

**GREATER NEW BEDFORD REGIONAL REFUSE MANAGEMENT DISTRICT
MEETING**

Meeting Minutes

Thursday, March 17, 2022

The Greater New Bedford Regional Refuse Management District Committee held a publicly posted meeting on **Thursday, March 17, 2022, at 8:00 A.M.** at the Dartmouth Town Hall, Room 315, 400 Slocum Road, Dartmouth, MA.

District Committee Members in attendance: Chairperson, John Beauregard; Daniel Patten, Christine LeBlanc, and Kelley Cabral-Mosher.

District Committee member Michael Gagne, and Geosyntec representatives Jill Gaffigan, Bill Gaffigan, and Sean O'Donnell participated remotely via video conference.

Scott Alfonse, Executive Director; Leonor Ferreira, Secretary; Marissa Perez-Dormitzer, Waste Reduction Manager, Tom King, Accountant, Shawn Peckham, Operations Manager and Attorney Matthew J. Thomas, District Counsel were also present at the meeting location.

1. Call to order / Salute the flag

Chairperson Beauregard called the meeting to order at 8:00 a.m.

All in attendance stood to salute the flag.

2. Legal notices

Chairperson Beauregard read the following statement:

“Pursuant to Section 20 of Chapter 20 of the Acts of 2021, all members of the District Committee are participating remotely in this meeting.

I want to remind the members that texting and private chats on Zoom are not acceptable method of remote participation. I also want to make sure that all members can be heard when they are speaking and if any member cannot hear another member, please let me know.

Finally, I want to inform members that if their remote connection is lost, they should attempt to log back in. If your remote connection is lost, we will note the time you were disconnected and the time you logged back in.

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.”

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

2. Roll call of members

Chairperson Beauregard, yes (in-person participation)
Daniel Patten, yes (in-person participation)
Christine LeBlanc, yes (in-person participation)
Ken Blanchard, yes (in-person participation)
Michael Gagne, yes (remote participation)
Kelley Cabral-Mosher, yes (in-person participation)

3. Approval of minutes

Chairperson Beauregard asked for a motion to approve the minutes of the February 15, 2022, meeting. Motion made by Mr. Patten, seconded by Ms. LeBlanc. Roll call: Chairperson Beauregard, yes; Daniel Patten, yes; Christine LeBlanc, yes; Ken Blanchard, yes; Michael Gagne, yes; Kelley Cabral-Mosher, yes.

Motion passed 6 – 0.

4. Warrant Report and Ratification – Warrant No. 13-22 (February 23, 2022)

Chairperson Beauregard asked for a motion to ratify warrants number 13-22 dated February 23, 2022, and number 14-22 dated March 10, 2022. Motion made by Mr. Patten, seconded by Ms. LeBlanc. Roll call: Chairperson Beauregard, yes; Daniel Patten, yes; Christine LeBlanc, yes; Ken Blanchard, yes; Michael Gagne, yes; Kelley Cabral-Mosher, yes.

Motion passed 6 – 0.

6. Old Business

- a. Solid Waste Management plan status update (Geosyntec Consultants, Inc.)

Chairperson Beauregard asked for a motion to receive an update on the status of the Solid Waste Management Plan by representatives of Geosyntec Consultants, Inc.). Motion made by Ms. LeBlanc, seconded by Mr. Patten.

Chairperson Beauregard welcomed Geosyntec members.

Mr. Alfonse noted that members received a copy of the presentation and should refer to it during the presentation.

Mr. Bonnett, Ms. Gaffigan, Mr. Gaffigan, and Mr. O'Donnell reviewed the presentation. Mr. Bonnett noted that there were 10 tasks, but one was deleted or put on hold. The focus has been on five of the tasks.

Mr. Beauregard referred to the Waste Characterization (Subtask 1.3) slide, and asked what organics were. Mr. Bonnett replied by noting that organics are compostable material that breakdown overtime (i.e. food waste, yard waste). Mr. Beauregard then referred to the plastic percentage and asked how accurate those numbers were. Mr. Bonnet replied by noting that information came from similar project studies they looked at. Mr. Alfonse noted that when the District was negotiating the scope of services, a site-specific waste characterization study for Crapo Hill landfill would have been an expensive task, and the board felt that the information from other facilities is transferable to what's seen at the landfill. Mr. Blanchard asked if Geosyntec could share the list of other communities used for waste characterization study. Mr. Bonnett agreed to provide the information. Mr. Alfonse noted

that Geosyntec prepared a technical memo for this task which was reviewed by Marissa and him. Some comments focused on the communities used for comparable data.

Mr. Alfonse referred to the Preliminary Rate Study (Subtask 1.5) slide and asked Ms. Gaffigan if she could clarify whether the baseline of 7.5 years was for existing cells currently operating (cells 3, 4, 5 and 6) and exclude cells 7 and 8. Ms. Gaffigan agreed. Attorney Thomas asked how the commercial waste from the New Bedford and Dartmouth was calculated. Ms. Gaffigan replied it was taken from the baseline from 2021 not adding any growth. Attorney Thomas asked if it was assumed that any hauler with solid waste from New Bedford and Dartmouth was considered commercial waste. Ms. Gaffigan said yes. Mr. Alfonse asked if Ms. Gaffigan used the District's scale data and excluded anything that was characterized "yard box" (a code typically used for waste not from New Bedford or Dartmouth). Ms. Gaffigan said yes.

