

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

Meeting Minutes

Thursday, April 14, 2022

The Greater New Bedford Regional Refuse Management District Committee held a publicly posted meeting on **Thursday, April 14, 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 Ken Blanchard.

District Committee member Michael Gagne participated remotely via video conference.

District Committee member Kelley Cabral-Mosher was not in attendance.

Scott Alfonse, Executive Director; Leonor Ferreira, Secretary; 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 8:03 a.m.

**2. Legal notices**

Chairperson Beauregard read the following statement:

“Although Chairperson John Beauregard, and board members Ken Blanchard, Christine LeBlanc, and Daniel Patten, are participating in person, board member Michael Gagne is participating remotely.

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.”

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.”

**3. 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 (not in attendance)

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.

**4. Approval of minutes**

**Chairperson Beauregard asked for a motion to approve the minutes of the March 17, 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, absent.**

**Motion passed 5 – 0.**

**5. Warrant Report and Ratification – Warrant No. 15-22 (March 23, 2022)**

**Chairperson Beauregard asked for a motion to ratify warrant number 15-22 dated March 23, 2022. Motion made by Mr. Patten, seconded by Mr. Blanchard. Roll call: Chairperson Beauregard, yes; Daniel Patten, yes; Christine LeBlanc, yes; Ken Blanchard, yes; Michael Gagne, yes; Kelley Cabral-Mosher, absent.**

**Motion passed 5 – 0.**

**6. New Business**

a. Invitation for Bids (for security services and various materials)

**Chairperson Beauregard asked for a motion to authorize the advertisement of Invitation for Bids for Security Service and for Various Materials as listed. Motion made by Ms. LeBlanc, seconded by Mr. Patten.**

Mr. Alfonse reviewed the memo.

Mr. Beauregard asked when they would have to be advertised. Mr. Alfonse replied they would be advertised within the next 30 days and awarded sometime in May /June.

No further discussion.

**Chairperson Beauregard asked for a motion to authorize the advertisement of Invitation for Bids for Security Service and for Various Materials as listed: 1 ½” stone; asphalt, brick and concrete (ABC) rubble; cold mix asphalt product; daily cover; gravel; processed gravel; low-permeability soil/intermediate cover; modified rock; recycled asphalt . Motion made by Mr. Blanchard, seconded by Ms. LeBlanc. Roll call: Chairperson Beauregard, yes; Daniel Patten, yes; Christine LeBlanc, yes; Ken Blanchard, yes; Michael Gagne, yes; Kelley Cabral-Mosher, absent.**

**Motion passed 5 – 0.**

- b. Revision to District's Designer Selection Procedures

**Chairperson Beauregard asked to revise the Designer Procedures by adopting the revision dated April 8, 2022 (attached to the memo). Motion made by Mr. Patten, seconded by Ms. LeBlanc.**

Mr. Alfonse reviewed the memo noting proposed revisions to paragraph 4, and 10.

**Chairperson Beauregard asked for a motion to revise the Designer Selection Procedures by adopting the revision dated April 8, 2022 by authorizing the Approving Body to negotiate the fee. Motion made by Mr. Patten, seconded by Mr. Blanchard. Roll call: Chairperson Beauregard, yes; Daniel Patten, yes; Christine LeBlanc, yes; Ken Blanchard, yes; Michael Gagne, yes; Kelley Cabral-Mosher, absent.**

**Motion passed 5 – 0.**

- c. Request for Qualifications for Architectural Services update

**Chairperson Beauregard asked for a motion to authorize the Selection Committee to negotiate a proposed fee for architectural services with JM Booth & Associates. Motion made by Ms. LeBlanc, seconded by Mr. Patten.**

Mr. Alfonse referred to the memo noting three proposals were received, and JM Booth & Associates was considered the most qualified proposer based on the qualifications received.

Mr. Beauregard asked if there was anything about JM Booth that stood out above the others. Mr. Alfonse discussed JM Booth's background and qualifications. The other two proposers did not demonstrate as much experience in public building projects.

**Motion made by Ms. LeBlanc to authorize the Selection Committee negotiate a fee with JM Booth & Associates. Seconded by Mr. Blanchard. Roll call: Chairperson Beauregard, yes; Daniel Patten, yes; Christine LeBlanc, yes; Ken Blanchard, yes; Michael Gagne, yes; Kelley Cabral-Mosher, absent.**

**Motion passed 5 – 0.**

- d. Disposal Agreements update

**Chairperson Beauregard asked for a motion to receive an update on the Waste Disposal Agreements. Motion made by Mr. Patten, seconded by Ms. LeBlanc.**

Mr. Alfonse referred to the memo and noted the challenges that the District faces in determining the community of origin of waste delivered by commercial haulers. He said that limiting waste to New Bedford and Dartmouth generators is only advantageous if the haulers provide favorable pricing to their customers in New Bedford and Dartmouth. If haulers do not provide favorable pricing to New Bedford and Dartmouth customers, there is really no advantage to only allowing haulers to deliver waste from the two communities. The volume of waste is what is important, not the community of

origin of that waste. Mr. Alfonse continued that he is not aware of more favorable pricing offered to New Bedford and Dartmouth customers of commercial haulers. Mr. Alfonse said that he and Attorney Thomas discussed obtaining information from the haulers as to whether they offer such favorable pricing.

