

**GREATER NEW BEDFORD REGIONAL REFUSE MANAGEMENT DISTRICT
DISTRICT MEETING – January 11, 2017**

Minutes

The Greater New Bedford Regional Refuse Management District Committee held a publicly posted meeting on **Wednesday, January 11, 2017 at 8:00 AM** at the Dartmouth Town Hall, Room 305, 400 Slocum Road, Dartmouth, MA.

District Committee Members in attendance: Rosemary Tierney, Chairperson; John Beauregard, Daniel Patten, Christine LeBlanc, and Larry Worden.

Nathalie Dias not present.

Also present: Scott Alfonse, Executive Director; Leonor Ferreira, Secretary; Attorney Matthew J. Thomas, District Counsel

1. Call to order by Chairperson Rosemary Tierney; roll call of members

Chairperson Tierney called the meeting to order at 8:07 AM.

2. Salute to the Flag

All in attendance stood to salute the flag.

Chairperson Tierney read the notice advising the Board that the meeting may be recorded by audio and/or video.

3. Legal Notices

Chairperson Tierney noted that the meetings were posted timely in both New Bedford and Dartmouth and that the notices be placed on file.

4. Warrant Report and Ratification

Chairperson asked for a motion to ratify warrant dated January 2, 2017. Motion made by Mr. Patten, seconded by Mr. Worden. Vote 5-0.

CITY CLERKS OFFICE
NEW BEDFORD, MA
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CITY CLERK

5. Approval of Minutes

Chairperson asked for a motion to approve the December 13, 2016 Regular Session minutes. Motion made by Mr. Worden, seconded by Ms. LeBlanc. Vote 5-0.

6. Old Business

a. 612 Quanapoag Road property.

Chairperson Tierney asked for a motion to authorize the Executive Director to execute a one-year extension to the existing lease agreement with Charles and Beth Soares with monthly lease payments of \$1,589.42 for the period of February 1, 2017 to January 31, 2018. Motion made by Mr. Beauregard, seconded by Ms. LeBlanc.

Chairperson Tierney recognized Mr. Alfonse who informed the Board that after discussion with Soares, they are willing to extend the current lease with the 4% increase over the existing rent. Mr. Beauregard asked what options the tenants have after January 31, 2018, and Mr. Alfonse stated that tenant has option to renew lease.

Vote 5-0.

6. New Business

a. Fiscal Year 2018 Budget

Chairperson Tierney asked for a motion to discuss the draft fiscal year 2018 budget. Motion made by Mr. Patten, seconded by Mr. Beauregard.

Mr. Alfonse described key budget line items from the Draft Fiscal Year 2018 Budget. On December 13, 2016 the Personnel Subcommittee (Rosemary Tierney and Larry Worden) met and reviewed the Salaries and Wages section. On December 20, 2016 the Budget Subcommittee (John Beauregard and Dan Patten) met and reviewed the draft FY 2018 budget. The proposed budget includes changes and recommendations by the Committees and must be approved by January 21, 2017.

Mr. Alfonse informed the Board that a Department of Labor rule may require overtime for salaried employees who earn less than \$47,500 per year.

Mr. Beauregard made a motion to accept the FY 2018 budget, seconded by Mr. Patten. Voted 5-0.

b. Request from ABC Disposal

Chairperson Tierney asked for a motion to discuss the request from ABC Disposal. Motion made by Mr. Beauregard, seconded by Ms. LeBlanc.

Mr. Alfonse informed the Board that ABC Disposal requested tipping fee lower than the gate rate and a yearly contract for disposal. ABC Disposal is still prepaying for disposal. Mr. Alfonse suggests District provide \$76 per ton for 2017, \$77 per ton for a one year renewal option for 2018. Daily tonnage would be limited to 40 tons per day and 250 tons per week. ABC would continue to prepay for disposal.

Motion made by Mr. Beauregard, seconded by Mr. Patten, to provide a contract for \$76 per ton for 2017, and a one year option at \$77 per ton for 2018, not to exceed 40 tons per day and 250 per week, and prepayment of disposal costs. Vote 5-0.

c. Directors Report

Chairperson Tierney asked for a motion to receive the Director's report. Motion made by Ms. LeBlanc, seconded by Mr. Beauregard.

Mr. Alfonse informed the Board that the installation of the hydrogen sulfide treatment system has been completed ahead of the deadline and a representative from MV Technologies will be on-site during start-up. Also, Attorney Thomas and Mr. Alfonse met with a customer and developed a plan for addressing the outstanding receivables on their account. The customer proposes to pay one to one and half invoices per week. Those payments will be applied to the oldest invoices which will cause some of their current invoices to age over 60 days. At this payment schedule, the account should be current in approximately 18 weeks. Once the account is current, the District will impose a limit so that they could not exceed the 60 days balance. Attorney Thomas stated that the District needs to draft a Forbearance Agreement and have it signed next week.

d. Items which could not have been reasonably anticipated 48 hours in advance.

