

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

Meeting Minutes

Thursday, October 24, 2024

The Greater New Bedford Regional Refuse Management District Committee held a publicly posted meeting on Thursday, October 24, 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, Michael Gagne, Kelley Cabral-Mosher, and Caroline Conzatti.

**Also in attendance:** Anthony Novelli, Executive Director; Lee Ferreira, Executive Assistant; 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  
Michael Gagne- Yes  
Kelley Cabral-Mosher- arrived at 8:05 a.m.  
Caroline Conzatti - yes

**4. Approval of Minutes**

a. Draft minutes of September 26, 2024- Regular Session

**MOTION to approve the draft minutes of September 26, 2024 Regular Session made by Mr. Gagne, seconded by Ms. Conzatti. All voted in favor. Motion carried 6-0.**

b. Draft minutes of September 26, 2024- Executive Session

**MOTION to approve the draft minutes of September 26, 2024 Executive Session made by Mr. Gagne, seconded by Mr. Patten. All voted in favor. Motion carried 6-0.**

**5. Warrant Report and Ratification**

a. Warrants 06-25 and 07-25.

**MOTION to ratify Warrant 6-25 dated September 23, 2024 and Warrant 7-25 dated October 8, 2024 made by Mr. Gagne, seconded by Mr. Patten. All voted in favor. Motion carried 6-0.**

**6. New Business**

a. Review proposals for engineering services- future landfill cell

**MOTION to review proposals for engineering services for a future landfill cell made by Ms. LeBlanc, seconded by Mr. Patten.**

Mr. Novelli mentioned that the District received proposals from Geosyntec Consultants and Brown and Caldwell for engineering services related to the design, permitting, and construction of the next landfill cell. He reviewed some key aspects of the proposals and highlighted a few additional questions that were asked of each firm.

One question was regarding the proposed construction timeline since construction oversight is part of the scope. Geosyntec proposed and bid on a 14-week construction schedule, while Brown and Caldwell's proposal included construction oversight for 26 weeks. If the project were to take longer than 14 weeks, Geosyntec's cost would increase. If it were to take less than 26 weeks, Brown and Caldwell's costs would decrease.

Mr. Gagne asked if the District was able to use the same engineering firm to both design and oversee construction on a public works project. Attorney Thomas believes that an Owner's Project Manager (OPM) on building construction projects cannot do both, but this rule does not apply to public works projects such as landfill construction. Mr. Novelli will confirm this.

Ms. LeBlanc asked about Brown & Caldwell's project manager, who is in Indiana, and if she would attend on-site meetings. Mr. Novelli mentioned that she works remotely, and did not expect that she would attend in person, but BC has local staff who would be attending any in-person meetings. He confirmed that the staff proposed to attend the design meetings are qualified Professional Engineers and are the same people the District currently works with for general engineering.

Mr. Novelli mentioned that the District has a long history with Brown and Caldwell and that they have done a good job on prior projects from what he has gathered. Their proposal was also

significantly less expensive than Geosyntec's and he recommended that the contract be awarded to Brown and Caldwell.

**MOTION to award the contract for Design, Permitting and Construction Services for the West Basin Cell to Brown and Caldwell in the amount of \$434,580.00, to authorize the signing of a contract for this work subject to edits by the District Counsel as to form, and to approve the transfer of \$434,580.00 out of the Phase 2 Construction & Design Reserve for this work made by Mr. Patten, seconded by Mr. Gagne. All voted in favor. Motion carried 6-0.**

b. Discuss FY26 assessments to member communities

**MOTION to discuss FY26 assessments to member communities made by Ms. LeBlanc, seconded by Ms. Conzatti.**

Attorney Thomas provided some historical background for the Committee members. He mentioned that the District is allowed to increase the annual assessments by 2.5% each year. The allowable percent increases are cumulative for subsequent years, so even if the District did not increase the assessment in one year, it would still have the same abilities in the following years. The District has always worked to keep assessments low for the member communities and has been able to accomplish this through accepting waste from other sources to generate revenue. In the current fiscal year, the District assessed around \$936,000 to the member communities, when the maximum amount that could be assessed was around \$4.2 million. Therefore, the District currently has a lot of flexibility in what it could be assessing to the communities. The balance that the District works to achieve is that as the assessments are increased to the member communities, there is less need for outside revenue. This preserves airspace in the landfill for future use and saves money in the long term.

