

# EASTERN REGIONAL SERVICE BOARD

## Minutes of Meeting #31

April 1, 2015

7:00 p.m.

### Fairfield Inn & Suites by Marriott

199 Kenmount Road, St. John's

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#### In Attendance:

Ed Grant, Chairperson  
Harold Mallowney, Vice Chair/Southern Shore  
Dave Aker, Mount Pearl  
Bill Bailey, Clarenville & Isthmus  
Danny Breen, St. John's  
Wally Collins, St. John's  
Joy Dobbie, Trinity Bay South & Isthmus East  
Jonathan Galgay, St. John's  
Tom Hann, St. John's  
Sandy Hickman, St. John's  
Ken McDonald, Conception Bay South  
Dennis O'Keefe, St. John's  
Peggy Roche, Small Metro  
Sam Whalen, Bay Roberts  
Sterling Willis, Paradise

#### Regrets:

Bernard Davis, St. John's  
Dave Lane, St. John's  
Art Puddister, St. John's  
Gordon Stone, Trinity Conception North  
Bruce Tilley, St. John's  
William Woodman, Southwest Avalon

#### Other Attendees:

Ken Kelly, Chief Administrative Officer, Eastern Waste Management  
Lynn Tucker, Manager Corporate Services, Eastern Waste Management  
Christie Dean, Manager Waste Operations, Eastern Waste Management  
Frank Huxter, Director of Municipal Infrastructure & Waste Management, Municipal and Intergovernmental Affairs

#### **1. Call to Order**

Mr. Grant, Chairperson, called the meeting to order at 7:00 p.m.

#### **2. Adoption of Agenda**

**It was moved and seconded (W Collins/K McDonald) to adopt the agenda as tabled.  
MOTION 2015-007: Carried (unanimously)**

### 3. Review of Minutes – February 25, 2015

It was moved and seconded (D Aker/P Roche) that the minutes of the February 25, 2015 meeting be adopted as tabled.

**MOTION 2015-008: Carried (unanimously)**

### 4. Committee Reports

#### a) Finance & Audit Committee – D Breen

- i. **Cheque Registers and Payroll Summary for February 2015** – Mr. Breen stated that the cheque register and payroll summary for February 2015 are included in tonight's meeting package (Appendix A). No issues have been identified.

It was moved and seconded (D Breen/S Willis) to adopt the cheque register and payroll summary for February 2015 as tabled.

**MOTION 2015-009: Carried (unanimously)**

- ii. **Changes to Human Resources Policies for Outside Employees** – Mr. Breen stated that in order to maximize the days that are available for service delivery, staff has proposed that we adhere to the opening hours of the Regional Waste Management Facility located at Robin Hood Bay (RHB). The Board has adopted a set of human resources (HR) policies focused on the office administrative positions which provides additional holidays above the days that RHB is currently closed. Our contractors work on these days and by providing additional holidays to the outside employees it means we have to incur additional staff costs. Therefore, we are putting forth a motion to limit the paid holidays of outside employees throughout the year to the eight days identified on the list enclosed on tonight's meeting package (Appendix B). We have also clarified other HR issues for the outside employees. These changes will affect the new staff and three existing outside staff positions – two (2) Highway Transport Equipment Operators and one (1) Labourer. We are making this effective March 11, 2015 which was the date of the Finance & Audit Committee meeting because there was a paid holiday on March 16, 2015.

Mr. Grant asked Mr. Kelly how these changes were received by the affected staff.

Mr. Kelly responded that of the three (3) existing staff positions affected, one employee was recently promoted to a new position and the second employee who is affected is considering moving to a new position within this organization. No real issues has been raised regarding these changes. However, one of our new staff noted that RHB is closed this year for Thanksgiving Day. This is new as RHB was not closed in previous years for Thanksgiving Day.

Mr. Grant stated that if our policy is in line with the days that RHB is closed, then he proposes that we provide our outside staff a paid holiday as well for Thanksgiving Day.

Mr. Kelly replied that we scheduled collections for that date this year as we were unaware of the change. In addition, our contractors will be collecting on that date.

General discussion ensued with the following points:

- Why did RHB make a change to its list of holidays?
- If our policy states that our outside workers have the same paid holidays as RHB then we have no choice but to provide our outside workers Thanksgiving Day.

**It was moved and seconded (D Breen/D Aker) that ERSB adopt the changes to its human resources policies related to outside workers as tabled with the addition of Thanksgiving Day listed under Section 4.16 Paid Holidays (9 days in total).**

**MOTION 2015-010: Carried (unanimously)**

- iii. **Award Tender for the Purchase of Equipment** – Mr. Breen reported that this is a straightforward award of tender as we have already discussed the need for this vehicle and the budget.

**It was moved and seconded (D Breen/J Galgay) that ERSB award tender for the purchase of one (1) rear-loading compacting waste truck from Saunders Equipment Ltd. in the amount of \$232,667.00 including HST.**

**MOTION 2015-011: Carried (unanimously)**

The second tender is more complicated in that there were no bids received. However, we did a similar tender for the exact same equipment in the Fall of 2014. Staff has approached those bidders to see if they will maintain these prices and suggest we award to the low bidder. Mr. Breen concluded by asking Mr. Kelly to provide more information.

Mr. Kelly responded that we did have three or four bidders respond this past Fall for the purchase of pickup trucks. When these bidders were contacted recently they were willing to honour the same price as they offered six months ago.

Mr. Huxter noted that the *Public Tender Act* requires agencies of government to go to tender and if no bids are received, there is a requirement to go out a second time. If no bids are received on the second tender, then you may go to market.

General discussion ensued regarding whether the Board should go to tender again or should we acquire the pickup truck from one of the previous bidders.

Ms. Dean noted that our past delivery timeline for pickup trucks is 12-16 weeks and this equipment is needed very soon.

Mr. Kelly concurred that this vehicle is needed within one month. He also stated that the tender process will take about 15 days.

Mr. Grant recommended that the Board go to tender again using the shortest timeline possible. If a bid for the pickup truck is reasonably within the amount approved six months ago, staff should proceed with the order of the pickup truck. The decision would be approved at the next Board meeting.