Mr. Alfonse informed the Board that a request was received from the Town of Westport Board of Health requesting to dispose 1,500 tons of waste per year. At this point, the District should not be entertaining any further requests unless something happens with one of the District's customers. Mr. Beauregard stated that the District needs to maintain the longevity of landfill. The District will not be accepting the waste from Town of Westport.

8. Set date for next meeting.

Next Board meeting is scheduled for Wednesday, February 15, 2017 at 8:00 a.m.

9. Adjourn

There being no further business, Chairperson Tierney asked for a motion to adjourn to Executive Session to discuss pending litigation at approximately 8:50 a.m., and not to return to open session. Motion made by Mr. Beauregard, seconded by Mr. Patten. Roll Call Vote: Rosemary Tierney – yes; Christine LeBlanc – yes; Daniel Patten – yes; John Beauregard – yes; Larry Worden – yes. Vote 5-0.

**GREATER NEW BEDFORD REGIONAL REFUSE MANAGEMENT DISTRICT
DISTRICT MEETING – February 15, 2017**

Minutes

The Greater New Bedford Regional Refuse Management District Committee held a publicly posted meeting on **Wednesday, February 15, 2017 at 8:00 AM** at the Dartmouth Town Hall, Room 305, 400 Slocum Road, Dartmouth, MA.

District Committee Members in attendance: Rosemary Tierney, Chairperson; Nathalie Dias, Vice-Chairperson; John Beauregard, Larry Worden, Christine LeBlanc, Daniel Patten.

Also present: Scott Alfonse, Executive Director; Leonor Ferreira, Secretary; Attorney Matthew J. Thomas, District Counsel; Alexander C. Bartholomew and Michelle Newcomb, Bartholomew & Co. representatives

1. Call to order by Chairperson Rosemary Tierney; roll call of members

Chairperson Tierney called the meeting to order at 8:04 AM.

2. Salute to the Flag

All in attendance stood to salute the flag.

Chairperson Tierney read the notice advising the Board that the meeting may be recorded by audio and/or video.

3. Legal Notices

Chairperson Tierney noted that the meetings were posted timely in both New Bedford and Dartmouth and that the notices be placed on file.

4. Warrant Report and Ratification

Chairperson asked for a motion to ratify warrants dated December 20, 2016, January 17, 2017, January 31, 2017 and February 15, 2017. Motion made by Mr. Beauregard, seconded by Mr. Patten. Vote 6-0.

CITY CLERKS OFFICE
NEW BEDFORD, MA
2017 JUL 20 P 3:44
CITY CLERK

5. Approval of Minutes

Chairperson asked for a motion to approve the January 11, 2017 Regular Session and Executive Session minutes. Motion made by Mrs. Dias, seconded by Mr. Beauregard. Vote 6-0.

6. New Business

a. Investment update – Bartholomew & Co.

Chairperson Tierney asked for a motion to receive investment update from representatives of Bartholomew & Company. Motion made by Mr. Patten, seconded by Ms. LeBlanc.

Chairperson Tierney recognized Michelle Newcomb and Alexander C. Bartholomew, representatives from Bartholomew & company, Inc. Alexander C. Bartholomew provided a status update and detail summary of the investments on the Closure, Post Closure and Reserve Funds to the Board. Michelle Newcomb stated that in the Closure account, it was projected the District would need \$533,000 over three quarters, starting with the first quarter of FY 17. Bartholomew has been keeping this amount as cash and asked if they should continue to keep it in cash. Mr. Alfonse stated that the construction project is nearly completed and the funds will be needed from Closure soon. There was a vote to transfer some additional money from last year into reserves and those transfers will be done in a couple of months. Mr. Beauregard asked if the District is still bound by the Massachusetts Legal List Investment and the accounts it can invest. Alexander Bartholomew stated that they invest according to the Legal List Investment, and provided different examples of how a company becomes eligible and placed on the Legal List.

Mr. Alfonse informed the Board that when the District looked into the equities market, Chris Davies looked at all of the stocks that were on the Legal List and divided the money amongst the full list. Alexander Bartholomew said that their focus is on higher quality, higher dividend payers, and less volatile companies.

Alexander Bartholomew provided a status update on the OPEB Trust from the 2/14/17 handout. Mr. Alfonse said that when the OPEB modeling is done the District assumes 3% return. Higher returns were not being realized and the District had to deposit more money into the reserve each year. Mr. Patten noted from the OPEB 2/14/17 handout, page 8, International Bond, that the Hartford World Bond has a .21% yield and Templeton Global has a yield of 2.97%. He asked if there was a difference between the two bonds. Alexander Bartholomew stated that the reason Hartford yield is low, is because their durations are short, and therefore are not affected by trade sensitivity around the world and foreign governments. Templeton invests where it sees value, and

tends to operate in emerging markets which have more volatility.

