

**Greater Bridgeport Regional Solid Waste Interlocal Committee Meeting**

**Thursday, June 18, 2015**

**9:00 am**

**Old Town Hall, 2<sup>nd</sup> Floor Conference Room**

**611 Old Post Road**

**Fairfield, CT 06824**

**DRAFT MINUTES**

**MEMBERS AND PROXIES PRESENT:**

Chairman Mike Tetreau (Fairfield First Selectman), Vice Chairman James Marpe (Westport First Selectman), Treasurer Timothy Herbst (Trumbull First Selectman), Bruce Loomis (Bethany), Adam Dunsby (Easton First Selectman), Ed Nagy (Easton), Mark Anastasi (Bridgeport), Ed Boman (Fairfield), Michael Zembruski (Fairfield), Christopher Saley (Milford), Steve Vavrek (Monroe First Selectman), Gary Catalano (Stratford), Steve Edwards (Westport), Tony Genovese (Woodbridge)

Proxy Letters received: Bruce Loomis for Derrylyn Gorski, Bethany First Selectman; Christopher Saley for Benjamin G. Blake, Milford Mayor; Mark Anastasi for Bill Finch, Bridgeport Mayor

OTHERS PRESENT: James Taylor from All American Waste and members of the public

**I. Call to Order**

Chairman Mike Tetreau called the meeting to order at 9:07 am. It was established that a quorum was present. Votes are based on tonnage.

**II. Approve December 18, 2014 Minutes**

Motion to approve the meeting minutes from December 18, 2014 was made by First Selectman Jim Marpe, seconded by First Selectman Tim Herbst, passed on a unanimous vote, 0 opposed, 1 abstention from Bruce Loomis.

**III. Update on Status of Operations for FY 2015**

Mr. Boman stated that the operations were working well up until two weeks ago. There was back up at the site due to the Mid-Connecticut plant in Hartford and Wallingford. They limited spot waste and everything is running fine now. Generator maintenance was scheduled for the spring because it cannot be done in the winter. It was postponed until a later date, when the backup has cleared.

There has been a buildup of waste. Enviroexpress could go at night taking two to three hours. It was suggested to not have spot waste when there is backup. It is in the contract that anyone can go in at any time. The spot waste is mainly for private haulers or contracts for a number of tons. The waste coming in from Hartford is down and has to be shipped out of state. Anything more than a one hour wait would be unreasonable. Could they divert to another location at their cost? It was agreed that most have experienced Wheelabrator and Enviroexpress contacts go back and forth as to whether there are lines. There is no way to tell unless it is physically inspected if the lines are backed up. There is no protection from lines. Dumping waste needs to be rejected before they are unable to dump, not just taking too long to dump. There is nothing in the new contract and it would have to be renegotiated.

**IV. Approve General Legal Representation**

It was assigned to the executive committee to take a look at legal representation. They sent out a RFP and had six responses. The topic of power generation and purchase was brought up in the RFP responses and will be put to the side to be discussed later. There were three companies interviewed—Pullman & Comley LLC, Murtha Cullina LLP and Cohen & Wolf PC. Based on what was looked at, Pullman & Comley was recommended as the Committee's general legal representation. The advantages of working with Pullman & Comley are pricing, knowledge in the field, and office locations in Bridgeport and Hartford. It is beneficial to have a presence in Hartford if there are any state statute questions and if needed down the road with lobbyists.

Motion was made to approve Pullman & Comely as the Committee's general legal representation by First Selectman Mike Tetreau, seconded by First Selectman Jim Marpe, passed on a unanimous vote, 0 opposed, 0 abstentions.

## V. Hear, Consider and Act Upon Resolution of Legal Invoices for Fiscal Year 2015

In the last meeting, the bill that was discussed was presented by the firm Finn Dixon & Herling LLP. There was an invoice for over \$38,000 and it took time to figure out that it broke down to \$600 per hour. The Committee felt it should not be paying more than normal legal business costs for municipalities, which is around \$200 per hr. Perhaps a more objective stance is to pay what the new legal counsel's going rate will be per hour. With that basis of foundation the motion suggested is that the Committee engages the executive committee to pay the attorney a going rate moving forward.

Motion to authorize the executive committee to negotiate a going rate for attorney fees moving forward made by First Selectman Tim Herbst, seconded by First Selectman Jim Marpe, passed on a unanimous vote, 0 opposed, 0 abstentions.