**It was moved and seconded (E Grant/D Breen) that ERSB go to tender again for the acquisition of one (1) pickup truck. If a bid for the pickup truck is reasonably similar to the acceptable bid price received in October 2014, staff will proceed with ordering the pickup truck and ERSB will approve this decision at its meeting of April 29, 2015.**

**MOTION 2015-012: Carried (unanimously)**

**b. Strategy & Policy Committee – S. Hickman, Chair**

- i. **Annual Report for the Department of Municipal and Intergovernmental Affairs** – Mr. Hickman noted that the Strategy & Policy Committee met on March 12<sup>th</sup>. He continued that as Board members are aware the Board has developed a strategic plan or business plan for 2014 to the end of 2016. The province requires that we provide a report on the achievement of our goals in that business plan each year. Included in tonight's meeting package is a draft of that report (Appendix C).

The reason we are tabling it here tonight is that the province will take this draft and edit the report. We have two things that we want to bring to the Board's attention.

- 1) Where we have missed our goals; and
- 2) What we think the challenges and opportunities are for the future of this Board.

We have not met our goals for construction of the transfer station at Clarendville and the waste recovery facility at Whitbourne. The transfer station is out for tender with a closing date of mid-April and the province is going to expropriate the land at Whitbourne for a waste recovery facility and equipment depot. Mr. Hickman asked Mr. Huxter if he could provide an update on the expropriation at Whitbourne.

Mr. Huxter responded that he has no news to report in regards to the expropriation process. However, it is underway. He continued that the Board may be pleased to know that the province has approved additional funding in the vicinity of \$600,000.00 for the completion of the Whitbourne Waste Recovery Facility and Equipment Depot. That money will be provided to the Board very soon.

Mr. Grant reminded members that the expropriation process became necessary as we could not reach an agreement on the price for the land. In addition, Whitbourne and other communities in the area have been waiting on this facility for some time.

General discussion ensued regarding opportunities and challenges of the Board with the following points:

- The *Regional Service Boards Act* allows for other services with ministerial and departmental approval. We should ensure that we include that point under opportunities.
- This seems to be an opportune time to be discussing regionalization and the offering of regional services such as regional transportation, regional water support, regional planning, etc.
- There are shortcomings in our legislation – that should be included under challenges.

- ii. **Revamped Website** – Mr. Hickman noted that the Board’s website has been completely revamped and is looking very good. He suggested that members should take a few moments to get familiar with the new website. Ms. Tucker will forward the links along to all members.

**c. Governance Committee – H. MULLOWNEY, Chair**

- i. **Access to Information and Protection of Privacy** - Mr. MULLOWNEY stated that in 2014 the Board did not receive any *Access to Information and Protection of Privacy Act* (ATIPPA) requests but during our discussion at Committee we identified that we do not have a defined process or criteria in how we will deal with these requests. In the past we have participated in several ATIPPA requests made to the Department of Municipal and Intergovernmental Affairs. At this time we have instructed staff to develop a process and criteria in line with the legislation and to investigate the changes that the Province is planning for the ATIPPA legislation.
- ii. **Solid Waste Association of North America (SWANA) Conference** – The SWANA WasteCon conference is taking place in Orlando, Florida from August 25-27, 2015. The Board has agreed to send two (2) representatives each year in addition to the Chairperson and staff. Attending this year is Ed Grant, Chairperson; Ken Kelly, CAO; and Christie Dean, Manager Waste Operations. Two (2) Board members have expressed interest in attending. They are Jonathan Galgay and Danny Breen.

**It was moved and seconded (H MULLOWNEY/S Whalen) that ERSB approve sending the following staff and Board members to the SWANA WasteCon taking place August 25-27 2015 in Orlando, Florida – Ed Grant, Chairperson; Jonathan Galgay, Director; Danny Breen, Director; Ken Kelly, CAO; and, Christie Dean, Manager Waste Operations.  
MOTION 2015-013: Carried (unanimously)**

- iii. **MMSB Regional Forum** – The MMSB Regional Forum is taking place in Gander from May 28-29, 2015. The Board is looking at sending two (2) representatives in addition to the Chairperson and the CAO. Two Board members have expressed interest and they are: Harold MULLOWNEY and Sterling Willis.

**It was moved and seconded (H MULLOWNEY/S Hickman) that ERSB approve sending the following staff and Board members to the MMSB Regional Forum taking place May 28-29, 2015 in Gander, NL – Ed Grant, Chairperson; Harold MULLOWNEY, Vice Chairperson; Sterling Willis, Director; and Ken Kelly, CAO.  
MOTION 2015-014: Carried (unanimously)**

Mr. Grant informed members and he and Mr. Kelly recently attended a MMSB event. A group from the Netherlands visited to share information on waste management. He continued that even though the information was good, the differences between the Netherlands and Newfoundland are too great for the information to be comparable or of any real value. In addition when he raised the option of using waste to produce energy, there was no support from MMSB. They seem to think that composting is the answer.

Mr. Kelly stated that the Netherlands reported that they have ten waste-to-energy facilities. Waste-to-energy is considered a key component in getting to 'zero waste'. Europe burns their materials – not in traditional 'teepee' incinerators that were used in this Province but in modern waste-to-energy facilities.

Mr. Grant noted that the Netherlands is shipping in waste to burn to generate energy.

Mr. Breen suggested that it may come to a point when the Board simply states that it will not be processing organics to make compost.

Ms. Dobbie noted that the Board should be planning an alternate way to process its organics if it is not viable to compost it.

Mr. Huxter said that the *Provincial Waste Management Strategy* (PWMS) states no burning of waste is allowed and the Board is implementing the PWMS. In addition, the Province has adopted legislation that does not allow others to produce energy at this time.

Mr. Grant responded that technology has certainly improved since the PWMS was adopted back in 2002 especially in regard to burning technologies.

Mr. Whalen noted that Japan has been safely burning its waste for the past 15 or more years. The technology is available for this to be done safely.

Mr. Kelly said that the burning of garbage to produce energy has been proven to be very efficient. However, he advised that the Board should be cautious as it cannot be seen as engaging in activities that may discredit the PWMS.