Motion to receive and place on file made by Ms. LeBlanc, seconded by Mrs. Dias. Vote 6-0.

Michelle Newcomb and Alexander C. Bartholomew left at 8:44 a.m.

b. Tonnage / site life update

Chairperson Tierney asked for a motion to discuss landfill tonnage and site life update. Motion made by Mr. Patten, seconded by Ms. LeBlanc.

Mr. Alfonse reviewed the information provided by Sam Chapin at Brown & Caldwell, which provided a current state of landfill site life and tonnage. The landfill has an estimated 15 years of capacity remaining. New Bedford and Dartmouth are in the process of funding their unfunded pension liability, which will take Dartmouth until 2029 and New Bedford until 2035. Once accomplished, both communities would have money available that would otherwise have gone to pension liability. New Bedford would have \$44 million and Dartmouth \$6.1 million, which they no longer have to pay into pension liability. The District should look into expanding the life of landfill beyond 15 years. Certain operations such as the power plant, garage, scale, and anaerobic digester, may not be required to be located on site assigned land.

Mr. Beauregard asked if the District could use the wetlands in the landfill area, and Mr. Alfonse stated that wetlands serve other functions at the landfill, such as flood storage capacity. Ms. LeBlanc asked if the wetlands could be replicated in other areas, and Mr. Alfonse said that the District would likely need a variance from the Wetlands Protection Act due to the potential size of the area to be impacted.

Mr. Alfonse will be obtaining a definite wetland boundaries from Brown & Caldwell to identify what's developable. It has been done on majority of the site. Mr. Worden noted the area to the west of Phase 2, cells 3 and 4, and asked if the area could be considered for development. Mr. Alfonse informed the board that the area has the existing storm water detention basin. The District chose to keep the storm water detention basin in site assigned area. This avoided the District from having to go to Conservation Commission for approval to move it outside of the site assigned area and closer to wetlands. This area could be considered for development at some point in the future.

c. Reserves Opinion

Chairperson Tierney asked for a motion to receive and place on file the opinion on District reserves. Motion made by Mr. Patten, seconded by Ms. LeBlanc.

Mr. Alfonse informed the Board that, as requested by the Board, Attorney Thomas provided the legal opinion regarding the District's authority to hold certain reserve

accounts. Attorney Thomas noted that the Unemployment, Closure and Post-Closure reverses were not listed as Trusts. The Board asked attorney Thomas to include those reserves in the Legal Opinion. Mr. Patten asked if the Unemployment reserve fund was set up to be used for when the landfill closed or was it for collecting unemployment only. Mr. Alfonse said that the fund was set up to be used for both instances.

Mr. Patten asked if the intent of establishing the Future Solid Waste Management Fund wasn't to reduce assessments, because the wording of "costs" in the phrase of the paragraph seems to imply that the District will be using it for District trash disposal costs and not community assessments. Mr. Alfonse said that the fund was to offset assessments for disposal costs. Attorney Thomas is changing the name from Future Solid Waste Management to Future Costs or Assessments to Member Municipalities to clarify the "costs" language in the reserve fund.

Vote 6-0.

d. Directors Report

Chairperson Tierney asked for a motion to receive the Director's report. Motion made by Mr. Patten, seconded by Ms. LeBlanc.

Mr. Alfonse informed the Board that the hydrogen sulfide treatment system is operating normally and the District is totaling the installation costs associated with the project. Also, on the accounts receivable, the District's major customer has been progressing with paying their account without any delays. The District has requested, and is working with the Town of Freetown to enter into a "payment in lieu of taxes" agreement with the District for eligible properties in Freetown.

Motion to place Directors report on file made by Mr. Beauregard, seconded by Mr. Worden. Vote 6-0.

e. Items which could not have been reasonably anticipated 48 hours in advance.

None.

8. Set date for next meeting.

Next Board meeting is scheduled for Wednesday, March 15, 2017 at 8:00 a.m.

9. Adjourn

There being no further business, Chairperson Tierney asked for a motion to adjourn to Executive Session to discuss pending litigation at approximately 9:20 a.m., and not to return to open session. Motion made by Mr. Patten, seconded by Ms. LeBlanc. Roll Call Vote: Rosemary Tierney – yes; Nathalie Dias – yes; John Beauregard – yes; Larry Worden – yes; Daniel Patten – yes; Christine LeBlanc –

yes. Vote 6-0.

**GREATER NEW BEDFORD REGIONAL REFUSE MANAGEMENT DISTRICT
DISTRICT MEETING – April 25, 2017**

Minutes

The Greater New Bedford Regional Refuse Management District Committee held a publicly posted meeting on **Tuesday, April 25, 2017 at 8:00 AM** at the Dartmouth Town Hall, Room 305, 400 Slocum Road, Dartmouth, MA.

