

DISTRICT COMMITTEE- GREATER NEW BEDFORD REGIONAL REFUSE MANAGEMENT DISTRICT

Thursday December 14, 2023 at 8:00 AM

Meeting Minutes

The Greater New Bedford Regional Refuse Management District Committee held a publicly posted meeting on Thursday, December 14, 2023, at 8:00 AM at the Dartmouth Town Hall - Room 309, 400 Slocum Road, Dartmouth, MA 02747.

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

Also in attendance: Scott Alfonse, Executive Director; Anthony Novelli, Assistant Executive Director; Shawn Peckham, Operations Manager (Arrived at 8:00 a.m. and left at 8:47 a.m.); Marissa Perez-Dormitzer, Waste Reduction Manager (arrived at 8:00 a.m. and left at 9:21 a.m.); Matthew J. Thomas, District Counsel

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

Chairperson Beauregard called the meeting to order at 8:00 a.m. and led a salute to the flag.

2. **Legal notices**

Chairperson Beauregard read the following statement:

“Pursuant to section 20 of Chapter 20 of the Acts of 2021 as amended by section 3 of chapter 107 of the Acts of 2022, Kelley Cabral-Mosher, a member of the District Committee is participating remotely in this meeting. I want to remind the members that texting and private chats on Microsoft Teams, or any other channel, are not an acceptable method of remote participation. I also want to make sure that all members can be heard while speaking and if I, or any other member, cannot be heard, please let I or the Executive Director know. Finally, I want to state that if Kelley’s remote connection is lost, she should attempt to log back in. If Kelley’s remote connection is lost, we will note the time of disconnection and time of reconnection.

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

Michael Gagne: Yes

Kelley Cabral-Mosher: Yes
Christine LeBlanc: Yes
Daniel Patten: Yes

All members were present.

4. **Approval of Minutes**

4a. Minutes of November 14, 2023, meeting

Motion to approve the minutes of November 14, 2023, meeting made by Ms. LeBlanc, seconded by Mr. Patten. Roll Call vote: Chairperson John Beauregard: Yes, Michael Gagne: Yes, Daniel Patten: Yes, Christine LeBlanc: Yes, Kelley Cabral-Mosher: Yes. All voted in favor, motion passed 5-0.

4b. Disclose Executive Session Minutes

Motion to disclose previously approved Executive Session minutes made by Ms. LeBlanc, seconded by Mr. Patten. Roll Call vote: Chairperson John Beauregard: Yes, Michael Gagne: Yes, Daniel Patten: Yes, Christine LeBlanc: Yes, Kelley Cabral-Mosher: Yes. All voted in favor, motion passed 5-0.

5. **Warrant Report and Ratification**

Motion to ratify warrant 9-24 dated November 17, 2023, and 10-24 dated November 29, 2023 made by Mr. Patten, seconded by Ms. LeBlanc. Roll Call vote: Chairperson John Beauregard: Yes, Michael Gagne: Yes, Daniel Patten: Yes, Christine LeBlanc: Yes, Kelley Cabral-Mosher: Yes. All voted in favor, motion passed 5-0.

6. **Old Business**

6a. Discuss District Staffing and Organization

MOTION to discuss District Staffing and Organization made by Ms. LeBlanc, seconded by Mr. Patten.

Mr. Novelli mentioned that Mr. Peckham and Mr. Alfonse's last days as full-time employees are quickly approaching. He noted that he is very grateful for Mr. Peckham's many years of service to the District and commended his impressive knowledge of landfill operations, noting that he has learned a lot from working with him. Mr. Novelli wanted to formally recognize them for their contributions.

Mr. Beauregard commended Mr. Peckham and Mr. Alfonse for doing a great job in their roles and for setting up the organization for success. He recognized that they are not fully retiring, but are stepping down in their roles and he appreciates that they will be available as a resource to District staff. He expressed his appreciation for their service.

Mr. Gagne mentioned that the Crapo Hill Landfill has more quality and character compared to

other landfills in the area, which is a testament to the individuals that have been involved. He mentioned that it has been run as a professional business and that its condition and look is all part of its special character and thanks to good leadership. He thanked Mr. Alfonse and Mr. Peckham.

Mr. Beauregard mentioned that the bar has been set high and that the District has had a series of good Executive Directors. He said that this District and this landfill have been one of the most successful things that this area has ever done collectively, given that it was initially scheduled to be open for 20 years and now 30 years later it is still open.

