



Dissolution Authority

300 Maxim Road, Hartford, Connecticut 06114

Telephone (860) 757-7700 Fax (860) 757-7725

## MEMORANDUM

**TO:** CSWS Transition Committee  
**FROM:** Carl Fortuna, Committee Chairperson  
**DATE:** July 11, 2024  
**RE:** Notice of Meeting

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There will be a meeting of the CSWS Transition Committee of the MIRA Dissolution Authority Board of Directors on *Thursday, July 11, 2024 at 11:00 a.m.* *Members of the public may attend the meeting in person in the Board Room at 300 Maxim Road Hartford CT 06114 or telephonically by calling (929) 205-6099, entering Meeting ID 834 7274 9600 and then entering the Passcode 127050 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 12:00 p.m. The purpose of this meeting will be:

1. Call to order; Chairperson's Welcome
2. Public Comment (3 minutes per speaker).
3. Approval of May 9 and June 6, 2024 Meeting Minutes
4. Informal discussion of next steps to transition the CSWS

cc: Bert Hunter  
Mark Daley  
Tom Gaffey

**CSWS TRANSITION COMMITTEE OF THE MIRA DISSOLUTION AUTHORITY**

**MINUTES OF JUNE 6, 2024 MEETING**

A meeting of the CSWS Transition Committee of the MIRA Dissolution Authority Board of Directors was held in person and via Zoom on Thursday, June 6, 2024. Present in person or via audio or video conferencing were:

Appointed Directors who are members of the Committee:

Board Chairperson Bert Hunter (Ex Officio) via Zoom  
Bill Beccaro via Zoom  
David H Barkin via Zoom

Present from the MIRA Dissolution Authority (“Authority”):

Mark Daley, President & CFO  
Thomas Gaffey, Director of Recycling & Enforcement  
Cheryl Kaminsky, Comptroller

Others Present via Zoom:

Ann Catino, MIRA DA Counsel

The meeting was recorded via Zoom conferencing and is posted on the Authority’s website at <https://www.ctmira.org/mira-dissolution-authority-csws-transition-committee>”.

Mr. Daley called that meeting to order at 11:06 AM since Committee Chairman Carl Fortuna was unable to attend due to attend another previously scheduled meeting he had to attend. Mr. Daley stated that the committee has a quorum. Mr. Daley said the next agenda item was public comment and stated that there were not any members of the public in the room and he did not see anyone on line. Mr. Daley explained that the approval of the minutes of the May 9th meeting would be tabled since Director Barkin was not at that meeting. Board Chairperson Hunter and Director Beccaro both concurred with tabling those minutes.

Mr. Daley then reviewed options that have been looked at for public entities to assume operation and control of the Torrington and Essex transfer stations such as regional waste authorities, inter-local agreements with groups of towns or individual municipalities. He explained that the committee considered the pros and cons of each of those options in executive session based on a privileged memo from Counselor Catino. Mr. Daley said that the committee recognized the challenges of transitioning the transfer stations by June 30, 2025, as that date is currently the termination date for the MIRA DA under current

statute, compared to a June 30, 2026 termination date which the Authority hopes current law is extended to by amendment.

Mr. Daley explained that the additional major challenge is providing funding for the assignment of Authority contracts to a public entity. He said that those contracts have costs that will require funding and that it is widely known that the Authority subsidizes operation of the CSWS through the tip fee stabilization fund. He explained that continued subsidy is a major challenge.

Mr. Daley said that he understood that the Essex communities are now beginning active discussions on a path forward utilizing the Essex transfer station. He stated that the Torrington communities had expressed interest in forming a regional waste authority by working through the Northwest Council of Governments. Mr. Daley cited the need to have further discussion with both regions once the Authority termination date is settled by the legislature and the decision is made how to fund the assignment of the current contracts.

Board Chairman Hunter asked Mr. Daley to discuss the tip fee item that was recently passed by the General Assembly. Mr. Daley explained that recently enacted legislation permits the Authority to request state bond funds to reimburse up to \$13.5 million for tipping fee subsidies. He said that he read that as a positive change to the Authority's statutes since the language acknowledges that Authority can subsidize tipping fees and, to the extent that the Board votes to subsidize, the MIRA DA can seek reimbursement of those funds from the State Bond Commission.

Board Chairperson Hunter agreed and stated that the clear benefit is the clarification that the Authority is able to use the tip fee stabilization fund that the Board approved in conjunction with entering into contracts with the various municipalities, through June 30 of 2026. He further stated that at the same time there could be reimbursement of those funds by going to the State Bond Commission for the remediation of the South Meadows site. Chairman Hunter emphasized that bond funds for this purpose is not promised but the language that passed permits the Authority to make the request.

Mr. Beccaro agreed with the summary of the legislation and stated that there is a clear will in the General Assembly to amend all of the dates in the Authority's enabling legislation to June 30, 2026. Chairperson Hunter asked Mr. Beccaro if that amendment could be taken up in the upcoming Special Session of the General Assembly. He also asked if Mr. Daley should write a brief report for the legislature detailing where we are after the selection of the engineering firm to conduct the study of future uses for the South Meadows site, and use that as a vehicle for making the request for that technical correction. Mr. Beccaro concurred and said that type of letter would be extremely helpful. Chairman Hunter requested that Mr. Daley write the details of the activities that have been accomplished to date in an appendix and that Counselor Catino work on the actual letter to be reviewed by him and Director Beccaro.