District Committee Members in attendance: Rosemary Tierney, Chairperson; Nathalie Dias, Vice-Chairperson; John Beauregard, Christine LeBlanc, Daniel Patten, Larry Worden.

Also present: Scott Alfonse, Executive Director; Leonor Ferreira, Secretary; Attorney Matthew J. Thomas, District Counsel.

Chairperson Tierney called the meeting to order at 8:00 AM.

1. Call to order by Chairperson Rosemary Tierney; roll call of members

2. Salute to the Flag

All in attendance stood to salute the flag.

Chairperson Tierney read the notice advising the Board that the meeting may be recorded by audio and/or video.

3. Legal Notices

Chairperson Tierney noted that the meetings were posted timely in both New Bedford and Dartmouth and that the notices be placed on file.

4. Warrant Report and Ratification

Chairperson asked for a motion to accept and ratify the approval of the warrants dated March 6, 2017, March 31, 2017 and April 13, 2017. Motion made by Mr. Patten, seconded by Ms. LeBlanc. Vote 6-0.

5. Approval of Minutes

Chairperson asked for a motion to approve the February 15, 2017 regular session

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NEW BEDFORD, MA

and executive session minutes. Motion made by Ms. LeBlanc, seconded by Mrs. Dias. Vote 6-0.

6. Old Business

a. Hydrogen sulfide treatment system

Chairperson Tierney asked for a motion to consider the request to revise the vote of July 21, 2016 regarding the hydrogen sulfide treatment system. Motion made by Mr. Patten, seconded by Ms. LeBlanc. Vote 6-0.

Mr. Alfonse stated that in July 2016 the Board voted to authorize the expenditure of funds from the Environmental Contingency Fund to cover the costs of the hydrogen sulfide treatment system. The installation of the retaining wall and knock-out pot required a significant excavation and represented a significant part of the District's effort during system installation. This was something not considered when the vendor supplied the system installation cost estimated. Ms. LeBlanc asked why they didn't know about the knock-out pot beforehand. Mr. Alfonse replied that there is a knock-out pot next to the landfill gas to energy plant, but due to the distance from the knock-out pot to the H2S treatment system, it was not feasible to use that knock-out pot. Also, the system was located within the footprint of an area where groundwater monitoring wells were present. The wells had to be decommissioned and installed elsewhere. These items accounted for \$35,000 of the installation costs.

It was recommended that the Committee vote to revise its vote of July 21, 2016 as follows: That the amount authorized for payment of 50% of capital costs for installation be revised to \$105,242.01, which is 50% of the actual capital costs for installation; and that the amount authorized for payment of 50% of treatment system equipment costs be revised to \$168,612.00, which is 50% of the actual treatment system equipment costs. And, to transfer said funds from the Environmental Contingency fund to cover the District's costs.

Motion made by Ms. LeBlanc, seconded by Mr. Beauregard. Vote 6-0.

7. New Business

a. Request for Proposals for land lease / anaerobic digestion project

Chairperson Tierney asked for a motion that the Committee consider the request to declare property available and to advertise an RFP for an anaerobic digestion project. Motion made by Mr. Patten, seconded by Mr. Beauregard.

Mr. Alfonse stated that in February 2017, the District was evaluating the appropriate steps for moving forward with a full scale anaerobic digestion project. The project will require an agreement with a party to accept organics from the District's member communities, and to compensate the District based on revenue sharing. There needs to be a procurement process in order for the District to lease land or to enter in agreement with another party. Mr. Alfonse also noted that previous discussion stressed the need for the

project to provide some benefit to the District. Mr. Alfonse referred to the map that outlined site assigned areas and discussed with members the three proposed areas for consideration. Mr. Alfonse noted the area currently occupied by the landfill gas to energy facility and discussed the potential future value as landfill, given its location within the site assigned area. Brown and Caldwell estimated that extending the landfill to the area currently occupied by the landfill gas to energy plant could provide 3.5 years of landfill capacity. As such, the District should carefully consider the use of this area for an expanded anaerobic digester. Ms. LeBlanc asked if the anaerobic digester had to be on site assigned property, and Mr. Alfonse said it did not.

The board discussed access to the other sites under consideration. Ms. Leblanc noted that there may be opportunities to relocate the landfill gas to energy plant to the digester, if it were located outside of the site assigned area.

Mr. Alfonse concluded that the District would need to declare sites available for lease, and described the elements of the draft RFP.

Mr. Beauregard asked if the District expected a lot of proposals, and Mr. Alfonse replied that it is unclear how many proposals it will receive. Mr. Alfonse and the board discussed potential proposers. The reason for the pilot project was to determine what works and doesn't work. The pilot project currently discharges into the District's sewer line, and it's preferable that full scale project have its own dedicated separate sewer lines and permits separate from the District's. Mr. Thomas mentioned the real estate tax implications of the project.

