

**GREATER NEW BEDFORD REGIONAL REFUSE MANAGEMENT DISTRICT  
DISTRICT MEETING – June 16, 2021**

Minutes

The Greater New Bedford Regional Refuse Management District Committee held a publicly posted meeting on **Wednesday, June 16, 2021, at 8:00 AM** at the Dartmouth Town Hall, Room 315, 400 Slocum Road, Dartmouth, MA.

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

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

**1. Call to order**

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

**2. Legal Notices**

Mr. Beauregard read the notice advising the Board that the meeting may be recorded by audio and/or video, and noted that the legal notices of the meeting were posted more than 48 hours prior to the meeting.

**3. Roll call of members**

Chairperson Beauregard, yes  
Daniel Patten, yes  
Christine LeBlanc, yes  
Ken Blanchard, yes  
Michael Gagne, yes

All in attendance stood to salute the flag.

**4. Approval of minutes (not yet available)**

**5. Warrant Report and Ratification – Warrant dated May 21, 2021**

Chairperson Beauregard asked for a motion to ratify the warrant dated May 21, 2021. Motion made by Mr. Gagne, seconded by Mr. Blanchard. Motion passed 5-0.

## **6. Old Business**

- a. Solid Waste Planning Services update

**Item tabled and moved for discussion into Executive Session since it would affect the District's negotiation position.**

## **7. New Business**

- a. Adoption of MGL c.32b, section 9d, 9d ½ or 9d ¾ relative to health insurance premiums for surviving spouses of retirees.

**Chairperson Beauregard asked for a motion to discuss the status of health insurance premiums for surviving spouses of retirees. Motion made by Mr. Patten, seconded by Ms. LeBlanc.**

Mr. Alfonse discussed the memo.

Mr. Beauregard questioned what the District currently paid. Mr. Alfonse replied that currently the District pays 75% of the cost for health insurance for employees and retirees that were hired prior to February 1, 2012, and 60% of the cost for health insurance for employees hired or retired on or after February 1, 2012.

Mr. Blanchard questioned the rate that Mr. Valiela, Virginia Valiela's spouse, would be paying. Mr. Alfonse replied that the surviving spouse has not yet been billed but if the District does not take any action, surviving spouses would be responsible for 100% of the cost of the Medex premium.

Attorney Thomas noted that the District never accepted the statute. The rate was voted already without voting on the law.

Mr. Patten recommended 60%.

Mr. Gagne noted that being consistent with the current active employees percentage would make a good continuity to the retirees. He also noted that he looked at this statute in the past and the majority of municipalities accepted the 9d statute at a minimum of 50%. It is a local option, but he likes the idea of being consistent with active employees' percentages.

After further discussion, the consensus of the board was to proceed with option #3, 9d ½ provision.

No further discussion.

**Motion to adopt MGL c.32b s. 9 ½ "Shall the District, in addition to the payment of fifty percent of premium costs payable by the surviving spouse of an employee or retired employee for group general or blanket hospital, medical and other health insurance pay an additional or subsidiary rate. Motion made by Mr. Gagne, seconded by Mr. Blanchard. All in favor said yes. Motion passed 5-0.**

**Motion that the District votes to continue to subsidize the surviving spouse at the same subsidy that retiree was receiving before they died. Motion made by Mr. Patten, seconded by Ms. LeBlanc. Motion passed 5-0.**

b. Pollution liability insurance

**Chairperson Beauregard asked for a motion to authorize the Executive Director to execute the necessary forms to bind pollution liability coverage with Berkeley Environmental for a period of 3 years (July 1, 2021, to June 30, 2024). Motion made by Mr. Patten, seconded by Ms. LeBlanc.**

Mr. Gagne directed a comment and question to Mr. Beauregard. He noted that on the Executive Director's recommendation, Berkeley Environmental, includes business income interruption. He asked if the landfill shut down due to an environmental issue if the policy covers the District's losses during that period..

Mr. Beauregard noted that it does not cover the revenue necessary to cover all District expenses, but does cover the loss of income. It's technically defined as "net profit plus continuing expense".

Mr. Gagne asked if the District had unemployment insurance. Mr. Alfonse replied the District has an unemployment insurance reserve fund.

**Motion that on the recommendation of the Executive Director the District award the contract for a three year agreement to Berkeley Environmental for \$51,905. Motion made by Mr. Gagne, seconded by Ms. LeBlanc. Motion passed 5-0**

c. Observance of Juneteenth Independence Day (Saturday, June 19, 2021).