## 5. New Business

- a) **HST on Tipping Fees – Canada Revenue Agency (CRA) Revoked Prior Decision** – Mr. Kelly stated that he worked with CRA to get an official ruling to exempt HST on tipping fees. However, recently he received a telephone call from CRA informing him that the decision has been revoked following an internal review. CRA is now writing their rationale for that decision and we will receive that once it is ready. It seems they are validating the decision after making it. To date no letter has been received.

Mr. Grant asked what financial implications this will have for the Board.

Mr. Kelly responded that this decision applies to us and all communities that uses contractors to provide its waste management services. The financial implications will be approximately \$100,000 annually for the Board. This decision will not result in any additional revenue for the federal government; however, our provincial government will benefit.

- b) Whitbourne Waste Recovery Facility (WRF) and Equipment Depot – Update on Site Acquisition** – Mr. Grant noted that this item was discussed earlier. Once the land has been expropriated, work should begin on the facility as soon as the weather allows.

Mr. Grant thanked Mr. Huxter for the information regarding the additional funding and stated that the Board is very pleased.

#### **6. Next ERSB Meeting – April 29, 2015**

Mr. Grant reminded members that the next Board meeting will be held on **Wednesday, April 29, 2015 at 7:00 p.m. at the Fairfield Inn & Suites by Marriott.**

In addition, the following committee meetings are scheduled for January:

- Finance & Audit Committee – Wednesday, April 8<sup>th</sup> at 12:00 noon, EWM Boardroom
- Strategy & Policy Committee – Thursday, April 9<sup>th</sup> at 10:00 a.m., EWM Boardroom
- Governance Committee – Tuesday, April 14<sup>th</sup> at 10:00 a.m., EWM Boardroom

#### **7. Adjournment**

It was moved by B Bailey to adjourn the meeting at 7:50 p.m.

*Prepared by:  
Lynn Tucker  
April 16, 2015*

# APPENDIX

## A



**Eastern Waste Management**  
 BNK2 - Bank of Montreal - EW  
 Cheques from 000001 to 003671 dated between 02-01-2015 and 02-28-2015

**CHEQUE REGISTER**

Printed: 3:30:59PM 03/06/2015

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Number	Issued	Amount	SC	Status	Status Date
003609	02/02/2015 Ridge G&P Services Ltd.	94,683.14	A/P	CLEARED	02/04/2015
003610	02/10/2015 61366 Newfoundland and Labrador Inc.	4,975.60	A/P	CLEARED	02/18/2015
003611	02/10/2015 AMEC Foster Wheeler Environment & Infrastructure	31,537.45	A/P	CLEARED	02/25/2015
003612	02/10/2015 Around The Bay Disposals Inc.	57,437.32	A/P	CLEARED	02/18/2015
003613	02/10/2015 Bell Aliant	1,121.72	A/P	CLEARED	02/25/2015
003614	02/10/2015 Bell Mobility Inc.	1,238.31	A/P	CLEARED	02/25/2015
003615	02/10/2015 Coish's Trucking & Excavating Ltd.	9,004.01	A/P	CLEARED	02/25/2015
003616	02/10/2015 Concord Enterprises Inc.	5,085.00	A/P	CLEARED	02/25/2015
003617	02/10/2015 De Lage Landen Financial Services Canada Ltd.	303.34	A/P	CLEARED	02/25/2015
003618	02/10/2015 Dicks and Company Limited	77.39	A/P	CLEARED	02/25/2015
003619	02/10/2015 Dodd's Diesel Repair Ltd.	3,912.24	A/P	CLEARED	02/25/2015
003620	02/10/2015 Ed Grant	230.91	A/P	CLEARED	02/25/2015
003621	02/10/2015 Gus Power	200.00	A/P	OUT-STD	02/10/2015
003622	02/10/2015 Hazmasters	62.03	A/P	CLEARED	02/25/2015
003623	02/10/2015 Henry Hennessey	69.85	A/P	CLEARED	02/25/2015
003624	02/10/2015 Imperial Oil	23,014.17	A/P	CLEARED	02/25/2015
003625	02/10/2015 Jonathan Miller	2,548.53	A/P	CLEARED	02/25/2015
003626	02/10/2015 Ken Kelly	3,514.31	A/P	CLEARED	02/18/2015
003627	02/10/2015 Kerr Global Communications	1,314.81	A/P	CLEARED	02/25/2015
003628	02/10/2015 Kevin Power	724.98	A/P	CLEARED	02/18/2015
003629	02/10/2015 Leslie Squires	440.00	A/P	CLEARED	02/18/2015
003630	02/10/2015 Lynn Tucker	76.77	A/P	CLEARED	02/18/2015
003631	02/10/2015 Quikprint Services Ltd.	336.18	A/P	CLEARED	02/18/2015
003632	02/10/2015 Ridge G&P Services Ltd.	33,218.61	A/P	CLEARED	03/04/2015
003633	02/10/2015 Royal Garage Ltd.	365.51	A/P	CLEARED	02/25/2015
003634	02/10/2015 Saunders Equipment Ltd.	745.80	A/P	CLEARED	02/25/2015
003635	02/10/2015 T2 Ventures Inc.	160,040.00	A/P	CLEARED	02/18/2015
003636	02/10/2015 Town of Clarendville	3,960.00	A/P	CLEARED	02/25/2015
003637	02/10/2015 Town of Clarke's Beach	8,000.00	A/P	CLEARED	03/04/2015
003638	02/10/2015 Transcontinental Atlantic Media Group G.P.	1,840.54	A/P	CLEARED	02/25/2015
003640	02/25/2015 Dodd's Diesel Repair Ltd.	0.00	A/P	"VOID"	02/25/2015
003641	02/25/2015 Dodd's Diesel Repair Ltd.	8,461.30	A/P	OUT-STD	02/25/2015
003642	02/25/2015 AMEC Foster Wheeler Environment & Infrastructure	13,311.76	A/P	OUT-STD	02/25/2015
003643	02/25/2015 Atlantic Powertrain & Equipment Inc.	242.95	A/P	CLEARED	03/04/2015
003644	02/25/2015 Blaketown Service Station	74.56	A/P	OUT-STD	02/25/2015
003645	02/25/2015 City of St. John's	18,549.09	A/P	OUT-STD	02/25/2015
003646	02/25/2015 D&L Russell Limited	60.94	A/P	OUT-STD	02/25/2015
003647	02/25/2015 Dave's Towing Ltd.	529.97	A/P	OUT-STD	02/25/2015
003648	02/25/2015 Dynamex Canada Limited	46.06	A/P	OUT-STD	02/25/2015
003649	02/25/2015 Edward Collins Contracting Ltd.	10,396.00	A/P	OUT-STD	02/25/2015
003650	02/25/2015 Gus Power	200.00	A/P	OUT-STD	02/25/2015
003651	02/25/2015 Iron Mountain Canada	89.13	A/P	OUT-STD	02/25/2015
003652	02/25/2015 Ken Kelly	844.87	A/P	CLEARED	03/04/2015
003653	02/25/2015 Kevin Power	3,043.53	A/P	CLEARED	03/04/2015
003654	02/25/2015 Lynn Tucker	948.89	A/P	OUT-STD	02/25/2015
003655	02/25/2015 Michael Lundrigan	100.00	A/P	OUT-STD	02/25/2015

