

**GREATER NEW BEDFORD REGIONAL REFUSE MANAGEMENT DISTRICT
DISTRICT MEETING – June 27, 2013**

Final Minutes

The Greater New Bedford Regional Refuse Management District Committee held a publicly posted meeting on Thursday, June 27, 2013 at 3:30 PM at the Dartmouth Town Hall, Room 314, 400 Slocum Road, Dartmouth, MA.

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

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 3:30 PM.

2. Salute to the Flag

All in attendance stood to salute the Flag.

3. Legal Notices

Chairperson Tierney noted that the Legal Notices were posted timely both in New Bedford and Dartmouth.

4. Approve Minutes of the District Meeting on April 29, 2013

Chairperson Tierney called for a motion to approve the Minutes of the District Meeting on April 29, 2013. Mr. King asked that it be noted that his absence was due to the fact that the meeting date was rescheduled; accordingly he was out of town. Motion made by Mr. Graves, seconded by Mrs. Dias, voted 4-0.

5. New Business

a. Director's Report.

Chairperson Tierney asked for a motion to receive and place on file the Director's report. Motion made by Mrs. Dias, seconded by Mr. Graves. Voted 4-0.

b. Anaerobic digestion project –project update & approval of legal services

Chairperson Tierney asked for a motion to receive the update of the anaerobic digestion project and approve the legal services for the project. Motion made by Mr. King, seconded by Mrs. Dias.

Chair Tierney recognized Mr. Alfonse, who referred to a memo included in the packet. Mr. Alfonse has spent the last several weeks preparing permit applications along with Commonwealth Resource Management Corporation (CRMC) and with Civil and Environmental Consultants (CEC) – who is CRMC's consultant. This is a consolidated effort. The District is the applicant of record because of the impact to the landfill. The memo outlines a number of issues that need to be resolved, including how the District will benefit from the project. DEP has a number of comments on the application. The biggest issues are the reuse of the digestate and whether or not that will result in any odor. There are three reuse options of the digestate, which are:

1. Add to compost

DARTMOUTH TOWN CLERK
2013 NOV - 7 A 11: 42
RECEIVED

2. Use in the Posi-Shell
3. Inject it into Landfill

With the first two options, there is potential to cause odors since the digestate would be introduced into the air. The DEP wants assurance that it wouldn't be problematic, and is asking for an outline of corrective action if there is an odor.

The Final piece of this is some agreement between the District and CRMC that will provide the District with assurance that CRMC will comply with the permit requirements and provide some financial assurance that if they don't comply they have a mechanism to reimburse the District for additional costs associated with it.

Mr. Alfonse has been consulting with Mackie, Shea and O'Brien (MSO), who originally provided legal service to the District on the landfill gas to energy project. Mr. Alfonse would like to continue discussions with MSO at a cost not to exceed \$7,000, as needed for legal advice. The money is available in the legal services budget. MSO has been involved with the District in the fact that CRMC wants to reuse the heat to heat up the material in the digester. In the original agreement, the District has the right to the heat. There are some conflicts between the original agreement and what is being proposed, so the agreement will need to be restructured. The bottom line is the District needs to realize some benefit, and it needs to have some financial assurance that the project is going to work the way CRMC predicts.

Chairperson Tierney severed the first motion and instead called for two separate motions. Chair Tierney called for a motion to receive the update on the anaerobic digestion. Motion made by Mrs. Dias, seconded by Mr. Graves. Voted 4-0. Chair Tierney called for a motion to approve the legal services for the project which is not to exceed \$7,000. Motion made by Mrs. Dias, seconded by Mr. King. Voted 4-0.

Mr. Van Laarhoven made a comment to praise the work of MSO while working on the original agreement with CRMC.

Mr. Graves asked what if the project doesn't work. Mr. Alfonse explained that it is a pilot project; so no one is sure that it will work. In 2014 a food waste ban takes effect. There is not enough capacity in the Commonwealth of Massachusetts to accommodate food waste at this time. Chair Tierney referred to a Time Magazine article discussing a voluntary organic curbside pilot program in New York.

c. Agresource Contract.

Chairperson Tierney called for a motion to approve the Agresource contract. Motion made by Mr. King, seconded by Mrs. Dias. Voted 4-0.

d. Health Insurance update

Chairperson Tierney asked for a motion to approve receive the health insurance update and appoint a retiree to the health insurance advisory committee.

Mrs. Dias nominated Mr. Van Laarhoven, Mr. Graves seconded the motion. Voted 4-0.

