

**GREATER NEW BEDFORD REGIONAL REFUSE MANAGEMENT DISTRICT**

Minutes – April 17, 2019

The Greater New Bedford Regional Refuse Management District Committee held a publicly posted meeting on **Wednesday, April 17, 2019, at 8:00 AM** at the Dartmouth Town Hall, Room 315, 400 Slocum Road, Dartmouth, MA.

**District Committee Members in attendance:** John Beauregard, Chairperson; Daniel Patten, Christine LeBlanc, Ken Blanchard.

**Not in attendance:** Nathalie Dias, Vice-Chairperson; Kathleen Towers.

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

**1. Call to order**

The meeting was called to order at 8:00 a.m.

**2. Salute to the Flag**

All in attendance stood to salute the flag.

**3. Legal notices**

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

**4. Warrants Reports and Ratification - March 5, 2019; and March 26, 2019.**

**Motion to receive reports and ratify warrants of March 5, 2019 and March 26, 2018 made by Mr. Patten, seconded by Mr. Blanchard. Voted 4-0.**

**5. Approval of Minutes March 6, 2019**

**Motion to approve minutes of March 6, 2019 made by Mr. Patten, seconded by Mr. Blanchard. Voted 4-0.**

**6. New Business**

*A. Commercial / municipal customer update*

**Motion to receive an update on commercial and municipal customers made by Ms. LeBlanc, seconded by Mr. Patten. Voted 4-0.**

Mr. Alfonse referred to the letter attached to the memo which Attorney Thomas sent to the Towns of Tisbury and Oak Bluffs. He noted that a response has not yet been received.

Mr. Beauregard questioned who David J. Doneski and Ronal H. Rappaport were. Attorney Thomas said that they were counsel for the towns. Ronald Rappaport represents Oak Bluffs, and David Doneski represents the Town of Tisbury.

Mr. Blanchard asked if the District could make an argument to refuse the non-contractual MSW at the gate, if the District believed it to be comingled material. Mr. Alfonse noted that the argument could be made, but since 2017 the District has been trying to have customer to stay within the confines of what was allowable under the contract. It's well documented through letters and through email. Attorney Thomas stated that up until the recent meeting between the customer, the customer's hauler and the District, the customer's hauler claimed it was allowable under the contract, and furthermore it was comingled material. It would be difficult to decipher what was actually picked up from Bruno's Rolloff. The customer's hauler admitted at that meeting that they were bringing in other material.

Attorney Thomas said that he was going to follow up on with Mr. Doneski on Monday for an update. Attorney Thomas said that the District has come to an understating that customer will be hauling in 10,000 tons annually adjusted on a monthly basis, and the District will not requiring customer to prove origination of the solid waste. Dave Doneski, representing the Town of Tisbury, was going to amend the language to the contract and send it to Attorney Thomas for review. He is awaiting for an update from Mr. Doneski.

Mr. Beauregard asked if Attorney Thomas sent a copy of the letter to George Leontire, who represents Bruno's Rolloff. Attorney Thomas noted that the letter was sent to Mr. Leontire.

Mr. Beauregard questioned if the board needed to do anything currently. Mr. Alfonse noted that it could be up for discussion at the next District Committee meeting. The board agreed to discuss it on the next meeting.

Mr. Alfonse noted that all other customers are up-to-date.

*b. Employee health insurance plan update – New Qualified High Deductible plan with Health Savings Account.*

**Motion discuss new Qualified High Deductible plan with Health Savings Account made by Mr. Patten, seconded by Mr. Blanchard. Voted 4-0.**

Mr. Alfonse noted that District employees have health insurance through Mayflower Municipal Health Group, which is a joint purchase group of various towns, districts, fire districts, and refuse districts, in southeastern Massachusetts. There are a variety of plans from which District employees can choose from. They are rolling out a new qualified high deductible plan as of July 1, 2019. The plan would have an annual deductible of \$2,000 per individual and \$4,000 per family. It would also be accompanied by a Health Savings Account to which the District would contribute 50% of the Health Savings Account (up to \$1,000 for an individual and \$2,000 for family), and the employee could contribute. The Health Savings Account can be rolled over from year to year, and subscribers over 55 years of age can contribute more per year than what's allowable. He referred to "Table 1 – FY 20 Health Insurance Premiums / Comparison to QHD" spreadsheet and referred to the column "District Annual Additional Cost or (Savings) compared to QHD" which shows the additional cost and/or savings to the District for all of the other plans compared to the high deductible plans. Should any employee gravitate toward the QHD plan, it would likely be a savings to the District.