Mr. Bonnett reviewed Expansion Options (Task 2) slide and noted cells 7 and 8 are not yet constructed. He described an opportunity to optimize the footprint and work with MassDEP to maximize the air space. He reviewed the options available to increase capacity which included a mechanically stabilized earth (MSE) berm. Attorney Thomas asked what their experience was with Financial Assurance Mechanism (FAM) for MSE berms. Mr. Bonnett replied that it can be a challenge. Geosyntec is currently working and designing an MSE berm in a Massachusetts facility that has a draft MassDEP permit. He described MassDEP's concerns with MSE berms and the focus on monitoring and financial assurance. Mr. Blanchard asked Attorney Thomas to describe what the Financial Assurance Mechanism (FAM) was. Attorney Thomas described it as a financial assurance for maintenance, closure, and post closure landfill, including the MSE berm. Mr. Beauregard asked if the 11.8 years were in addition to the 7.5 years or was it extending an additional 4 years. After further discussion, it was clarified that it may offer a total of 18 plus years of landfill life. Mr. Bonnett described the berm height in response to a question from Mr. Alfonse.

Mr. Beauregard referred to wetlands and asked Mr. Bonnett as landfill capacity decreases, will MassDEP's approach change. Mr. Bonnet described the state's solid waste master plan and diminishing landfill capacity in Massachusetts. How MassDEP might handle this in the future is uncertain.

The group discussed the issues related to the location of the stormwater basin and how site assignment and MassDEP regulations might affect this. Mr. Blanchard noted that Mr. Bonnett mentioned the difficulty of maintaining cells 7 and 8 due to size and configuration. He asked if he had the same concerns regarding a cell in the area of the stormwater basin. Mr. Bonnett replied by noting that the stormwater basin cell would "piggyback" onto an existing cell. It would be nothing out of the ordinary, other than finding a new location for the stormwater basin. Mr. Alfonse clarified that this cell would be easier to operate compared to cells 7 and 8.

Mr. Bonnett referred to Expansion Options (Task 2) LFGTE & AD Area slide and discussed the infrastructure of the anaerobic digester facility. Mr. Bonnett noted that the project would require a major modification. Mr. Alfonse noted it would require relocating the existing landfill gas to energy plant and pilot anaerobic digester, which is leased to Commonwealth Resource Energy which does not have to be within site assigned area.

Attorney Thomas referred to Landfill Disposal Options (Task 3), #3 Construct new on-site AD facility at CHL slide, and noted that Sean mentioned that this option would not be the most cost effective.

He asked that if the District were to construct something similar, would it include depackaging capability. Mr. O'Donnell replied that it could include front-end systems such as depackaging so that there is no contamination in the AD facility. Attorney Thomas then asked if we went with something like that, would the volume that we could divert go higher than 11,700 tons, or would it be a fixed number of what can be diverted from the landfill. Mr. O'Donnell replied by noting that the 11,700 tons was an estimate of organics currently going into the landfill, assuming 50% could be diverted to the facility. The District may opt to build a larger facility. He said the actual size would be determined by the District and depends upon the capital investment it wants to make, the availability of material, and market conditions. Attorney Thomas referred to facilities noted by a green dot on the slide and asked if there is much more capacity than there is demand. Mr. Bonnett noted that AD, the technology, is known and works. He discussed the issues affecting the current AD markets (scalability, transportation costs, and regulatory). He referred to the map on page 17 noting the various AD facility locations and markets may change with more diversion, which could affect capacity.

Mr. Beauregard asked if Commonwealth Resource Energy was still interested in expanding its project. Mr. Alfonse noted that they are still interested, but on hold pending the outcome of this project.

Mr. Bonnett concluded the presentation.

Mr. Beauregard asked Mr. Bonnett what the next step would be, and what would be the timeframe of having a final report. Mr. Bonnett replied they have several tasks in progress and will work with Mr. Alfonse for his input.

Mr. Patten asked if when Geosyntec determines the "sweet spot" (referring to the optimal amount of solid waste the District should accept to generate sufficient revenue to meet operational and capital needs) if it would be done in phases; would the first "sweet spot" be based on the initial 8 cells, and then another "sweet spot" for proposed changes to stormwater basin, etc. Mr. Bonnett noted that the model will change with the input variables.

Attorney Thomas asked when Geosyntec would determine the "sweet spot" on existing conditions. Ms. Gaffigan noted that they are close to determining it, and provided a range. Attorney Thomas referred to (Subtask 1.5) and noted that District has upcoming contracts which will be expiring soon. The Committee will have to make short term decisions and will be looking for guidance on tonnage limits and revenue. He referred to Member Towns Residential, Commercial and Freetown (68,000 TPY), and asked if that information could be used for negotiations. Ms. Gaffigan replied that what is not seen on the slide is what District should be negotiating on a price to increase revenue. After further discussion it was determined that incoming tonnage should be reduced, and price increased for three (3) haulers. Ms. Gaffigan agreed.