Mr. Novelli noted that many other landfill operations contract out for the operation of the landfill gas systems, and the fact that Mr. Peckham and the District staff have been able to manage that internally on top of other landfill operations is another testament to their great work.

Mr. Alfonse said that he appreciates everything that Shawn has done for the District. He said that Shawn is one of the smartest people that he has worked with and that if there was a problem and Shawn can't figure it out, it is probably because there was no solution. He commended Mr. Peckham for doing a fantastic job.

Mr. Alfonse also showed appreciation for the leadership and time commitment by the Committee members.

Mr. Novelli mentioned that Mr. Peckham's last day as a full-time employee will be December 22, 2023. Mr. Beauregard asked Mr. Peckham how he feels about the District's transition. Mr. Peckham feels good about the transition. He mentioned that he has worked a lot with Joe Soares (Lead Mechanic), who has a good mechanical knowledge and aptitude for learning the gas and leachate system, in addition to Randy Ferry (incoming Operations Manager) on the job responsibilities. He also expressed willingness to come in when needed.

Mr. Novelli mentioned that Mr. Ferry will become the Operations Manager effective 12/23/23 and Mr. Mota, the most senior equipment operator, will become the Team Leader effective 12/23/23.

Mr. Novelli mentioned that Mr. Alfonse's last full-time day will be January 9, 2024, and expressed gratitude that Mr. Alfonse will continue working on a part-time basis afterwards.

Mr. Alfonse mentioned that Mr. Ferry will be moved to Grade 9, step 3 in the pay grade effective 12/23/23 and that the next Executive Director will need to be appointed by the Committee.

Motion to appoint Anthony Novelli as Executive Director effective January 10, 2024 made by Ms. LeBlanc, seconded by Mr. Patten. Roll Call vote: Chairperson John Beauregard: Yes, Michael Gagne: Yes, Daniel Patten: Yes, Christine LeBlanc: Yes, Kelley Cabral-Mosher: Yes. All voted in favor, motion passed 5-0.

The Committee congratulated Mr. Novelli.

Mr. Beauregard mentioned that it is great to see a younger person thrive in their situation and that every time he spoke with Mr. Alfonse, he had nothing but good things to say. He hopes

Mr. Novelli will continue to grow in the role and that the Committee will continue to provide the tools to do so. Mr. Beauregard recognized the diversity of experience within the Committee and that they can each provide leadership and guidance.

Mr. Novelli expressed appreciation to the Committee for their service and for their continued support and commitment to his professional development. He mentioned that he is committed to the District's cause, he enjoys working at the District and with the Committee, and he looks forward to continued success. He expressed openness to feedback and suggestions and encouraged open communications.

Ms. LeBlanc suggested a press release and notifying the City and Town.

Mr. Gagne commented that he has known Mr. Alfonse for a long time and that his strong commitment to environmental stewardship is notable. He hopes that Mr. Novelli and Ms. Perez-Dormitzer's efforts will continue to focus on reducing the waste stream, noting that landfills are not the final solution, and that further innovation is needed.

Mr. Alfonse mentioned that the Executive Director's vacation time is negotiated by the committee and not subject to the District's vacation policy. Mr. Novelli mentioned that Mr. Ferry is already at the maximum of 5 weeks' vacation.

Mr. Alfonse mentioned that when he started (January 2012), he received 2 weeks between January and June, 4 weeks for the following year, and 5 weeks for the years after. Mr. Novelli noted that he has two weeks' vacation until July 1, 2024.

Motion to award the incoming Executive Director 4 weeks' vacation starting in FY25 and 5 weeks starting in FY26 and thereafter made by Mr. Gagne, seconded by Ms. LeBlanc. Roll Call vote: Chairperson John Beauregard: Yes, Michael Gagne: Yes, Daniel Patten: Yes, Christine LeBlanc: Yes, Kelley Cabral-Mosher: Yes. All voted in favor, motion passed 5-0.

Mr. Novelli brought up the fact that multiple employees are being hired or promoted in the middle of the fiscal year and asked to discuss with the Committee whether these positions are eligible for a step increase in the following fiscal year.

The group discussed the current system for awarding step increases and the different scenarios of employees potentially being hired at different months of the year. Under the current structure, an employee hired in August would not receive a step increase for almost two years.