The District pays 75% of HMO premiums for employees hired before January 1, 2012 or for in accordance with the terms of hire, and 60% for any employee hired after January 1, 2012. The District pays 50% of the cost PPO premiums of premiums, regardless of hire date. The PPO plans allow for more flexibility and have nationwide networks, whereas the HMO plans networks are generally limited to New England, or only

Massachusetts for some plans.

An employee has asked if the District would consider revising the split on the Qualified High Deductible PPO plan. Mr. Alfonse referred to the spreadsheet attached to the memo and noted what the contributions would be if the District were to increase contribution to 55% or 60%. He noted that healthcare costs are a significant portion of the District's budget.

Mr. Beauregard noted that PPO insurance plans are considered "cadillac" plans. There are no gatekeepers, and no physician referrals are required. As an employer, the incentive is to have employees not go on that plan. He questioned if the District should increase the incentive, which would then encourage other employees to join the PPO plan, and then District costs would be higher.

Mr. Alfonse said with the HMO family plan, one of the issues is when family has a child under the age of 26 who is in an out-of-state college. In this instance there is no coverage for this family member with the HMO plan, other than emergency coverage.

Mr. Patten stated that there should not be any change to current PPO plan District contributions. The board agreed. Keep PPO plan 50% employee contributions, and 50% District contributions.

Mr. Beauregard questioned if it was only one employee that was inquiring. Mr. Alfonse noted that it was one employee asking, but likely on behalf of all District employees.

Mr. Patten stated that the District offers the PPO plan as a cadillac plan. If an employee is willing to pay the price for the PPO plan it's available to them, but the District prefers employees to be on other plans.

The board discussed the uses and benefits of a Health Savings Account plan.

*c. Authorize Invitation for Bids for landfill gas well installation.*

**Motion to authorize advertisement of invitation for Bids for landfill gas well installation made by Ms. LeBlanc, seconded by Mr. Patten. Voted 4-0.**

Mr. Alfonse noted in the past the District has procured for services under Chapter 30B, but it should be procured as a public works project. It may or not exceed \$50,000. Any services with a value of \$50,000 or more must be advertised.

*d. Discuss revised job descriptions for recycling personnel.*

**Motion to discuss revisions to job descriptions made by Mr. Patten, seconded by Mr. Blanchard. Voted 4-0.**

Mr. Alfonse referred to the various job descriptions attached to the memo. In the past, the District Committee has reviewed and approved changes to job descriptions, regardless of how minor they are. The Committee may want to discuss its role in reviewing and approving changes to job descriptions in the future.

Mr. Alfonse noted that the (Winter Recycling Intern) position was revised to (Waste Reduction Assistant). This is a part-time position and has shifted from focusing solely on recycling to the issue of waste reduction. It also implied that the position was for the winter, but the last "intern" left after 10 years. The term "intern" is usually reserved for students working in short-term assignments.

Mr. Patten noted that the other positions under **Essential Job Functions** state that an employee should "Perform other duties as may be required", and he asked if it could be added to the Waste Reduction

Assistant position. Mr. Alfonse agreed and noted the change.

Mr. Alfonse noted that the (Recycling Coordinator) job description was being replaced with (Waste Reduction Manager), and (Recycling Assistant) was being replaced with (Waste Reduction Coordinator). Some of the duties in the old job descriptions have evolved and will continue to evolve more towards waste reduction.

Due to a vacancy for the (Equipment Operator) job description there were minor revisions to the position before advertising to fill the vacancy.

Mr. Alfonse asked if the Committee wanted to discuss its role in reviewing and approving changes to job descriptions. The board agreed that those types of reviews and changes to job decisions should be made by Mr. Alfonse.

