

**GREATER NEW BEDFORD REGIONAL REFUSE MANAGEMENT DISTRICT
DISTRICT MEETING – September 11, 2014**

Final Minutes

The Greater New Bedford Regional Refuse Management District Committee held a publicly posted meeting on Thursday, September 11, 2014 at 3:30 PM at the Dartmouth Town Hall, Room 305, 400 Slocum Road, Dartmouth, MA.

District Committee Members in attendance: Rosemary Tierney, Chairperson; Nathalie Dias, Vice Chairperson; Christine LeBlanc, Lawrence D. Worden and John Beauregard.

Also present: Scott Alfonse, Executive Director; and Cynthia Cammarata, Secretary; Matt Thomas, District Counsel.

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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.

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

3. Legal Notices

Chairperson Tierney noted that the Legal Notices were posted timely both in New Bedford and Dartmouth. Voted 5-0.

4. Approve Warrants

Chairperson Tierney recognized Mr. Alfonse, who explained that the Warrants need to be approved by a vote of the Board. However, during July and August the District Committee did not have a quorum; therefore there are three warrants that need to be ratified.

a. July 14, 2014

Chairperson Tierney asked for a motion to approve the July 14, 2014 warrant which was signed in July but not yet voted on. Motion made by Mrs. Dias, seconded by Ms. LeBlanc. Voted 5-0.

b. August 14 and August 15, 2014

Chairperson Tierney asked for a motion to approve the August 14 and August 15, 2014 warrants which were signed in August but not yet voted on. Motion made by Mrs. Dias, seconded by Mr. Beauregard. Voted 5-0.

c. September 5, 2014

Chairperson Tierney asked for a motion to approve the September 5, 2014 warrant. Motion made by Ms. LeBlanc, seconded by Mrs. Dias. Voted 5-0.

5. Approve Minutes of the District Meeting on June 18, 2014 regular meeting

a. Approve Minutes of the June 18, 2014 regular meeting.

Chairperson Tierney called for a motion to approve the Minutes of the District Meeting on June 18, 2014. Motion made by Mr. Beauregard, seconded by Ms. LeBlanc. Voted 5-0.

b. Approve Executive Session Minutes of the June 18, 2014

Chairperson Tierney explained that this agenda item will be moved to Executive Session.

6. Old Business

a. Health Insurance

1. Determine buy-in percentage

Chairperson Tierney called for a motion to discuss the buy-in percentage by Retirees. Motion made by Ms. LeBlanc, seconded by Mr. Beauregard.

Chairperson Tierney recognized Mr. Alfonse, who explained that the original estimates of Health Insurance Premium costs including the buy-in were calculated by adding a lump sum to each subscriber's premium. Mayflower's Treasurer recommended that the buy-in amount be spread as a percentage of the Mayflower's premium rates at 9% for the first year and an additional 2.5% in years two and three for individual and family subscribers, and 0% for retirees in the first year and 2.5% in years two and three. The rationale given is that the retirees premium increase is significant. Mr. Alfonse referred to the table in the handout which illustrates the total monthly premiums that District employees and retirees are currently paying, what they will be paying with Mayflower in years 1 through 3, and what retirees would pay if they assumed the same rate increase as employees, as well as what they would pay with no increase in the first year and 2.5% in years 2 and 3. The increase in premium to the retiree at the 25% contribution rate would be \$2.31 more per person per week; \$4.62 for retiree and spouse:

After a brief discussion, Ms. LeBlanc made a motion that the retirees pay for the buy-in, seconded by Ms. Dias. Voted 5-0.

2. Appoint representative and alternate to Mayflower Municipal Health Group Board

Chairperson Tierney recognized Mr. Alfonse who told the Board that as a member of Mayflower, each Municipality has a member and an alternate on the Board. Typically the Representative is the Chief Executive Officer (Town Manager, Administrator or Executive Director) and the Alternate is usually Treasurer, Accountant, or HR Director.

Chairperson Tierney called for a vote to appoint Mr. Alfonse as Representative and Mrs. Cammarata as Alternate to Mayflower Municipal Health Group Board. Voted 5-0.

7. New Business

a. 74 Quanapoag Rd. lease

Chairperson Tierney called for a motion to discuss the 74 Quanapoag Road lease. Motion made by Mrs. Dias, seconded by Ms. LeBlanc.

Mr. Alfonse explained that the District is into the second year of a lease with Commonwealth Electric for the property on 74 Quanapoag Road. Initially it was thought that the District would benefit to have the plant operator occupy the property in the case of odor issues, but the District hasn't realized the benefits it expected. The lease is up at the end of September. Under Mass General Law Section 30B if the lease value is greater

han \$35,000 it must be put out to bid. The recommendation is to put out an RFP. Notice has been given to the landlord and they have given notice to the tenant.

