

GREATER NEW BEDFORD REGIONAL REFUSE MANAGEMENT DISTRICT MEETING

Meeting Minutes

Thursday, February 18, 2021

1. Call to order.

The Greater New Bedford Regional Refuse Management District Committee held a publicly posted meeting on **Thursday, February 18, 2021 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, 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.

There were not any members of the public present at the meeting location where the public meeting notice was posted.

2. Legal notices

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, yes**

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

4. Approval of minutes – December 17, 2020 and January 14, 2021.

Motion to approve the minutes of the December 17, 2020 meeting made by Mr. Patten, seconded by Mr. Blanchard. Roll call vote: Chair John Beauregard, yes; Christine LeBlanc, yes; Ken Blanchard, yes; Michael Gagne, yes; Daniel Patten, yes.

Motion passed 5 – 0

Motion to approve the minutes of the January 14, 2021 meeting made by Ms. LeBlanc, seconded by Mr. Blanchard. Roll call vote: Chair John Beauregard, yes; Christine LeBlanc, yes; Ken Blanchard, yes; Michael Gagne, yes; Daniel Patten, (abstained).

Motion passed 4 – 0.

5. Warrant Report and Ratification – Warrants dated January 13, 2021 and January 28, 2021.

Chairperson Beauregard asked for a motion to ratify warrant dated January 13, 2021 and January 28, 2021. Motion made by Mr. Patten, seconded by Ms. LeBlanc. Roll call vote: Chair John Beauregard, yes; Christine LeBlanc, yes; Ken Blanchard, yes; Michael Gagne, yes; Daniel Patten, yes.

Motion passed 5 - 0.

6. Executive Session

Motion to convene in Executive Session to consider the purchase, exchange, lease, or value of real property since an open meeting may have a detrimental effect on the negotiating position of the District. Motion made by Mr. Gagne, seconded by Mr. Blanchard. Roll call vote: Chair John Beauregard, yes; Christine LeBlanc, yes; Ken Blanchard, yes; Michael Gagne, yes; Daniel Patten, yes.

Motion passed 5 – 0.

The meeting moved into executive session at 8:05 a. m.

The meeting reconvened into open session at 8:30 a. m.

Commonwealth Resource Management Corporation representatives Tom Yeransian, George Aaronson, Anton Finelli, and Anastasia Lennon (Standard-Times newspaper) joined the meeting at 8:30 a. m.

7. New Business

- a. Discussion of proposal to expand the existing anaerobic digestion project with Commonwealth Resource Management Corporation representatives.

Motion to discuss the proposal to expand the existing anaerobic digestion project with Commonwealth Resource Management Corporation representatives made by Ms. LeBlanc, seconded by Mr. Blanchard. Roll call vote: Chair John Beauregard, yes; Daniel Patten, yes; Christine LeBlanc, yes; Ken Blanchard, yes; Michael Gagne, yes.

Motion passed 5 – 0.

Mr. Beauregard welcomed the Commonwealth Resource Management Corporation (CRMC) representatives. He then turned the discussion to Mr. Alfonse who briefly noted that the District's relationship with CRMC dated back to 2003 and that they have been a good partner to the District.

Mr. Yeransian discussed the letter attached to the packet. He also referred to the site plan from the presentation.

Mr. Gagne questioned if in addition to food waste, CRMC was looking to process wastewater sludge. Mr. Yeransian said yes, some amount. He noted that some amount of wastewater treatment sludge bacteria is an important component to support the health of a digester.

Mr. Patten noted that the project construction is on the border of the Freetown. He questioned if CRMC would need approvals from the town or would they be invited as an abutter. Mr. Yeransian said that it's one of the development steps that needs to be taken and identify if Freetown has concerns.

Mr. Beauregard noted there seems to be a functional disagreement over the procurement process. The District believes it is necessary to go through the procurement process, but according CRMC's July 2020 letter they don't believe that a procurement process is required. He stressed that the District must go through the procurement process.

Mr. Finelli noted that they believed that the request was basically an expansion of an existing project. They would like to accept more of the same material they are already accepting, to produce more of the gas they are already producing. To do that they need to add some equipment (tanks and pumps) to what's already there and permitted to be there.

Mr. Aaronson noted that CRMC is not looking for any commitment, and that they were looking to explore and provide information that can inform the development of the project.

He noted that there is some unused capacity and the option to strengthen financially. He also mentioned current market concerns and they would like to address those concerns if the time comes, and the opportunity presents itself with some of that preliminary work having been clarified. He acknowledged that the District is going through a planning process and final outcome is yet to be determined. It may or may not involve CRMC. He noted that CRMC's work may help inform the District's planning process. He encouraged the District to use CRMC as a resource during its process.

Attorney Thomas summarized his concerns about maintaining an open and fair procurement process.