\* - Name on Check was modified

**Eastern Waste Management**  
 BNK2 - Bank of Montreal - EW  
 Cheques from 000001 to 003671 dated between 02-01-2015 and 02-28-2015

**CHEQUE REGISTER**

Printed: 3:30:59PM 03/06/2015

Page 2 of 2

Number	Issued	Amount	SC	Status	Status Date
003656	02/25/2015 M J Hickey Construction Ltd.	54,345.94	A/P	OUT-STD	02/25/2015
003657	02/25/2015 NATIONAL Public Relations	4,285.69	A/P	OUT-STD	02/25/2015
003658	02/25/2015 Newfoundland Exchequer - MVR	140.00	A/P	OUT-STD	02/25/2015
003659	02/25/2015 Nexgen Municipal Inc.	233.06	A/P	OUT-STD	02/25/2015
003660	02/25/2015 Pinnacle Office Solutions Ltd.	265.22	A/P	OUT-STD	02/25/2015
003661	02/25/2015 Pitney Bowes	1,890.76	A/P	OUT-STD	02/25/2015
003662	02/25/2015 Pro-Tech Construction Ltd.	7,700.49	A/P	OUT-STD	02/25/2015
003663	02/25/2015 Quikprint Services Ltd.	135.60	A/P	OUT-STD	02/25/2015
003664	02/25/2015 Royal Garage Ltd.	212.94	A/P	OUT-STD	02/25/2015
003665	02/25/2015 Saunders Equipment Ltd.	440.70	A/P	OUT-STD	02/25/2015
003666	02/25/2015 Town of Clarke's Beach	4,000.00	A/P	OUT-STD	02/25/2015
003667	02/25/2015 Tulk Tire & Service Ltd.	65.43	A/P	OUT-STD	02/25/2015
003668	02/25/2015 Encon Group Inc.	2,581.93	G/L	OUT-STD	02/25/2015
003669	02/25/2015 Receiver General of Canada	31,322.25	G/L	OUT-STD	02/25/2015
003670	02/25/2015 Receiver General of Canada	240.13	G/L	OUT-STD	02/25/2015
<b>Cheque Totals Issued:</b>		<b>614,837.71</b>			
<b>Void:</b>		<b>0.00</b>			
<b>Total Cheques Generated:</b>		<b>614,837.71</b>			
<b>Total # of Cheques Listed:</b>		<b>61</b>			

\* - Name on Check was modified

**EASTERN REGIONAL SERVICE BOARD  
EASTERN WASTE MANAGEMENT**

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**PAYROLL EXPENSE  
FEBRUARY 2015**

Payroll – Staff ( <i>2 pay periods</i> ) .....	\$92,256.86
Payroll – Board .....	<u>\$00,000.00</u>
Total Payroll ( <i>25 employees</i> ) .....	\$92,256.86
Payroll CRA Remittance ( <i>Chq#3669</i> ) .....	<u>\$31,322.25</u>
<b>TOTAL GROSS PAYROLL .....</b>	<b><u>\$123,579.11</u></b>

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PREVIOUS MONTHS

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**JANUARY 2015**

Payroll – Staff ( <i>2 pay periods</i> ) .....	\$85,797.07
Payroll – Board.....	<u>\$00,000.00</u>
Total Payroll ( <i>25 employees</i> ) .....	\$85,797.07
Payroll CRA Remittance ( <i>Chq#3606</i> ) .....	<u>\$29,907.98</u>
<b>TOTAL GROSS PAYROLL .....</b>	<b><u>\$115,705.05</u></b>

# APPENDIX

## B

## REVISED - CHANGES TO HR POLICIES RELATED TO OUTSIDE WORKERS

**Purpose:**

To maximize the days that service will be delivered by adhering to the opening hours of Robin Hood Bay and avoid schedule changes that affect the delivery of services to customers

**Issue:**

Board has adopted a set of Human Resource Policies focused on office administrative positions which does not provide waste operations with the guidance needed for outside operations.

