

**GREATER NEW BEDFORD REGIONAL REFUSE MANAGEMENT DISTRICT
DISTRICT MEETING – March 26, 2013**

Final Minutes

The Greater New Bedford Regional Refuse Management District Committee held a publicly posted meeting on Tuesday, March 26, 2013 at 4:00 PM at the Dartmouth Town Hall, Room 305, 400 Slocum Road, Dartmouth, MA.

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

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

1. Call to Order

Chairperson Tierney called the meeting to order at 4:00 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.

4. Approve Minutes of the District Meeting on January 22, 2013

Chairperson Tierney called for a motion to approve the Minutes of the District Meeting on January 22, 2013. Motion made by Mr. King, seconded by Ms. Dias. Voted 4-0. Mr. Lynam and Mr. Medeiros abstained do to their absence at that meeting.

5. New Business

a. Funding for the New Bedford Recycling Intern.

Chairperson Tierney asked for a motion to approve the funding for the New Bedford Recycling Intern. Motion made by Mr. Medeiros, seconded by Mr. King. Chairperson Tierney recognized Mr. Alfonse, who explained that the current Intern, Lynne Ribeiro, has resigned to take a full time job. Mr. Alfonse has had a discussion with Ken Blanchard, the Acting Commissioner of New Bedford Department of Public Facilities, who would like to continue to have a Recycling Intern. They may want to hold off for a few months before hiring an intern, but some duties may not get accomplished without one. The recommendation is that the District Committee approve an amount of up to \$10,000 out of New Bedford's recycling fund. Mr. Lynam asked how the current intern was being funded, and Mr. Alfonse explained that in 2011 the District Committee approved the use of up to \$10,000 out of New Bedford's recycling fund to work on "Recycle More" phase three.

Chairperson Tierney entertained the motion to approve the expenditure from the New Bedford account so that New Bedford may have an intern to work on the Recycling Program. Voted 6-0.

b. Request from Wind River Environmental

Chairperson Tierney called for a motion to hear the request from Wind River Environmental. Motion made by Mr. Lynam, seconded by Mr. Graves.

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Chairperson Tierney recognized Mr. Van Laarhoven, who explained that the District received a request from Wind River to receive approximately 4,500 tons of sludge cake. This would amount to about one truckload per day. As rubbish disposal becomes less and less we're looking at other alternatives. Wind River also stated that they have a new product that can cover the odors. If the Board would like to go in this direction, it would be on a pilot basis. They are willing to pay \$65 per ton, but that is still negotiable.

Mr. Medeiros suggested that the District try it on a load by load basis before making a decision.

Mrs. Dias expressed concerns about odors, and asked what roads the trucks would be using. Mr. Van Laarhoven responded that the trucks would be coming from Taunton down 140 into the industrial park. Wind River claims that Landfill Service has a new deodorant that covers up the odor. If it causes odors, we don't want it and we'd need to cease accepting it.

Mr. Lynam is also concerned about odors, as Wind River's letter talks about reduced odor. Mr. Lynam asked how this would benefit the District, and if it would generate gas. Mr. Van Laarhoven confirmed that it would produce gas, and he explained that at the price proposed by Wind River, it could generate approximately \$300,000 in revenue. However, the price proposed by Wind River will be negotiated by the District. Mr. Lynam agrees with the recommendation that the District should proceed with a pilot program.

Mr. Medeiros pointed out that the sludge cake takes up a smaller amount of space for the price.

Mr. Graves suggested speaking with people from the landfill that they are currently taking it to in order to hear about their experience. Mr. Van Laarhoven told the Board that Fitchburg landfill has been receiving it for years. Mr. Alfonse has already put in some calls to the Fitchburg Board of Health and left messages explaining why he was calling them. Mr. Graves suggested polling some of the neighbors to see what their experience has been.

Mr. King suggested that rather than load by load, possibly try it for 30 days in order to get a better idea of how this would impact the District.

All agreed that a conditional agreement is recommended whereby either party has the option to terminate at any time. Mr. Lynam suggested to add a clause which limits delivery before a specific time of day so that the soil can be adequately covered. Chairperson Tierney suggested that Matt Thomas be involved in preparing the contract.

Mr. Alfonse pointed out that regardless of whether the District decide to proceed with a pilot program, we still do need to pursue the Special Waste Determination approval from MassDEP, so that is the first step. Mr. Medeiros asked if the Board of Health (BOH) has to approve. Mr. Alfonse said the BOH would be notified and MassDEP provides an opportunity to comment on the decision.

Chairperson Tierney called for a vote to proceed with the Request from Wind River Environmental. Voted 6-0.

c. Update on Mass DEP grant for Anaerobic Digestion project.