Attorney Thomas noted that if there is a clearly verifiable efficient way to determine solid waste originates from New Bedford or Dartmouth and the hauler is charging a more favorable rate, then the District should consider this in allocating tonnage. If not, then the origin of waste is not important. In this case, the District could rely on recommendation for tonnage allocations and tip fees by Geosyntec.

Ms. LeBlanc asked how the hauler would prove that they are charging less for waste from New Bedford or Dartmouth or that the waste is originating in those communities. Attorney Thomas said he thought it would be difficult unless they committed a truck to collect only in those communities. They would then demonstrate through collection slips and affidavits that the information is correct. Mr. Alfonse noted that in the case of a vehicle dedicated to collect in New Bedford and Dartmouth, a vehicle tracking system could be used to track the location of the vehicle, similar to what is in use in New Bedford. He noted the system in New Bedford does not always function properly, and this system would need to function at all times to ensure the waste is collected from New Bedford and Dartmouth. Mr. Blanchard noted if the hauler substitutes a truck without notice, there could be a problem.

Attorney Thomas asked if the Committee thought that the added efforts discussed are worth it if the New Bedford and Dartmouth customers are not getting a substantial discount from the haulers. Mr. Blanchard suggested that if Dartmouth and New Bedford businesses are not getting a break, they could be paying more, since they already support the District through taxes. Attorney Thomas noted that the assessments are paid by the taxpayers of the two communities. If a business opts out of collection, it is the business's choice. Attorney Thomas noted that the District's tip fees could increase, still be below market, and not likely result in a financial hardship for customers. Mr. Blanchard questioned the point of a below-market tip fee. Attorney Thomas responded that it provides an opportunity for the New Bedford and Dartmouth businesses to pay less.

Ms. LeBlanc suggested asking haulers to produce contracts demonstrating they charge local customers less. Mr. Alfonse noted that providing customer list to the District may make it public. Attorney Thomas said that there may be a way to preserve the confidentiality of the list.

Mr. Beauregard noted that there could be challenges obtaining such information.

Attorney Thomas noted the potential for the District to increase revenue, but commercial waste does consume capacity. Increasing assessment may allow for some reduction in commercial hauler revenue, but the communities have to accept higher assessments. Mr. Blanchard asked what has more value – capacity or a lower assessment? Attorney Thomas responded that capacity currently has a higher value, but that could change in a few years.

Mr. Patten noted that we are simply talking about increasing tip fees. He noted that even with an increase in tip fees, the District's tip fees will likely remain lower than market rate, which still offers customers a discount.

Mr. Alfonse said that he and Attorney Thomas will have another update at the next meeting.

e. Director's Report

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

Mr. Alfonse discussed the Director's Report.

He provided an update on PFAS from the conference he attended on April 5 & 6.

Attorney Thomas asked if leachate was monitored separate from the anaerobic digester (AD) facility or is it monitored after. Mr. Alfonse said that currently the leachate samples are collected after everything merges, but District may want to consider monitoring it separately from the AD facility.

Mr. Patten noted the Rental Income line item on the Budget to Actual sheet, and asked what rental income wasn't being received. Mr. Alfonse noted that one property was vacated in September 2021, and needs an upgraded heating system.

Mr. Gagne noted that during Geosyntec's presentation last month, there was discussion on the amount of commercial organic material. He asked if Marissa would be able to attend the next meeting for a brief discussion on the subject. Mr. Alfonse noted it is the component of solid waste that represents the greatest potential for diversion. He provided examples of programs where they are working to divert food waste to an anaerobic digester facility.

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

Mr. Alfonse noted that he received a signed letter by landfill employees on April 13, 2022, after the deadline for placing it on the agenda. Mr. Beauregard asked Mr. Alfonse to place it for discussion on the May 12, 2022 agenda.

**7. Set Date for Next Meeting**

The May meeting is scheduled for Thursday, May 12, 2022, and the month of June meeting is scheduled for Thursday, June 16, 2022.

**8. Executive Session (to consider the lease of real property)**

Chairperson Beauregard read the following:

"Before we vote on whether to enter Executive Session, I want to remind all District Committee members participating remotely that when you vote to go into Executive Session you must also state if anyone else is in the room with you.

While in Executive Session, if anyone enters the room with you must immediately inform me and we will briefly recess the Executive Session until the person leaves the room.

I would also ask that you handle all materials discussed in Executive Session in the same manner as if you were participating in person."

**Chairperson Beauregard asked for a motion to adjourn to Executive Session for the purpose to**

consider the lease of real property, and not return to open session. 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, yes; Kelley Cabral-Mosher, absent.

Motion passed 5 – 0.

Committee moved to executive session at 8:47 a.m.

9. Adjourn

Meeting was adjourned in executive session at 8:58 a.m. on March 17, 2022.

**MEMOS**

- 6a Memo - Authorization of Invitation for Bids dated 4/8/2022
- 6b Memo – Revision to District Designer Selection Procedures dated 4/8/2022
- 6c Memo – Request for Qualifications for Architectural Services update dated 4/8/2022
- 6d Memo – Disposal Agreement update dated 4/8/2022
- 6e Memo – Director's Report dated 4/8/2022
  - Attachment – Commercial Municipal Tonnage – Oct. 2020 to March 2022
  - Attachment – Budget to Actual Operating Revenues and Expenses
  - Attachment – email re: Third Party Inspection Reports
  - Attachment – email re: GNBRRMD Committee Request
  - Attachment – Maine Senate Unanimously approves bill to ban out-of-state trash from state-owned landfills

Approved by vote of District Committee on 5/12/2022



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Scott Alfonse, Executive Director