Mr. Novelli communicated that the Committee did not need to decide on an amount at this meeting, but that this was an important conversation to begin and an important factor in determining the FY26 budget.

Mr. Gagne said that if the increased assessment could directly lead to less tonnage being received and therefore longer lifespan in the landfill, it is a strong argument to make. However, Dartmouth and New Bedford both have budgetary challenges to be considered. He suggested that Mr. Novelli come up with a staggered plan that has a slight increase in the first year, with steadily larger increases in subsequent years, and that he has conversations about this approach with representatives from both communities.

Mr. Patten mentioned that similar conversations have occurred in the past, and that he doesn't want the costs to the communities to increase when the landfill closes from \$900K to \$4 million in one year. He suggested the increases be spread over the expected lifespan of the landfill.

Mr. Novelli mentioned that he has received the question before of "If the District didn't take waste from Fall River, how much longer would the landfill be open?" His reply was that the member communities could hypothetically cut out the other customers completely and almost double the lifespan of the landfill if they wanted to pay the full assessment amounts. In the interest of keeping the assessment costs low, the District takes in as little outside waste as possible to generate the necessary revenue. The District determined the minimum amount of

waste to accept to meet revenue projections and keep the assessment low, and Fall River bid the highest on the available airspace for this year.

The Committee voiced concern that if the assessment increased significantly, that the communities may look to other sources besides the District. Attorney Thomas reminded the Committee that, per the District Agreement- as long as the District is in existence, New Bedford and Dartmouth agreed to dispose of their solid waste with the District. Also, the District's rates are still expected to be less expensive than any private party.

Mr. Gagne suggested that Mr. Novelli come up with different scenarios that detail the effects of different assessment amounts on the lifespan and long-term finances to be presented to the Committee ahead of meetings with the communities. He suggested that the finance director, a member of the finance committee and a member of the Select Board attend from Dartmouth. He also suggested that the District use some of its reserve funds to diminish the impact on the members, while keeping some funds in reserve for future capital needs. He reiterated the importance of expressing the long-term benefit of an increased assessment in airspace savings.

Mr. Patten suggested a 6% increase for the next year, which would still be a relatively small increase, and then scale this up to \$2 million by the projected end of the landfill life. \$2 million would still be around 50% of the market rate.

Mr. Gagne suggested that the additional assessment expenses be separated in his scenarios to show capital improvement and extension of the life of the landfill separated from operating costs.

Chairperson Beaugard mentioned that the District may not have as much commercial tonnage available in the future as it is currently receiving, and that should be considered in the financial projections as well.

c. Approval of transfer of funds for wetland delineation services

**MOTION to consider a transfer of funds for wetland delineation services made by Ms. LeBlanc, seconded by Mr. Patten.**

Mr. Novelli mentioned that the existing wetland lines on the site are over 10 years old and need to be updated ahead of completing designs for the next landfill cell. He solicited 3 quotes and executed a contract with Merrill Corporation. The scope of work included a wetland delineation, updated survey, preparation of ANRAD to the Dartmouth Conservation Commission, and attendance at the Conservation Commission meeting to answer any questions. This was not included in the operating budget and the transfer will help keep track of costs associated with the next cell.

Ms. LeBlanc suggested that Brown and Caldwell attend the Conservation Commission meeting as well.

**MOTION to authorize a transfer of \$30,520 from the Phase 2 Construction & Design Reserve for wetland delineation services made by Ms. LeBlanc, seconded by Mr. Patten. All voted in favor. Motion carried 6-0.**

d. Discussion regarding use of tablets

**MOTION to discuss the use of tablets made by Mr. Patten, seconded by Ms. Conzatti.**

Chairperson Beauregard stated that Attorney Thomas, District Counsel had requested time to address the Committee regarding the use of District-owned tablets.

Attorney Thomas reminded the Committee that doing District-related business on their private devices, such as cell phones and computers, makes the devices susceptible to be searched under public records requests. The tablets were provided to the Committee members for the protection of their personal information, and he strongly suggested that they continue to conduct all District-related business on the tablets.

