

GREATER BRIDGEPORT REGIONAL SOLID WASTE INTERLOCAL COMMITTEE

The Interlocal Committee held its first meeting on June 27, 2014, at Fairfield, CT.

PARTICIPATING MUNICIPALITY	ATTENDEES	GENERAL AUDIENCE
Bethel Bridgeport Easton Fairfield Milford Trumbull Westport Woodbridge	Matthew S. Knickerbocker Mark Anastasi Adam W. Dunsby Michael C. Tetrault Benjamin G. Blake Timothy M. Herbst Jim Marpe Betsy Yagla	Jonathan Bercham Ed Boman Gary Catalano Steven Edwards Ernest Lorimer, Finn Dixon & Herling LLP John Marsilio Chris Nowacki (by telephone) Steve Vavrek (by telephone)

By common consent Michael Tetrault acted as Chair pro tem and called the meeting to order at 9:45 a.m. Mr. Tetrault noted the municipalities that executed the Interlocal Agreement and were present. Mark Anastasi submitted a delegation of authority by the Mayor of Bridgeport, Bill Finch, authorizing him to act as the Mayor's voting representative. Betsy Yagla submitted a delegation of authority by the First Selectman of the Town of Woodbridge, Ellen Scalettar, authorizing her to act as the First Selectman's voting representative. Gary Catalano advised that the Town of Stratford was expected to approve the Interlocal Agreement at a meeting of the Town Council to be held July 14, 2014. Mr. Tetrault noted that the First Selectman of Monroe was present by speakerphone; Mr. Vavrek advised that the town attorney had advised that a hearing was required to be held before Monroe could execute the agreement but that he expected approval.

Mr. Tetrault noted the Notice of Meeting and asked Ernest Lorimer to clarify the necessary actions to be taken by the Interlocal Committee. Mr. Lorimer advised that the Notice of Meeting had been posted with the Secretary of the State and sent to each municipality that was expected to sign the Interlocal Agreement for posting with the City/Town Clerk. He advised that the agenda called for the election of officers, consisting of a Chair, a Vice-Chair, a Secretary and a Treasurer, action on the proposed disposal agreement with Wheelabrator Bridgeport, L.P., approval of an administrative fee, and approval of the subsequent admission of Stratford and Monroe when they had the necessary approvals in hand. Mr. Lorimer described the weighted voting formula under the Interlocal Agreement.

ELECTION OF OFFICERS

On motion made and seconded, Mr. Tetrault was elected Chair of the Interlocal Committee to serve for a term of the balance of 2014; all voted in favor except Woodbridge, which abstained.

On motion made and seconded, Mr. Marpe was elected Vice Chair of the Interlocal Committee to serve for a term of the balance of 2014; all voted in favor except Woodbridge and Westport, which abstained.

On motion made and seconded, Mr. Blake was elected Secretary of the Interlocal Committee to serve for a term of the balance of 2014; all voted in favor except Milford and Woodbridge, which abstained.

On motion made and seconded, Mr. Herbst was elected Treasurer of the Interlocal Committee to serve for a term of the balance of 2014; all voted in favor except Trumbull, which voted no, and Woodbridge, which abstained.

APPROVAL OF AGREEMENT WITH WHEELABRATOR BRIDGEPORT, L.P.

Mr. Tetrault noted that there had previously been circulated a draft Solid Waste Disposal Agreement between the Interlocal Committee, acting on behalf of the Participating Municipalities, and Wheelabrator Bridgeport, L.P., providing for the delivery of solid waste (other than recyclables) to the Bridgeport waste-to-energy plant. It was noted that this agreement had been negotiated by an ad hoc committee consisting of Mr. Boman, Mr. Edwards, Mr. Anastasi and Mr. Marsilio, with the assistance of Mr. Lorimer, and that Mr. Boman had briefed the municipalities expected to form the Interlocal on the terms. There followed a discussion of the principal terms, including the initial tip fee of \$59.75 per ton, the requirement to deliver all solid waste under municipal control, possible reductions of the tip fee if additional tons of solid waste were delivered by municipalities participating in the Interlocal Committee, and the limitation on the ability of a municipality to withdraw from the Interlocal Committee.

Mr. Lorimer noted that a condition to the effectiveness of the agreement was participation by municipalities representing 175,000 tons and the receipt of legal opinions. These conditions would not be satisfied upon execution. He said Wheelabrator would waive these conditions for three months, after which new arrangements would have to be arrived at if they remained unsatisfied.

Upon motion made and seconded, the proposed Solid Waste Disposal Agreement was approved and the officers of the Interlocal Committee, and each of them, were authorized to execute such agreement on behalf of the Interlocal Committee.

APPROVAL OF ADMINISTRATIVE FEE; INTERIM EXPENDITURES

Mr. Lorimer noted that the Solid Waste Disposal Agreement contemplated that the Interlocal Committee could authorize an administrative fee, to be collected by Wheelabrator Bridgeport in the form of a per ton fee to be billed and collected by it, to fund the expenses of the Interlocal Committee. He described these as consisting initially of legal fees for the preparation of the Solid Waste Disposal Agreement and the formation of the Interlocal Committee. The amount and timing of the administrative fee was discussed.

Upon motion made and seconded, an administrative fee of \$0.25 per ton was approved; all voted in favor except Woodbridge, which abstained..

Upon motion made and seconded, the officers of the Interlocal Committee were also authorized to pay up to \$20,000 to Finn Dixon & Herling LLP for legal services rendered in the negotiation, preparation and execution of the Interlocal Agreement and the Solid Waste Disposal Agreement, against presentation of proper invoices; all voted in favor except Woodbridge, which abstained.

APPROVAL OF ADDITIONAL MUNICIPALITIES

Mr. Tetrault noted that the Interlocal Agreement allowed additional municipalities to become members of the Interlocal Committee with the approval of the committee. This could help

satisfy the initial 175,000 ton requirement and possibly result in a reduction of the tip fee. It was noted that both Monroe and Stratford had indicated their intention to join. It was also noted that the participating municipalities had a maximum plant capacity available to them of 250,000 tons.

Upon motion made and seconded, the Interlocal Committee unanimously approved the addition of Stratford and Monroe as additional municipalities, and the four officers of the Interlocal Committee were authorized to execute a joinder agreement to that effect; all voted in favor except Woodbridge, which abstained.

OTHER BUSINESS—RETENTION OF COUNSEL

Mr. Lorimer noted that it would also be in order to formally retain Finn Dixon & Herling LLP as counsel to the Interlocal Committee.

Upon motion made and seconded, the Interlocal Committee approved the retention of Finn Dixon & Herling LLP as counsel to the Interlocal Committee and authorized the officers of the Interlocal Committee, and each of them, to execute an engagement letter; all voted in favor except Woodbridge, which abstained.

MOTION TO ADJOURN MEETING

There being no further discussion, a motion was made and seconded to adjourn the meeting, The motion to adjourn the meeting at 11:00 a.m.; was approved unanimously.

Respectively Submitted

SWEROC
2014 MEETINGS

Location: Fairfield Town Hall

Time: 9:00 a.m.

Meeting Schedule sent to Secretary of State Office.

January 16th

April 17th

June 19th

September 18th

December 18th

Rec/SWERO/Minutes/10/10/13