

**GREATER NEW BEDFORD REGIONAL REFUSE MANAGEMENT DISTRICT  
DISTRICT MEETING – July 24, 2015**

**Final Minutes**

The Greater New Bedford Regional Refuse Management District Committee held a publicly posted meeting on Friday, July 24, 2015 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 Chairperson; Christine LeBlanc, Lawrence D. Worden, Daniel Patten. John Beauregard was not in attendance.

Also present: Scott Alfonse, Executive Director and Cynthia Cammarata, Secretary.

**1. Call to Order**

Chairperson Tierney called the meeting to order at 8:00 AM.

**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 meeting was posted timely in both New Bedford and Dartmouth, and asked for a motion that the legal notices be placed on file. Motion made by Mrs. Dias, seconded by Ms. LeBlanc; voted 5-0.

**4. Approval of Warrants**

- a. Approve Warrant Dated June 30, 2015.

Chairperson Tierney asked for a motion to approve the June 30, 2015 Warrant. Motion made by Mr. Patten, seconded by Mr. Worden; voted 5-0.

- b. Approve Warrant Dated July 24, 2015.

Chairperson Tierney asked for a motion to approve the July 24, 2015 Warrant. Motion made by Mr. Patten, seconded by Ms. LeBlanc; voted 5-0.

**5. Approval of Minutes**

- a. Approve June 9, 2015 Regular Session minutes

Chairperson Tierney asked for a motion to approve the June 9, 2015 Regular Session minutes. Motion made by Mr. Patten, seconded by Mrs. Dias. Voted 5-0.

- b. Approve June 9, 2015 Executive Session minutes

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Chairperson Tierney asked for a motion to approve the June 9, 2015 Executive Session minutes. Motion made by Mr. Patten, seconded by Mr. Worden. Voted 5-0.

## 6. Old Business

### a. Cell 5 Construction Update

Chairperson Tierney asked for a motion to receive an update on the Cell 5 Construction from the Executive Director. Motion made by Ms. Dias, seconded by Ms. LeBlanc.

Mr. Alfonse told the Board that due to delays in the installation of the subgrade material the contractor will not be meeting the August 1<sup>st</sup> deadline. There have been delays in the delivery of the material, as the material supplier wasn't able to meet their commitment to Roach and failed to notify them in a timely manner. There are hefty liquidated damages in the contract. Mr. Alfonse will send a letter to the contractor reminding them of the terms of the contract.

Chairperson Tierney asked for a vote to place the Cell 5 Construction update on file. Voted 5-0.

### b. Update on Freetown and New Bedford Waste Disposal/ABC Inquires

Chairperson Tierney asked for a motion to receive update on Freetown and New Bedford Waste Disposal/ABC inquires. Motion made by Mr. Patten, seconded by Mrs. Dias.

Chairperson Tierney recognized Mr. Alfonse, who explained that Freetown's Select Board will be considering the proposal in the next couple of months. Mr. Alfonse has discussed the District's proposal with Mr. Camara, who said that in order to enter into a contract, the tipping fee would need to be in the mid \$60's.

Chairperson Tierney asked for a vote to place the update on file. Voted 5-0.

## 7. New Business

### a. Director's Report

Chairperson Tierney asked for a motion to receive the Director's report and place in on file. Motion made by Ms. LeBlanc, seconded by Mr. Patten.

Mr. Alfonse explained that the landfill gas extraction continues to be a problem. There is a difference of opinion between the District's Site Engineer and that of Commonwealth Energy; Commonwealth believes there is more gas to be collected. Mr. Alfonse and Mr. Peckham are looking at other options in order to maximize gas recovery and revenue.

Chairperson Tierney asked for a vote to place the Director's report on file. Voted 5-0.

