



Dissolution Authority

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MEMORANDUM

TO: South Meadows Transition Committee
FROM: William P. Beccaro, Committee Chairperson
DATE: April 5, 2024
RE: Notice of Regular Meeting

There will be a **regular meeting** of the **South Meadows Transition Committee** of the MIRA Dissolution Authority's Board of Directors on *Tuesday, April 9, 2024 at 11:00 a.m. in the Board Room at 300 Maxim Road, Hartford, CT. Members of the public may also attend the meeting telephonically by calling (929) 205-6099, entering Meeting ID: 858 1861 1943 and Passcode: 661934# when prompted. (NOTE - there is very limited physical space in the Board Room - consequently, virtual public attendance is encouraged).* The meeting is scheduled to conclude at 12:30 p.m. The purpose of this meeting will be:

1. Call to Order; Chair's Welcome
2. Public Comment (3 minutes per speaker)
3. Approval of Minutes of the March 5, 2024 Regular Committee Meeting (*Attachment 1*).
4. Review and Approve Resolution Regarding Execution of a Declaration of Environmental Land Use Restriction and Grant of Easement Associated with the South Meadow Station Site Remediation (*Attachment 2*)
5. Executive Session to review and discuss proposals and proposer qualifications of certain companies who submitted Proposals in response to the Authority's South Meadows Redevelopment Considerations Study RFP and to discuss pending RFPs and Feasibility Estimates and Evaluations relative to prospective public supply contracts, including Proposals received in response to the Authority's South Meadows Redevelopment Considerations Study RFP (*Attachment 3 - President's Certification*)
6. Review and Approve Draft Resolution for MIRA Dissolution Authority Board of Directors Awarding the South Meadows Redevelopment Consideration Study
7. Such other items that may properly come before the Committee.

Cc: Bert Hunter
Mark Daley
Christopher Shepard
Raymond Frigon (CT-DEEP)
Claire Quinn (CT-DEEP)
Jade Barber (CT-DEEP)
Carl Stopper (TRC)

Attachment 1

South Meadows Transition Committee
March 5, 2024
Meeting Minutes

A Regular Meeting of the South Meadows Transition Committee of the MIRA Dissolution Authority was held on March 5, 2024. Present either in-person or via video or audio conferencing were:

Committee Present: Director William Beccaro (Committee Chairperson)
 Director Matthew Dayton
 Director Rachel Taylor (joined at 11:15 A.M.)
 Director Bert Hunter (Ex Officio)
 Member William DiBella
 Member Frank Dellaripa

Other Directors Present: John Fonfara
 Theodore Bromley

Other Members Present: Thomas Swarr

Authority Staff Present: Mark Daley, President and CFO
 Thomas Gaffey, Director of Recycling and Enforcement
 Christopher Shepard, Environmental Compliance Manager
 Roger Guzowski, Supply Chain Manager
 David Bodendorf, Mgr. of Engineering, Construction & Power Assets
 Cheryl Kaminsky, Comptroller
 Ann Catino (Halloran & Sage), General Counsel

CT-DEEP Staff Present: Jade Barber
 David McKeegan
 Claire Quinn

TRC Environmental Corp. Staff Present: Carl Stopper

Others Present: (860) 573-5203 (call-in via Zoom)

This meeting was recorded via ZOOM conferencing and is posted on the Authority's website at:
<https://www.ctmira.org/mira-dissolution-authority-south-meadows-transition-committee>

1. Call to Order; Chair's Welcome

Committee Chairman Beccaro called the meeting to order at 11:02 a.m. and noted that a quorum was present.

2. Public Comment (3 minutes per speaker)

Committee Chairman Beccaro invited members of the public to address the Committee. There were no public comments, and Chairman Beccaro proceeded with the next agenda item.

3. Approval of Minutes of the February 6, 2024 Regular Committee Meeting

Chairperson Beccaro requested a motion to approve the minutes of the February 6, 2024 Regular Committee Meeting. The motion was made by Director Fonfara and seconded by Chairperson Beccaro.