Mr. Alfonse mentioned that the District currently uses July 1 as the date for step increases to keep everyone on the same schedule, but that the Committee could decide to award step increase on the anniversary date of an employee's hire or promotion. He mentioned that this requires more attention to detail from an administrative standpoint.

The group continued to discuss options for amending the current policy, including a potential 6 month cutoff to be eligible for a step increase.

Mr. Patten recommended that new and promoted employees receive a step increase on the anniversary of their hire or promotion. Everyone that is currently working would continue to receive step increases on July 1. New hires and employees that are promoted will receive

their step increase on the anniversary of hire or promotion.

Motion to adopt the policy that any employees hired or promoted after December 14, 2023 would be eligible for a step increase one year after the date of their hire or promotion and thereafter on their anniversary of hire or promotion made by Mr. Patten, seconded by Mr. Gagne. Roll Call vote: Chairperson John Beauregard: Yes, Michael Gagne: Yes, Daniel Patten: Yes, Christine LeBlanc: Yes, Kelley Cabral-Mosher: Yes. All voted in favor, motion passed 5-0.

Mr. Peckham repeated his gratitude to the Committee and left the meeting at 8:47 a.m.

7. New Business

7a. Waste Reduction and Recycling Update

MOTION to receive a Waste Reduction and Recycling Update made by Ms. LeBlanc, seconded by Mr. Patten.

Mr. Alfonse explained that this is a follow-up to a request by Mr. Gagne at a previous meeting for an update on recycling markets. He has also asked Ms. Perez-Dormitzer to talk about the District's efforts and future plans for waste reduction.

Mr. Gagne mentioned that the reason this was requested was that many people do not understand what is happening in the recycling markets, and they want to do their part.

Ms. Perez-Dormitzer mentioned her appreciation for working with Mr. Alfonse and Mr. Peckham.

Ms. Perez-Dormitzer mentioned a resource through MassDEP called the Operational Performance Data for MRFs, which collected data from recycling facilities about where their recyclables were going. She discussed data available from Zero Waste Solutions in Rochester (where New Bedford's recyclables go) from January-June of 2022.

Ms. LeBlanc asked if the data identified the names of the actual facilities that receive the recyclables, citing that the results were vague. Ms. Perez-Dormitzer said that it did not and agreed the information is vague. She mentioned the Brockton facility (where Dartmouth's materials go) did not provide much information beyond receiving countries or states.

She also mentioned pricing information made available by the Northeast Recycling Council, who determined a blended price per ton for outgoing materials and discussed the data.

Mr. Gagne mentioned that the City of New Bedford now pays \$125/ton for the processing of recyclables and noted the market fluctuations in recent years. He mentioned that the recycled percentage in Dartmouth is higher than in New Bedford due to the method of collection (single stream vs pay-as-you-throw).

Ms. Perez-Dormitzer mentioned that Dartmouth pays \$50 and \$55 per ton for paper and co-mingled recyclables since they are separated and therefore less contaminated. She pointed out that New Bedford does a great job of reducing contamination, mentioning that the City has staff that will look in the recycling carts and issue fines.

The group discussed the City's former contract with ABC, which included collection of recyclables at no additional charge to the City. Mr. Alfonse explained that the former contract was unusual and benefitted the City over those 10 years.

The discussion shifted towards food waste and the District's current efforts to incentivize residents to participate in the food waste drop-off at the New Bedford Recycling Center.

Mr. Beauregard mentioned that a New Bedford resident tried to use the recycling center but could not get to the food waste drop-off area due to the buildup of brush and yard waste at the facility.

Mr. Alfonse mentioned that this is an ongoing issue and encouraged the New Bedford representatives on the Committee and anyone with ties to the City to encourage the City to make improvements to the recycling center. The District is doing a lot of outreach and education to get people to drop off materials there, but when they arrive there are often barriers to participating.

Ms. Cabral-Mosher mentioned that she had a similar experience when she went to drop off compost but didn't know where to go and didn't have anyone to ask. She mentioned it was challenging and confusing. Ms. Perez-Dormitzer mentioned that the City recently took over managing the recycling center and they are still sorting out some issues.

Mr. Alfonse mentioned that the District has agreed to make funds available to the City and to the Town for recycling programs and that some funds could be used for better signage at the recycling center. He mentioned the importance of making the facility more inviting, citing how busy the Dartmouth transfer station is on a Saturday despite the fact that they have curbside collection, while very few people use New Bedford's on Saturdays.