Section	Current	Proposed
4.7 Hours of Work	Outside staff such as Highway Transport Equipment Operators, Labourer, etc. work 8:00 a.m. to 4:00 p.m. and are paid for their lunch breaks.	Outside staff such as Field Operations Officers, Highway Transport Equipment Operators, Labourers, Waste Collectors, will have their normal 40 hours per week within the hours of 5:00 a.m. to 7:00 p.m. and are paid for lunch breaks.
4.16 Paid Holidays	The employer recognizes certain days during the year as paid holidays for Employees. An Employee on a full-time basis is eligible for the following paid holidays: New Year's Day St. Patrick's Day Good Friday St. George's Day Victoria Day Discovery Day Memorial/Canada Day Orangeman's Day Labour Day Thanksgiving Day Remembrance Day Christmas Day Boxing Day Civic Holiday/Regatta Day 14 days in total	Outside staff will have paid holidays the same day in which Robin Hood Bay is closed are are eligible for the following paid holidays: New Year's Day Good Friday Victoria Day Canada Day Labour Day Remembrance Day Christmas Day Boxing Day 8 day in total
4.17 Overtime (b)	ii. Time and one-half rates shall apply for all time worked in excess of 8 hours per day and/or 40 hours per week.	ii. Time and one-half rates shall apply for all time worked in excess of normal hours. Employees have to work in excess of 40 hours in a normal week to be eligible for overtime.
4.7 Meal Breaks (b)	Meal breaks that are unpaid are normally taken in intervals of 30, 45, or 60 minutes, or as directed by the CAO.	Meal breaks for outside staff are <u>paid</u> and consist of one 30-minute break, or as directed by the CAO.
4.7 Rest Periods ©	i. Employees are entitled to receive 30-minute paid rest period each working day. This may be taken as two 15 minute rest periods, one-30 minute rest period, or specific intervals deemed appropriate by the CAO.	Outside staff are entitled to receive 30-minute paid rest period each working day in two intervals: 15-minute paid rest period each morning and each afternoon.
2.14 (a) Dress Code	Many people visit our office daily including our Board of Directors, ERSB clients and stakeholders, members of the public, vendors and a number of others. It is very important for us to project a professional image and create a positive first impression with the people that visit our office. All Employees must be neat, clean and appropriately dressed in business attire...	Outside staff come in contact with many people on a daily basis including ERSB clients, vendors, members of the public, etc. It is very important that outside staff project a professional image and create a positive first impression with the public. Therefore, all outside staff are expected to be dressed appropriately and in a clean and tidy manner at all times. In addition, ALL personal protective equipment (PPE) must be worn at all times.

**Recommendation: Adopt the revisions to the HR policies and manual as presented.**

# APPENDIX

## C

**Eastern Regional Service Board  
Annual Performance Report 2014  
January 1, 2014 to December 31, 2014**

### **Message from the Chairperson**

I am pleased to present the 2014 annual report for the Eastern Regional Service Board. This report covers the period January 1, 2014 to December 31, 2014 and was prepared in accordance with the *Transparency and Accountability Act* requirements for a category two government entity.

I am pleased to report that the board has made significant efforts on both of its business plan issues: Waste Management and Fire Services. The board is pleased to report that they expanded waste management services into sub-region 4 by establishing a governance structure for that region, acquiring equipment, and making preparations at the landfill site. Further, the board continues to increase the effectiveness of its fire services through the acquisition of new equipment and by conducting extensive training for firefighters.

As chairperson, my signature indicates that all members of the board are accountable for the results reported in this document. I am very pleased with the board's past year of operations and I look forward to continued progress in 2015.

Sincerely,

Ed Grant  
Chairperson  
Eastern Regional Service Board



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## Overview

The Eastern Regional Service Board (the “board”) was charged with implementing the regional plan developed by its predecessor committee – Eastern Waste Management for the 163 communities and 270,000 people in the eastern region. The plan was developed to accomplish three broad goals:

- advance the implementation of modern waste management practices,
- divert materials from disposal in the landfill, and
- close the 42 community landfills that operated in the region.

As of December 31, 2014, there were four community landfills operating in the eastern region with 38 operationally closed in accordance with the Eastern Regional Plan. The Province has chosen the Robin Hood Bay facility to be the focus for landfill and diversion services/facilities. The City of St. John’s operates the Robin Hood Bay facility for the benefit of the region.

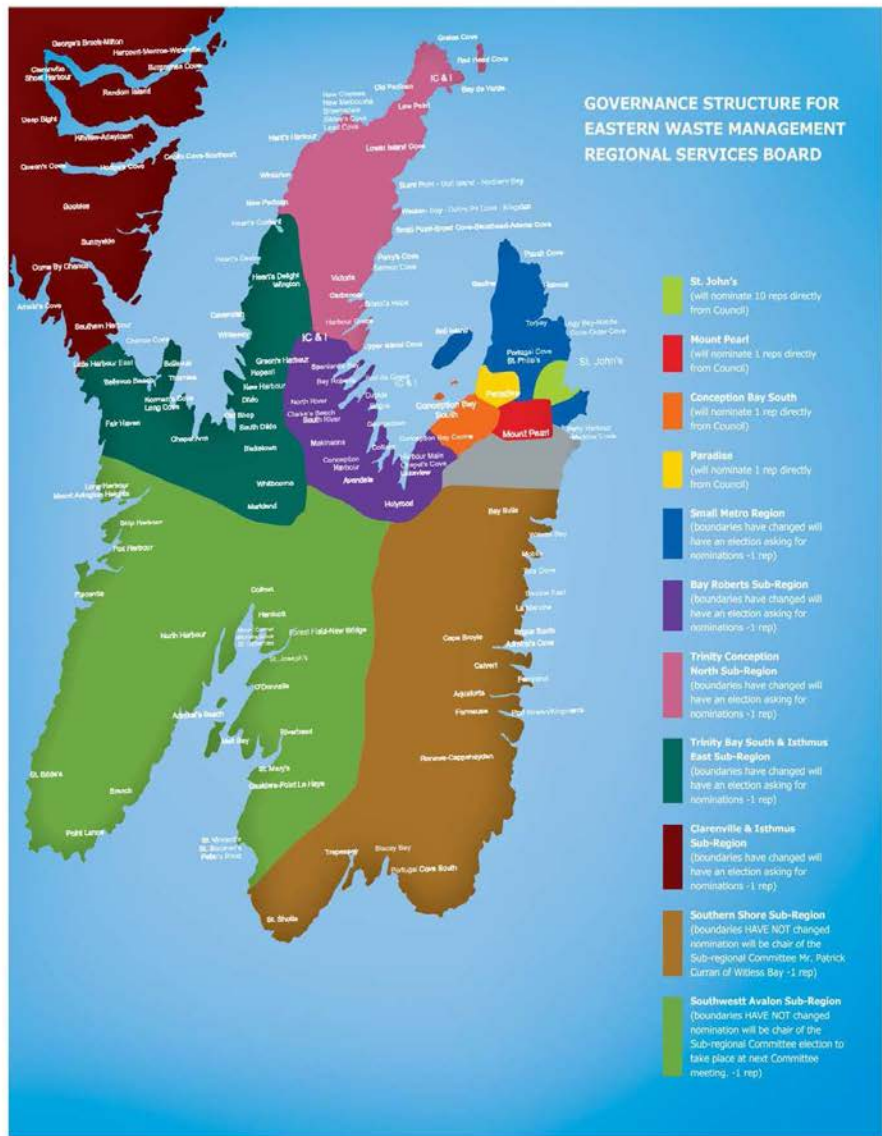
While many of the larger urban communities have dedicated waste fleets, the smaller municipalities, local service districts and unincorporated areas have joint service delivery contracts. These contracts allow for an efficient and effective collection, transport and diversion of waste materials. The board provides direct service to approximately 18,000 households and businesses through these contracts. This includes weekly waste collection, biweekly recyclables collection (fiber and containers), and regular bulk garbage collection events.