Mr. Beauregard asked if moving the digester would be cost prohibitive (if it were to be located in an area from which it later had to be moved). Mr. Alfonse replied it could be costly. Mr. Patten asked if both facilities would be operational or if one would be closing. Mr. Alfonse replied that another party may choose to continue to operate the small digester, or if Commonwealth wasn't selected they may choose to continue to operate the small digester. Mr. Beauregard asked if it's sited elsewhere and Commonwealth continues to operate it, would the District not be able to use that as land. Attorney Thomas stated that the license expires once the operation advances to the commercial stage.

Mr. Alfonse suggested issuing the RFP with the three sites as options, and identify the District's preferred site(s) in the RFP. During the proposal evaluation, the District could evaluate what use makes the most sense.

Mr. Patten asked if the RFP would have options for additional space in the future so that in the event it's very successful, and they want to add more production capacity, that the language is already in the RFP, and therefore another RFP wouldn't be required. Mr. Alfonse stated that MGL c. 30B is definitive on land leases. The area must have been identified already. Attorney Thomas explained the requirements of MGL c. 30B.

It is requested that the District Committee declare the 3 properties available, and authorize the advertisement of the Request for Proposals to lease any or all of the property(ies) for construction of a facility that accepts source separated organic materials and uses anaerobic digestion technology to create biogas that is used beneficially. Mr.

Alfonse stated that the RFP will likely include language that talks about potential value of the land near the landfill gas to energy plant, and that this may not end up being the District's preferred location. Attorney Thomas stated that Hague and Sahady will provide a ranking on proposer's financial viability.

Chairperson asked for a motion to surplus and make available for purposes of development of the anaerobic digestive facility the 3 parcels as shown on exhibits 7A, and to authorize Mr. Alfonse to issue an RFP after Attorney Thomas has reviewed the legality.

Motion made by Mr. Patten, seconded by Mrs. Dias. Vote 6-0.

b. Request for Design Services – general architectural consulting services

Chairperson Tierney asked for a motion that the District Committee consider authorizing the issuance of the Request for Design Services for qualified architects to prepare a Facilities Improvement Plan; and provide study, design, bidding assistance and construction administration services for renovations and repairs to various District buildings on an as needed basis. Motion made by Mr. Patten, seconded by Mr. Worden.

Mr. Patten stated that when the issue was originally discussed, the District also discussed evaluating best uses of District property. Mr. Patten asked if this work would include recommendations as to how areas should be used. Mr. Alfonse stated that multiple uses would only be considered for 101 Quanapaog Road.

Mr. Alfonse stated the initial plan was to have a facilities improvement plan to evaluate buildings and establish a list of priorities. Mr. Patten expected an assessment of both current and future needs to inform the process of building renovation and property use. Mr. Alfonse asked if the Board was looking for a programming evaluation, such as an evaluation of how many square footage of storage or office space are needed, and how to allocate it. If so, there would be more of a land use evaluation component to the project. Ms. LeBlanc stated these services would not necessarily be performed by an architect, and would likely be provided by an engineering or planning firm.

Mr. Alfonse asked for the motion to be tabled and he will provide a more appropriate scope.

Motion to table item 7b made by Mr. Beauregard, seconded by Ms. LeBlanc. Vote 6-0.

c. Amendment to security services contract

Chairperson Tierney asked for a motion to accept the amendment to the security services. Motion made by Mr. Beauregard, seconded by Ms. LeBlanc. Motion made by Mr. Beauregard, seconded by Mr. Patten. Vote 6-0.

d. Amendment to engineering services contract

Chairperson Tierney asked for a motion to approve an amendment to the agreement with Brown and Caldwell for additional services and \$21,100.00 increase to the agreement budget for these services, as outlined in the letter from Brown and Caldwell dated April 19, 2017. Motion made by Mr. Patten, seconded by Mr. Beauregard. Vote 6-0.

e. Procurement and Contract Execution Policy revision

Chairperson Tierney asked for a motion to approve the proposed revisions to the Procurement and Contract Execution Policy submitted on April 20, 2017. Motion made by Mr. Patten, seconded by Mrs. Dias. Vote 6-0.

f. New Bedford FY17 assessment – interest

Chairperson Tierney asked for a motion to waive the \$1,248.72 interest due from New Bedford. Motion made by Mr. Patten, seconded by Mr. Beauregard. Vote 6-0.

g. FY 17 audit

Chairperson Tierney asked for a motion to discuss independent audit services for FY 2017. Motion made by Mr. Beauregard, seconded by Ms. LeBlanc. Vote 6-0.

h. Request to transfer funds – compactor repair

Chairperson asked for a motion to authorize the transfer of the actual cost of repairs to the compactor, up to \$30,000, from the equipment replacement reserve. Motion made by Mr. Patten, seconded by Mr. Beauregard. Vote 6-0.

i. Directors report

Chairperson asked for a motion to received Director's report. Motion made by Mr. Patten, seconded by Mrs. Dias.