Ms. Perez-Dormitzer discussed a current program in New Bedford aimed at getting recyclables out of the waste stream where businesses that recycle earn a window cling that they can display. She mentioned a program in Dartmouth where textiles can be collected at the home of residents and that there are drop-off locations available as well. She also mentioned the District's intent to establish a composting facility and options for separating and collecting food waste from residents.

Mr. Beauregard recognized the incredible success of the program in the New Bedford schools to reduce Styrofoam trays and mentioned that he shared the article with the school departments.

Ms. Perez-Dormitzer mentioned District efforts in Dartmouth schools to make sure that every classroom has blue recycling bins and that presentations about recycling have been given to over 270 middle school students. She also mentioned that students from Dartmouth High School have created a series of educational videos about waste reduction and recycling.

The Committee thanked Ms. Perez-Dormitzer for the update and for the great work.

Mr. Gagne suggested a program with DCTV that could run after town meetings. Mr. Alfonse mentioned that Ms. Perez-Dormitzer and Mr. Peckham recently created a video highlighting the importance of the landfill that could be aired.

7b. Bid Results – 966G Wheel Loader Rebuild

MOTION to award the bid for the Caterpillar certified 966G Wheel Loader rebuild to Milton CAT for \$365,052 and to authorize the execution of all documents necessary to effectuate the vote made by Mr. Patten, seconded by Mr. Gagne. Roll Call vote: Chairperson John Beauregard: Yes, Michael Gagne: Yes, Daniel Patten: Yes, Christine LeBlanc: Yes, Kelley Cabral-Mosher: Yes. All voted in favor, motion passed 5-0.

Mr. Novelli discussed the solicitation and that the bid price came in lower than the expected cost. The work is expected to begin in February and the District has two other machines that could be used while this is being repaired.

Mr. Gagne suggested language in the contract that specifies the time frame for completion and has a clause to help cover rental equipment if necessary. Attorney Thomas clarified that this would be a liquidated damages clause. Mr. Alfonse mentioned that the invitation for bids included a draft contract, and that this clause would need to be further negotiated.

Mr. Gagne asked what the cost of a new 966G wheel loader would be. Mr. Alfonse estimated that it would cost over \$400,000 and mentioned that the older machines were constructed with better steel and tend to last longer. Mr. Gagne recognized that there are a lot of older 966G machines still in operation and agreed with Mr. Alfonse.

7c. Temporary Labor Services

MOTION to extend the Agreement to Supply Temporary Labor Services with BJ's Service Company for one year - from January 1, 2024, to December 31, 2024, and authorize the Executive Director to execute the amendment to the Agreement made by Mr. Patten, seconded by Ms. LeBlanc. Roll Call vote: Chairperson John Beauregard: Yes, Michael Gagne: Yes, Daniel Patten: Yes, Christine LeBlanc: Yes, Kelley Cabral-Mosher: Yes. All voted in favor, motion passed 5-0.

Mr. Novelli reviewed the existing contract details with BJ's Service Company, which ends 12/31/23, and that any rate increases in the new contract are tied to Massachusetts minimum wage laws. No increases in minimum wage are expected, and therefore the hourly rates for temporary labor are expected to remain the same as in the current contract.

7d. Staff Reports

MOTION to receive the Staff Report made by Ms. LeBlanc, seconded by Mr. Patten.

Mr. Novelli mentioned recent efforts in response to the audit management letter, including bringing back a retired District accountant to help part-time. He noted that the District is still hiring for an accountant, with a finalist in mind.

He also mentioned that the replacement windows for a buffer property have been ordered and are scheduled to be replaced in January. He said that he and the contractors will work to minimize the inconvenience to the tenants, noting that it is not an ideal time of year to be replacing windows.

He mentioned that the District has yet to receive a response from MassDEP regarding the letter sent proposing a new landfill cell. Mr. Alfonse mentioned that there are next steps in mind that

the District plans to take if it does not receive a response soon.

Mr. Gagne asked a question regarding Lawrence Disposal and whether their materials were coming from this area or from remote areas. Mr. Novelli explained that some materials are likely from this area, but most are from outside of the District and noted that he thinks Lawrence is trying to grow their presence in this area.

7e. Proposed Sick Leave Buy-back policy

MOTION to consider a request for the District to adopt a sick leave buyback policy made by Mr. Patten, seconded by Ms. LeBlanc.

Mr. Alfonse noted that this request originated from him, and he was not pushed by Mr. Peckham or Mr. Novelli to bring it up.

