

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

**MINUTES OF JULY 11, 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, July 11, 2024. Present in person or via audio or video conferencing were:

Appointed Directors who are members of the Committee in attendance:

Committee Chairperson Carl Fortuna via Zoom  
Board Chairperson Bert Hunter (Ex Officio)  
Director David H. Barkin via Zoom  
Director Michael Looney via Zoom

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

Thomas Gaffey, Director of Recycling & Enforcement  
David Bodendorf, Manager of Engineering, Construction and Power Assets  
Cheryl Kaminsky, Comptroller via Zoom  
Chris Shepard, Environmental Compliance Manager via Zoom

Others Present:

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>’.

Chairman Fortuna called the meeting to order at 11:00 AM. He stated that the committee had a quorum. Chairman Fortuna said the next agenda item was public comment and stated he was remote and asked if there was anyone in the conference room that wished to comment. Chairperson Hunter responded that there were not any members of the public in the room. Chairman Fortuna asked for a motion to approve the Minutes of May 9<sup>th</sup>. Director Barkin made a motion to approve, seconded by Chairman Fortuna. Director Barkin voted aye and Chairman Fortuna abstained. Board Chairperson Hunter pointed out that the Committee needed two affirmative votes to approve. The committee further discussed Roberts Rules and approval of the minutes. Chairman Fortuna decided to wait to approve the minutes of the May 9<sup>th</sup> and June 6<sup>th</sup> meetings pending Director Beccaro joining the meeting.

Chairman Fortuna and Board Chairperson Hunter commented briefly on the next steps regarding transition activities in the Torrington and Essex Transfer Station towns and asked Mr. Gaffey to provide additional information.

Mr. Gaffey proceeded to review notes that he and MIRA DA President Mark Daley prepared for the committee. He first advised the committee of a number of projects management is proceeding with that had been included in the adopted FY25 Budget including the roof at the Essex transfer station. Mr. Gaffey explained that the contractor discovered that the purlins, which are the beams that support the roof, are badly rotted and need to be replaced. Mr. Gaffey went to the site yesterday, met with the contractor and observed that the purlins were in very bad shape and directed the contractor to replace them. The additional costs of purchasing and installing new purlins will just put the project only slightly above budget since management decided to cancel the Ridge Vent Project which is also associated with the roof.

Mr. Gaffey stated that management is obtaining pricing for Phase 1 Environmental Reviews at Essex now and will do the same for Torrington but the first priority for Phase 1's were the MIRA DA properties that are listed on the market currently for sale. Mr. Gaffey told the committee that he spoke to Senator Needleman on Monday to inform him that the Phase 1 will be conducted soon.

Mr. Bodendorf informed the committee of a drainage project being conducted at Torrington. He explained the need to install a swale and raise manhole covers to deter up-gradient storm water run-off from flowing into a holding tank that was designed to collect dirty, tip floor water.

Mr. Gaffey informed the committee that he directed Enviro, the Operating & Maintenance Contractor at the Torrington Transfer Station, to obtain three quotes to assess the Torrington Roof and any repair/replacement work that is needed. He said that he wants to have that work scheduled for October and completed before the snow flies.

Mr. Gaffey then discussed the implications of a July 1, 2025 sunset date of the Authority including that the short time frame will not enable the formation and standing up new regional waste authorities to fulfill existing MIRA DA contractual obligations to municipalities and contractors which expire on July 1, 2027. He explained that the Authority will have to work concurrently with the CT Department of Administrative Services (DAS) to position them to takeover as required by current law. Mr. Gaffey stated that if the General Assembly acted to change the sunset date to July 1 2026, they would have to do so before March 31, 2025 or Authority management will have to engage in the employee separation process which could result in losing employees.

Board Chairperson Hunter explained that he had sent a letter to legislative leadership and the Governor requesting that they act to change the sunset date during the recently concluded Special Session but unfortunately it was not included. Chairperson Hunter said this legislative change needs to occur as quickly as possible for all the reasons Mr. Gaffey pointed out. He further stated that staff will have to provide contingency planning if the date is not changed.

