

Approved 10/10/12

RHODE ISLAND RESOURCE RECOVERY CORPORATION  
BUSINESS MEETING

Wednesday, May 30, 2012

9:00 A.M.

65 Shun Pike  
Johnston, RI 02919

In Attendance

Michael Quinn, Chair

Geri-Ann DiPaolo (departed at 11:50 A.M.)

Jared Rhodes

Fred Stolle (departed at 10:30 A.M.)

Geoffrey Kirkman, Treasurer (departed at 11:50 A.M.)

Sheila Dormody (departed at 11:25 A.M.)

Absent

Michael Sabitoni, Vice Chair

Charles Lombardi

Staff Present

Michael OConnell, Executive Director

Chris Jocelyn, HR Director

Nancy Minson, HR Coordinator

Gary Maddocks, Chief of Security

Tim McCormick, Chief Financial Officer

Pat Cerbo, Purchasing Director

Brian Card, Director of Operations and Engineering

Sarah Kite, Director of Recycling Services

Mike McGonagle, Director of IT and Planning

Bill Anderson, Engineering Manager

Inga Hoit, Sr. Environmental Engineer

Others Present

Ron Ronzio, Allied Court Reporter

Joe Rodio, Sr. Rodio & Ursillo

David Ursillo, Rodio & Ursillo

Tom Holt, K&L Gates

Christopher Valente, K & L Gates

Richard Licht (departed at 9:40 A.M.)

Tim Faulkner, EcoRI

Ray Choiniere, House Policy Office

## 5. Contract Increases

None.

## 6. Other Business

### a. Municipal Grant

The Town of Westerly is requesting grant funding to support the replacement of single unit trash receptacles with multi-unit trash recycle containers to increase recycling in the downtown area of Westerly.

**Resolution:** Be it resolved that the Board of Commissioner's authorizes the Executive Director to award a grant in the amount of \$5,000 to the town of Westerly to support the implementation of public space recycling. Payment shall be in accordance with the conditions established in the Corporation's Grant Policy. Motion to accept made by Commissioner DiPaolo and seconded by Commissioner Kirkman. Passed 4-0.

### b. Legislation Update/Process Recommendation

Sarah Kite presented the board with an update on the 2012 Proposed Legislative Positions. The Paint Care bill has been passed out of the committee and now awaiting Senate vote. The Off-Site Monitoring system passed in the Senate and was held in the House. H7366 for sharps collection at hospitals and pharmacies residential collection passed out of the House. However, there is no Senate version of the bill. Article 7 budget hearing is on May 31. Brian Card and Michael OConnell testified on May 29 against the ban on C&D bills 8188 and 8189. Bill 8205 which redefines the duties the citizens' advisory board was introduced. This board would be similar to the board of commissioners where there will be 12 members on the board and 8 of them will be from the Town of Johnston. They will review contracts, plans, etc. Such specific legislation may take precedence over general (enabling) legislation with some severe impact potentially on the agency and commissioners. This is in Rep Handy's committee. Nothing has been scheduled yet but this is something we would have a big issue with. Chairman Quinn agrees and would like to further discuss it in the next Governance Subcommittee. There is a Senate hearing on May 30 on the Packaging and Printed Materials bill which passed the House.

### c. Financial Audit and Full Scope Pension Audit

Tim McCormick requested the approval for an exemption from competitive bidding for auditing services to be provided by Braver PC.

**Resolution:** Be it resolved that the Board of Commissioners authorizes the Executive Director to enter into a contractual agreement for auditing services between Rhode Island Resource recovery Corporation and Braver PC of Providence, RI for an amount not to exceed \$63,350.00. The contract will commence on or about June 1, 2012 and continue until December 31, 2012. Motion to accept made by Commissioner Kirkman and seconded by Commissioner Dormody. Passed 4-0. **Contracted amount should have been \$65,350. There was a typographical error in EFB 553 memo showing \$63,350. Braver remains the low bidder.**

Commissioner Dormody departed at 11:25 A.M.