Mr. Alfonse referred to the letter received last week from David Cressman. Greg Barnes, the Director of Finance, informed Mr. Alfonse that the Town of Dartmouth is in the process of trying to get all persons who are not actually Town employees off of the Health Insurance program. Mr. Alfonse had asked for a letter, preferably from the Board of Selectman, but received a letter from Mr. Cressman instead. There are several options for District Employees, although there are no options that are identical in terms of premiums and coverage. Any plan would need to comply with Mass General Law section 32B, which requires that the District shall form an advisory committee comprising of eight members: seven employees elected by the affected employees, and one retiree, to secure written recommendations. Attorney Matt Thomas recommends that the District discuss this with the Board of Selectmen. Ultimately, a different plan may be more costly to the Town of Dartmouth and the City of New Bedford; so if it is of no consequence to the Town of Dartmouth it would be worth further discussion. Mr. Alfonse suggested that prior to forming the advisory committee, that the District meet with the Board of Selectmen. Mrs. Dias assured the Board that Mr.

Cressman's letter represents the wishes of the Board of Selectmen.

Mr. Alfonse pointed out that the October 1, 2013 deadline is unrealistic. The enrollment period for GIC is July 1st for the start of January 1st, and January 1st for July 1st.

Mr. Alfonse has identified four different options:

1. The Gateway District (Rochester, Marion, Mattapoisett, Old Colony Voke & some municipalities)
2. Mayflower Joint Purchase Group (includes some South Shore cities & towns, including the Carver, Marion Refuse District)
3. MIIA – our existing insurance company
4. The Massachusetts Group Insurance Commission (purchases insurance for State employees and many communities participate as well.)

At the present time, District employees have only one option of health plans. Many of these other options offer a menu of plans.

Mr. Alfonse suggests that the District either (1) Communicate with the Board of Selectman, or (2) Begin the process of selecting and advisory committee.

After a discussion, it was decided that Mr. Alfonse and Mrs. Cammarata come up with some comparisons. Mr. Alfonse has already begun the process. Mr. Alfonse will communicate with Mr. Cressman that we are in the process of investigating alternatives, but that the October 1, 2013 deadline cannot be met, as the letter from the Town was dated June 17, 2013.

Chair Tierney said that we will take this information and place it on file.

e. Cecil Smith landfill project

Chairperson Tierney asks for a motion to receive the update on the Cecil Smith landfill project. Motion made by Mr. Graves, seconded by Mr. King.

Mr. Alfonse explained that the Cecil Smith landfill was an unlined landfill that was operated by a private entity in the Town of Dartmouth and has not been capped in accordance with the State Solid Waste Regulations. DEP has been having difficulty with the current owner to comply with regulations, and are now exploring some options, one option would be for a private company to accept contaminated soils which would grade the landfill, would also provide some revenue to pay for the capping; but there are several concerns with this option.

Mr. Alfonse has attended several meetings where the Crapo Hill Landfill was referenced as an example of a landfill that accepts contaminated soil. Mr. Alfonse explained that significant differences exist between the Cecil Smith and Crapo Hill Landfill.

- Crapo Hill is a fully lined landfill built in the last 20 years; Cecil Smith landfill is unlined and not a legal landfill.
- Crapo Hill's acceptance of contaminated soil is incidental to our operation. It is accepted periodically under certain conditions & times of year. We are a solid waste landfill.
- Crapo Hill has no incidence of widespread ground water contamination and have a network of monitoring wells
- Crapo Hill is publicly owned and governed by a public Board subject meeting laws and record requests whereby a private company would not be subject to.
- Crapo Hill has done many things to be helpful to the neighbors such as sampling residential wells

One of the concerns is that there is a private company that stands to make a significant profit on the project. An idea that has been introduced recently is that the Town purchase the property and the District manage the operations. Mr. Alfonse will pursue getting more information on this.

Chair Tierney called for a vote to proceed as discussed on the Cecil Smith landfill project. Voted 4-0.

f. Appointment of new Recycling Assistant.

Chairperson Tierney asked for a motion to approve the appointment of the new Recycling Outreach Assistant. Motion made by Mrs. Dias, seconded by Mr. King. Voted 4-0.

6. Public Comment

Mr. Alfonse thanked Mr. Van Laarhoven not only for all he has done for the District, but also for all the help he has given him personally since he came on as Executive Director. Mr. Alfonse said he will miss his presence tremendously in the office; echoed by Mrs. Cammarata.

7. Set dates for next District Committee Meeting

To Be Determined.

8. Adjourn

Motion to adjourn made by Mr. Graves, seconded by Mrs. Dias. Voted 4-0. The meeting was adjourned at approximately 4:20 PM.