the individual informational reports. Staff members were available to respond to the Committee's questions regarding the Informational Reports included in the meeting package. The Committee did not have any questions regarding any of the informational reports.

4. ADDITIONAL ITEMS BROUGHT BEFORE COMMITTEE.

Committee Chairman Mone inquired if there were additional items to be brought before the Committee.

Mark Daley introduced a discussion regarding repurposing the mission of the Policies and Procedures committee. Mr. Daley indicated that the issues surrounding the South Meadows site can benefit from a Board-level oversight, including a high level review and documentation of remediation efforts that have already occurred at the site, steps taken to close the site, and additional next steps. Mr. Daley indicated that the existing expertise and makeup of the Policies and Procedures Committee members made it well suited to this task. Under such a re-

repurposing, the Finance Committee would take over role of approving draft resolutions regarding approval of contracts prior to final approval by the full Board.

In the subsequent discussions Board members indicated general support for the concept and provided feedback regarding such repurposing, including desire to expand scope to more MIRA facilities not just the South Meadows site, some ability to retain review of the technical aspects of contract approvals, and concerns about uncertainty regarding the future structure of the Board.

At Committee Chairman's inquiry, Mr. Daley confirmed that final details of any such repurposing would be brought to the full Board for discussion and Board approval.

5. ADJOURNMENT.

Director Mone inquired if anyone had any other business to bring before the committee. Hearing none, Director Mone adjourned the Committee at 11:52am