### b. Sale of New Bedford Business Park Lots

Chairperson Tierney asked for a motion accept the proposal by AHEAD, LLC, a Limited Liability Company, to purchase the property shown on lot 7 and 7b on land court plans of land in Dartmouth, MA., prepared for the Greater New Bedford Industrial Foundation, Samuel Barnet Blvd., Dartmouth, MA, being a subdivision of lot 4 land court case 38183c, August 12, 2004, revised August 20, 2004 and September 20, 2004, for \$430,000 Subject to the contingencies listed in the proposal price form and authorize the Executive Director to

notify AHEAD, LLC that their proposal had been accepted. Motion made by Ms. LeBlanc, seconded by Mr. Patten; voted 5-0.

Chairperson Tierney asked for a motion for a vote to authorize the District Counsel and the Executive Director to negotiate a Purchase & Sale Agreement in accordance with the terms in the Request for Proposal submitted by AHEAD, LLC, and to authorize the Chairperson to execute the Purchase & Sale Agreement once it is finalized. Motion made by Ms. LeBlanc, seconded by Mrs. Dias. Voted 5-0.

**c. Brown and Caldwell Contract**

Chairperson Tierney asked for a motion to approve the Brown and Caldwell agreement for Professional Services for Landfill Inspection and Environmental Compliance. Motion made by Ms. LeBlanc, seconded by Ms. Dias.

Mr. Alfonse pointed out that the contract includes one quarter of groundwater and gas sampling while an RFP is being developed; as voted by the District Committee.

Chairperson Tierney asked for a vote approve the Brown and Caldwell agreement for Professional Services for Landfill Inspection and Environment Compliance. Voted 5-0.

**d. Status of Accounts Receivable**

Chairperson Tierney asked for a motion to discuss the status of Accounts Receivable. Motion made by Mrs. Dias, seconded by Mrs. LeBlanc.

Mr. Alfonse explained that the District has contracts with Frade's Disposal and the Towns of Oak Bluffs and Tisbury; both have interest terms included in their contracts. The District has a long-standing practice of not imposing interest charges. One customer consistently has a balance over ninety days. Mr. Alfonse works with this customer to reduce the balance to under 90 days at year end, which they have been able to do; which demonstrates that they do have the ability to have a balance under 90 days. Mr. Alfonse recommends that he notify the customers that beginning October 1<sup>st</sup> that the District will begin to impose the interest as agreed upon in their contract. Ms. Leblanc suggested that the District begin imposing charges as of September 1.

ABC and New Bedford Waste has been coming in quite heavily in the last few weeks. The District does not have a contract with these customers. Mr. Alfonse recommends that the volume from these haulers be restricted until they are caught up. Ms. LeBlanc recommended that the District impose interest as well as restrict their tonnage. Mr. Patten suggested that once they reach ninety days that the District will no longer accept waste. Mr. Alfonse asked if it would be better to set a dollar amount. Chairperson Tierney suggested that the District impose the same terms of 12% interest on balances over 30 days for all customers.

Chairperson Tierney asked for a motion to impose interest per the terms of the contract for those customers who have a contract, and offer the same terms of 12 % interest on balances over 30 day to all customers. Voted 5-0.

**e. Inquiry from Town of Westport**

Chairperson Tierney asked for a motion to discuss the inquiry from the Town of Westport. Motion made by Mr. Patten, seconded by Ms. LeBlanc.

Mr. Alfonse explained that the Town of Westport is interested in delivering solid waste to the

District. They generate approximately 850 tons per year. The Board of Health is looking for a 3 year contract, as anything longer would require approval at town meeting. Mr. Patten asked if the 3 year limitation applies since the District is considered a municipality; Mr. Alfonse will research this and relay the information to the Board of Health. It was recommended to offer \$64 a ton and impose a \$2 increase every 2 years.

Chairperson Tierney asked for vote to offer the Town of Westport a tipping fee of \$64 per ton, with a \$2 increase every two years. Voted 5-0.

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

None.

#### **8. Set Date for Next Meeting**

The next District Meeting is tentatively scheduled for Tuesday, September 15, 2015 at 8:00 AM.

#### **9. Adjourn**

Chairperson Tierney asked for a motion to adjourn. Motion made by Ms. LeBlanc, seconded by Mr. Patten; voted 5-0.

The meeting was adjourned at 8:36 AM.