

# EASTERN REGIONAL SERVICE BOARD

## Minutes of Meeting #4

March 28, 2012

7:00 p.m.

Capital Hotel, St. John's

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### In Attendance:

Dave Aker, Mount Pearl  
Ches Ash, Trinity Conception North  
Bill Bailey, Clarenville & Isthmus  
Danny Breen, St. John's  
Walter Butt, Small Metro  
Joy Dobbie, Trinity Bay South & Isthmus East  
Shannie Duff, St. John's  
Woodrow French, Conception Bay South  
Frank Galgay, St. John's  
Derrick Green, Bay Roberts  
Sandy Hickman, St. John's  
Harold Mallowney, Southern Shore, Vice-Chairperson  
Sterling Willis, Paradise

### Regrets:

Gerry Colbert, St. John's  
Wally Collins, St. John's  
Debbie Hanlon, St. John's  
Tom Hann, St. John's  
Kim Mercer, Southwest Avalon  
Sheilagh O'Leary, St. John's  
Bruce Tilley, St. John's

### Guests:

Sarah Morgan, Bonavista Pen Waste Mgmt  
Ken Kelly, CAO, EWM  
Kevin Power, FOO, EWM  
Lynn Tucker, Recording Secretary

## 1. Call to Order

Mr. Harold Mallowney, Vice-Chairperson called the meeting to order at 6:55 p.m.

## 2. Adoption of Agenda

**It was moved and seconded (S Hickman/W Butt) to adopt the agenda as circulated.**

**MOTION #2012-011: Carried**

## 3. Review of Minutes – Meeting of December 7, 2011 and Meeting of February 29, 2012

**It was moved and seconded (W Butt/S Willis) that the minutes of the December 7, 2011 meeting and the minutes of the February 29, 2012 meeting are adopted as is.**

**MOTION #2012-012: Carried**

#### **4. Award of Contract – Agency of Record – Contract to MT&L Public Relations Ltd.**

Mr. Mullaney asked Mr. Kelly to provide background information on the selection process.

Mr. Kelly stated that \$100,000.00 has been budgeted for communications for EWM for this contract. The focus will be on recycling programs as several sub-regions are offering this service and there is a real need to raise the participation rates of residents through education and economic benefit to their communities.

Mr. Kelly stated that Eastern Waste Management (EWM) had an Agency of Record (AOR) to do all public relations, develop brochures, press releases, branding, etc. In 2010 a contract had been awarded to Bristol Communications; however, they went out of business. For continuity purposes it was decided to go with M5PR as they had hired the account representative on our file and EWM was very pleased with the work she provided.

As the funding for this portion of EWM's communication work was exhausted, EWM re-tendered for an AOR.

Mr. Kelly stated that the Selection Committee for an AOR was Mr. Dave Aker, Mr. Sandy Hickman, and Mr. Woodrow French as well as himself. Three (3) firms were considered; however, the recommended firm of MT&L Public Relations Ltd. has now hired the same account representative that worked on EWM's file for M5PR and because of that their submission and presentation were very strong.

Mr. Hickman stated that in his opinion the account representative brought a lot to the table in understanding EWM and its purpose. The continuity of service would be a definite asset.

**It was moved and seconded (S Hickman/D Aker) to award a contract for the Agency of Record to MT&L Public Relations Ltd. with a budget for 2012 of \$100,000.00.**

Mr. French asked to speak to the motion. He stated that he has two (2) reasons to be concerned and they are:

- 1) Wonders if we could not find a local PR firm to do the work?; and,
- 2) How long is the contract?

Mr. Kelly stated that the contract would be for one (1) year with the option to renew by ERSB.

Ms. Duff asked if the intent is to spend \$100,000.00 per year for public relations work.

Mr. Kelly stated that would depend on the needs of the ERSB. For this year, there are a lot of start-up programs in the sub-regions and communication work will be very important.

Mr. Aker stated that of the three (3) firms considered:

- one firm was a new company with no track record;
- the second firm flopped in their presentation; and,
- the third firm, MT&L Public Relations Ltd., is well-known and did a great presentation. They are an Atlantic Canada firm but have hired local people for their St. John's office.

Mr. Aker also stated that he is pleased that the contract will be reviewed in one year.

**It was moved and seconded (S Hickman/D Aker) to award a contract for the Agency of Record to MT&L Public Relations Ltd. with a budget for 2012 of \$100,000.00.**

**MOTION #2012-013: Carried**

## **5. Committee Reports**

### **(a) Strategy & Policy Committee (C Ash)**

#### **Principles to Develop a Service Policy**

**It was moved and seconded (C Ash/D Green) to adopt the principles outlined as the guiding principles for the development of the Service Policy and the CAO is directed to engage legal support to work with the Committee to develop the formal policy to be tabled with the Committee and Board.**

**MOTION #2012-014: Carried**

### **(b) Finance & Audit Committee (D Breen)**

#### **(i) Award Contracts to Remove Materials from Waste Recovery Facilities**

Mr. Breen outlined that the call for tenders resulted in six (6) responses. The Finance & Audit Committee reviewed the response and is recommending the lowest bidder for each WRF.

