

**GREATER NEW BEDFORD REGIONAL REFUSE MANAGEMENT DISTRICT  
DISTRICT MEETING – January 22, 2013**

Final Minutes

The Greater New Bedford Regional Refuse Management District Committee held a publicly posted meeting on Tuesday, January 22, 2013 at 3:30 PM at the Dartmouth Town Hall, Room 305, 400 Slocum Road, Dartmouth, MA.

District Committee Members in attendance: Rosemary Tierney, Chairperson; Isaac Graves, Nathalie Dias and Jeff King. Richard Medeiros and Greg Lynam are absent.

Mr. Alfonse told the group that Mr. Lynam sends his apologies, but he was unable to attend today's meeting.

Also present: Scott Alfonse, Executive Director; Hank Van Laarhoven, Director of Operations, Cynthia Cammarata, Secretary and Attorney Matt Thomas.

**1. Call to Order**

Chairperson Tierney called the meeting to order at 3:30 PM.

**2. Salute to the Flag**

All in attendance stood to salute the Flag.

**3. Legal Notices**

Chairperson Tierney recognized that Legal Notices were posted timely both in New Bedford and Dartmouth. Chair asked for a motion to place on file; moved by Mrs. Dias, seconded by Mr. King. Voted 4-0.

**4. Approve Minutes of the District Meeting on December 18, 2012**

Chairperson Tierney called for a motion to approve the Minutes of the District Meeting on December 18, 2012. Motion made by Mr. Graves, seconded by Ms. Dias. Voted 4-0.

**5. New Business**

a. Vote to accept Massachusetts General Law Chapter 32B.

Chairperson Tierney asked for a motion to discuss a vote to accept Massachusetts General Law Chapter 32B. Motion made by Mr. Graves, seconded by Mr. King.

Chairperson Tierney recognized Attorney Matt Thomas, General Counsel for the District. Mr. Thomas explained that he and Mr. Alfonse were unable to find in the past minutes a vote to accept MGL Chapter 32B, although there was a vote to join the New Bedford Pension Plan. Accordingly, Attorney Thomas is recommending a series of votes to the District:

1. Adopt 32B (indicating the intent to offer health care to employees and retirees)(indemnity or PPO plan)
2. Adopt 32B, section 16 (allows the District to offer an HMO plan)
3. Adopt 32B section 7a (allows the District to offer a different rate of contribution than a 50/50 split)
4. Vote ratifying everything that the District has done up until now.

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Attorney Thomas explained that once the four votes are made, then a conversation needs to happen regarding how the District will obtain the insurance that is being offered to employees.

Attorney Thomas referred to the letter from Anthony Savastano's office, which he respectfully disagrees with on some issues:

1. Attorney Savastano suggests we have a District Meeting (where all of the voters from the City of New Bedford and the Town of Dartmouth get together) to adopt 32B. GNBRRMD has never had such a meeting. By law, it is governed by the District Committee. PERAC has recognized the District Committee's vote to join the Retirement plan, back in the 1980's, as a valid vote. Based on this fact and other case law that Attorney Thomas has read, he disagrees with Attorney Savastano.
2. Attorney Thomas also disagrees with Attorney Savastano's statement that the District obtained health insurance through the Town of Dartmouth accidentally. The Town has always had Committee Members from the Town of Dartmouth sitting on the District's Board. It was a good deal for both Dartmouth and New Bedford to have GNBRRMD in the health plan. The District joined New Bedford's Retirement plan, and Dartmouth's Health Insurance plan.

If the District does need to search for another plan, those costs will be passed on to both municipalities, which may be discussed at a later time.

Assuming these are voted today, the decision regarding health insurance in the Town of Dartmouth is one that is made by the Select Board, not by the Town Administrator or the Director of Budget and Finance. Under MGL Chapter 32B section 12 you may jointly negotiate and purchase. Mr. Alfonse has identified other insurance plans that the District may consider including GIC and some others such as MIIA.

Chairperson Tierney explained that the District came to be a separate entity back in 1973. Board Members had differing opinions of how they remembered the District came to join the health plan. All agreed that the bottom line is that this issue needs to be cleared up by taking votes at this time in order to make it clean.

**Chairperson Tierney called for a motion that the Greater New Bedford Regional Refuse Management District shall, and hereby does, accept the provisions of Chapter thirty-two B of the General Laws, authorizing any county, except Worcester county, city, town or district to provide a plan of contributory group life insurance, group accidental death and dismemberment insurance, and group general or blanket hospital, surgical, medical, dental and other health insurance for certain persons in the service of such county, city, town or district and their dependants. Motion made by Mr. King, seconded by Ms. Dias. Voted 4-0.**

**Chairperson Tierney called for a motion to approve that the District hereby accepts the provisions of Chapter 32B, Section 16, which will allow the District to make available the services of health care organizations to employees and retirees of said District. Motion moved by Mr. Graves, seconded by Mr. King. Voted 4-0.**

**Chairperson Tierney called for a motion that will allow the District to accept the provisions of Chapter 32B, Section 7A, which will allow the District to pay in addition to the payment of fifty percent of a premium for contributory group life and health insurance for employees in the service of the town and their dependents, a subsidiary or an additional rate. Motion made by Ms. Dias, seconded by Mr. King. Voted 4-0.**

**Chairperson Tierney called for a motion that will authorize the District to ratify all actions previously taken by the District Committee relative to providing health insurance to its employees and retirees and relative to the payments of premium for said health insurance. Motion made by Mr. King, seconded by Ms. Dias. Voted 4-0.**

b. Vote use of New Bedford recycling funds for the recycling tractor

**Chairperson Tierney called for a motion to authorize the release an amount not to exceed \$53,000 from the New Bedford recycling fund to New Bedford for the purchase of a tractor to haul recyclables. Motion made by Ms. Dias, seconded by Mr. King. Voted 4-0.**

c. Vote 2013 contract with Clean Harbors for Household Hazardous Waste Collection

**Chairperson Tierney asked for a motion to contract with Clean Harbors for Household Hazardous Waste Collection. Motion made by Mr. Graves, seconded by Ms. Dias. Voted 4-0.**

Mr. Alfonse explained that in addition to placing an ad in the paper, the District will distribute a mass mailing to the City of New Bedford and the Town of Dartmouth in early April which identifies key dates such as HHW day, tire collection and Shred day. Information is also provided on the Web site and in Facebook. Typically 100 to 125 cars go through. The price has actually gone down.

**6. Public Comment**

Chairperson Tierney announced that Larry Worden, who is excellent as the Director of Public Facilities, is retiring at the end of the month. He will be honored on Friday, February 1, 2013, at 294 Liberty Street from 2:00 – 4:00 pm.

**7. Set dates for next District Committee Meeting**

The next District Meeting is tentatively scheduled for Tuesday, March 19, 2013, at 3:30 p.m.

**9. Adjourn**

**Chairperson Tierney called for a motion to adjourn. Motion made by Mr. King, seconded by Mr. Graves. Voted 4-0. The meeting was adjourned at approximately 4:00 PM.**