**Chairperson Beauregard asked for a motion to discuss the observance of Juneteenth Independence Day. Motion made by Mr. Patten, seconded by Ms. LeBlanc.**

Mr. Alfonse discussed the memo.

Mr. Gagne noted that the District should observe the holiday as the majority of municipalities are doing it. He also noted that because the holiday was voted recently and so it does not interrupt with operations, a floating holiday should be offered to employees in 2021.

Ms. LeBlanc suggested awarding it as floating holiday this year to be used within 60 or 90 days.

Mr. Patten noted that he was in favor of the floating holiday but not in favor of using it within 60 days because it would interfere with vacations. He recommended employees may take the "floating holiday" anytime between the Wednesday after Labor Day holiday, September 8, 2021, and November 1, 2021.

No further discussion.

**Motion that in 2021 the District will award Juneteenth Independence Day as a floating observance day to employees to be used by employees between Wednesday after Labor Day and November 1, 2021. Motion made by Mr. Gagne, seconded by Mr. Patten. Motion passed**

**5-0.**

d. District property lease inquiries

**Item tabled and moved for discussion into Executive Session.**

Committee moved to discuss item 7f.

f. Award contract for compactor rebuild

**Chairperson Beauregard asked for a motion to award and authorize the Executive Director to sign the contract to rebuild the Caterpillar 826H compactor to Southworth-Milton Inc., in the amount of \$388,758.00. Motion made by Ms. LeBlanc, seconded by Mr. Blanchard.**

Mr. Alfonse discussed memo.

No further discussion.

**Motion passed 5-0.**

Committee moved to discuss item 7e.

e. Award lease of 74 Quanapoag Rd., Freetown, MA.

**Chairperson Beauregard asked for a motion to discuss leasing of 74 Quanapoag Rd. Motion made by Mr. Patten, seconded by Mr. Blanchard.**

Mr. Alfonse explained a tenant currently leases the property at 74 Quanapoag Rd. The lease expires on June 30, 2021, and there are no provisions for renewal. The District advertised a Request for Proposals to lease the property, and received one proposal from the current tenant after the deadline. The proposal was rejected and will need to be readvertised. He recommended the lease be amended by extending it for an additional month during the rebid process.

Mr. Blanchard asked Attorney Thomas if the District proceeds with rebid process and doesn't receive a qualified bid, does it have to continue with the process until a qualified bid is received or can it be awarded to the current bidder.

Attorney Thomas replied that when the rebid is advertised, he would suggest keeping the due date on the bid open (not state a due date on the bid) until a responsive bid is received.

Mr. Alfonse noted that 30B requires a due date on bids.

Mr. Patten noted he recalled during his past training, that if it's a sole bid and a bidder comes in a few minutes late (not days or weeks) the bid can still be accepted. It was suggested by the board that Mr. Alfonse contact the Inspector General's Office for further information to find out if this was the case.

**Motion to authorize the Executive Director to rebid and also check with the Inspector General's Office to see if the District can still consider it responsive, and if so both to award it**

to Jason Perry, 74 Quanaoag Road. Motion made by Mr. Patten, seconded by Ms. LeBlanc. Motion passed 5-0.

g. Carry forward funds from current and prior fiscal years.

i. FY 20 funds for excavator

**Chairperson Beauregard asked for a motion to carry forward to FY 2022 \$175,000 of the \$400,000 carried forward to FY 2021 from FY 2020 to complete the purchase of the JCB excavator. Motion made by Mr. Patten, seconded by Ms. LeBlanc.**

Mr. Alfonse discussed the memo.

Mr. Gagne questioned if there was a signed agreement. Mr. Alfonse said yes.

Mr. Blanchard questioned if there was a delivery date and how important is it that the District receive the excavator in a timely fashion. Mr. Alfonse said that delivery was expected sometime in August 2021 but that there wasn't a specific date. The current excavator is operational but there are certain tasks that cannot be done. It would be nice to receive the new excavator. If delivery date is moved beyond August 2021, Mr. Alfonse will discuss with Shawn Peckham, Operations Manager, to determine how that will affect operations.

