

TESTIMONY OF RICHARD J. BARLOW, FIRST SELECTMAN
TOWN OF CANTON ON RAISED BILL NO. 1170
AN ACT CONCERNING THE MEMBERSHIP OF THE CONNECTICUT RESOURCES RECOVERY
AUTHORITY'S BOARD OF DIRECTORS

The Town of Canton supports the intent of Raised Bill No. 1170 which would modify the membership of the Connecticut Resources Recovery Authority's Board of Directors to provide increased membership by municipal officials. The Town of Canton does, however, support the alternative composition of the Board as recommended in the Resolution adopted on February 16, 2011 by the Mid Conn Project Municipal Advisory Committee. The composition is detailed in the testimony of Donald S. Stein, First Selectman of the Town of Barkhamsted who was one of the Co-Chairs of the Committee of Governance for the Mid Conn Project Municipal Advisory Committee.

Presently, municipal customers are charged rates based on the net cost of operation. In response to a growing concern regarding the lack of fiscal control over the CRRA administrative and central office expenses the Mid Conn Project municipalities have pressed for more direct control of the Authority operations. The substitute language being offered would address these concerns.

The proposal would establish a fifteen member Board comprised of one member appointed by the Governor, four members appointed by Legislative leadership and ten members elected by the towns that have contractual obligations with CRRA. Three of those members would be from towns with a population of greater than 30,000, one of which would be the City of Hartford, the host of the Mid Conn Resources Recovery facility. The other seven members would be from towns with populations of less than 30,000. No more than six of these Board members could be from the Mid Conn Project. None of these members could be from towns already represented on the Board and must be municipal officials. The Board would elect the Chairman for a two year term with a maximum two term limit. The Committee on Governance also recommended that terms be staggered and proposed procedures for the replacement of a member who is no longer a municipal official.

The general statutes currently provide for a Board comprised of eleven members appointed by the Governor and General Assembly leadership which must include five municipal officials. Municipal officials are defined as a first selectman, mayor, city or town manager or chief financial officer of a municipality that has a contract with the Authority and has pledged the municipality's full faith and credit to the payment of any obligations under the contract. Currently, the remaining seven Board members must have specific expertise in such areas as finance, energy, business, industry or the environmental field. The Board appoints the Authority President and employment of staff with necessary areas of expertise is authorized by the general statutes.

Two Ad-Hoc Board members are provided for each of the Authority projects but they are precluded from voting on matters which do not specifically impact their projects. For example, they may not vote on the overall Authority operating budget.

The Authority has in the past several years lost control of the operations of the Bridgeport and Wallingford projects as the operators of these facilities have exercised their contractual rights to acquire ownership of these facilities. Currently, the Authority operates the Mid Conn project which services seventy municipalities and the Southeast project with twelve municipal users. The Authority provides recycling services for eighteen municipalities in the Southwest Division (formerly the Bridgeport project) and has control of portions of the capacity at the Wallingford and Bridgeport projects. In total, the Authority services one hundred of the State's 169 towns and cities. However, in the near future, the Authority will lose control of the Southeast project with its twelve municipal members.

While the CRRA is empowered by CGS Section 22a-259 (8) to be responsible for implementing the statewide solid waste plan that clearly has not historically been the case. They have continued for years to not submit annual plans of operation which have been approvable by the Commissioner of Environmental Protection as required by the General Statutes. If, in fact, they are providing statewide services or expertise by assisting the sixty-nine non-member municipalities to meet the goals of the State Solid Waste Plan, they are doing so with funds provided by the existing member municipalities.

Some may argue that the specific expertise should be required to be on the Board. However, it is clear that the Board which is required to make policy decisions can and does retain professional staff which are capable of providing recommendations on operational, fiscal and environmental matters. In addition, the review of the credentials of at least one present Authority member could cause one to question if he does not specifically meet the membership criteria under which he was appointed.

In closing, the municipal users of the Authority are more appropriately qualified to make the decisions which affect them. Raised Bill No. 1170 will give these municipalities the ability to control operations necessary to achieve the solid waste and recycling requirements mandated by the State in the most cost effective manner.