

GREATER NEW BEDFORD REGIONAL REFUSE MANAGEMENT DISTRICT MEETING

Meeting Minutes

Thursday, December 17, 2020

1. Call to order

The Greater New Bedford Regional Refuse Management District Committee held a publicly posted meeting on **Thursday, December 17, 2020 at 8:00 A.M.**

District Committee members participated remotely.

Chairperson Beauregard read the following statement: "Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 23, 2020 Order imposing strict limitations on the number of people that may gather in one place, as extended by the Governor's March 31, 2020 Order, this meeting of the Greater New Bedford Regional Refuse Management District's District Committee is open to the public, but attendees are required to socially distance. All members of the District Committee are participating remotely. Those members are Ken Blanchard, Michael Gagne (not in attendance), Christine LeBlanc, Daniel Patten, and John Beauregard,

Pursuant to the Open Meeting Law, any person may make an audio or video recording of this public meeting or may transmit the meeting through any medium. Attendees are therefore advised that such recordings and transmissions are being made, whether perceived or unperceived, by those present, and are deemed acknowledged and permissible."

Chairperson Beauregard reminded members that texting and private chats on the video conference platform are not an acceptable method of remote participation. He also wanted to make sure that all members could be heard when they are speaking and if any member cannot hear another member to please let him know. Finally, he informed members that if their remote connection is lost, that they should attempt to sign back in. The time they were disconnected and the time they signed back in will be noted.

Mr. Alfonse noted that there were not any members of the public present at the meeting location where the public meeting notice was posted.

2. Legal notice

Chairperson Beauregard noted that the legal notices of the meeting were posted in Dartmouth and New Bedford more than 48 hours prior to the meeting.

3. Roll call of members
Chairperson, John Beauregard; yes
Daniel Patten, yes
Christine LeBlanc, yes
Ken Blanchard, yes
Michael Gagne, (not in attendance)

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

4. Warrant Report and Ratification – Warrant dated November 20, 2020 and December 8, 2020.

Chairperson Beauregard asked for a motion to receive and ratify the warrant reports dated November 20, 2020 and December 8, 2020. Motion made by Mr. Patten, seconded by Mr. Blanchard.

Motion passed – 4 to 0

5. Approval of Minutes – November 19, 2020 minutes

Chairperson Beauregard asked for a motion to approve the minutes of the November 19, 2020 meeting. Motion made by Mr. Patten, seconded by Ms. LeBlanc.

Motion passed – 4 to 0

6. Old Business

- a. Inquiry regarding District owned property on Samuel Barnet Blvd., Dartmouth
Chairperson Beauregard asked a motion to receive an update on the inquiry regarding District owned property on Samuel Barnet Blvd., Dartmouth. Motion made by Ms. LeBlanc, seconded by Mr. Blanchard.

No further action is required on this matter.

7. New Business

- a. OPEB Trust Revisions

Chairperson Beauregard asked for a motion that Article 16 of the existing OPEB Declaration of Trust be stricken in its entirety and replaced with a new Article 16 as set forth in the First Amendment to Declaration of Trust; and that all other provisions of the OPEB Declaration of Trust not be amended by the First Amendment to the Declaration of Trust be ratified. Motion made by Ms. LeBlanc, seconded by Mr. Patten.

Attorney Thomas discussed the memo of the Proposed Amendment to OPEB Trust.

Ms. LeBlanc questioned if the District would want to say how the funds get distributed once the Trust is terminated. Attorney Thomas said no, because the District will have to address it with regard to all of its funds, and he would rather not do it in multiple places.

Mr. Blanchard asked what happens to the other trust funds at termination and would those revert to the District's general fund for distribution. Attorney Thomas said that most of the trusts he's written for the District provide that at a certain point, after all the purposes have been satisfied and there are no other liabilities, the money goes back to the general fund. The only trust fund that requires outside approval is the Post Closure, which requires MassDEP's approval. At that point, it would go into the general fund to be distributed the way general fund would be distributed.

Roll call vote: Chairperson, John Beauregard; yes, Daniel Patten, yes; Christine LeBlanc, yes; Ken Blanchard, yes; Michael Gagne, (not in attendance).

Motion passed 4 - 0

b. Commercial / municipal customer contract discussion

Chairperson Beauregard asked for a motion to discuss commercial and municipal customer contracts. Motion made by Ms. LeBlanc, seconded by Mr. Blanchard.

Mr. Alfonse reviewed the memo and noted the four contracts expiring June 30, 2021. He also noted the graph showing the allocated tonnage. He then asked members for their comments.