Mr. Patten noted that for consistency purposes the phrase "Ability to operate a keyboard, tablet, and smart phone at efficient speed" should replace the current "Ability to operate a keyboard at efficient speed" phrase on the (Waste Reduction Assistant's) position.

*e. Review proposed statewide legislation – An Act Relative to Single-Use Carryout Bags.*

**Motion to discuss to discuss An Act Relative to Single-Use Carryout Bags made by Ms. LeBlanc, seconded by Mr. Blanchard. Vote 4-0.**

Mr. Alfonse noted that the District has been asked if it will support the statewide legislation banning plastic bags. There are approximately 100 Massachusetts communities that have "bag ban" ordinances. The bill would nullify an existing Town of Dartmouth ordinance on single-use carryout plastic bag ban.

Mr. Alfonse has contacted Chris Michaud, Town of Dartmouth Board of Health, to find out the Board of Health has reviewed the ban, and if they are concerned the ordinance being more restrictive than the towns. Dartmouth passed an ordinance last year, which prohibits merchants from providing plastic bags, but allows the use of paper bags. The Single-Use Carryout Bag bans all bags which includes paper bags. It offers reusable bags for purchase.

Mr. Patten asked when the Town of Dartmouth bag ban took effect. Attorney Thomas noted that it is currently in effect. Ms. LeBlanc noted the town's ban depended on the square footage of the retailer. In response to Mr. Patten's question, Mr. Alfonse noted that Dartmouth passed an ordinance which prohibits merchants with a gross floor area of 5,000 square feet or more from providing plastic bags. He also noted that New Bedford has a proposed bag ban in place which prohibits merchants with a gross floor of 10,000 square feet or more. It applies to big supermarkets.

Mr. Alfonse has not yet received a response from Mr. Michaud, Town of Dartmouth Board of Health.

Mr. Beauregard questioned if the board should wait for Mr. Michaud's response and see what he says.

Mr. Blanchard noted that New Bedford will wait to see what happens with state law. Mr. Alfonse noted City Council has introduced its own bag ban.

Mr. Beauregard stated that the District should wait for Mr. Michaud's response prior to taking any action.

Mr. Blanchard questioned if the Single-Use Carryout Bag ban could have been precipitated by the current recycling situation. Mr. Alfonse noted that plastic bags are one of the biggest contaminants in the recycling industry.

Mr. Patten noted that the recycle paper bags could still be used with a \$.10 per bag fee. Mr. Alfonse noted that it has to be reusable paper.

The Board decided to take no action until a response is received from Chris Michaud, Town Dartmouth Board of Health.

*f. Discussion of applying for credit card issued to District*

**Motion to discuss applying for a credit card for District business made by Mr. Patten, seconded by Ms. LeBlanc. Voted 4-0.**

Mr. Alfonse noted that the District does not have a credit card for official District business. The District occasionally incurs expenses which must be paid for by credit card. In these instances, the only option is for an employee to use their personal debit or credit card and seek reimbursement. Baycoast bank offers the VISA CommUNITY card for municipal customers.

Mr. Patten noted that the credit card comes with cash back option. It gives you the option to purchase gift cards, to make other purchases, or apply the credit against the balance. He noted that all earned points or credits should be applied towards reducing the balance.

**Motion to apply for a credit card for District business, and that all earned points or credits be applied towards reducing the account balance made by Mr. Blanchard, seconded by Ms. LeBlanc. Vote 4-0.**

*g. Investment Policy Statement revision*

**Motion to revise the Investment Policy Statement made by Mr. Patten, seconded by Mr. Blanchard. Voted 4-0.**

Mr. Alfonse noted that at the last District Committee meeting, Mr. Patten noted an oversight in the District's Investment Policy Statement. It did not permit investment in government securities for investments under General Funds, Special Revenue Funds, Enterprise Funds, and Capital Projects Funds. It left off investment in government securities for certain reserves. This was an oversight, since those are on the Legal List of investments.