Chairperson Beccaro asked if there were any discussion, changes or modifications requested. Hearing none, Chairperson Beccaro asked if there were any objections to acceptance of the minutes. Hearing none, Chairperson Beccaro declared the draft minutes “approved” as drafted.

4. Update on Request for Proposals (RFP) to Conduct the South Meadows Redevelopment Considerations Study

Chairperson Beccaro requested that Mr. Daley provide an update regarding the RFP. Mr. Daley noted that mandatory site tours for prospective proposers were conducted since the previous meeting of this Committee, and that a total of forty-two (42) people representing twenty-six (26) firms participated in the mandatory tours. Mr. Daley also noted that five (5) firms returned for follow-up tours that included more opportunities to go through the buildings on-site.

In addition to the site tours, Mr. Daley noted that the Authority has issued a total of six (6) Addenda to the RFP – three (3) of the Addenda include the Authority’s answers to sixty-one (61) questions posed by prospective proposers; and the other three (3) Addenda were issued to convey information regarding the mandatory site tours, to provide potential proposers with copies of the sign-in sheets from the mandatory site tours, and to provide all potential proposers with a copy of the Authority’s February 16, 2024 Response to DEEP’s January 17, 2024 2nd Request for Additional Information (RFAI-2).

Mr. Daley noted that the due date for proposals is Monday, 3/11/2024; and that he anticipates that the Agenda for the full Board of Directors meeting on 3/12/2024 will include an executive session to include a summary discussion of the proposals received.

The evaluation process for the received proposals was discussed. Mr. Daley noted that the RFP schedule calls for evaluations to be complete and a recommendation for award made at the 4/16/2024 meeting of the Authority’s full Board. Mr. Daley also stated that the Authority’s procurement policy specifies that the President will identify the persons who will evaluate the proposals, unless a committee of cognizance wants to reserve that evaluation for itself. Recognizing the South Meadows Transition Committee as the committee of cognizance for this RFP, Mr. Daley recommended that Chris Shepard, David Bodendorf and Roger Guzowski be included on the proposal evaluation committee, and requested that the South Meadows Transition Committee make any additional selections for the evaluation committee

prior to the executive session at next week's meeting of the full Board. Chairperson Beccaro stated that he expects that the evaluation committee will include the Authority staff recommended by Mr. Daley and the South Meadows Transition Committee, and to please let him know if there are any others that merit consideration.

Member Dellaripa asked if the proposal evaluations would include interviews. Mr. Daley and Mr. Guzowski responded that the Authority has reserved the right in the RFP to conduct interviews, if it deems such interviews necessary. Chairperson Beccaro expressed interest in conducting interviews, and Mr. Daley agreed.

5. Update on Area 3-3 Remediation and Revised Verification Report for the South Meadows Remediation under the Exit Strategy™ Contract

Chairperson Beccaro requested that Mr. Daley provide an update on this matter. Mr. Daley noted that the physical remediation work in the "Contractor Lot" (Area 3-3) has been completed, and that all removed, contaminated soil has been shipped off-site; and that clean fill soils were brought in and construction of the engineered control in the area has been completed. Mr. Daley also noted that the remedial action report describing all of this work in Area 3-3 has been finalized and submitted to CT-DEEP.

Mr. Daley also stated that drafting of the revised Verification Report (VR) for review and approval by a third-party LEP is underway, but that the VR can not be submitted to CT-DEEP until after a new environmental use restriction (EUR) specific to the Area 3-3 remediation and its engineered control is recorded on the land records. Mr. Shepard noted that the EUR will include both a written description and a surveyed drawing of Area 3-3 and its engineered control; and that the EUR must first be presented to CT-DEEP as a draft for review and approval. Once CT-DEEP approves the EUR, it then needs to be recorded in the City's land records. Mr. Shepard indicated that the target date for completion of drafting the EUR and its survey drawing is 3/31/2024.