Attorney Thomas explained that the RFP tenancy would begin in January, in order to be sure the current tenants would be out. He pointed out that the lease is ending on September 30th; and recommends serving them with notices to quit before that date in order to cover all of the bases. After a discussion about different scenarios on how this situation could play out, Attorney Thomas recommended taking a strong position first, and potentially negotiate after that.

Mr. Beauregard made a motion the District move forward with the legal action, seconded by Ms. LeBlanc. Voted 5-0.

b. Appointment of Treasurer

Chairperson Tierney called for a motion to discuss the appointment of a Treasurer. Motion made by Ms. LeBlanc, seconded by Mrs. Dias.

Mr. Alfonse explained that the District hasn't had a Treasurer since Mr. Mitchell resigned. New Bedford will be appointing a new member of the Board; Dan Patten who was formerly the CFO for the Cities of New Bedford and Fall River, and is currently the Finance Director for the New Bedford Housing Authority.

The Board decided to table the decision. Mr. Alfonse pointed out that there is a provision that a Treasurer may receive a Stipend.

c. Certify Other Contributions Towards Retiree Health Insurance Premiums

Mr. Alfonse explained that there is a law that allows for a Municipality to back charge other communities that a retiree has served in for their portion of health insurance costs. There is a lot of uncertainty within communities as to whether or not to pay this bill. Attorney Thomas explained that this is the same provision as the pension law. He asked Kathleen Colleary if she would render an opinion on it, but she said that isn't necessary because it is the law. It is a contract action in the superior court. The requirement is that the District Committee has to vote to certify the amount due from the other communities, and then the Treasurer notifies the other Municipalities of the certified amounts due to the District.

Chairperson Tierney called for a motion to certify the amount of \$3,570.45 due from Falmouth for premiums paid on behalf of Ms. Valiela; and to authorize the Treasurer to notify the Town of Falmouth of the reimbursement due. Motion made by Mr. Beauregard, seconded by Mr. Worden. Voted 5-0.

Chairperson Tierney called for a motion to certify the amount of \$246.67 due from the Town of Braintree for premiums paid on behalf of Mr. Van Laarhoven; and to authorize the Treasurer to notify the Town of Braintree of the reimbursement due. Motion made by Mrs. Dias, seconded by Ms. LeBlanc. Voted 5-0.

Chairperson Tierney called for a motion to certify the amount of \$534.47 due from Plymouth for premiums paid on behalf of Mr. Van Laarhoven; and to authorize the Treasurer to notify the District of Plymouth of the reimbursement due. Motion made by Mr. Beauregard, seconded by Ms. LeBlanc. Voted 5-0.

Attorney Thomas suggested that after the District votes a Treasurer, the letters be sent out. If the communities haven't paid the invoice by January, the District may refer it to him, and he would write a letter to the communities giving them one more chance to pay before filing a contract action.

d. Request from New Bedford to use Recycling Funds

Chairperson Tierney asked for a motion to approve New Bedford to use \$15,000 of its Recycling Funds

to install a fence at its recycling center. Motion made by Mr. Beauregard, seconded by Ms. LeBlanc. Voted 5-0.

e. Directors Report

Chairperson Tierney asked for a motion to receive the Directors Report. Motion made by Mrs. Dias, seconded by Ms. LeBlanc.

Mr. Alfonse pointed out that New Bedford's automated solid waste collection and single stream recycling program has been very successful. In August, recycling has more than doubled – it is up 102% over last year and solid waste is down 35% over last August.

The FY14 draft Audit report has been received and is currently under review. The audit went well - Mary Sahady will be asked to address the committee after it has been finalized.

Commonwealth Resource Management is planning a ribbon cutting ceremony for the Anaerobic Digestion Project; possibly on October 7th.

Mr. Beauregard asked about the Dartmouth Board of Health ban on certain materials and the Cecil Smith property.

4:27 Ms. LeBlanc exits.

Mr. Alfonse explained that the District has not been able to accept COMM97 soils as cover material. This will have an impact on the District's revenues. Mr. Alfonse has tried to replace that revenue with other sources such as processed bottom ash, street sweepings and black stone blend. ABC approached the District about taking some of their Construction and Demolition fines, but that may be problematic because it contains gypsum which produces hydrogen sulfide which is smelly.

4:31 Ms. LeBlanc returns.

Mr. Alfonse referred the Board Members to the list of upcoming events (Tire Day, Shred Day and Household Hazardous Waste Day).

8. Public Comment

None.

8. Set dates for next District Committee Meeting

The date for the next District Committee meeting is scheduled for Wednesday, October 8, 2014 at 3:30 PM.

8. Adjourn to Executive Session

Chairperson Tierney asked for a motion to go into Executive Session reason being potential litigation and also stated that the District Committee would not be returning to open session. Motion made by Mrs. Dias, seconded by Mr. Beauregard. Voted 5-0. Chairperson Tierney asked for a roll call vote.

Chairperson Tierney – yes

Vice Chair Dias – yes

Christine LeBlanc – yes

Larry Worden – yes

John Beauregard - yes

The meeting was adjourned at approximately 4:35 PM.