Mr. Patten noted that he would like to see Frade's tonnage reduced. He also noted that he would like to see if they could provide the District with statistical information on their tonnage received, based on where their tonnage is coming from. He asked if hauler would be able to provide tonnage through their billing system (by zip code) instead of truck number. He also asked if hauler was applying a discount to New Bedford and Dartmouth when someone new signs up vs an outside community. Their website or rate sheet does not show that a lower price is given to New Bedford or Dartmouth; or everyone is charged the same.

Mr. Alfonse said that he does not believe hauler charges their customers by the ton. He thinks it's by the container, but he will check.

Ms. LeBlanc stated that she agreed with Mr. Patten that hauler should provide tonnage information by zip code.

Attorney Thomas noted that Mr. Patten's concerns could be addressed by adding provisions to the contract that would require hauler to provide the statistical information, and also provide the discount for New Bedford and Dartmouth.

Mr. Beauregard said that there was one outside hauler that got his attention. Their allocated tonnage is doubled of a local community's hauler and he suggested maybe reducing their tonnage going forward. Attorney Thomas noted that given the District's prior negotiations with that hauler, he believes they're assuming there will be changes to their contract. Mr. Alfonse agreed with Attorney Thomas and noted that the contract will be expiring November 2022. Members discussed the tonnage and negotiation history with this hauler.

Mr. Alfonse noted that these will be 2-year contracts. As part of District's long-range planning the District will look at cashflow needed and opportunities to shed more solid waste. The board agreed that 2-year contracts were reasonable terms.

Mr. Patten suggested in the first year of the contract to have a minimal decrease in tonnage and an increase in rate; second year include severe cut in tonnage and a severe increase in the rate. For tonnage reduction he is referring to Frade's Disposal and for the tipping fee he is referring to other haulers.

Mr. Beauregard showed concern and cautioned raising the tipping fee too much because hauler could pass the cost on to the end user (customer) and the District could get blamed for the increases. He said that there must be a balance.

Mr. Patten agreed with Mr. Beauregard but noted that the District's rate is less than everyone else and said that "as we move forward New Bedford and Dartmouth will end up eating more money because we're not charging enough for the solid waste".

The board discussed different pricing strategies for tipping fees.

Continue discussion at the January meeting.

c. Director's report

Chairperson Beauregard asked for a motion to receive the director's report.

Motion made by Ms. LeBlanc, seconded by Mr. Patten. Roll call vote: Chairperson, John Beauregard; yes, Daniel Patten, yes; Christine LeBlanc, yes; Ken Blanchard, yes; Michael Gagne, (not in attendance).

Motion passed 4 - 0

Mr. Alfonse reviewed the Director's report.

Proposed Changes to MassDEP solid waste bans

Ms. LeBlanc agreed with the comments of the letter to MassDEP.

District Property Inquiry

Mr. Beauregard and Ms. LeBlanc were both in agreement that the District should explore this with DNRT.

Mr. Alfonse spoke about Parallel Products. He attended a remote video meeting on Parrale's project proposed facility in the New Bedford Business Park. They have two (2) meetings this week. He said that there was no new information, it was more of a status update where they are right now. They are still in the need for process status.

Mr. Alfonse spoke about the proposal changes to regulations (DOR). He noted that the proposed change to some regulations that the State Department of Energy Resources is proposing. He said that this was a very last-minute change reduction in the renewable energy credits for projects that are producing renewable energy, including landfill energy projects and anaerobic digester. Rather than tie changes in compliance payments to the consumer price index, they have established a schedule as to what these alternative compliance payments would be. A comment letter was submitted.

8. Set Date for Next Meeting

Next meeting is scheduled for January 14, 2021 at 8:00 a.m.

9. Adjourn.

Motion to adjourn made by Mr. Blanchard, seconded by Ms. LeBlanc. Roll call vote: Chairperson, John Beauregard; yes, Daniel Patten, yes; Christine LeBlanc, yes; Ken Blanchard, yes; Michael Gagne, (not in attendance).

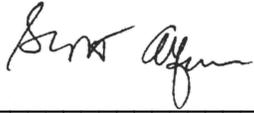
Motion passed 4-0

Meeting adjourned at 9:01 a.m. on December 17, 2020

MEMOS

- 7a. Proposed Amendment to OPEB Trust dated 12/11/2020
- 7b. Commercial and Municipal contracts dated 12/11/2020
- 7c. Director's Report dated 12/11/2020

Approved by vote of District Committee on February 18, 2021.

A handwritten signature in cursive script, appearing to read "Scott Alfonse".

Scott Alfonse, Executive Director