**It was moved and seconded (D Breen/W Butt) to award contracts for the removal of materials from Waste Recovery Facilities (WRF) to the following firms in the following unit cost amounts:**

- **Bay Bulls WRF: Lawlor's Excavating Inc. at a unit cost of \$105.09 per metric tonne including HST;**
- **Renews-Cappahayden WRF: T2 Ventures Inc. at a unit cost of \$141.25 per metric tonne including HST;**
- **St. Joseph's WRF: T2 Ventures Inc. at a unit cost of \$141.25 per metric tonne including HST; and,**
- **Placentia WRF: Edward Collins Contracting Ltd. at a unit cost of \$123.17 per metric tonne including HST.**

**MOTION #2012-015: Carried**

#### **(ii) Request Capital Funding from Municipal Affairs**

Mr. Breen asked Mr. Kelly to provide information regarding this request.

Mr. Kelly provided background information on Transfer Stations (TS) and their role, design, etc. He explained that traditional transfer stations are a three-sided building where trucks would roll

up and dump on a tipping floor. A backhoe is then needed to load that material into a truck for transportation to the Regional Integrated Waste Management Facility located at Robin Hood Bay (RHB). The trailers used are non-compacting and can carry on average 13-18 tonnes of materials. This is an expensive operation as a backhoe is needed and two (2) to three (3) staff persons would be required to operate and maintain the facility.

Mr. Kelly outlined that there is another type of TS being used across North America that may be more suitable for the Clarenville site – it is a large capacity storage container that can be tipped into a long-haul trailer using hydraulics. This is the system that the Finance & Audit Committee are recommending for Clarenville.

There are two components in this system the large capacity storage container which is a mounted at the site that receives the waste and the compaction trailer that is used to remove the waste from the container. The trailers used have their own motors and rams and compacts the waste as it is being received. This allows 20+ tonnes per load to be transported in a trailer. This is a significant increase in capacity. The containers are used so there is no need for a backhoe or loader to be onsite. The containers are the storage areas and no operator is required. The truck drivers can pull up to the containers and off load without staff. The containers do not require a building but in this case, for wind and weather, we are recommending an enclosed structure in line with the *Provincial Waste Management Strategy*. The containers can receive materials from any type of vehicle. In addition, the containers are emptied using hydraulics that is operated using the power from the engine mounted on the trailer. Because the engine and operating components are mounted on the trailer there is very little equipment required on site – only the containers itself.

Mr. Kelly showed a video of this type of facility in operation.

EWM has identified a need at the WRFs to load trailers to transport the materials that are dropped off by residents. The same compaction trailer can be used in combination with a tractor truck that is equipped with a small grapple crane for loading. This system eliminates the need for equipment to be at each site and instead the same equipment services all of the WRF sites and no equipment is left on the site. This reduces the potential for theft or vandalism. The truck mounted crane also eliminates the need to transport or maintain a tractor at each site to load the trailers.

Mr. Kelly pointed out that the design for the TS has been developed to the point of the preliminary design. It will include containers, trailers to move the material, building and site improvements. At this point in time the actual site design cannot proceed any further until the actual site is chosen for the facility.

It was originally envisioned that the Clarenville TS would cost approximately \$3.5 million (traditional type). This solution allows EWM to construct the TS as well as purchase the equipment for the WRF operations within the \$3.5 million envelope of funding. The system also provides operational savings over the traditional format.

EWM is proposing this system as the long-term solution for the WRFs and would like to request capital funding from Municipal Affairs for the Transfer Station at Clarendville and the equipment necessary as outlined below:

<b>EQUIPMENT PRICING</b>	<b>PRICE EACH TAX EXTRA</b>	<b>QTY REQUIRED</b>	<b>TOTAL CAPITAL TAX EXTRA</b>
53-Yard TRANSTOR FOB Site Installed		3	\$540,221
BUILDING and Site Development		1	\$1,241,234
Compactor Trailer – FOB Site	\$199,422	3	\$598,266
Sub-Total			\$2,379,721
Compactor Trailer, Crane & Tractor	\$434,229	2	\$868,458
Backhoe, Truck & Wood Chipper	\$200,000		\$200,000
<b>TOTAL</b>			<b>\$3,448,179</b>

Mr. Kelly also stated that an average savings of 52.75% for the four WRFs currently operating if EWM does the work of removing and transporting the waste to RHB internally rather than contracting it out.

Members wondered if the equipment would be difficult to maintain or costly to repair and Mr. Kelly stated that this equipment can be serviced locally.

There was discussion regarding the cost of operating the WRFs and Mr. Kelly informed those present that the estimated annual cost to operate a WRF is \$90,000.

Mr. French asked what the longevity of the traditional TS would be compared to the proposed Transtor TS.

Mr. Kelly stated that the maintenance cost for the large containers is estimated at \$4,000 per year. This is less than the cost to maintain a backhoe or front-end loader at the traditional TS. At the traditional TS, the material is handled twice as opposed to once with the Transtor system.

Mr. Kelly stated that he as well as Mr. Cory Grandy and Mr. Joe Dunphy of Municipal Affairs met with the Transtor vendor. Municipal Affairs were very impressed with the presentation. The Transtor system seems to be ideal for small populations and small volumes.