Incinerator in Old Perlican being dismantled and replaced with a waste recovery facility

In addition to the roadside/curbside collection, the board also operates a series of waste recovery facilities throughout the region to ensure that residents have ready access to services and facilities to dispose of household bulk items. Throughout the year, household hazardous waste collection events take place to allow residents to properly dispose of these hazardous materials.

Operations are overseen by a board of twenty municipal government representatives led by a chairperson appointed by the Province. These twenty members are either nominated by their respective Council or are elected by the Councils in a sub region to represent the sub region on the board. The map on the following page illustrates the representation for each area in the eastern region.



### Revenue and Expenditures

The board is accountable for the funds it receives from government and the funds that are generated through user fees. Each year it has audited financial statements prepared.

The board's 2014 budget includes revenues of \$6,256,168.29 and expenditures of \$6,256,168.29. The board's audited financial statements for 2014 are contained in Appendix A.

The board's office is currently located at 255 Majors Path, Suite 3 in St. John's, NL, A1A 0L5 and is staffed with the Chairperson (Ed Grant), Chief Administrative Officer (Ken Kelly) and an Office Administrator. Contact information for the office is as follows: Ph: (709) 579-7960; Fax: (709) 579-5392; Email: [info@easternwaste.ca](mailto:info@easternwaste.ca)

### Mandate

In accordance with section 3 of the *Eastern Regional Service Board Regulations, 2012*, the authority granted to the Eastern Regional Service Board is to:

- construct, acquire, maintain and operate a waste management system within the eastern region.

The boundaries of the Eastern Regional Service Board are from St. John's in the East, Clarenville in the West and down the Burin Peninsula to Swift Current and Random Island.

These regulations can be viewed in their entirety on the following website:  
<http://www.assembly.nl.ca/Legislation/sr/Regulations/rc130008.htm>

### Lines of Business

1) Operation of waste facilities and management of waste collection:

The board operates six waste recovery facilities across the region – Bay Bulls, Renewes-Cappahayden, St. Joseph's, Placentia, Sunnyside and Old Perlican. These facilities accept residential bulk garbage at no charge, including appliances, tires, construction and demolition materials, vehicles and parts.

Collection services are provided by the board to 18,000 homes and businesses on a weekly basis. This includes weekly waste collection, biweekly recyclables collection and regular bulk pick up events. Appendix 1 contains an illustrative map of communities that have curbside recycling as of January 2014. Appendix 2 contains an illustrative map of the 104 communities served by the board's weekly waste collection service.



Use of modern and efficient equipment for collection and transport

In addition, the board provides household hazardous waste collection events.

2) Education and promotion of the Provincial Waste Management Strategy:

Through its regular contact with municipal stakeholders, the board supports the education and promotion of the Provincial Waste Management Strategy in the eastern region. For example, it conducts household education campaigns in service areas to increase the participation of residents in the recycling program. In conjunction with other municipal organizations the board continues to focus on the education of residents and the increase in recycling services offered by municipalities.



Separation of bulky goods for diversion and transportation

## Values

The Eastern Regional Service Board is a unique organization in the municipal governance structures of the region. The board offers a collaborative environment for municipal leaders to work together to achieve success for their respective residents at the same time as it provides necessary and essential service for the orderly working of daily life.

As such, the following have been identified by the Eastern Regional Service Board as our core values that will guide the work of the board and the daily operations of the organization and activities of its staff.

<b>Professionalism</b>	Each board member and staff are committed to providing quality services in a professional manner through the use of sound decision making based on accepted practices and expert advice.
<b>Respect</b>	Each board member and staff will treat people with courtesy and tolerance.
<b>Collaboration</b>	Each board member and staff will seek the knowledge and opinions of others in the region.
<b>Respect for the Environment</b>	Each board member and staff will carry out day to day activities keeping in view at all times the conservation and preservation of the environment, carrying out the protection and preservation activities promoted by the board to its clients.
<b>Transparency</b>	Each board member and staff, to the best of their ability, will ensure the public and stakeholders are informed by creating an open communication process.
<b>Efficiency</b>	Each board member and staff are committed to the provision of services in the most efficient manner to ensure the costs of service do not become a burden to communities.

## Primary Clients

The Eastern Regional Service Board identifies its primary clients as the property owners, businesses, institutions, communities and municipalities who are the principal users and/or beneficiaries of the services and facilities that the board operates.

## Vision

The vision of the Eastern Regional Service Board is to improve the quality of life and protect the environment in the eastern region by ensuring cost effective, value added, sustainable waste services are provided to all properties as required by the province while providing leadership to modernize waste services.

## Mission

The board has advanced the modernization of waste management through consolidation of services and infrastructure to handle the 188,000 metric tonnes of commercial and residential waste generated in the eastern region each year. In the scope of this plan, the board will focus on opportunities that build upon the current basic infrastructure to make diversion options feasible.

In carrying out its mission, the board will contribute to Government's strategic directions: "Strengthened Support for Municipal Government" and "Strengthened Municipal Capacity." With regards to "Strengthened Support for Municipal Government," the board will contribute to the municipal infrastructure component. With regard to "Strengthened Municipal Capacity," the board will contribute to the regional cooperation component.

**By December 31, 2016, the Eastern Regional Service Board will have implemented initiatives to improve the efficiency of waste management services in the region.**

Measure: Improved the efficiency of waste management services in the region.

Indicators:

- Developed modern standards and technology.
- Increased waste diversion in compliance with the provincial waste management strategy.
- Implemented additional waste diversion initiatives.
- Expanded household hazardous waste events and services.
- Increased curbside collection recycling in the region.

