

**GREATER NEW BEDFORD REGIONAL REFUSE MANAGEMENT DISTRICT
DISTRICT MEETING – January 3, 2018**

Minutes

The Greater New Bedford Regional Refuse Management District Committee held a publicly posted meeting on **Wednesday, January 3, 2018 at 8:00 AM** at the Dartmouth Town Hall, Room 305, 400 Slocum Road, Dartmouth, MA.

District Committee Members in attendance: Rosemary Tierney, Chairperson; Nathalie Dias, Vice-Chair; John Beauregard, Daniel Patten, Christine LeBlanc, and Larry Worden.

Also present: Scott Alfonse, Executive Director; Leonor Ferreira, Secretary; Attorney Matthew J. Thomas, District Counsel.

1. Call to order by Chairperson Rosemary Tierney; roll call of members

Chairperson Tierney called the meeting to order at 8:05 AM.

2. Salute to the Flag

All in attendance stood to salute the flag.

Chairperson Tierney read the notice advising the Board that the meeting may be recorded by audio and/or video.

3. Legal Notices

Chairperson Tierney noted that the meetings were posted timely in both New Bedford and Dartmouth and asked for a motion to accept and place on file. Motion made by Mr. Patten, seconded by Mr. Beauregard. Vote 6-0.

4. Warrant Report and Ratification

Chairperson asked for a motion to ratify warrant dated November 13, 2017; December 5, 2017, and December 18, 2017. Motion made by Mr. Patten, seconded by Mr. Worden. Vote 6-0.

5. Approval of Minutes

Chairperson asked for a motion to approve the November 15, 2017 minutes. Motion made by Mr. Beauregard, seconded by Ms. LeBlanc. Vote 6-0 as amended.

6. Old Business

a. Proposal to Lease Land for Anaerobic Digestion project - update.

Chairperson Tierney asked for a motion to hear update on the Land Lease for the Anaerobic Digestion project. Motion made by Mr. Beauregard, seconded by Mr. Patten.

Mr. Alfonse stated that discussion with Commonwealth Resource Management Corporation Bioenergy (CRMCB) has been ongoing. Mr. Alfonse noted the list of its “must haves” for the project in order for them to proceed with the anaerobic digester project. It includes: the right to terminate the project at any time if it determines that a change in legal requirements or market conditions make the project uneconomic; the right to restrict operation on District property, including property that it is not leasing from the District; a lease for the property on which the landfill gas to energy plant is located which runs for the same term as the anaerobic digester; 7 years to achieve commercial operation, the schedule which could be extended, and; any rights the District might have to purchase the facility are subject to the rights of the financing party.

Mr. Alfonse noted that the proposed project helps ensure a gas supply for the landfill gas to energy facility. Mr. Alfonse stated that the landfill gas production has dropped off significantly. Mr. Beauregard asked why has gas production dropped, and why didn't Commonwealth Management Resource project for the gas shortfall. Mr. Alfonse said that gas production projections were done, but science is not exact. The production facility was sized based on a certain amount of gas production. Decreased landfill gas production could be due to few factors, such as capping of 7 acres of landfill, working on a new cell which has not been producing a lot of gas, and the change in the waste stream composition.

Ms. LeBlanc said that since gas production is down, why would the District need the entity. Mr. Alfonse said that the landfill produces gas, then it's sold to them. If not sold to them then the District would be required to destroy the gas by flaring it. The District receives a royalty for the landfill gas sold.

The Board discussed the list of “must haves” from CRMCB, and the possibility to purchase the facility.

Ms. LeBlanc said that due to the material that is now acceptable at landfills, it is unlikely that the landfill gas production will be increasing. Mr. Beauregard asked if the entity should abandon the project at any time, could the District take possession of the facility. Mr. Alfonse stated that the District would have the right to purchase the facility. The gas-to-energy plant serves need to destroy the landfill gas. The anaerobic digester

project is a good project for the District, however, it's not an essential project. It helps ensure the long term success of the landfill gas-to-energy facility. There is also a provision stating that if gas production is more than what can be combusted at the landfill gas-to-energy facility, CRMCB can compress it and sell it as compressed gas. The District would share the revenue. Having the anaerobic digester facility would provide revenue to the District but it would require the District assume some risk.

Ms. LeBlanc asked if CRMCB was doing this type of project anywhere else, and Mr. Beauregard asked if they were financially stable. Attorney Thomas said that development is done with investments. Mr. Alfonse said that they have not developed an anaerobic digester project, but they have consulted on development of other anaerobic digester projects.

Mr. Alfonse noted that they submitted pricing with their proposal, but it is the District's position that some of the pricing remains to be negotiated. One concern from the list of "must haves" is the item which would restrict the use of other District property from any use that conflicts or competes with their operation. Ms. LeBlanc suggested that should the project not build within a 3 year or 5 year period, liquidated damages would be assessed per day. Mr. Alfonse stated that the project is not an essential project, but it would serve the communities well, and it would help ensure the success of landfill gas-to-energy facility. The Board needs much greater assurance, and compensation from Commonwealth Recourse Management Bioenergy.

7. New Business

a. Discussion of FY 2019 budget.

Chairperson Tierney asked for a motion to discuss the draft fiscal year 2019 budget. Motion made by Mr. Patten, seconded by Ms. LeBlanc.