General discussion ensued:

What's the upside?

The ability to store huge amounts of materials is key. Three (3) containers are being proposed for the Clarendville TS and additional can be added if capacity is an issue.

No special equipment or truck is needed – any transport truck can haul the trailers such as a tractor trailer, etc.

Is there an option to contract this out?

There is a 50-60% percent savings to use this system when compared to the tender costs of private contractors for the WRF sites. The operation of the TS and the hauling of the trailers do have the ability to be contracted out.

Mr. Kelly stated that a tractor trailer with a crane on it is being proposed so that it can go to the WRFs when they're filled and load the trailer with the bulky items for transport to RHB.

This system has been used for more than 20 years in other jurisdictions in North America. The main advantage of this system is compaction – this is very important when trucking materials in excess of 200 km.

Several members expressed concern with having facilities located outside communities. Will security and vandalism be an issue?

Mr. Kelly stated that the proposed TS for Clarendville is the only facility being proposed and that will be staffed 5-6 days per week due to the large volume of materials expected.

Mr. Green expressed concern that teenagers/youths may be able to access the facility and possibly injure themselves. In addition, the proposed equipment uses hydraulics and that could be dangerous to those who may access the site after hours.

Mr. Kelly responded that the TS would be fenced and locked and no equipment, including hydraulics, should be accessible to anyone when it is not staffed. Of course, security of the site would have to a priority. The hydraulics used to move the containers require power that is on the trailers – without a trailer in position then the containers cannot be operated.

Mr. Willis asked if WRFs accept HHW.

Mr. Kelly noted that WRFs do not accept HHW because there is no security at the WRFs. HHW materials are toxic and hazardous and have to be stored according to very strict guidelines. EWM is looking at offering mobile HHW events throughout the region or at partnering with local volunteer fire departments to collect the HHW materials. This was tried at eight (8) NL sites last year. A mobile HHW day costs approximately \$15,000 while the other option using volunteer firefighters is approximately \$4,000 per day. EWM is trying to match the service to the volume of HHW collected.

Mr. French asked about occupational health and safety concerns. Operators may need respirators, harnesses, etc. Safe work practices should be in place.

Mr. Kelly stated that there are safety plans and equipment in place for the WRFs and EWM is currently working on OH&S policies.

Discussion moved to whether the current WRFs are insured.

Mr. Kelly explained that the WRFs are not insured by EWM as they are not owned by EWM. The sites are the property of the respective towns and EWM has a certificate of approval to operate the WRFs at those sites.

Mr. Power stated that the Site Attendants working at each of the WRFs has proper safety equipment.

Mr. Aker asked if there is a general liability policy in place.

Mr. Kelly confirmed that there is no general liability in place by EWM as the current sites are operated by sub-regional committees and the employees at these sites are employees of the sub-regional committees and not EWM.

Mr. French stated that he feels EWM should have a legal opinion prepared regarding its liability.

Ms. Duff asked who owns the proposed site for the Clarendville Transfer Station.

Mr. Bailey stated that the site being proposed is leased under Crown Lands. This is a gated site with an attendant in place at this time as it is still the Clarendville Landfill site.

Mr. Kelly stated that the actual site for the TS in Clarendville has not been determined yet.

Ms. Duff stated that legal staff at St. John's City Hall could assist and recommend what this Board should have in place regarding liability.

Mr. Kelly stated that EWM had investigated purchasing Directors and Officers Liability insurance; however, it was determined by the previous Committee that directors were covered by their municipalities.

Mr. Breen stated that would be the case for directors representing a municipality only; however, EWM is now a regional service board with regional representatives and they would not necessarily be covered.

**It was moved and seconded (D Breen/W French) to request funding from Municipal Affairs in the amount of \$3.5 million for the construction of a Transfer Station at Clarendville and the purchase of Waste Recovery Facilities equipment.**

**MOTION #2012-016: Carried**

**(c) Governance Committee (H MULLOWNEY)**

No report.

**6. Other Business**

- (a) Letter to Minister regarding MOG and Response  
No response from Municipal Affairs but we are told that they are working on a response to this letter.
- (b) Letter to Minister of Municipal Affairs regarding Board remuneration

Mr. Kelly stated that he has been informed by Mr. Grandy of Municipal Affairs that the letter and request for a meeting with the Minister is under consideration and we should hear something soon.

- (c) Letters from the Town of Placentia regarding illegal dumping
- Illegal dumping is definitely a huge issue; however, it is not the role of ERSB/EWM to resolve.
  - There are only twelve (12) Environmental Protection Officer positions available for all of Newfoundland & Labrador and several of these positions are vacant which leads to very little enforcement.
  - There is nothing in the Regional Service Board legislation regarding enforcement.
  - General discussion ensued with members agreeing that this issue is not included in the mandate of ERSB/EWM.

## 7. Adjournment

**It was moved (S Duff) to adjourn the meeting at 8:00 p.m.**

**MOTION #2012-017: Carried**

Prepared by:  
Lynn Tucker  
Recording Secretary  
April 10, 2012