Chairperson Beccaro asked if there were any potential issues that could hold-up recording of the EUR and submission of the final VR. Mr. Shepard noted that Connecticut Natural Gas Corporation (CNG) holds an easement on the property which could be impacted by the EUR, so CNG either has to release the easement or subordinate the easement to the EUR before the EUR can be recorded. Mr. Shepard noted that the easement covers the natural gas service from Reserve Road to the shuttered Power Block Facility, and that the service line was disconnected at Reserve Road a few months ago. The Authority has requested that CNG release the easement (since the gas service has been disconnected); however, CNG has not responded to the Authority's request. Chairperson Beccaro indicated that he has contacts at CNG, and that he would be willing to reach out to them if it might help the process move forward. Mr. Shepard indicated that he would let Chairperson Beccaro know if his assistance is needed in this matter.

6. Discussion Regarding the Resource Recovery Facility Closure Plan

Chairperson Beccaro requested that Mr. Daley provide an update on this matter. Mr. Daley reminded the Committee that the Authority received comments and additional requests for information (RFAI-2) from CT-DEEP pertaining to the Closure Plan for the RRF. The RFAI-2 was received on 1/17/2024, with a request to respond to CT-DEEP within 45 days. The RFAI-2 was discussed by this Committee during its 2/6/2024 regular meeting; and, based on that discussion, Mr. Daley and other Authority personnel developed a draft outline of the Authority's response and distributed it to Chairperson Beccaro and Board Chairperson Hunter for further consideration. The Authority's full response was developed consistent with the draft outline, and the finalized response was submitted to CT-DEEP via letter dated 2/16/2024, which was within 45 days of the date on the RFAI-2. Copies of CT-DEEP's 1/17/2024 RFAI-2 and the Authority's 2/16/2024 response were included in the Committee package for this meeting. Mr. Daley highlighted the following points from the Authority's 2/16/2024 response:

- The Closure Plan was developed before the Authority was established, and before the South Meadows Redevelopment Considerations Study was launched;
- the Authority believes that the South Meadows Redevelopment Considerations Study is more appropriate than the Closure Plan for addressing certain topics that CT-DEEP has raised, such as the Hazardous Building Materials Survey, and the ultimate disposition of the coal barge unloader;
- in a change from the original proposed Closure Plan approach, the Authority now agrees to dismantle and remove equipment from the WPF and PBF, with some equipment to be sold for reuse, some equipment to be recycled as scrap metal, and the remaining equipment to be properly disposed; and,
- the Authority continues to request that a visual standard apply to building cleaning until such time as building demolition decisions are made; the Authority agrees that buildings that are ultimately determined to remain (i.e., not to be demolished) would require additional confirmatory sampling after cleaning.

Chairperson Beccaro asked if there were any questions or comments regarding this topic. Director Fonfara observed that there has been a lot of energy dedicated to the environmental cleanup of this site, but there has not been a concomitant effort to report on the economic potential of this site (i.e., there has been no DECD request for a report on the site's ability to generate an economic return after the Authority exits the site).

Member Swarr expressed concerns about what the site will look like when it is ultimately transferred to CT-DAS because it may sit idle for a long time. He also expressed concern regarding potential hazards to public health while the property sits idle. Mr. Daley responded to Member Swarr that the Authority is moving forward with plans to "recycle the plant" by getting all of the equipment removed from the plant without impairing the building structures, and selling, scrapping, and/or disposing of all removed equipment appropriately. The Authority is working to determine how to proceed with this work even before CT-DEEP

issues its ultimate approval of the Closure Plan. Mr. Daley noted that there will also be plans put in-place under the South Meadows Redevelopment Considerations Study to fully document on-going site operations and maintenance activities, including with respect to the flood protection system, in an effort to make the transition to CT-DAS as smooth as possible.

7. Other Items Brought Before Committee

Chairperson Beccaro inquired if there were additional items to be brought before the Committee. There were none.

8. Adjournment

Chairperson Beccaro requested a motion to adjourn. The motion was made by Director Fonfara. Chairperson Beccaro asked if there were any objections; hearing none, Chairperson Beccaro adjourned the meeting at 11:29 a.m.