Chairperson Tierney recognized Mr. Alfonse who informed the Board that the sewer connection to the landfill. The District has been working with City of New Bedford Department of Public Infrastructure (DPI) to resolve the issue. Mr. Alfonse noted that a recent blockage resulted in some pavement damage at the entrance to the landfill. Ms. LeBlanc asked if the sewer line was above the water service and Mr. Alfonse replied that it was. Mr. Alfonse advised the board that he will continue to work with DPI to resolve this.

Household Hazardous waste collection event is being held this weekend.

Mr. Beauregard asked if it was normal that there no odors are reported at this time of year. Mr. Alfonse stated that it may be a function of a few things. The District no longer accepts construction and demolition fines which when decomposed may give off

hydrogen sulfide gas. Operations have moved into new cell and it's possible that the anaerobic decomposition process may have not begun. Overall, landfill gas production is down and the powerplant is not running full capacity. Ms. Leblanc noted that the Stage 4 Closure project may help reduce odors.

A District customer was charged with mail fraud has plead guilty and will be sentenced in July.

The tenant on 74 Quanapoag Rd wishes to extend the lease.

The District's major customer is still not in full compliance with its agreement regarding payment, but it's progressing.

j. Items which could not have been reasonably anticipated 48 hours in advance.

None.

8. Set date for next meeting.

Next Board meeting is scheduled for Wednesday, May 24, 2017 at 8:00 a.m.

9. Executive Session

There being no further business, Chairperson Tierney asked for a motion to adjourn to Executive Session to discuss pending litigation at approximately 9:04 a.m., and not to return to open session. Motion made by Mr. Patten, seconded by Ms. LeBlanc. Chairperson Tierney called for a Roll Call Vote:

**Rosemary Tierney – yes
Nathalie Dias – yes
John Beauregard – yes
Larry Worden – yes
Daniel Patten – yes
Christine LeBlanc – yes.**

10. Adjourn

Motion to adjourn made by Mr. Patten, seconded by Mrs. Dias. Vote 6-0.

GREATR NEW BEDFORD REGIONAL REFUSE MANAGEMENT DISTRICT

Final Minutes
May 24, 2017

The meeting of the Greater New Bedford Regional Refuse Management District Committee was called to order at **8:00 a.m. on Wednesday, May 24, 2017** at Dartmouth Town hall, Room 315, 400 Slocum Road, Dartmouth, MA.

Present

District Committee Members: Rosemary Tierney, Chairperson; Nathalie Dias, Vice-Chairperson; John Beauregard, Christine LeBlanc, Daniel Patten, Larry Worden.

Also present: Scott Alfonse, Executive Director; Leonor Ferreira, Secretary; Attorney Matthew J Thomas, District Counsel.

- 1. Call to order by Chairperson Rosemary Tierney; roll call of members.**
- 2. Salute to the Flag**

All in attendance stood to salute the flag.

Chairperson Tierney read the notice advising the Board that the meeting may be recorded by audio and/or video.

3. Legal Notices

Chairperson Tierney noted that the meetings were posted timely in both New Bedford and Dartmouth and that the notices be placed on file.

4. Warrant Report and Ratification (April 28 and May 12)

Chairperson Tierney asked for a motion to ratify warrants dated April 28, 2017 and May 12, 2017. Mr. Alfonse requested that the MMHG (Mayflower Municipal Health insurance) expense on the May 12, 2017 warrant be amended to \$20,635.64 instead of \$22,004.00. The District's buy-in is complete at the end of June and therefore the amount owed is less. Motion made by Mr. Beauregard, seconded by Ms. LeBlanc. Vote 6-0.

5. Approval of Minutes

CITY CLERKS OFFICE
NEW BEDFORD, MA
2017 JUL 20 P 3:14
CITY CLERK

Chairperson Tierney asked for a motion to approve the April 25, 2017 regular session and executive session minutes. Motion made by Mr. Patten, seconded by Mr. Beauregard. Vote 6-0.

6. Old Business

a. Request for Proposal to Lease Land for Anaerobic Digestion project

Motion to receive update on RFP to lease land for anaerobic digestion project. Motion - made by Mr. Patten, seconded by Mr. Beauregard.

Mr. Alfonse stated that the RFP has been advertised by the District and two parties (Commonwealth Resource Management Corp. and Brown and Caldwell) have requested it. Language that would obligate the successful proposer to accept 5,000 tons per year of food waste from the District's member communities was included in the RFP. An electronic copy of the proposal can be provided to members. Mr. Beauregard and Ms. LeBlanc requested a copy.

Ms. LeBlanc asked if food waste from the city and town included private universities, such as UMass Dartmouth. Mr. Alfonse said that the tonnage estimate is based on residential waste from the city and town. Hospitals, universities are subject to the current MassDEP food waste ban. Those facilities have other outlets for disposal of food waste, but there could be capacity to manage it at the proposed facility as well.

