

Resource Recovery Meeting: Office of the Governor
3:00 p.m. November 16, 2009

In accordance with Executive Order 08-03, which was further extended by the Governor on July 31, 2008, September 18, 2008, October 15, 2008, October 28, 2008, November 19, 2008, December 19, 2008, January 16, 2009, February 16, 2009, March 18, 2009, April 17, 2009, May 18, 2009, June 18, 2009, July 17, 2009, August 17, 2009, September 17, 2009, October 16, 2009 and November 16, 2009, a meeting was held in the Office of the Governor to manage the affairs of the Corporation until such time as a duly constituted Board of Commissioners is approved by the Rhode Island State Senate. The following is an official record of the policies reviewed and the actions formally taken at the meeting in lieu of a Board of Commissions meeting and pursuant to Executive Order 08-03.

Attending: Governor Carcieri, Messrs. O'Connell, Sasse, Hodgkin, King and Ms. Najarian

Agenda: Mr. O'Connell presented an overview of the agenda which included the following major items.

- Business Overview
- Five Year Financial Projections
- Action Items
- Resolution of a Contract Dispute
- New Contracts and Contract increases Approved since October 5, 2009
- Ridgewood Power Line Easement
- Other matters

Business Overview:

Mr. O'Connell reviewed the revised mission and key objectives of RIRRC in light of the changed waste disposal market, environmental issues, and pricing conditions that began with the 2008 economic downturn. While plans were in place to reduce expenses in line with expected reduced volumes to extend the useful life of the landfill, revenues fell more than projected in both the commercial and municipal sectors due to the falloff in the economy and aggressive pricing by private competitors, particularly those with incinerator operations. Those conditions led to several strategic challenges including:

- Maximizing landfill life while remaining financially self sufficient
- Finding major capital outlays for
 - Landfill expansions
 - MRF retrofit
 - Enhanced education and recycling programs.

Financial Projections:

Mr. O'Connell presented summary financial information relating to income, cash flow and capital spending for fiscal years 2008 and 2009 as well as projections for the same for the fiscal years 2010 through 2015. The Governor led a discussion of possible ways to postpone certain capital expenditures to enhance cash flows and overall financials as well as to produce a net contribution of profit for the benefit of the State.

Action Items:

Mr. O'Connell presented a list of 6 proposed action items which were approved. Among them were possible price adjustments and further cost reductions. In response to several questions by the Governor, Mr. O'Connell gave a status report on the Ridgewood Project and Cranston sewer permit issue.

Mr. O'Connell also presented a list of the 2008 and 2009 actions taken to reduce annual operating expenses by over \$18 million.

Contract Dispute with JH Lynch:

Mr. O'Connell presented a status report regarding a contract dispute with a vendor over proper payment for fill provided as part of a 2003 project to cap Phase 1. The vendor was requesting \$614,288; Mr. O'Connell recommended settlement of the dispute for \$423,466. The Governor requested that his Executive Counsel review the matter before final settlement. Mr. King as since performed his due diligence and approved settlement of the dispute in the amount recommended by Mr. O'Connell.

Contract and Contract Increases:

The following contracts (000 omitted), which had been previously reviewed by Mr. O'Connell with Director Sasse, were approved.

• MRF Leased Labor Staffing	\$2,000
• Welding Supplies	50
• Mack Parts and Service	50
• Analytical Testing	130.2
• Safety Equipment	45
• Fire Alarm Sprinkler	25
• Workers Compensation Insurance	294.3
• All Other Insurance	507.6
• E-Waste Collections	415

Ridgewood Power Line Easement

A power line easement from Ridgewood Power's proposed facility located on the southern side of Shun Pike to run across the southeasterly portions of lots 9,10, and 11 of

RIRRC's Industrial Park was granted to allow Ridgwood access to connect its electrical lines to the power grid. Legal description of the easement was reviewed and is attached.

There being no further business to be brought before the Governor, it was agreed that the meeting be adjourned at 4:15 p.m.



Kernan F. King

Dated:



Michael O'Connell

Dated:

Ridgewood Power Electrical Easement

That certain parcel or parcels of land, with all buildings and improvements thereon, situated on the southerly side of Shun Pike in the Town of Johnston, Rhode Island, being described and bounded as follows:

Beginning at a point on the southerly side of Shun Pike, said point being located three hundred and 51/100 (300.51') feet south of the southerly line of Shun Pike, said point being one thousand five hundred thirty-nine and 40/100 feet (1539.40') south east (S 57° 13' 28" E) of Rhode Island Resource Recovery Corporation GPS Monument No. 4 (N 262977.2426, E 320586.3128, NAD83), said point being the point and place of beginning of the herein described easement;

Thence proceeding in a general southeasterly direction along the bearing S 51° 01' 45" E, a distance of six hundred fifty-two and 12/100 feet (652.12'), to a point;

Thence turning and proceeding in a general southerly direction along the bearing S 37° 38' 05" E, a distance of four hundred ninety-one and 48/100 feet (491.48'), to a point;

Thence turning and proceeding in a general southerly direction along the bearing S 28° 56' 37" E, a distance of six hundred eighty-three and 84/100 feet (683.84'), to a point;

Thence turning and proceeding in a general easterly direction along the bearing S 89° 51' 47" E, a distance of two hundred one and 84/100 feet (201.84'), to a point, said point being located on the westerly line of a two hundred fifty feet (250.00') wide Narragansett Electric Easement;

Thence turning and proceeding in a general southerly direction, along the westerly line of the Narragansett Electric Easement, along the bearing S 18° 56' 48" W, a distance of one hundred eighty-eight and 96/100 feet (188.96'), to a point, said point being located eight and 98/100 feet north of the northerly line of Recycle Road (undeveloped);

Thence turning and proceeding in a general westerly direction along the bearing S 77° 58' 01" W, a distance of one hundred eighty-three and 44/100 feet (183.44'), to a point;

Thence turning and proceeding in a general northerly direction along the bearing N 28° 10' 34" W, a distance of six hundred eighty-nine and 58/100 feet (689.58'), to a point;

Thence turning and proceeding in a general northerly direction along the bearing N 34° 32' 19" W, a distance of six hundred twenty-three and 72/100 feet (623.72'), to a point;

Thence turning and proceeding in a general northwesterly direction along the bearing N 50° 58' 31" W, a distance of four hundred sixty-five and 51/100 feet (465.51'), to a point;

Thence turning and proceeding in a general northwesterly direction along the bearing N 45° 28' 04" W, a distance of one hundred twenty-five and 51/100 feet (125.51'), to a point;

Thence turning and proceeding in a general northerly direction along the bearing N 11° 52' 44" E, a distance of thirteen and 45/100 feet (13.45'), to a point;

Thence turning and proceeding in a general northerly direction along the bearing N 15° 59' 33" E, a distance of one hundred three and 26/100 feet (103.26'), to a point, said point being the point and place of beginning of the herein described easement. The easement contains six and 35/100 (6.35) acres of land more or less, along with the measurements more or less or however otherwise bounded or described. The above referenced easement crosses lots 47, 61 and portions of Recycle Road located on Assessor Plat 31.