Chairperson Tierney called for a motion to hear an update on the MassDEP grant for Anaerobic Digestion Project. Motion made by Mr. Medeiros, seconded by Mr. King.

Chair Tierney recognized Mr. Van Laarhoven, who provided an update on the Anaerobic Digestion project and noted that the District has received a conditional grant award from MassDEP. Mr. Van Laarhoven stated that this is a pilot program, and if it works a potential benefit of the project would help the District economically.

Mr. Alfonse provided an update on the grant. He said that the conditional award letter had deadline of May 1 for preparing the grant scope of work and accepting the grant. Mr. Van Laarhoven stated that he and Mr. Alfonse have discussed some ideas for grant use with CRMC.

Mr. Alfonse said he discussed the grant with Tina Klein at MassDEP. Ms. Klein said that MassDEP has not yet assigned a project manager. If MassDEP was satisfied that the District was making progress towards a scope of work, it would be amenable to extending the deadline for accepting the grant. Mr. Alfonse stated that, as Mr. Lynam had alluded to in his email included in the packet and in a previous meeting, the District will need to reach an agreement with CRMC on how the funds will be used in a way in which there is a public benefit. Then, the District can present the proposed grant use and scope to DEP for approval.

Mr. Alfonse and Mr. Van Laarhoven revealed some of the ways that the project will benefit the District, including increased revenue due to increase in gas production and reduction of expenses such as running flairs which can cost approximately \$10,000 per month. It may be possible to re-inject capped areas of the landfill to inoculate those cells in order to produce additional gas. Although an AD project in Michigan has been successful, Mr. Alfonse stressed that this is a pilot program. Mr. Van Laarhoven explained that CRMC overestimated the amount of revenue that they would receive at this site, attributed to the fact that this is a lined landfill. We hope to ensure that the landfill gas-to-energy plant continues to be feasible to operate so that CRMC continues to purchase landfill gas from the District. At this time the company has invested approximately \$900,000 into this pilot project.

Mr. Lynam stated that he thought the District committee should be involved in the negotiations with CRMC. He also stressed the importance of the grant being used in a way that has a benefit to the taxpayers, possibly by the District owning a capital asset of the project to protect the grant funding.

Chair Tierney said that it would be involved, and ultimately the Committee will approve any agreement between the District and CRMC.

Mr. Alfonse stated that there is value in what the District brings to this project. CRMC has been focused on permitting this project, and they will soon be in a position to discuss the use of the grant.

Chairperson Tierney called for a vote to refer it to Mr. Van Laarhoven and to Mr. Alfonse, and anyone else who is cares to get involved to sit down and deal with the state. Voted 6-0.

d. Discussion of role of District Committee

Chairperson Tierney asked for a motion to discuss the role of the District Committee. Motion made by Mr. Lynam, seconded by Mr. King.

Mr. Lynam stated that he wanted to discuss the role of the District Committee. He said that when he served on the Finance Committee, he was put there to find out where things had gone wrong in the town's finances and does not want to see those mistakes repeated. Mr. Lynam pointed out that the District does not have a five year plan for revenues and expenses, and did not think Mr. Alfonse had developed such a plan in the last three months since he raised this issue with him.

Mr. Lynam stated that he was insulted that he felt he was not allowed to ask questions about the budget at the December meeting.

Chair Tierney explained the history of the District Committee and that it is a policy body. The Chair stated that if Mr. Lynam had questions about his role on the committee, he should direct those to his appointing authority. Chair Tierney stated that the budget was put before the District Committee after it had been reviewed by the Personnel Subcommittee and Budget Subcommittee.

Mr. Medeiros asked for clarification on what Mr. Lynam was trying to address.

Mr. Lynam said he wanted to have more discussion on the particular issue.

Mr. Medeiros said that the meetings are generally informal, and that they should be able to address issues. If this did not happen, Mr. Medeiros said he apologizes for it.

Mr. Lynam asked what the role of the committee is and whether it has budgetary oversight and his concern that there was not discussion on the budget.

Mr. Medeiros said that the Committee just discussed a number of important issues.

Mr. Graves noted that some of these issues have budgetary impacts.

Mr. Medeiros noted that he understood Mr. Lynam's point and that in the future it would not happen.

Mr. Lynam said the Budget Subcommittee received the budget four days before it was approved by the Committee, and that it included a budget for personnel. He asked why the Budget Subcommittee could not make changes to the Personnel budget.