Mr. Yeransian noted that CRMC is proposing to expand the facility by adding tanks and asked how the District might procure what CRMC is proposing on the site.

Attorney Thomas stated that CRMC holds a license to temporarily occupy part of that lease area to 2024 for an anaerobic digester. It was supposed to prove the commercial viability and get information to inform decisions on a full-scale facility. CRMC has indicated it has proven the viability of the AD facility. CRMC is now proposing to take something that ends in 2024 and run it for another 30 years. It is proposing a significant expansion on a site that the District had not identified as a preferred site in its RFP. The District's planning process may identify reasons to keep the AD project operational. The board agrees that it's a potentially good project however, the District has to do this in a way that protects their essential purpose, which is to provide the long-term solid waste disposal to the communities of New Bedford and Dartmouth at the best price possible. He noted that he provided his legal opinion to the board noting that it should go through a procurement process, and it should be informed by the master plan process.

Mr. Patten noted that the District has not changed its position on going forward with an RFP after the completion of the master plan.

Mr. Yeransian and Mr. Aaronson noted that they have a lot of knowledge of the business and invited the District to use them as a useful resource.

Mr. Beauregard thanked the representatives for their time and continued interest.

No further discussion.

Commonwealth Resource Management Corporation representatives Tom Yeransian, George Aaronson, Anton Finelli and Standard-Times representative, Anastasia Lennon left at 9:10 a.m.

- b. Approve award of contract for new excavator.
Chairperson Beauregard asked for a motion to approve award of contract for new excavator to EKA Government. Motion made by Mr. Patten, seconded by Ms. LeBlanc. Roll call vote: Chair John Beauregard, yes; Christine LeBlanc, yes; Ken Blanchard, yes; Michael Gagne, yes; Daniel Patten, yes.

Motion passed 5 – 0.

Mr. Alfonse reviewed the memo and noted Mr. Gagne's suggestion to review the GSA site was helpful. The District was able to procure a new excavator through GSA. He also noted that he looked into Mr. Blanchard's suggestion of the lease to purchase option through COMMBUYS and said that it was more expensive over time.

- c. Approve award of temporary labor services contract.

Chairperson Beauregard asked for a motion to award labor services contract to BJ's Service Company. Motion made by Ms. LeBlanc, seconded by Mr. Blanchard. Roll call vote: Chair John Beauregard, yes; Christine LeBlanc, yes; Ken Blanchard, yes; Michael Gagne, yes; Daniel Patten, yes.

Motion passed 5 – 0.

Mr. Alfonse reviewed the memo noting the BJ's Service Co. rates for the temporary labor services.

Mr. Blanchard questioned why the District didn't have longer term contract (3-year term) for this type of service.

Mr. Alfonse replied that proposers would have to calculate the unit prices for future years based on net present value or allow for the annual increases to be linked to CPI. The problem with CPI is that it doesn't increase at the same rate that the minimum wage has been increasing. It becomes very confusing for proposers to calculate net present value of unit prices in future contract years. The shorter term contract results in less confusion during the bidding process.

- d. Director's Report

Chairperson Beauregard asked for motion to receive the Director's report. Motion made by Mr. Gagne, seconded by Ms. LeBlanc. Roll call vote: Chair John Beauregard, yes; Christine LeBlanc, yes; Ken Blanchard, yes; Michael Gagne, yes; Daniel Patten, yes.

Motion passed 5 – 0.

Mr. Alfonse reviewed the Director's report noting the Leachate Quality.

He noted the Request for Qualifications (RFQ) noting that proposals are due on March 23, 2021. The board discussed the interview process for potential bidders.

He noted that the town of Tisbury reached out to the District noting that their contract expires October 2022.

The board recognized the great work that Marissa and Meg are doing with the recycling website.

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

8. Set Date for Next Meeting

Next meeting is scheduled for Thursday, March 18, 2021 at 8:00 a.m.

9. Adjourn.

Motion to adjourn made by Mr. Patten, seconded by Mr. Blanchard. Roll call vote: Chair John Beauregard, yes; Christine LeBlanc, yes; Ken Blanchard, yes; Michael Gagne, yes; Daniel Patten, yes.

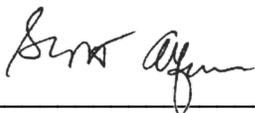
Motion passed 5 - 0.

Meeting adjourned at 9:30 a.m. on February 18, 2021.

MEMO

- 7a. Discussion of proposal to expand the existing anaerobic digestion project with Commonwealth Resource Management Corporation representatives
- 7b. Excavator Contract dated 2/21/2021
- 7c. Temporary Labor Services Contract dated 2/12/2021
- 7d. Director's Report dated 2/21/2021

Approved by vote of District Committee on Thursday, March 18, 2021



Scott Alfonse, Executive Director