Mr. Beauregard asked how much 5,000 tons of food waste was – did it represent a significant amount of food waste? Mr. Alfonse said it was approximately 10% of capacity of the facility. The city and the town generate approximately 35,000 tons of waste per year. 5,000 tons of food waste is a portion of the waste. Mr. Beauregard asked where the remaining waste was disposed. Mr. Alfonse replied that it was landfilled. Mr. Alfonse explained that food waste that could not be landfilled was usually diverted to compost facilities.

Proposals are due June 9, 2017 and any member is welcome to participate in the review of proposals. The District is asking bidders to submit confidential financial information to Hague & Sahady for review of financial viability.

7. New Business

a. Directors report

Chairperson Tierney asked for a motion to receive the Director's report. Motion made by Mrs. Dias, seconded by Ms. LeBlanc.

Dartmouth Compost

Mr. Alfonse stated that Dartmouth's DPW is seeking an alternate disposal facility for their leaves and yard waste and asked the District to accept and manage the material. The District

currently takes leaves and yard waste from the City of New Bedford and has done so for over 15 years. Mr. Alfonse explained some of the challenges of operating a compost facility without the proper equipment. For compost to cure properly, it should be turned using a piece of heavy equipment called a windrow turner, which the District has never owned. Window turners cost approximately \$350,000. The District could lease it instead of purchasing it. The city generates about 4,000 tons of yard waste and the town generates about 1,000 tons of yard waste per year. The District could manage the extra 1,000 tons of material from Dartmouth short-term. The District should consider working with both communities to develop a long term plan to have one entity manage leaves and yard waste.

Ms. LeBlanc asked why Dartmouth was seeking an alternate disposal facility for its yard waste, and if the material could still be dropped off at the transfer station. Mr. Alfonse explained that the compost facility to which Dartmouth delivered its leaves and yard waste has been shut down by MassDEP. Leaves and yard waste could still be dropped off at the transfer station, but it would then be delivered to the landfill to be composted. A front end loader is currently used to rotate the compost material at the landfill, which is not very efficient.

Ms. LeBlanc stated that if the District was not responsible to manage the yard waste from the city and the town, both communities should consider a long term arrangement with a private entity for their yard waste management. Mr. Alfonse stated that he did not believe the District is required to manage yard waste from the city and the town. If the District is to continue to accept material it will have to relocate the compost pile to land out of site assigned area, but accessible to the scale. Ms. LeBlanc asked if the compost pile had to be on site assigned area, and Mr. Alfonse said it did not.

Mr. Patten asked if the City of New Bedford was assessed for yard waste management, and Mr. Alfonse said that they were not assessed.

Mr. Alfonse stated that because the town is in a difficult situation, the District could manage the yard waste for one year with the stipulation that the District would later evaluate if it could manage the material long term. If the District is to continue managing the material long term, there would be a cost associated with it. The material can be marketable when cured properly. Occasionally, requests for compost material are received.

The Board discussed some of the challenges associated with operating a composting operation, and whether it is the District's responsibility to manage this material on behalf of the city and town. Mr. Alfonse noted that the District exists for the benefit of the city and the town. When the landfill was built and an agreement was developed, waste bans were not anticipated. Both communities have managed their banned waste privately, but noted this is the exception.

Mr. Patten noted that if the District invested in the required equipment and operated the compost facility, the city and town would likely bear the cost in the form of an increased assessment. He noted the question before the Committee was does the District want to operate a compost facility, or abandon this operation. The suggestion to have a private entity manage the compost facility was more favorable to the Board, but it was agreed to have the District accept and manage leaves and yard waste from the town and notify the town and city that the District may not be accepting leaves and yard waste long term. Mr. Alfonse has discussed with city officials the possibility of the city managing its own leaves and yard waste. Mr. Worden asked if the long term decision would be expected sometime in April of 2018. Mr. Alfonse said that it would be.

Mr. Beauregard asked the status of one of the District's accounts receivable. Mr. Alfonse stated that the plan to receive payment of 1 and ½ invoices per week from the District's major customer has fallen behind. They are improving on the "days to pay" but the goal was to have the account balance in compliance with the terms of the contract by June 30, 2017. Mr. Alfonse said that if that could be accomplished, the District would consider waiving the current interest, which is over \$50,000. The Board may consider implementing a line of credit which the customer could not exceed, or shut them off from coming in to the landfill.

The Board and Mr. Alfonse discussed possible reasons the account is not current, and the current details of the account status. Attorney Thomas suggested that if customer paid the overdue amount with a lump sum payment and brought the terms to 45 days, then the District could consider waiving the interest due.

Mr. Patten asked if it was expected that the District would waive interest on June 30, 2017. Mr. Alfonse stated that it was communicated that the District would "consider" waiving a portion of the interest if the account was current by June 30, 2017. Mr. Patten asked what interest rate was listed on the contract, and Mr. Alfonse said it was 12% annually.