He mentioned that the public records laws have become more expansive in recent years and that it would be extremely difficult to protect their private information if they use their personal devices for District business. He expressed his belief that private information on people's personal devices should remain private.

e. Discuss a request to use District property

**MOTION to discuss a request to use District property made by Mr. Patten, seconded by Ms. LeBlanc.**

Mr. Novelli discussed a request he received for the District to sign a waiver that would allow hunting on its property.

Chairperson Beauregard stated his opinion that hunting should not be allowed on the properties and requested that "no hunting" signs be clearly displayed. The Committee agreed.

Mr. Novelli mentioned that some neighbors do access some of the District properties for walking and other recreational uses. Occasionally motorized vehicles are noticed. Chairperson Beauregard mentioned that walking should be allowed, but motorized vehicles and hunting should not. The signs should reflect this. Attorney Thomas mentioned that signs were the only way to protect the District from liability in case of any incident.

**MOTION to deny this request and to establish that the official position of the Committee is to not allow hunting on District property made by Ms. LeBlanc, seconded by Mr. Patten. All voted in favor. Motion carried 6-0.**

Mr. Gagne mentioned that people should still be allowed to walk around the bog and enjoy the property.

f. Staff Report

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

Mr. Novelli notified the Committee that 3 additional vertical collection wells are planned to be drilled and installed in the landfill. These are in addition to the existing gas plan and are not replacing other wells. The costs for this installation will be funded by CNBE.

In addition, the next lift of horizontal wells is beginning to be installed. The horizontal wells typically collect a lot more gas than the vertical wells, and this installation will continue over the next year or so as the landfill continues to progress.

He mentioned that the District has not received any odor complaints since the last meeting and that few have been received in the past year, which is a credit to the operations team.

The District is currently working with Hague & Sahady on the annual audit. Audit results will be presented at the next meeting.

Chairperson Beauregard mentioned that he, Attorney Thomas, and Mr. Novelli gave a tour of the landfill to two New Bedford City Councilors. He thought it went well and was very informative in terms of how the District and the landfill operate and the benefit it provides to the member communities. They explained the balance of accepting waste from other communities as a means to keep the assessments to New Bedford and Dartmouth so low.

Attorney Thomas notified the Committee that December 3, 2025 is the 45<sup>th</sup> anniversary of the District. He spoke with New Bedford and Dartmouth about receiving proclamations honoring the service that the District provides to the communities. He suggested that the Committee members attend the meetings in which the proclamations would be received.

Mr. Novelli discussed recent efforts from the waste reduction team, including that Dartmouth residents are able to sign up for food waste collection services at their homes through Black Earth Compost. The District is providing starter kits to residents to incentivize this food waste diversion program. They plan to offer the program in New Bedford as well in coordination with the City. Mr. Gagne commended the efforts to increase food waste collection in the area and he has noticed increased participation in the food waste drop-off at the Dartmouth Transfer Station.

Mr. Novelli notified the Committee that one of the District's equipment operators resigned recently. Mr. Novelli does not expect to hire someone else right away and may wait until the Spring. Someone who could help with the landfill gas system would be helpful.

**MOTION to accept the staff report and place on file made by Ms. LeBlanc, seconded by Mr. Gagne. All voted in favor. Motion carried 6-0.**

7. **Executive Session**

The Committee did not enter into executive session.

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

There were none.

9. **Set Meeting Schedule**

The next meeting is scheduled for November 20<sup>th</sup>. The following meeting was scheduled for December 19<sup>th</sup>

## 10. Adjourn

**MOTION to adjourn the meeting made by Mr. Patten, seconded by Ms. LeBlanc. All voted in favor. Motion carried 6-0.**

### MEMOS

- 6A. Review proposals for engineering services- future landfill cell
  - Attachment: Brown and Caldwell Proposal for Design, Permitting, and Construction Services
  - Attachment: Geosyntec Proposal for Design, Permitting, and Construction Services
- 6B. Discuss FY26 assessments to member communities
- 6C. Approval of transfer of funds for wetland delineation services
- 6D. Discussion regarding use of tablets
  - Attachment: Email from Attorney Thomas Re: Email Retention by Members- Use of Tablets
  - Attachment: SPR Bulletin NO. 1-99, Revised and Reissued May 21, 2003
- 6E. Discuss a request to use District property
  - Attachment: Landowner/ Land User Agreement Card
- 6F. Staff Report
  - Attachment: Tonnage graph as of 10/18/2024
  - Attachment: Income statement as of 10/18/2024