Attorney Ernest Lorimer requested that the Committee look into historical rates from prior years to see the billing rate. The Committee said they did look at previous rates and found the \$600 was a higher rate. The Committee was formed last July and no rates or engagement letter was established. It was pointed out that in looking at the hourly rate, \$600 is more than what most municipalities pay in attorney fees. First Selectman Mike Tetreau stated that it would help if the Committee had a range that is relative for the work and fairness in the billing. It was in agreement to have the current legal charges rebilled to the going rate.

## VI. Financial Update for Fiscal Year 2015

Treasurer and First Selectman Timothy Herbst proposed to put together a general budget in excel and a proposed budget for a power purchase initiative. The budget would give a better understanding for short and long term goals. First Selectman Herbst will send out the wrap up for the 2015 budget next week along with the Fiscal Year 2016 proposed budget.

## VII. Here, Consider and Act Upon Budget for Fiscal Year 2016

The motion is to authorize the process of a general proposed budget for legal and usual business costs and the additional proposed budget for a power purchase initiative. For the basic budget there can be a quick conference call.

Motion made for the evaluation and presentation with appropriate financial support made by First Selectman Timothy Herbst, seconded by First Selectman Adam Dunsby, passed on a unanimous vote, 0 opposed, 0 abstentions.

First Selectman Adam Dunsby of Easton had to leave the meeting and Ed Nagy of Easton will serve as proxy in his absence.

Starting July 1, 2015 there will be a cost increase from Wheelabrator. The cost of living increase is 75% of CPI. The Committee needs to sit down with the plant to quantify and go over the final numbers. By contract the plant is supposed to give the number by February. First Selectman Timothy Herbst will document the steps yearly needed for the budget. The Committee needs to put together a calendar to have the number needed for the budget in February.

A Committee member asked if the Committee wants to have Wheelabrator manage the additional funds or should there be a different bank managing the money. There will be a need for auditors, bank accounts, and internal controls, and contracts. It was suggested to have a once a year deposit or if there is an issue for auditing to find out what things need to be in place. Currently it is \$38,000 and \$45,000 by the end of Fiscal Year 2015. Next Fiscal Year 2016 is estimated to be \$90,000. Last year it went from 25 cents to 50 cents per ton. If there is nothing allocated it can go down to 10 cents. Since the money sitting with Wheelabrator, the issue is no one has access to it from this Committee.

It would be good to have a discussion with CEOs to be aware of the amount of money available. The Committee needs a copy of the Wheelabrator annual report. The Committee does not get monthly numbers and can they be distributed out to every member. This would be for the justification of the revenue.

VIII. Discuss and Evaluate Power Purchase Initiative and Need for Legal Representation  
Pullman & Comley would be the general legal representation.

Cohen & Wolfe has extensive power initiative with experience of 40 or more companies, best practices, and 16 contacts with Wheelabrator. The goal is to generate power for purchase and find a way to negotiate a rate greater than wholesale and less than retail on the burning of garbage. This is the start of information gathering. The Committee would gather information from Cohen and Wolfe, a Washington based group, for scope of work to achieve goals and legislative costs, general assembly and contacts with Wheelabrator. The authorization from the group is to look at numbers and data to dive into the details to see if the Committee should move forward. This would include the numbers for the costs involved. The review would consist of legislative obstacles, information from a lobbyist, looking at what UI and CL&P needs to be whole with Wheelabrator, Class III Green power, other burn plants, and DEEP. The Committee needs to look at the ten things that need to be overcome for this initiative to move forward. It will reach out to the lobbyists and other groups for information and then rank the obstacles with Wheelabrator and the different stakeholders. The development for a proposal is for a decision tree analysis on whether to move forward.

IX. Receive Progress Report on the Admission of Other Municipalities  
Stamford had a contract and the company went out of business. They are currently working off a performance bond. There is no update on Greenwich. Norwalk just signed a contract for 3 to 5 years and is tied up. Ridgefield no has update. Wilton goes through Norwalk. Weston goes through Norwalk. Wallingford went to Hartford. Cromwell went to Hartford

The top towns the Committee would like to bring in are Greenwich, Stamford, New Haven, Wallingford, Meriden, and Shelton. When the Committee meets with Wheelabrator first regarding spot waste it is suggested to try to have New Haven and Greenwich.

X. New Business-There was no new business.

XI. Adjourn  
Motion made by First Selectman James Marpe to adjourn the meeting at 10:14 am, seconded by First Selectman Steve Vavrek and passed on a vote unanimously, 0 opposed, 0 abstentions.

\*\*Please note that all meetings allow for the Committee to enter into Executive Session\*\*

Respectfully submitted,

Andrea Flynn  
Recording Secretary