Attachment 2

RESOLUTION REGARDING EXECUTION OF A DECLARATION OF ENVIRONMENTAL LAND USE RESTRICTION AND GRANT OF EASEMENT ASSOCIATED WITH THE SOUTH MEADOW STATION SITE REMEDIATION

WHEREAS, the MIRA Dissolution Authority (the “Authority”) is the owner of the property known as 100 Reserve Road and 300 Maxim Road, Hartford, CT (the “Property”); and

WHEREAS, the Authority is a Party to an *Exit StrategyTM Contract* with TRC Companies, Inc. (“TRC”) for the remediation of pollution conditions that existed on the Property as of December 22, 2000, following the Property’s transfer from the Connecticut Light & Power Company to the Authority; and

WHEREAS, the *Exit StrategyTM Contract* obligates TRC to remediate the pre-existing pollution conditions on the Property to meet applicable laws and regulations, including, but not limited to, the State of Connecticut Transfer Act and the Connecticut Remediation Standard Regulations (the “RSRs”), without interfering with the current and future site operations, as such operations were defined at the time that the *Exit StrategyTM Contract* was executed; and

WHEREAS, the *Exit StrategyTM Contract* obligates the Authority to consent to the implementation of appropriate Environmental Land Use Restrictions (“ELURs”), a type of property easement established under Connecticut General Statutes section 22a-133n et seq. and regulated under the RSRs, provided that TRC consults with the Authority prior to implementing each ELUR, and that such ELURs do not materially interfere with the Authority’s use of the Property; and

WHEREAS, the Authority and TRC submitted applications to both the Connecticut Department of Energy & Environmental Protection (“DEEP”) and the U.S. Environmental Protection Agency (“EPA”) in June 2022 to remediate PCB soil contamination in a parking lot area of the Property identified as Area 3-3; and

WHEREAS, the proposed remediation of Area 3-3 called for removal and off-site disposal of polluted soil, to the extent that such polluted soil could be safely excavated; followed by installation of an engineered control (“EC”) over a 40’ by 40’ square area above two active high-voltage underground electrical duct banks to render polluted soil adjacent to and beneath the duct banks inaccessible (because such polluted soil could not be safely excavated due to concerns for contractor health and safety and the potential to damage the duct banks); followed by establishment of an ELUR ; and

WHEREAS, EPA and DEEP approved the proposed remediation plan for Area 3-3, including installation of the EC combined with the establishment of the ELUR, in February 2023 and March 2023, respectively; and

WHEREAS, TRC completed the proposed removal and off-site disposal of polluted soils and installation of the EC (a polyethylene membrane installed approximately 2’ to 2.5’ beneath this asphalt paved area of the Property) in October 2023.

NOW THEREFORE, BE IT RESOLVED: That the President of the Authority be authorized to execute the ELUR in favor of the Commissioner of the DEEP, in form and content

as required by the Commissioner, associated with the remediation of PCBs in Area 3-3 (which will be identified as ELUR Subject Area G-c) at the Property; and

FURTHER RESOLVED; That the President of the Authority be authorized to execute all other documents associated and in connection with the EC and ELUR, including without limitation a property owner's acknowledgement and consent to the EC and the ELUR, an owner's affidavit of facts under Connecticut General Statutes section 47-12a and a subordination for the existing Connecticut Natural Gas ("CNG") easement; and

FURTHER RESOLVED: That the President of the Authority be authorized to record the ELUR on the City of Hartford land records, thus encumbering the Property with the ELUR, along with the CNG subordination, waiver letter from the Commissioner, owner's affidavit of facts, and any other documents or agreements necessary to implement the ELUR, as required by the Commissioner.

PROCEDURAL REQUIREMENTS (EXECUTION of ELUR and GRANT of EASEMENT for SOUTH MEADOWS REMEDIATION)

Author: Christopher Shepard, Environmental Compliance Manager

Committee Requirements:

- Assigned – South Meadows Transition Committee
- Quorum – 50% of the Directors on a Committee of 4 or more, majority of the Directors on a Committee of less than 4, excluding the Chair.
- Item carries with majority of Directors present

Director	Raised	Second	Aye	Nay	Abstain
William P. Beccaro					
Rachel Taylor					
Matthew M. Dayton					
David S. Steuber					
John Fonfara					

Board Requirements:

