

Minutes approved April 11, 2024

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

Meeting Minutes

Thursday, March 14, 2024

The Greater New Bedford Regional Refuse Management District Committee held a publicly posted meeting on Thursday, March 14, 2024, at 8:00 AM at the Dartmouth Town Hall - Room 309, 400 Slocum Road, Dartmouth, MA 02747.

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

Also in attendance: Anthony Novelli, Executive Director; Randy Ferry, Operations Manager; Matthew J. Thomas, District Counsel

1. **Call to order / Salute the flag**

Chairperson Beauregard called the meeting to order at 8:00 am and led the pledge of allegiance.

2. **Legal notices**

Chairperson Beauregard read the following statement: “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. All 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
Christine LeBlanc- Yes
Daniel Patten- Yes
Kelley Cabral-Mosher- Yes
Michael Gagne- Yes

4. **Approval of Minutes**

4a. February 22, 2024 Draft Committee Meeting Minutes

MOTION to approve the minutes of the February 22, 2024 meeting, regular session made by Mr. Patten, seconded by Ms. LeBlanc. All voted in favor, motion passed 5-0.

4b. February 22, 2024 Draft Executive Session Minutes

MOTION to approve the minutes of the February 22, 2024 meeting, executive session made by Mr. Patten, seconded by Ms. LeBlanc. All voted in favor, motion passed 5-0.

5. Warrant Report and Ratification

5a. Warrants 15-24 and 16-24

MOTION to ratify warrant 15-24 dated February 9, 2024 and warrant 16-24 dated February 21, 2024 made by Mr. Patten, seconded by Ms. LeBlanc. All voted in favor, motion passed 5-0.

6. New Business

6a. Proposed additions to the employee handbook

MOTION to discuss proposed additions to the employee handbook made by Mr. Patten, seconded by Ms. LeBlanc.

Mr. Novelli mentioned that the Personnel Subcommittee met after the January 16 meeting to discuss a potential sick leave buyback policy. Policies were reviewed and compared from nearby municipalities. The subcommittee agreed that paying an employee based on a percentage of their salary instead of a set daily rate made sense and agreed upon 30%. They recommended that an employee have a minimum of 10 years of service to the District to be eligible and that there be a maximum accumulation of 180 sick days, which is consistent with the existing policy.

Mr. Novelli mentioned that this could be accounted for in future budgets by calculating the total number of employees that would be eligible for the policy and calculating their potential payout.

The subcommittee ultimately recommended that the District pay employees that have at least 10 years of service at 30% of their rate of pay at the time of retirement or resignation for all unused sick days with a maximum accumulation of 180 sick days.

Mr. Gagne pointed out that on the issue of resignation, the resignation should have a just cause to be eligible, as opposed to someone having done something egregious and resigning from the job before being terminated. He suggested some language be added to the policy to reflect this. He also suggested that the Employee Handbook have some language about just cause if it didn't already.

Mr. Patten suggested that the existing language in the handbook be changed so that all accumulated sick days will be forfeited at notification of termination.

Attorney Thomas agreed that the termination would need to be by just cause. Mr. Novelli noted that there is not currently a just cause provision in the handbook. Attorney Thomas mentioned that if a term is not defined in the handbook, it takes the legally established definition. He will provide revised language to reflect that if someone resigns and the resignation is in response to a pending termination for just cause, they will not be entitled to this benefit.

Mr. Novelli asked when the effective date of the new policy would be. Mr. Patten suggested it be included with the COLA increase on July 1, 2024. The Committee agreed.

This discussion was tabled until the next meeting pending revised language.

6b. Equipment Operator Opening Update

MOTION to receive an update on the vacant equipment operator position made by Ms. LeBlanc, seconded by Mr. Patten.

Mr. Novelli mentioned that he and Mr. Ferry conducted a final round of interviews earlier in the week and that the position had been offered to an individual at grade 4, step 5, pending a physical examination.

Mr. Ferry explained that he previously worked for ABC Disposal and for Cape Cod Aggregate operating heavy equipment.

Mr. Novelli mentioned that he had a good attitude and that he was willing to do whatever was needed. The position would not be in one set machine all the time, and he will perform a variety of tasks.

Mr. Beauregard asked how many people had applied. Mr. Novelli mentioned they had received over 20 applicants on Indeed, 5 virtual interviews were conducted, and 2 in-person finalists.

No further discussion.

6c. Administrative staffing update

MOTION to receive an update on administrative staffing made by Mr. Gagne, seconded by Ms. Cabral-Mosher.

Mr. Novelli notified the Committee that there is a salaried employee that may need to take an extended medical leave beyond their currently accumulated sick time.

Chairperson Beauregard asked if the District offered short-term disability insurance. Mr. Novelli replied that it is available to employees as a supplementary policy, but that the District does not pay for it.

Mr. Novelli mentioned that a similar situation had happened in 2022 and at that time, the Committee voted to pay 6 weeks at 40 hours/week and recommended the District review its policies to address this as a policy for the future. He said that there is some part-time support available for while the employee is out.

Attorney Thomas clarified that this is not the policy, and that the accepted policy is outlined in the employee handbook. This policy was not added when the handbook was updated and is therefore deemed a purposeful exclusion from the handbook. He suggested that if the Committee were to do this again, it should be included in the handbook.