## **Call to Order**

Chairman Quinn called the meeting to order at 9:13 A.M. Pledge of Allegiance followed by Roll Call. Commissioners DiPaolo, Kirkman, Rhodes, Licht and, Stolle present.

## **Agenda Items**

### **1. Executive Session**

Motion to move to Executive Session under 42-46-5(2) made by Chairman Quinn and seconded by Commissioner Kirkman. Passed 4-0.

Motion to seal Executive Session Meeting Minutes from 4/25/12 made by Commissioner Dormody and seconded by Commissioner DiPaolo. Passed 4-0.

Motion to return to regular session made by Commissioner Dormody and seconded by Commissioner DiPaolo. Passed 4-0.

**Resolution to increase K&L Gates litigation fees for the balance of calendar year 2012 by \$470,000; and to increase the amount of legal fees for local counsel (Rodio & Ursillo) by an additional \$400,000 through calendar year 2012. Such amount will be added to the FY13 budget. Motion made, seconded, and passed 4-0.**

### **2. Approval of Meeting Minutes from 04/25/12**

Motion to accept the minutes made by Commissioner DiPaolo. Seconded by Commissioner Kirkman . Passed 4-0.

### **3. New Contracts**

None.

### **4. Contract Renewals**

#### **a. Off Road Diesel Fuel**

**Resolution:** Be it resolved that the Board of Commissioners authorizes the Executive Director to enter into a renewal agreement for the purchase and delivery of off road diesel fuel (IFB #897) between Rhode Island Resource Recovery Corporation and Peterson Oil Service, Inc. of Worcester, MA for an amount not to exceed \$1,423,500.00. The renewal term shall begin July 1, 2012 and continue until June 30, 2013. Motion to accept made by Commissioner DiPaolo and seconded by Commissioner Dormody. Passed 4-0.

#### **b. Household Hazardous Waste**

**Resolution:** Be it resolved that the Board of Commissioners authorizes the Executive Director to exercise the second and final option to renew RFQ/RFP No. 890 Household Hazardous Waste collection facility operations and disposal, between the Rhode Island Resource Recovery Corporation and Clean Harbors Environmental Services of Braintree, MA for an amount not to exceed \$864,000.00. The renewal term shall begin on July 1, 2012 and continue until no later than June 30, 2013, under the same terms, conditions, and pricing. Motion to accept made by Commissioner Dormody and seconded by Commissioner DiPaolo. Passed 4-0.

Commissioners DiPaolo and Kirkman departed at 11:50 A.M.

**d. FY13 Budget**

Tim McCormick presented the FY2013 Budget plan including a recommended 2% merit increase. A chart showing what other quasi companies are doing for rate increases was presented to the board. OConnell shows that we are in the middle to lower end of the scale of increases that other quasi's granting. Commissioner DiPaolo expressed concern of the 2% rate increases for all staff, including union hourly personnel. She wanted to know how we justified giving rate increases when Resource Recovery will be down \$6M in 2013. OConnell states he believes there should be a reward for good personnel and if affects the morale a great deal. Commissioner Rhodes compares RIRRC's employees to state workers. OConnell says it's not accurate to compare when state employees work 35 hours a week with a number of benefits while employee here work 40+ hours with none of the additional benefits state employees receive. OConnell believes that it is a wrong decision not to move forward with the 2% rate increase. Commissioner Rhodes suggested maybe a 1.5% increase as a possible option and that the state is not granting a raise this year. The commissioners requested a historical review of increases at the quasi's for the last five years. This and the budget will be rest of the information regarding the FY13 Budget will be looked at in more detail and discussed at the next Financial Subcommittee meeting and will then be addressed at the next full board meeting in June.

**e. Gas System Flows Update**

This was moved to the next board meeting.

**f. Transition Plan**

This was moved to the next board meeting. However, Michael OConnell stated that there are three phases and that he and the RIRRC Engineering Department have many questions.

**8. Next Meeting Date**

Wednesday, June 27, 2012, 9:00 A.M.

Adjourned at 11:54 A.M. with Chairman Quinn the sole commissioner remaining.