Mr. Alfonse described key budget line items from the Draft Fiscal Year 2019 Budget. The Personnel Subcommittee (Rosemary Tierney and Larry Worden) reviewed and recommended the Salaries and Wages budget at a meeting held on December 12, 2017. The Budget Subcommittee (John Beauregard and Dan Patten) met on December 20, 2017, reviewed and recommended approval of all sections (excluding Salaries and Wages section) of the budget. The Personnel Subcommittee voted to recommend a 2.5% cost of living adjustment for most employees. Increases above the 2.5% COLA adjustments were recommended by Personnel Subcommittee for three employees.

Because the personnel budget includes a cost of living adjustment, and Mr. Patten is a paid employee of the District, he did not participate in the discussion about the cost of living adjustment.

Mr. Alfonse stated that Mayflower Municipal Health Group has not yet set rates for FY 2019. The budgeted amount should be sufficient to absorb a 10% increase in premiums.

Mr. Alfonse stated that the budget expense category for Supplies and Service increased from FY 2018 due to a few upgrades and services to the District.

- An upgrade for the District IT infrastructure and contract for IT services;
- Projected engineering services include additional technical review related to the anaerobic digester project, planning for a relocated compost facility, and overall evaluation of land uses of District property;
- Costs for Workers Compensation premiums continue to increase;
- Household Hazardous Waste increased slightly due to participation from Freetown residents that began attending the events;
- Given the current recycling market situation, and the need to produce the highest quality stream of recyclables, a proposed increase to fund an increased public education effort on recycling.

Mr. Alfonse discussed an increase to buffer acreage. The District plans to construct access to 101 Quanapoag Rd, while trying to perform the work this fiscal year. The District will need to discuss the operation of cranberry bogs in the future.

Mr. Alfonse stated that the District budgeted for a major expense for rollers and idlers for the D6 bulldozer on the Vehicle Maintenance line item on the budget.

Mr. Alfonse noted the Draft budget, and District Reserves Balances and Goals spreadsheet to the Board. The goal is to preserve landfill capacity for the city and town, and to remain solvent.

Mr. Beauregard made a motion to accept the FY 2019 budget, seconded by Ms. LeBlanc. Roll call vote: Rosemary Tierney, yes; Nathalie Dias, yes; John Beauregard, yes; Christine LeBlanc, yes; Larry Worden, yes. Daniel Patten abstain. Vote 5-0.

b. Discussion of commercial hauler contracts

Chairperson Tierney asked for a motion to discuss the commercial hauler contracts. Motion made by Mr. Beauregard, seconded by Ms. LeBlanc.

Mr. Alfonse informed the Board that ABC Disposal intends to renew their contract for one year at the 2018 contract rate of \$77 per ton effective January 1, 2018.

Mr. Alfonse noted the aging report for Frade's Disposal which provides balance of the account. Payments received are applied to the oldest invoice. The interest has aged beyond the oldest invoice. Frade's has been notified that effective February 1, 2018 payments will be applied to the oldest balance first. The current contract expires on December 31, 2018. Attorney Thomas suggested that the District may want to consider renegotiating the contract prior to the expiration date given the current status.

The Board discussed various suggestions to bring the account to a current status. Ms. LeBlanc asked how significant was the customer to the District. Mr. Alfonse stated that the customer was a very significant customer, and that they were one of the original haulers to the Crapo Hill landfill. Mr. Alfonse stated that the District accepts other customers such as the Vineyard, Cleanway, and other spot market customers. Mr. Patten stated that an upper limit or cap should be created in order to bring account to a current status. Ms. LeBlanc suggested reducing the volume of waste that Frade's hauls to the landfill, or have customer pay prior to disposal.

The Board suggested the District work to reduce account balance not to exceed \$200,000 per year, and reduce the amount of solid waste hauled to the landfill. Mr. Alfonse stated that Frade's is contractually obligated to deliver no less than 27,000 tons per year. Attorney Thomas is to meet with customer to renegotiate terms of the contract which expires December 31, 2018. Change terms from 60 days to 30 days.

c. Invitation for Bids for dump truck and dozer

Chairperson Tierney asked for a motion to discuss Invitation for Bids for dump truck and dozer. Motion made by Mr. Patten, seconded by Ms. LeBlanc.

Mr. Alfonse stated that the new equipment would replace two pieces of equipment scheduled for replacement.

- The proposed new articulated dump truck would replace the 1994 Volvo articulated dump truck.
- The District currently owns four bulldozers (1994 Cat D-8, 1995 Cat D-5, 2004 D-65 Komatsu crawler dozer, 2014 Cat D-6. The new dozer would replace the Komatsu, which could be sold, and sell the Cat D5.

Motion to authorize the Executive Director to issue the invitation for bids made by Mr. Patten, seconded by Ms. LeBlanc. Vote 6-0.

d. Directors Report

Mr. Alfonse noted the newspaper article on the Vineyard Times that has information about waste disposal. He noted that the Vineyard sees its relationship with the District as a short term solution and probably not something that's going to continue after the four years remaining in the contract it has with the District.

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

8. Set date for next meeting.

Next Board meeting is scheduled for Wednesday, February 15, 2017 at 8:00 a.m.

9. Adjourn

Motion made by Ms. LeBlanc, seconded by Mr. Patten. Vote 6-0.

Meeting adjourned at 9:19 a.m.