Ms. LeBlanc mentioned that the intent with the handbook was to create the sick leave bank, and people could use the bank time. Mr. Novelli stated that the bank required 1 year of service to be eligible, and that this employee has only been with the District for a few months. Chairperson Beauregard noted challenges with the bank that due to the limited number of employees in the District.

Mr. Patten recalled the previous discussion, where the employee was new, and the policy allowed them to keep their insurance and pay benefits. The plan was to review after 6 weeks to see if anything else was needed, and at that time the employee had returned part-time and nothing else was done. He had recommended at that time the employee be paid 20 hours per week, but ultimately 40 hours was voted on by the Committee. He noted that paying 20 hours provides the employee money to live and to pay their insurance.

Ms. LeBlanc agreed that as long as the employee could keep their insurance at 20 hours per week, she was ok with paying 20 hours per week for 4 weeks.

Mr. Patten mentioned that if this person were a full-time employee, but not working, that they are still an employee of the District and does not need to be paid 20 hours per week- they just need to be paid enough to cover their benefits. Attorney Thomas confirmed that they are still an employee even if they were not being compensated for that period of time. This could be considered uncompensated sick leave.

Attorney Thomas repeated the suggestion that whatever decision is made be added to the handbook.

Mr. Beauregard emphasized that this is the reason to purchase short-term disability insurance- to be covered for unexpected costs like this.

Attorney Thomas suggested that new District employees be encouraged to purchase short-term disability insurance for this reason as part of the onboarding package.

Ms. Cabral-Mosher noted that this is an investment in an employee and their retention.

MOTION to grant compensated sick leave at 20 hours per week for up to 4 weeks to the employee made by Ms. LeBlanc, seconded by Mr. Patten. All voted in favor. Motion passed 5-0.

Mr. Beauregard asked if this becomes the official policy now. Attorney Thomas said that it does not, and mentioned that the handbook should mention that the District does not offer compensated sick leave for employees who have been in service for less than a year and recommends purchasing short-term disability insurance.

Mr. Novelli mentioned that there will be a new employee hired soon and this will be brought to his attention during onboarding, as well as to future employees.

Mr. Patten suggested mentioning that the employee purchase short-term disability insurance OR have sufficient cash on hand to cover an extended leave so it does not look like we are pushing the insurance.

6d. Staff Report

MOTION to receive the staff report made by Mr. Patten, seconded by Ms. Cabral-Mosher.

Mr. Novelli mentioned that New Bedford is updating their Hazard Mitigation Plan and Comprehensive Emergency Management Plan and that he recently met with the project manager involved, Mr. Pereira. Mr. Novelli voiced the need to have a disaster debris management plan included in the City's CEMP. Mr. Pereira suggested that this could be pursued as an addendum to the CEMP and that a full plan would not likely be included in the update. He did note that mentioning disaster debris in the CEMP will facilitate future funding. Mr. Novelli will be added to a subcommittee reviewing the updates to the CEMP and will be able to provide input at that time.

Mr. Novelli mentioned that the same company is assisting with Dartmouth's updates and that Mr. Pereira said that regional collaboration is a good idea and is viewed favorably by the state.

Mr. Beauregard emphasized that it's easy to forget about this (disaster debris management) until something happens and you really need it.

Attorney Thomas asked about the ReThink Disposable program mentioned in the memo. Mr. Novelli explained that it is a grant program to help eliminate single-use disposable items such as plates and forks for on-site dining, noting that there are some restaurants that don't provide

reusable plates and forks. The program provides funding to purchase reusable items for restaurants to replace the single-use items. It does not apply to take-out containers.

MOTION to receive the staff report and place on file made by Ms. LeBlanc, seconded by Mr. Gagne.

7. **Executive Session**

MOTION that the District Committee go into Executive Session pursuant to General Law Chapter 30A, Section 21(a)(7) and General Law chapter 4, Section 7, Clause Twenty-Sixth(d) to discuss inter-agency or intra-agency memoranda or letters relating to policy positions being developed by the District and then reconvene in Open Session made by. The minutes of this Executive Session will become public once the policy positions being developed by the District have been fully developed.

Roll call vote- Chairperson Beauregard- yes, Christine LeBlanc- yes, Daniel Patten- Yes, Michael Gagne- yes, Kelley Cabral-Mosher- yes. All voted in favor.

The committee entered into Executive Session at 8:44 a.m.

MOTION to adjourn executive session and return to open session made by Ms. LeBlanc, seconded by Mr. Patten.

The Committee returned to open session at 9:21 a.m.

8. **Items That Could Not Be Reasonably Anticipated 48 Hours In Advance**

None.

9. **Set Meeting Schedule**

The next meeting is currently scheduled for April 11. The following meeting was scheduled for May 16.

10. **Adjourn**

MOTION to adjourn the meeting made by Mr. Patten, seconded by Ms. Cabral-Mosher.

The meeting was adjourned at 9:23 a.m.

Approved by vote of District Committee on April 11, 2024.



Anthony Novelli, Executive Director

MEMOS

- 6A. Proposed revision to Procurement and Contract Execution Policy dated 04/11/2024
- 6B. Substantial Completion – Window Replacement dated 04/11/2024
- 6C. FY25 Contract Amendments dated 04/11/2024
- 6D. FY25 Waste Disposal Agreements dated 04/11/2024
- 6E. Staff Report dated 04/11/2024
 - Attachment – Commercial and Municipal Tonnage: January 2023 – February 2024
 - Attachment – Budget to Actual as of April 4, 2024
 - 2024 New Bedford Recycling and Composting Events