Chairperson Hunter recommended that a Zoom meeting with the leadership level of Northwest Hills COG and RRDD1 be scheduled to chart a path to getting together with the towns as a whole. He also stated that he understood that there were a number of conversations taking place amongst the Essex towns now that the legislative session has concluded, regarding how they may be able to work with the Authority towards the end goal of the transition of the contracts. He recognized that the fact that Essex owns the land where the transfer station is located presents a few complications and suggested that he and Mr. Daley meet with Director Fortuna soon.

Mr. Daley said he interprets the recent change enacted by the legislature that it allows the Authority to fund assignment of the contracts through the expiration of June 30, 2027 as long as assignment is accomplished by June 30, 2026. Chairperson Hunter stated that Mr. Daley's interpretation could be possible provided that the Authority had a deal with the towns pending and all that was needed was clarification, he believes the legislature would help the Authority close the deal. Director Beccaro concurred. Chairperson Hunter emphasized the importance of detailing the costs of assigning the contracts. Mr. Daley stated that a slide regarding those costs split between the Torrington and Essex transfer stations was presented when the Board approved the tip fee for FY 25 so a template exists.

Director Barkin asked what means for the contracts to be funded past expiration and specifically what the impact would be to the State Department of Administrative Services (DAS) if the agency is assuming responsibility after a date certain. Mr. Daley responded that the Authority's objective is to transition operation of the CSWS to a third party public entity prior to the termination of the MIRA DA. He explained that in doing that, the objective is to fund the assignment of the contracts through their June 30, 2027 expiration date and if that is accomplished there is nothing that impacts DAS with respect to CSWS operations. To the extent that is not accomplished, Mr. Daley stated that DAS would be stepping into the Authority's shoes and running out those contracts through June 30, 2027.

Counselor Catino explained that there are existing municipal services agreements that the Authority has with the towns and within those agreements there is a budget that is set on an annual basis and a requirement for use of the tip fee stabilization fund to support the tip fee. She further explained that if there is not an extension for termination of the Authority, all such contractual obligations will be assumed by DAS through June 30, 2027.

In response to a question from Director Barkin, Mr. Daley briefly explained the CSWS operations serving the 23 towns at the Essex and Torrington transfer stations, the costs involved and the legislative mandate to use excess revenues to reduce the costs charged to the towns through the annual tip fee which has been a decades-long process.

The meeting was adjourned at 11:44 AM.



**CSWS TRANSITION COMMITTEE OF THE MIRA DISSOLUTION AUTHORITY**

**MINUTES OF MAY 9, 2024 MEETING**

A meeting of the CSWS Transition Committee of the MIRA Dissolution Authority Board of Directors was held in person and via Zoom on Monday, May 9, 2024. Present in person or via audio or video conferencing were:

Appointed Directors who are members of the Committee:

Board Chairperson Bert Hunter (Ex Officio) via Zoom  
Joseph DeNicola  
Bill Beccaro via Zoom

Appointed Members of the Board of Directors

Bill DiBella

Present from the MIRA Dissolution Authority (“Authority”):

Mark Daley, President & CFO  
Thomas Gaffey, Director of Recycling & Enforcement

Others Present via Zoom:

Michael Looney, CT DEEP

The meeting was recorded via Zoom conferencing and is posted on the Authority’s website at <https://www.ctmira.org/mira-dissolution-authority-csws-transition-committee>.

Board of Directors Chairman Hunter explained that Committee Chairman Carl Fortuna was unable to attend and had asked Board Chairman Hunter to chair the meeting. Board Chairman Hunter called the meeting officially to order at 11:09 A.M. and welcomed all in attendance. Chairman Hunter stated that he did not see any members of the public on the Zoom call. He then refreshed all in attendance on the purpose of the committee is to transition solid waste disposal and recycling activities from the Authority to the towns, Chairman Hunter explained that the transition included several counterparties, two transfer stations, and 24 towns. He said that the Authority staff had tasked outside counsel, Ann Catino, review and highlight the commercial issues that the Authority would have to consider. Chairman Hunter further stated that the committee would need to receive a briefing from Attorney Catino and due to sensitive commercial issues related to existing contracts the committee would go into executive session. He further explained that the goal is to develop a framework to engage the towns and contract counterparties to effect the transfer of these activities by June 30, 2025 in keeping with budget discussion

the Board of Directors had a few weeks ago. Chairman Hunter stated that once the committee dispensed with the call for any public comment and approval of the March 11, 2024 minutes, the committee would go into executive session and there would be no further business after they came out of executive session but for adjournment of the meeting.

Chairman Hunter stated that there were no members of the public in the room and did not appear to be any on line so they would go to approval of the March 11 meeting minutes. Directors DeNicola and Beccaro were present via Zoom which constitutes a quorum. Chairman Hunter asked for a motion to approve the minutes and Director Beccaro made the motion, seconded by Director DeNicola. Mr. Gaffey called the roll and Directors Beccaro and DeNicola voted aye and the minutes were adopted.

Chairman Hunter stated that the committee will go into executive session to discuss documents exempt from disclosure under CT General Statute 1-210(b)(10) – attorney client privileged memorandum from Halloran Sage LLP. Director Beccaro made the motion to go into executive session, seconded by Director DeNicola. The motion passed unanimously. Mr. Daley stated that all of the Directors and members of the Board that were present in the room and on-line would be included as well as himself, Mr. Gaffey, Atty. Catino and Michael Looney from the CT DEEP. The committee went into executive session at 11:14 AM.

The committee came out of executive session at 12:03 PM and Chairman Hunter announced that the committee was now back in public session and that no business or decisions were taken up in executive session and adjourned the meeting.