Attorney Thomas asked what happens in the current policy if someone retires with unused sick time. Mr. Alfonse confirmed that they would lose those days and would not be paid for them. He noted that policies for Dartmouth and New Bedford are outlined in the memo.

Mr. Gagne asked if Mr. Alfonse has seen a substantial balance in unused sick time for employees that have left. Mr. Alfonse replied no, with one exception about 10 years ago. He noted that typically District employees use a lot of sick time, and that in FY23 there were 1,000 sick hours used, or 137 days of sick time. He said that there have been instances where employees will use up a lot of their sick time prior to retirement or leaving. Recently, an employee who resigned used 15 sick days in one year.

He mentioned that sick time use is difficult to penalize an employee for because it is hard to tell whether they are sick or not. He mentioned the existing policy where if an employee is sick for more than 3 days, they need a doctor's note, which is inconvenient to the employee if they are sick at home. He has tried to encourage employees to look at sick leave as an insurance policy and to use it wisely, but there is currently no incentive to not use it.

Attorney Thomas asked if there was conversation about this when the employee handbook was being revised. Mr. Alfonse confirmed that a potential sick leave buyback policy was mentioned at previous (personnel) subcommittee meetings and that at the time the subcommittee was not interested in adopting a buyback policy.

Mr. Alfonse left the room at 9:37 a.m.

Ms. LeBlanc recalled previous discussions, where the subcommittee discussed a sick leave bank, but decided keep the current policy without the buyback.

Ms. Cabral-Mosher did not recall discussing a potential buyback.

Ms. LeBlanc expressed her opinion that a new policy would apply to the future, and was concerned about the optics of adopting a new policy shortly before the retirement of two employees.

Mr. Patten suggested sending the proposed policy back to the (personnel) subcommittee.

Mr. Gagne mentioned that the subject would need a lot of discussion and deliberation, and mentioned the desire to get more information from other communities before considering the policy. He said the discussion could be brought to the full committee after being reviewed by the subcommittee. He mentioned that they could freeze the issue for the two current employees for the time being.

Ms. LeBlanc asked what the financial implications were. Mr. Novelli explained the unused sick time for two employees and what the financial implications would be under the current systems used by New Bedford and Dartmouth. She asked about unused sick time of other staff that had recently left. Mr. Novelli noted that an equipment operator was previously mentioned for using a lot of sick time before leaving and that he was not sure exactly how many days were remaining when he left.

Attorney Thomas mentioned that if the committee were to implement a buyback policy, it would have to apply to each employee that left in the current fiscal year. It could be implemented effective July 1, 2023 or on the date the policy manual was accepted depending on the committee's decision.

Mr. Patten mentioned that he did not agree with extending this policy to the currently retiring employees and that this should have been discussed when the employee handbook was being adopted or in previous years. He agreed with discussing and implementing a policy moving forward.

Motion to refer this matter to the Personnel Subcommittee for study and recommendation back to the District Committee at a future date made by Mr. Patten, seconded by Mr. Gagne. Roll Call vote: Chairperson John Beauregard: Yes, Michael Gagne: Yes, Daniel Patten: Yes, Christine LeBlanc: Yes, Kelley Cabral-Mosher: Yes. All voted in favor, motion passed 5-0.

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

None

9. **Set Meeting**

After January 16, the next meeting will be on February 15, 2024.

10. **Adjourn**

Motion to adjourn made by Mr. Gagne, seconded by Ms. LeBlanc. Roll Call vote: Chairperson John Beauregard: Yes, Michael Gagne: Yes, Daniel Patten: Yes, Christine LeBlanc: Yes, Kelley Cabral-Mosher: Yes. All voted in favor, motion passed 5-0.

The meeting adjourned at 9:50 a.m.

Approved by vote of District Committee on January 16, 2024.



Anthony Novelli, Executive Director

MEMOS

- 4B. Disclose Executive Session Minutes
- 5A. Approval of corrected Warrant 5-24
- 5B. Approval of warrants 11-24 and 12-24
- 6a. Introduction of new Accountant
- 6b. Draft FY 2025 Budget
- 6c. Vote to Update the Salary Schedule
- 6e. Payment of District Expenses without appearing on a warrant
- 6d. Staff Reports
 - Attachment – Commercial and Municipal Tonnage: January-December 2023
- 7a. Discuss eligibility for step increases