The Board asked that Attorney Thomas submit a letter to customer and customer's Treasurer notifying them that customer has not maintained their part of the agreement, and that the Board is dissatisfied with the account status. The Board is requesting that customer maintain account to 45 days by June 30, 2017, otherwise the District may consider refusing their loads, and require them to pay at the gate with each delivery.

b. Mechanic Position

Chairperson Tierney asked for a motion to discuss the mechanic position. Motion made by Mr. Beauregard, seconded by Ms. LeBlanc.

Mr. Alfonse stated that the District has a mechanic position vacancy and asked the Board to consider authorizing the Executive Director to offer a starting salary higher than that currently

authorized (\$22.00 to \$25.00 per hour). Mr. Alfonse noted that given the experience and qualifications sought, and current demand for similar candidates, it is likely that the District may need to increase the starting salary to attract qualified candidates. The District recently advertised the mechanic position and has received one application. The goal is to attract a candidate at the starting range of \$22.00 to \$25.00, but it may need to offer up to \$28.00 per hour.

Mr. Patten asked if the District has encountered hiring difficulties in past years. Mr. Alfonse said that this was the third time advertising for a mechanic position since 2012 because previous mechanics were promoted. Mr. Patten asked what the hourly rate was for those employees that were promoted. Mr. Alfonse stated that Mr. Peckham, who was promoted to Operations Manager, is above \$28 per hour, and James Fillion, who was promoted to Landfill Technician, is slightly below \$28 per hour.

Mr. Beauregard made a motion to authorize the Executive Director to offer up to \$28.00 per hour for the position of the mechanic, seconded by Mr. Worden. Vote 6-0.

c. Compactor update

Chairperson Tierney asked for a motion to received update on compactor repair. Motion made by Mr. Patten, seconded by Ms. LeBlanc.

Mr. Alfonse stated that the landfill compactor with approximately 5,000 hours of service was placed back into landfill service after it was sent to Caterpillar for engine repairs. The District will receive a final invoice from Caterpillar for half of the repairs which is \$27,708.25.

d. Equipment needs (roller / pickup truck)

Chairperson Tierney asked for a motion to consider authorizing the transfer of \$29,250 from the equipment replacement fund to purchase a used roller, and a sum not to exceed \$15,000 from the equipment replacement fund to purchase a used pickup truck. Motion made by Mr. Patten, seconded by Mr. Beauregard.

Mr. Alfonse explained that the District does not have a roller and is asking the Board to consider purchasing a roller to construct and maintain unpaved access roads on and around the landfill. Mr. Peckham has researched rollers and concluded that the District could purchase a used roller for \$29,250.

Pickup truck

The pickup truck that is equipped with a removable fuel tank and is used to fuel heavy equipment in the field has 105,000 miles. It is not registered, since it would not pass inspection, and it has extensive body deterioration. Mr. Beauregard cautioned that unregistered

equipment used at the landfill may not be insured because it's subject to motor vehicle registration. Mr. Alfonse stated that the District's equipment is insured with MIIA and each year a list is provided to the District showing each piece of equipment, on or off the road that is on MIIAs coverage list.

Mr. Beauregard made a motion to proceed with the transfer of funds and purchase of the roller for \$29,250 and pickup truck for approximately \$15,000.00, seconded by Mr. Patten. Vote 6-0.

e. Legislative update

Chairperson Tierney asked for a motion to discuss pending legislation. Motion made by Mrs. Dias, seconded by Ms. LeBlanc.

Mr. Alfonse noted that Senator Anne Gobi's proposed bill introduced to the Senate and then referred to the Joint Committee on Environment, Natural Resources and Agriculture, which Presentative Koczera is the only local representative on the Joint committee, could impact the District's landfill operations. Mr. Alfonse read the list of items on the bill that could impact the landfill operations. Representative Koczera's office has been asked to provide the District with updates.

The Board asked staff to draft a letter to the Chairpersons of the Joint Committee expressing the Board's concerns against this legislation. Mrs. Dias asked that a copy of the letter be sent to each Dartmouth selectmen. Attorney Thomas suggested same be done for New Bedford City Council.

Vote 6-0.

f. Items which could not have been reasonably anticipated 48 hours in advance.

None

8. Set Date for Next Meeting

Next Board meeting is scheduled for Tuesday, June 27, 2017 at 8:00 a.m.

9. Executive Session

There being no further business, Chairperson Tierney asked for a motion to adjourn to Executive Session to discuss pending litigation at approximately 8:55 a.m. and not to return to open session. Motion made by Mrs. Dias, seconded by Ms. LeBlanc. Chairperson Tierney called for a Roll Call vote:

Rosemary Tierney – aye
Nathalie Dias – aye
John Beauregard – aye
Larry Worden – aye
Daniel Patten – aye
Christine LeBlanc – aye

10. Adjourn