## Highlights and Accomplishments

In partnership with the NL School District and Multi Material Stewardship Board, we developed and implemented a program to divert recyclable containers and paper fibre from schools in the eastern region. This program started with 6 pilot schools to demonstrate the concept with the intention of full roll out of the program to all schools in the region. Using the curbside residential services that are already in place we can offer efficient and cost effective services to schools across the region.

Several new areas have adopted the regional curbside waste collection service in 2014 including the towns of Holyrood, Conception Harbour, Colliers, the local service districts of Marysvale, Georgetown and Deer Park/Vinland Road and the unincorporated area along Salmonier Line.

In addition to the planned work the Board has also implemented new services such as the ability to divert electronics and cellular telephones from the landfill through our network of waste recovery facilities. This builds on the network of existing electronics diversion centers to provide these services to more rural and less populated areas of our region.

Our network of waste recovery facilities received material from approximately 31,000 clients. This material included; household appliances, furniture, electronics, residential construction material, tires, metal, shingles, floor coverings, propane tanks (20 lbs or less), trees, and branches.

### Waste diversion activities included

- trees, branches and other non-treated wood that did not contain nails. This material was chipped for recovery by municipalities and property owners for inclusion in beautification projects
- 416 metric tonnes of metal was diverted to approved metal recyclers and generated revenue for regional services
- 11,795 tires, as accepted by the Used Tire Recycling Program of the MMSB
- 32 pallets of electronic waste, as accepted by the Recyclable My Electronics Program of the Electronic Products Recycling Association (EPRA)

In 2014, 5,267,160 Kg of waste was transferred from the WRFs to the Regional Waste Management Facility located at Robin Hood Bay for disposal in the landfill.

## Report on Performance

The Business Plan for the Board identified two strategic issues that guided the board's work over the past year. This section reports on the goals for each issue, as well as the objectives for the 2014 year in support of those goals.

### **Issue 1: Waste Management**



The Government of Newfoundland and Labrador's Provincial Solid Waste Management Strategy is designed to ensure effective and efficient management of solid waste across the Province. The strategy is founded on five primary actions:

- Increase waste diversion.
- Establishment of regional waste management and regional structures.
- Development of modern standards and technology.
- Maximization of economic and employment opportunities associated with waste management.
- Public education.

The Province is currently achieving a diversion rate of 29%. The board will build upon the success to date through continued diversion expansion, modernization and better management of the waste stream.

In carrying out the goal and objectives of this issue, the board will contribute to the "municipal infrastructure" component of the strategic direction "Strengthened Support for Municipal Governments" as well as the "regional cooperation" component of the strategic direction "Strengthened Municipal Capacity."

**Goal 1:** By December 31, 2016 the Eastern Regional Service Board will have modernized waste management services in the region.

**Measure:** Modernized waste management services.

**Indicators:**

- Completed construction of waste management infrastructure in priority areas.
- Increased participation in residential diversion programs.
- Increased waste diversion services.

**Objective 1:** By December 31, 2014, the Eastern Regional Service Board will have completed the construction of the regional waste management transportation infrastructure in priority areas.

**Measure:** Completed construction.

**Indicators:**

1. **Completed construction of the eastern transfer station, to be built in Clarenville.**  
The design and procurement process for the Clarenville transfer station is progressing with site work completed in the Fall of 2014 and the final stage of building construction expected to be tendered in the first quarter of 2015. Completion of the infrastructure and commissioning is expected in the Fall of 2015. This is the second procurement process for this infrastructure after the first process did not result in a contract for construction with the successful proponent. This project is fully funded by the Province.
2. **Completed construction of the waste recovery facility in Whitbourne.**

This piece of infrastructure has been hampered by the ability to find a suitable parcel of land upon which to construct the facility. The preferred parcel of land was undergoing the Provincial Environmental Assessment Review process when the Board decided to withdraw the registration of that project. A second parcel of land has been identified and the process of purchase and permitting of that site has begun. If the purchase and permitting are successful then it is expected that a site will be operational in 2015. This project is fully funded by the Province.

**Objective 2:** By December 31, 2015, the Eastern Regional Service Board will have developed additional waste diversion options for the region.

**Objective 3:** By December 31, 2016, the Eastern Regional Service Board will have closed additional landfills in the region.

## **Issue 2: Building Capacity**

The board is in the process of building a foundation upon which it can expand the value added services it can offer communities. As the entity established by the Province for regional service delivery, the board has the potential to deliver additional services. Integral to the delivery of value added services in a cost effective and efficient manner are the development of relationships with stakeholders and building core capacity within the organization.

In carrying out the goal and objectives of this issue, the board will contribute to the "municipal infrastructure" component of the strategic direction "Strengthened Support for Municipal Governments" as well as the "regional cooperation" component of the strategic direction "Strengthened Municipal Capacity."

**Goal 2:** By December 31, 2016, the Eastern Regional Service Board will have created a financially self-sustaining organization.

**Measure:** Created a financially self-sustaining organization.

### **Indicators:**

- Established key partnerships and agreements with communities and stakeholders.
- Developed geographic information system mapping linked to financial system.
- Developed key policies for user fees and financial health.

**Objective 1:** By December 31, 2014, the Eastern Regional Service Board will have developed key policies to ensure a financially self-sustaining organization.

**Measure:** Developed key policies.

### **Indicators:**

**3. Signed Memorandum of Understanding with City of St. John's for use of Regional Waste Management Facility located at Robin Hood Bay.**

A memorandum of understanding was agreed upon by both parties in June of 2014 that successfully defined the use, management and funding of the facility.

**4. Developed policy on capital and operating reserves.**

The Board has established a policy to fund a capital reserve equivalent to the annual depreciation of its equipment and property. The Board has established a policy for its operating reserve to maintain the tipping fees charged at the landfill at the 2012 rate plus the annual rate of inflation for the province.

**5. Developed policy on transportation subsidy.**

The purpose of the transportation subsidy was to ensure that the costs of operating a waste collection system across the region were not disproportionately more costly in areas that were further from the Robin Hood Bay landfill. After careful review of the issue the Board adopted to discontinue the transportation policy as the costs to administer did not warrant the collection of revenue and redistribution given the fact that the tipping fee at the landfill has been made the same for all municipalities and the costs of curbside collection under the regional collection services have been set at one common fee regardless of physical location.