**Motion passed 5-0.**

ii. FY 21 funds for compactor rebuild

**Chairperson Beauregard asked for a motion to carry forward \$388,758 in the FY 2021 "equipment purchase" line item to FY 2022. Motion made by Mr. Patten to follow recommendations since there was previous discussion, seconded by Ms. LeBlanc. Motion passed 5-0.**

Attorney Thomas left the room at 8:38 a.m.

h. Approval of FY 2022 contracts

i. Engineering services

**Motion to approve and authorize the Executive Director to sign the contract between the District and Brown & Caldwell in the amount of \$59,040 for bi-monthly inspections, landfill capacity report and general engineering services for FY 2022. Motion made by Mr. Patten, seconded by Mr. Blanchard.**

Mr. Alfonse discussed the memo.

Ms. LeBlanc questioned what was budgeted and spent in 2021; was it close or over budget. Mr. Alfonse replied that the FY 20 budget was over, due to gas work and other tasks they performed at the District's discretion. The District budgeted \$65,000 from engineering FY 20, and FY 21 may be slightly over.

Mr. Blanchard questioned if a bid was required for engineering services. Mr. Alfonse replied noting that under 30B a bid is not required for engineering services.

No further discussion.

**Motion passed 5-0.**

ii. Legal Services

**Chairperson Beauregard asked for a motion to approve and authorize the Executive Director to sign the Client Fee Agreement between the District and Attorney Matthew J. Thomas for legal services for FY 2022, to be billed at \$175 per hour for the initial 25 hours of services and at \$200 per hour thereafter. Motion made by Mr. Patten, seconded by Mr. Blanchard.**

Mr. Alfonse discussed the memo. Mr. Alfonse noted that there are many conversations with Attorney Thomas that are not invoiced.

**Motion to follow recommendation made by Mr. Patten, seconded by Ms. LeBlanc. Motion passed 5-0.**

Attorney Thomas returned to meeting room at 8:43 a.m.

i. Director's Report

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

Mr. Alfonse discussed the memo.

Mr. Gagne discussed whether or not the District should contribute something in memory of Virginia Valiela. Mr. Alfonse noted that at the last meeting the Committee voted to approve a \$500 contribution.

Mr. Gagne commented that he worked with two previous Executive Director's prior to Mrs. Valiela and he noted that she was the type of person who reached out to the communities that were members of the District in ways that we weren't seeing in the past prior to her coming on. She was extremely instrumental in developing the curbside recycling program in Dartmouth. She was a stand up person and that it was a pleasure working with her. She always came with a smile and would always ask "how can I help you".

After further discussion, Mr. Beauregard suggested Attorney Thomas draft a letter to Mrs. Valiela's family noting Mr. Gagne's comments.

**8. Set date for next meeting.**

Next Board meeting is scheduled for Thursday, July 15, 2021 at 8:00 a.m.

**Motion to go into Executive Session to discuss the lease of property, and negotiations and then return and meet into open session.**

**Motion made by Mr. Patten, seconded by Mr. Blanchard. Roll call vote: Chairperson Beauregard, yes; Daniel Patten, yes; Christine LeBlanc, yes; Ken Blanchard, yes; Michael Gagne, yes. Motion passed 5-0.**

The board adjourned to Executive Session at 8:50 a.m.

## **9. Adjourn**

**Chairperson asked for a motion to adjourn. Motion made Mr. Patten, seconded by Mr. Blanchard. Roll call vote: Chairperson Beauregard, yes; Daniel Patten, yes; Christine LeBlanc, yes; Ken Blanchard, yes; Michael Gagne, not in attendance. Motion passed 4-0.**

**Meeting adjourned at 9:34 a.m.**

## **MEMOS**

- 6a. Solid Waste Planning Services dated 6/11/2021
- 7a. Health Insurance Premiums for Surviving Spouse of District Employees & Retirees dated 6/11/2021
- 7b. Pollution Liability Insurance dated 6/11/2021
- 7c. Observance of Juneteenth Independence Day (Saturday, June 19, 2021) dated 6/11/2021
- 7d. Land Lease Inquiries dated 6/11/2021
- 7e and 7f. Award lease of 74 Quanapoag Rd., Freetown, MA & contract for compactor rebuild dated 6/11/2021
- 7g. Carry Forward funds from current and prior fiscal years dated 6/11/2021
- 7h. Approval of FY 2022 contracts dated 6/11/2021
- 7i. Director's Report dated 6/11/2021

Approved by vote of District Committee on 7/15/2021

  
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Scott Alfonse, Executive Director