Director Barkin requested a list of all Authority properties and current employee head count. Mr. Gaffey committed to sending Director Barkin a list of all properties and informed him that the Authority currently has fourteen full time employees which include the staff working at the Essex and Torrington transfer stations. Mr. Gaffey further explained that the Operation and Maintenance contractors at both stations are under separate agreements which will be inherited by DAS. Mr. Gaffey responded in the negative to Director Barkin's question if any municipal employees work at the Essex or Torrington stations.

Director Barkin explained that he is trying to engage legal staff at DAS to understand the implications of the transfer date from the Authority to DAS. Director Barkin, Chairperson Hunter and Mr. Gaffey all agreed that meetings to understand Authority operations and contractual obligations should be scheduled soon. Attorney Catino added that there are a variety of agreements that DAS will need to fully understand that will enure to the burden of DAS to oversee and enforce.

Director Barkin stated that he would have to leave the meeting soon and suggested that they take up any matters that needed to be voted on. Director Barkin moved to adopt the June 6, 2024 meeting minutes seconded by Chairperson Hunter. The June 6<sup>th</sup> minutes were adopted by a 3-0 vote with one abstention.

Mr. Gaffey stated that Board Chairperson Hunter, Committee Chairperson Fortuna, President Daley and himself participated in the first monthly meeting with the Northwest Hills Council of Governments (COG). Mr. Gaffey said that the COG Executive Director and his staff informed the Authority team that they have been working on establishing a regional waste authority and are considering expansion of RRDD1 or contracting with the Housatonic Resources Recovery Authority. Mr. Gaffey also said that the COG had not yet contracted with an attorney but were considering three. He also informed the committee that Authority staff had followed-up after the meeting by emailing the COG staff tonnages delivered from each town to the Torrington transfer station and the name of each hauler that delivers MSW and recycling from all of the towns that utilize the Torrington station. Mr. Gaffey informed the Committee that the next monthly call with the Northwest Hills officials will be July 16<sup>th</sup>.

Mr. Gaffey announced that there will be a meeting scheduled with Senator Needleman, Committee Chairperson Fortuna, Board Chairperson Hunter, Mark Daley and himself to discuss the Essex transfer station. Mr. Gaffey said that he had a phone conversation with Senator Needleman on Monday and a meeting would be schedule in the next week. Mr. Gaffey informed the committee that Senator Needleman (who is also the First Selectman of Essex), is really unsure of how he wants to proceed with a regional waste authority or even continuing the operation of the Essex transfer station considering he had a number of questions and concerns.

Chairperson Fortuna thanked Mr. Gaffey for that report and reminded the committee that the land where the Essex transfer station is located is not owned by MIRA DA but is owned by the Town of Essex. He explained that he had a recent phone conversation with

Senator Needleman and that the Senator reiterated a lot of the points that Mr. Gaffey just made.

Chairperson Fortuna announced that the Town of Old Saybrook had issued a Request for Proposals (RFP) for transportation and disposal of MSW and recycling collected at the Town transfer station with an option that the town employees drive the material if the disposal facility was within twenty miles. He said that the response date is August 8<sup>th</sup> at 2:30 PM. Chairperson Fortuna stated that the combination of the Authority Board of Directors' position on further tip fee stabilization and the very slow pace in establishing a regional waste authority for the Essex towns concerned him and led to issuing the RFP since he needs to have certainty that his town's garbage is going away. He said there are two disposal locations within 20 miles in New London and Deep River. Chairman Fortuna also stated that he has a legal opinion that the Deep River facility owned by David Perrotti is appropriately licensed.

Mr. Gaffey reported that the Authority had received a signed hauler agreement from David Perrotti enabling his hauling companies, Hometown and Sweitzer to resume deliveries to the Essex transfer station. Mr. Gaffey further reported that there were two haulers; John's Refuse and Goduti Waste that have not returned signed Agreements. He said that a meeting has been scheduled with the First Selectmen of the towns of Durham and Middlefield (where both of these haulers pick up MSW and recycling) along with their town attorneys, the Chairman of the Durham/Middlefield Interlocal Solid Waste Board, Mr. Daley, Attorney Catino and himself to discuss and agree upon next steps. He concluded that both haulers were violating town flow control ordinances.

Since the Committee did not have the requisite three votes in favor of approving the May 9<sup>th</sup> meeting minutes, Committee Chairperson Fortuna stated that the committee would vote on those minutes at the next meeting.

Committee Chairperson Fortuna adjourned the meeting at 11:00 AM.