Mr. Medeiros explained that the Personnel Subcommittee had made a recommendation to the District Committee. Mr. Lynam stated that it's the Budget Subcommittee's role to review the budget. Mr. Lynam said that a committee does not always follow the recommendations of a subcommittee. He asked Mrs. Dias if the board of selectmen always followed the recommendation of a subcommittee. Mrs. Dias said it did not.

Mr. King said that he and Mr. Lynam were looking for a discussion of different options regarding the Personnel Budget. Chair Tierney stated that they were given answers to that, although Mr. Lynam and Mr. King may not have agreed with them. Chair Tierney stated that you have the right to disagree. Mr. Medeiros stated that Mr. Lynam's recommendations were considered and incorporated into the pay raises for the employees. Mr. Medeiros suggested that in the future if a committee has a meeting they bring it back to the board. Mr. Lynam would like clarification on the role of the Committee concerning Budgets. Mr. Medeiros pointed out that the salary budget for FY14 is less than it was last year and he feels that is good business. Mr. Medeiros apologized if Mr. Lynam felt slighted, but there surely was no malice involved.

Chair Tierney said that anyone on the District Committee was invited to attend the Personnel Subcommittee meeting. Mr. Lynam said that he was not aware of the dates of the meeting and asked Mr. King if he was aware of the meeting. Mr. King said that he thought there was a general understanding. Mrs. Dias said that the Personnel subcommittee meeting date was set during a Committee meeting. Mr. Lynam said that no one was notified about the second Personnel Subcommittee meeting. Mr. Alfonse stated that he had posted the second Personnel Subcommittee meeting. Mr. Lynam stated that members would have to visit Town Hall to know about the meeting.

Chairperson Tierney reiterated that this is a Policy Committee, and suggested to go back and sit with Mr. Vincent to discuss the role.

Mr. King said that we are talking about two separate issues. He said that the Budget subcommittee had asked the Executive Director to develop 2 or 3 alternate budgets to be presented to the Committee. He said these were not provided. Mr. King asked if Mr. Alfonse remembered being asked for alternate budgets. Mr. Alfonse said yes, and that he put the budget on the agenda for discussion. The committee voted to approve it at that time. Mr. Alfonse explained that he had put it on the agenda for discussion, and was not intending to force anyone to vote on it on that day.

Mr. Lynam stated that he felt the Committee was expected to vote on the budget without discussion. He said the budget is a simple budget, and that it could be presented to the committee earlier than December to allow more time for discussion. He asked if the Committee did not have a right to have multi-year projections on finances.

Mr. Graves suggested that the Committee establish a policy moving forward. He expressed a desire to move the discussion forward and said that in the future the budget will be discussed with the Committee.

Mr. Lynam said that Chair Tierney will not allow us to have this discussion. Chair Tierney stated that the basic problem here is that Mr. Lynam was outvoted. She suggests that he go back to the appointing committee. Chair Tierney suggested that Mr. Lynam should have come to the subcommittee meetings. Mr. Lynam stated that he wasn't invited to them. Mr. Alfonse stated that he had discussed this with Mr. Lynam. Mr. Alfonse said he was not aware of a District procedure to notify all committee members of subcommittee meetings, but he will do this from now on. Mr. Lynam told Mr. Alfonse that there is no policy to notify all Committee members of a subcommittee meeting. Mr. Alfonse said he would be sure to do this in the future.

A discussion ensued regarding Policy and Budget decision making. Mr. King suggested that anything discussed by a subcommittee should be brought to the board,

Mr. Medeiros said that subcommittees should bring their recommendations to the Board for discussion and this should be our practice moving forward.

Chair Tierney stated that Mr. Lynam could go onto every one of the committees.

Mr. Graves made a motion that going forward the Board will bring all financial discussions to the District Committee. Mr. Medeiros added that all of the subcommittee discussions should be brought to the Committee.

Chair Tierney stated that she agrees with that; she did not like the way that Mr. Lynam said it in a confrontational way. Mr. Lynam apologized to the Board.

Chair Tierney suggested that anyone who is sitting on this Board and has not read the initial Legislature on the Organization itself should definitely do so.

Ms. Dias asked Chair Tierney if she is referring to Massachusetts General Laws; this may be found on the internet.

Mr. Graves reiterated that going forward the Board will try not to make the same mistakes.

Mr. Lynam apologized for his tone.

6. Public Comment

None.

7. Set dates for next District Committee Meeting

The next District Meeting is tentatively scheduled for Thursday, April 25, 2013 at 3:00 PM.

8. Adjourn

Motion to adjourn made by Mr. Graves, seconded by Mr. Medeiros. Voted 6-0. The meeting was adjourned at approximately 5:10 PM.