- Quorum – 6 Directors
- ___ Item carries with majority of Directors present unless otherwise specified
- Specified as requiring 2/3 of full Board (8 Directors)
 - ___ Purchasing and Contracting Rules & Procedures (22a-266(c))
 - **X** Contract Over 5 Years or Greater than \$50,000 Annual Consideration(22a-268)
 - ___ Proposed Procedure (1-120)
 - ___ Special Capability Exception Over \$10,000 (Procurement Policy Section 3.1.2.5)
 - ___ Settlement Exception (Procurement Policy Section 3.1.2.7)
 - ___ Acquisition or Sale of Real Property (Procurement Policy Section 5.1.3 & 5.2.3)
- Specified as requiring 2/3 of Directors present and eligible (Bylaws Section 504)
 - ___ Expenditure of \$50,000 or more for outside consultant
 - ___ Entering Executive Session
 - ___ Addition of Agenda Item at a regular meeting

Director	Raised	Second	Aye	Nay	Abstain
1 - Chairperson Hunter					
2 - Matthew Dayton					
3 – Michelle Gilman					
4 - Joseph DeNicola					
5 - William Beccaro					
6 - Rachel Taylor					
7 – Michael Walsh					
8 – John Fonfara					
9 - Paul Harrington					
10 - Carl Fortuna					
11 - Dave Steuber					

MIRA Dissolution Authority

Agreement Summary

To Execute a Declaration of Environmental Land Use Restriction and Grant of Easement Associated with the South Meadow Station Site Remediation

Presented to the Board on:	April 16, 2024
Vendor/Contractor(s):	Connecticut Department of Energy & Environmental Protection (DEEP)
Effective Date:	Upon Execution
Contract Type/Subject Matter:	Declaration of Environmental Land Use Restriction and Grant of Easement
Facility(ies) Affected:	Authority properties located at 300 Maxim Road in Hartford and 100 Reserve Road in Hartford (the “South Meadows Site”)
Contract Dollar Value:	Not Applicable
Additional Services:	Not Applicable
Term:	Recorded in the City’s Land Records and Effective In Perpetuity, or Until Future Remediation of the Site to Residential Standards Is Completed
Termination Provision:	Remediation of Site to Residential Standards Would Be Required Before the ELUR Could Be Fully Terminated with DEEP Commissioner’s Approval
Other Pertinent Provisions:	Execution and recording of other pertinent and related documents may also be required, including a property owner’s acknowledgement and consent to the Engineered Control and the ELUR; an owner’s Affidavit of Facts under Connecticut General Statutes section 47-12a; and a subordination for the existing Connecticut Natural Gas (“CNG”) easement


Attachment 3



Dissolution Authority

**PRESIDENT'S CERTIFICATION CONCERNING
RESPONSES TO REQUESTS FOR BIDS,
PROPOSALS OR QUALIFICATIONS**

As provided by Section 1-210 (b) (24) of the *Connecticut General Statutes* and by execution of this Certification, the President of the MIRA Dissolution Authority (the "Authority") hereby certifies that the public interest in the disclosure of the responses to the Authority's "REQUEST FOR PROPOSALS TO CONDUCT THE SOUTH MEADOWS REDEVELOPMENT CONSIDERATIONS STUDY" (RFP24-AUTH-004) is outweighed by the public interest in the confidentiality of such responses until a contract resulting from such request for bids or proposals or qualifications is executed or negotiations for the award of such contract have ended, whichever occurs earlier.

Signature: 
Name: **Mark T. Daley**
Title: **President and CFO**
State Of: **Connecticut**
County Of: **Hartford**

Mark T. Daley, being fully sworn, deposes and says that he is the President and CFO of the MIRA Dissolution Authority, that he has read the forgoing statement concerning disclosure of responses to requests for bids or proposals and qualifications and, under the penalty of perjury, certifies that each and every part of said statement is true.

Sworn to before me this 13TH day of MARCH 20 24


~~Notary Public/Commissioner of the Superior Court~~

CHRISTOPHER R. SHEPARD
Notary Public, State of Connecticut
My Commission Expires 07/31/2025
Commission Expiration Date