Marissa noted recommendations should be shared with the city and the town because their integral partner. Mr. Beauregard and Mr. Alfonse noted that they meet with the Dartmouth Selectboard, Dartmouth DPW, and New Bedford Department of Facilities and Fleet Maintenance, and provide them with periodic updates. Marissa noted New Bedford should be made aware of the whole picture not just education.

Mr. Alfonse suggested that the days of operating the landfill with low assessments to member

communities are coming to a close. The easily developable components of this landfill have been developed. What's left are the more challenging and costly development options.

Jill Gaffigan, Bill Gaffigan, and Sean O'Donnell signed off at 9:20 a.m.

David Bonnett, Marissa Perez-Dormitzer, Tom King, and Shawn Peckham left the meeting at 9:21 a.m.

- b. Accept assignment of ABC Disposal, Inc. Waste Disposal Agreement
Chairperson Beauregard asked for a motion to discuss the assignment of the Waste Disposal Agreement between the District and ABC Disposal. Motion made by Ms. LeBlanc, seconded by Mr. Patten.

Attorney Thomas described the process of transitioning from ABC Disposal to the new owner E. L. Harvey.

Mr. Beauregard asked if hauler has been in contact with the District. Mr. Alfonse said yes and noted what was needed. The District didn't have a formal letter from them requesting the assignment. Attorney Thomas noted that they negotiated the assignment with City of New Bedford regarding the hauling contract before selling ABC Disposal.

Attorney Thomas suggested language for a motion.

Mr. Blanchard asked what will need negotiating if the amendment will simply change the name of the company from ABC to E.L. Harvey. Attorney Thomas noted that the letter that the District asked for has not been received yet. Ms. LeBlanc asked if they are still hauling in solid waste. Mr. Alfonse said yes.

Mr. Alfonse noted that customer is still on a prepaid basis and a certificate of insurance is on file from E.L. Harvey.

Ms. LeBlanc made a motion to authorize Attorney Thomas and Mr. Alfonse to negotiate the amendment to the contract which would simply amend it by changing the names, and having E.L. Harvey agree to the terms of original ABC contract. Seconded by Mr. Patten. Roll call: Chairperson Beauregard, yes; Daniel Patten, yes; Christine LeBlanc, yes; Ken Blanchard, yes; Michael Gagne, yes; Kelley Cabral-Mosher, yes.

Motion passed 6 – 0.

Mr. Gagne signed off at 9:34 a.m.

Mr. Patten asked if the new owners of ABC and Frade's plan to offer reduced rates to their New Bedford and Dartmouth customers. Mr. Alfonse noted that he doesn't believe that ABC or Frade's offered a tiered rate structure and/or discount to New Bedford and Dartmouth customers because they have favorable rates are Crapo Hill.

The group discussed new contracts moving forward. Mr. Alfonse noted that in the past the Hauler Subcommittee negotiated new contracts with the haulers. He asked if the committee would prefer to

continue that process, do it as a whole committee, or delegate to Attorney Thomas and Mr. Alfonse to negotiate. The board noted that their preference was for counsel and the Executive Director to handle negotiations. He discussed contract hauler terms, recommendations, and tipping fee parameters.

c. Director's Report

Chairperson Beauregard asked for a motion to receive and place on file. Motion made by Ms. LeBlanc, seconded by Mr. Patten. Roll call: Chairperson Beauregard, yes; Daniel Patten, yes; Christine LeBlanc, yes; Ken Blanchard, yes; Michael Gagne, absent; Kelley Cabral-Mosher, yes.

Motion passed 6 – 0.

- d. Items which could not have been reasonably anticipated 48 hours in advance.
None

7. Set Date for Next Meeting

The April meeting is scheduled for Thursday, April 14, 2022, and the month of May meeting is scheduled for Thursday, May 12, 2022.

8. Adjourn

Chairperson asked for a motion to adjourn. Motion made by Ms. LeBlanc, seconded by Mr. Blanchard. Roll call: Chairperson Beauregard, yes; Daniel Patten, yes; Christine LeBlanc, yes; Ken Blanchard, yes; Michael Gagne, absent; Kelley Cabral-Mosher, yes.

Motion passed 5 – 0.

Meeting was adjourned at 9:50 a.m. on March 17, 2022.

MEMOS

- 6a Memo - Solid Waste Management Plan status update (Geosyntec Consultants, Inc.) dated 3/11/2022
- 6b Memo - Accept assignment of ABC Disposal, Inc. Waste Disposal Agreement dated 3/11/2022
- 6c Memo - Director's Report dated 3/11/2022

Approved by vote of District Committee on Thursday, April 14, 2022.

Scott Alfonse, Executive Director