**Motion to revise the Investment Policy Statement by correcting the following motion: "that the District's Investment Policy, adopted and promulgated on October 18, 2018, be amended by adding the following language after the last bulleted provision in Section VIII(1)(b):**

- **All other items not separately identified here that are listed in the List of Legal Investments.**
- Motion made by Mr. Patten, seconded by Ms. LeBlanc. Vote 4-0.**

*h. Directors report*

**Motion to receive the Director's report made by Mr. Patten, seconded by Ms. LeBlanc. Voted 4-0.**

**INTERMEDIATE COVER MATERIAL**

Mr. Alfonse noted that the District has used a product generated by Aggregate Industries as an alternate to intermediate cover. Aggregate notified the District that they will no longer produce the material. There may be another entity that will produce it, but it has not yet been decided. The District will likely need to

purchase intermediate cover, which could impact the FY 20 budget for materials.

### PERSONNEL CHANGES

George Maciel retired March 2019, and thanked the District for the gift he received. Brett Swiatek was hired as the Equipment Operator on April 8, 2019 with a starting hourly rate of \$24 per hour. He's very familiar with landfill gas piping installation and collection systems, and working in a landfill environment.

### NEW FACILITY IN BUSINESS PARK (PARALLEL PRODUCTS)

Mr. Alfonse noted that after the last meeting, he requested Brown and Caldwell provide the District with a review environmental notification form of the project. Discussion included the financial impact study of the facility. Comments were discussed with representatives from the City of New Bedford representatives. The City of New Bedford sent a comment letter which incorporated comments received by the District from Brown and Caldwell.

Mr. Beauregard noted that the City of New Bedford Mayor was concerned about the project. Mr. Alfonse noted that currently there are a lot of unknowns at this point.

Mr. Alfonse noted that there could be some synergy between this project and the District at some point in the future, given the fact that the Crapo Hill landfill does have a limited life. The facility can outlast Crapo Hill landfill by a few decades. There could be an opportunity for the city's and the town's trash to be managed after Crapo Hill landfill reaches capacity.

Mr. Blanchard asked if there was direct competition between a Rochester facility and this new facility. Mr. Alfonse noted that the facility in Rochester is a material recycling facility. It does not yet handle solid waste. The proposed facility at the New Bedford Business Park once built out, will actually handle solid waste as well. Ms. LeBlanc noted that the Rochester facility is being built in phases also.

Mr. Beauregard asked if Parallel Products was locally owned. Mr. Alfonse noted that the company is based in Louisville, KY.

### RECYCLING UPDATE

Mr. Alfonse noted that Marissa applied for a school recycling assistance grant which was awarded by MassDEP to New Bedford. The grant provides \$95,000 to replace at least 6 dishwashers at 3 New Bedford schools. The New Bedford Schools will pay for additional dishwashers as well as a sufficient supply of reusable trays. This will reduce the amount of Styrofoam trays schools use.

### 101 QUANAPOAG RD PROPERTY

Mr. Alfonse noted that the garage at 101 Quanapoag Rd property is being used as storage for the District and the Committee should discuss what to do with the property.

Ms. LeBlanc asked if the property should be rented. Mr. Alfonse noted that the property is not in any condition for renting.

Mr. Blanchard questioned if the next meeting should be held at the District office so that the house could be viewed. Ms. LeBlanc suggested bringing pictures to the next meeting instead.

Mr. Alfonse noted that ABC Zero Waste Solutions is having a grand opening on Saturday, May 18, 2019 at 10:00 a.m., and that the District Committee members were invited. There will be buffet lunch, facility tour,

and guest speakers. Mr. Alfonse will not be able to attend. Anyone who is interested please inform Mr. Alfonse for RSVP.

Mr. Alfonse noted that he has been deposed by the attorney for ABC Disposal, George Leontire, on May 17, 2019.

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

## **7. Set date for Next Meeting**

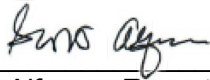
Next meeting is scheduled for May 22, 2019 at 8:00 a.m.

## **8. Adjourn**

**Chairperson Beauregard asked for a motion to adjourn meeting. Motion made by Mr. Patten, seconded by Mr. Blanchard. Voted 4-0..**

**Meeting adjourned at 8:48 a.m.**

Approved by vote of District Committee on Wednesday, May 22, 2019.



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Scott Alfonse, Executive Director