

GREATER NEW BEDFORD REGIONAL REFUSE MANAGEMENT DISTRICT

Minutes– April 12, 2018

The Greater New Bedford Regional Refuse Management District Committee held a publicly posted meeting on **Thursday, April 12, 2018 at 8:00 AM** at the Dartmouth Town Hall, Room 305, 400 Slocum Road, Dartmouth, MA.

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

Not in attendance: Rosemary Tierney, Chairperson; John Beauregard.

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

1. Call to order

The meeting was called to order at 8:04 AM.

2. Salute to the Flag

All in attendance stood to salute the flag.

3. Legal notices

Legal notices have been posted in New Bedford and Dartmouth.

4. Warrant Reports and Ratification (February 16, March 2, March 19 and April 3, 2018)

Motion to ratify the February 16, March 2, March 19 and April 3, 2018 warrants made by Mr. Patten, seconded by Ms. LeBlanc. Vote 4-0.

5. Approval of Minutes (February 15, 2018 – Open session and Executive Session)

Motion to approve the February 15, 2018 regular session and executive session minutes made by Mr. Patten, seconded by Ms. LeBlanc. Vote 4-0.

6. New Business

a. Director's report

Motion to discuss the Director's report made by Ms. LeBlanc, seconded by Mr. Worden.

Mr. Alfonse referred to the Secondary containment in Cells 3/4 section in the Director's report, and explained that there has been a new development; the leakage is not from the broken drainage pipe after all. Leachate is very black and this water is clear; therefore the liquid is likely surface water. The leak could be anywhere in the area which surrounds the berm of cells three and four, so that

covers a large area.

Mr. Alfonse reported that the District is renewing its' pollution liability insurance, and in the process it was discovered that none of the above ground storage tanks at the landfill have been permitted through the fire department. Ms. LeBlanc had suggested to Mr. Alfonse that rather than hiring a consultant that he contact the Fire Prevention Bureau. Fire District 3 came out and did an evaluation at no cost to the District.

Motion to receive the Director's report and place on file made by Ms. LeBlanc, second by Mr. Patten. Vote 4-0.

b. Award contract for Cell 6 Construction to David G. Roach and Sons, Inc.

Motion to discuss the award contract for Phase 2, Cell 6 Construction to David G. Roach and Sons, Inc., and vote to transfer \$3,447,182.50 from Phase 2 Reserve, and appropriate it for Phase 2, Cell 6 Construction made by Mr. Worden, seconded by Mr. Patten.

Mr. Alfonse explained that the results of the invitation to bid for the Cell 6, construction of a new cell, is illustrated by the table included in the packet. David G. Roach and Sons, Inc. (Roach) is the "lowest responsible and eligible bidder". Roach has extensive experience constructing landfill cells and caps. The District has worked with Roach in the past, and all of the experiences with them have been good.

The only shortcoming in the bid was with respect to the District's goals regarding minority business enterprise (MBE) and women business enterprise (WBE) participation. This is a goal, not a requirement. After a lengthy discussion it was decided that the award be subject to Roach demonstrating that they have made substantial efforts to meet the goal. Additionally, the Board agreed that the District should review and update this policy as a result of recent occurrences.

Motion to award the contract for Phase 2, Cell 6 Construction to David G. Roach and Sons, Inc., subject to them providing sufficient documentation to demonstrate that they have attempted to obtain MBE and WBE participation that meets or exceeds the District's goals, and that the documentation is provided to the Executive Director and is satisfactory to the District made by Ms. LeBlanc, seconded by Mr. Patten. Voted 4-0.

Motion made by Mr. Patten, seconded by Ms. LeBlanc that when the contract is awarded to David G. Roach and Sons, Inc., vote to transfer \$3,447,182.50 from Phase 2 Reserve, and appropriate it for Phase 2, Cell 6 Construction. Voted 4-0.

c. Award contract for Crawler Dozer to Schmidt Equipment, Inc.

Mr. Alfonse noted that the District received three bids, and recommended the contract be awarded the Schmidt Equipment who had the lowest priced responsive and responsible bid.

Motion to award the contract to provide a 2018 John Deere 850K LGP to Schmidt Equipment, Inc. in the amount of \$305,000, and to transfer \$305,000 from the District's Equipment Reserve Replacement fund and appropriate it for the equipment purchase made by Mr. Patten, seconded by Mr. Worden. Voted 4-0.

d. Award contract for Articulated Dump Truck to Southworth Milton, Inc. (dba Milton CAT)

The District received four bids for the Articulated Dump Truck. Unfortunately, the lowest bidder, ATS of Rhode Island, did not meet the District's minimum specification for a number of reasons as indicated in the handout provided in the packet. Accordingly, the recommendation is to award the contract to the lowest responsive and responsible bidder; Southworth Milton.

Motion to award the contract to provide a 2018 Caterpillar 725C2 to Southworth Milton, Inc. (dba Milton CAT) in the amount of \$309,900, transfer \$309,900 from the District's Equipment Replacement Reserve fund, and to appropriate it for the equipment purchase, made by Mr. Worden, seconded by Ms. LeBlanc. Voted 4-0.

e. Discussion – Request from ABC Disposal, Inc. to change payment terms

Mr. Alfonse received a request from Jerry Duggan, Operations Manager at ABC, to deviate from the payment terms in the contract which require them to pay in advance for waste disposal, and asked for seven day terms. The Board agreed with the recommendation to deny the request.

Ms. LeBlanc made a motion that the District not grant the request from ABC Disposal, Inc. to change terms of the contract, seconded by Mr. Patten. Voted 4-0.

f. Discussion – High Hill Road Cranberry bog operation

Mr. Alfonse gave a history of the High Hill Cranberry bog, as described in the packet handout. He explained that because the bog was out of operation for a few years, the District was able to pursue organic certification which yields five times the price. Unfortunately, the harvest this year wasn't profitable for a variety of reasons. Mike Wainio has proposed that he run the bog in the same manner as the Lopes bog; whereby the District receives a percentage of the crop sold which would minimize risk to the District. The Board discussed the options presented in the handout.

Ms. LeBlanc made a motion to license the operation at the High Hill Bog to SK Wainio from April 1, 2018 terminating concurrent with the license for the Lopes Bog; SK Wainio assuming all costs of operation with the exception of the organic certification and Wainio paying the District a percentage of the proceeds no less than ten percent, seconded by Mr. Patten. Voted 4-0.

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

None.

7. Set Date for Next Meeting

The next meeting will be scheduled for May 22, 23 or 24th after confirming with Chairperson Tierney and Mr. Beauregard.

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

8. Executive Session – if needed (pursuant to G.L. c30A Section 21(a)(6) since discussion in an open meeting may have a detrimental effect on the negotiating position of the District and to reconvene in open session).

Motion to go into Executive Session pursuant to G.L. c30A Section 21(a)(6) since discussion

in an open meeting may have a detrimental effect on the negotiating position of the District and not return to open session. Motion made by Mr. Patten, seconded by Ms. LeBlanc.

Roll Call Vote:

Nathalie Dias – yes

Daniel Patten – yes

Christine LeBlanc – yes

Larry Worden – yes

Rosemary Tierney - absent

John Beauregard - absent

The meeting moved to Executive session at 8:43 AM.

Approved by vote of District Subcommittee on Thursday, May 24, 2018

Scott Alfonse, Executive Director