**6. Developed cost comparison of internal versus contracted service delivery.**

Throughout 2014 the Board developed a comparison of the cost to provide curbside waste collection services internally utilizing its own staff and equipment versus contracting for that service. The comparison resulted in the decision in the Fall of 2014 to develop the internal capacity for the provision of services in the Southwest Avalon and the Towns of Carbonear and Spaniard's Bay. The internal service began operations in these areas in January 2015.

**7. Developed policy on user fees (tipping fee –disposal and recycling, administrative fees).**

The board has not completed the development of this policy with respect to the portion of administrative costs to be allocated to the curbside waste collection services. This work of the Finance and Audit Committee will continue into 2015.

**8. Developed Governance Management Framework.**

The Governance Committee of the Board has developed a Governance Management Framework for the work of the Board based on best practices in other leading government entities. This framework will ensure that the Board reviews its work and performance on a regular basis against a comprehensive framework for governance oversight.

**Objective 2:** By December 31, 2015, the Eastern Regional Service Board will have continued to develop key policies to ensure a financially self-sustaining organization.

**Objective 3:** By December 31, 2016, the Eastern Regional Service Board will have strengthened the core capacity of the organization.

## Opportunities and Challenges Ahead

During the 2014 operating year it became evident to the Board that its efforts to further implement the *Provincial Waste Management Strategy* were hampered by two significant issues with the enabling legislation.

Firstly, the *Regional Service Boards Act* and the subsequent regulations do not provide the necessary tools for the appropriate administration of services. In comparison to municipalities the regional service boards lack tools such as the ability to lien a property for non-payment of fees, burden of going to small claims court to collect debts, no requirement to be notified of property sales, retroactive collection of fees and issuance of tax certificates. This items combined with the lack of a comprehensive property ownership database in the Province negatively affects the revenue sustainability of regional service board. The Eastern Regional Service Board has tried to mitigate these deficiencies through the creation of a comprehensive property ownership database which is enabled with geographic mapping.

Secondly, the implementation of Provincial Strategy is hampered by the many different entities that have authority to manage waste including waste disposal committees, local service districts, municipalities, and the regional service board. The lack of a common standard for services, no mandatory targets and different priorities amongst these entities means that some communities have chosen not to implement the regional service and not to implement their own services that contribute the Provincial Strategy. The reason often cited is cost and until there is a mandatory requirement the communities will continue to provide the basic level of service. In the case of waste management this is a garbage only collection system with no opportunity for diversion of recyclables, valuable metals or hazardous materials. The Board has worked with the communities that are willing to advance the waste management strategy but it has reached a point where the remaining communities are unwilling to adopt the strategy. There is a disconnect between the objectives of the strategy, the mandate of the Board and the interests of the municipalities.

Luckily, the opportunities for the Eastern Regional Service Board far outweigh the current challenges. As a regional entity providing services to a vast array of communities from unincorporated areas to large municipalities the Board has focused on building organizational capacity to leverage its knowledge and expertise. One of the most significant aspects for any organization is revenue collection and as discussed this challenge is enhanced when property ownership is not known. With development of comprehensive GIS enabled information the Board has a unique advantage to support municipalities and for future service delivery. This will facilitate the cost effective collection of fees for other services if they are expanded beyond municipalities into local service districts and unincorporated areas where property ownership data is a challenge. This could also assist municipalities in the collection of fees outside their municipal boundaries for services such as fire protection.

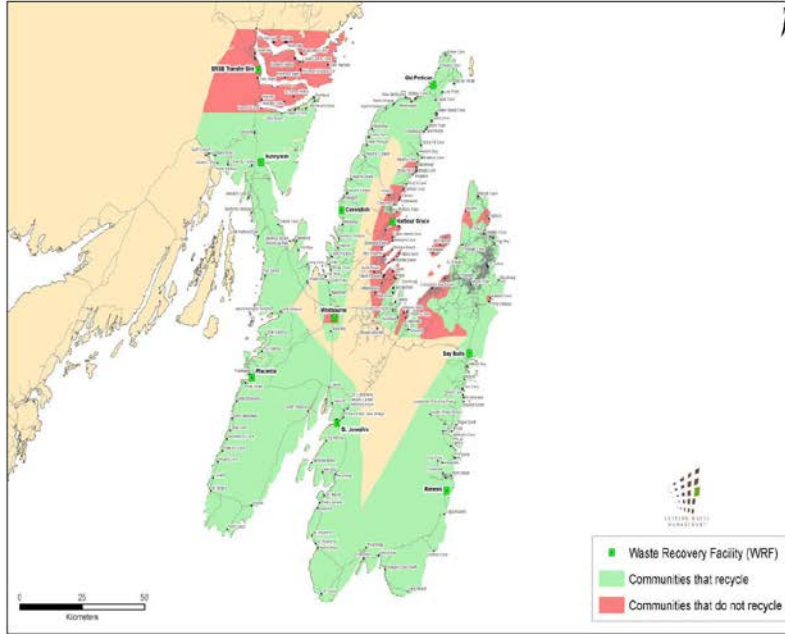
As the municipal workforce ages the ability to capture and map key infrastructure such as buried water and sewer lines will mitigate the loss of corporate knowledge in these entities as staff retire.

The Board can also build upon its existing relationships with municipalities, local service districts and representative groups such as joint councils, road associations, etc... to facilitate the delivery of other municipal services. The *Regional Service Boards Act* under Section 19 contemplates the boards delivering other services such as fire, water and waste water, regional transportation, recreation, and other services of a regional nature such as regional planning. In some of these areas the Board could provide an administrative capacity that allows the municipalities to continue to have the authority for provision of the service but purchase the service from the Board.

The addition of services also provides an opportunity to make the boards more sustainable in that the administrative cost can be shared over more services instead of being carried by only one service.

## Appendix A: Financial Statements

Appendix 1: Communities that have Curbside Recycling as of January 2013



Appendix 2: Communities with waste collection services provided by the board.

