

EASTERN REGIONAL SERVICE BOARD

Minutes of Meeting #30

February 25, 2015

7:00 p.m.

Fairfield Inn & Suites by Marriott

199 Kenmount Road, St. John's

In Attendance:

Ed Grant, Chairperson
Harold Mallowney, Vice Chair/Southern Shore
Dave Aker, Mount Pearl
Bill Bailey, Clarenville & Isthmus
Wally Collins, St. John's
Jonathan Galgay, St. John's
Sandy Hickman, St. John's
Dave Lane, St. John's
Ken McDonald, Conception Bay South
Dennis O'Keefe, St. John's
Peggy Roche, Small Metro
Gordon Stone, Trinity Conception North
Sam Whalen, Bay Roberts
Sterling Willis, Paradise
William Woodman, Southwest Avalon

Regrets:

Danny Breen, St. John's
Bernard Davis, St. John's
Joy Dobbie, Trinity Bay South & Isthmus East
Tom Hann, St. John's
Art Puddister, St. John's
Bruce Tilley, St. John's

Other Attendees:

Ken Kelly, Chief Administrative Officer, Eastern Waste Management
Lynn Tucker, Manager Corporate Services, Eastern Waste Management
Kevin Power, 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. He informed members that he would be leaving tonight's meeting at 8:00 p.m. to attend another event. Mr. Mallowney, Vice Chairperson, will chair tonight's meeting after that time.

2. Adoption of Agenda

**It was moved and seconded (H Mallowney/P Roche) to adopt the agenda as tabled.
MOTION 2015-001: Carried (unanimously)**

3. Review of Minutes – November 26, 2014

It was moved and seconded (K McDonald/S Willis) that the minutes of the November 26, 2014 meeting be adopted as tabled.

MOTION 2015-002: Carried (unanimously)

4. Committee Reports

a) Finance & Audit Committee – D Aker

- i. **Cheque Registers and Payroll Summary for November 2014, December 2014 and January 2015** – Mr. Aker stated that the cheque registers for November 2014, December 2014 and January 2015 and the payroll summary for the months of November 2014, December 2014 and January 2015 is included in tonight's meeting package (Appendix A). In addition, the Canada Revenue Agency's *Statements of Account* for our December and January payroll remittances is also included. He noted that there are no areas of concern.

It was moved and seconded (D Aker/S Hickman) to adopt the cheque registers and payroll summary for November 2014, December 2014 and January 2015 as tabled.

MOTION 2015-003: Carried (unanimously)

- ii. **Service Level Agreement with Municipalities** – Mr. Aker stated that this item grew out of the situation that developed last fall with municipalities opting out of the regional service, going to tender to compete the regional service against the private sector and the marketing activities of some contractors. During the discussion around these issues one common element became clear – we do not have an agreement or 'contract' between the Board and the municipalities that we service. The Department of Municipal and Intergovernmental Affairs recommends a formal agreement to bring clarity to service level issues and to mitigate against the issue of communities opting in and out every other year. Mr. Aker asked Mr. Kelly to provide more information.

Mr. Kelly stated that the draft *Service Level Agreement* has been provided in tonight's meeting package (Appendix B). He continued that this would be the formal agreement between the Board and communities we service. Up until recently the contract between the Board and the contractors was used as the agreement to govern the relationship. There has been some issues lately especially in areas that we have recently internalized the service. The main issues or the most contentious issues are those highlighted in yellow in the document i.e. who determines which properties get collected, which properties are billed, who sets the bag limit, what happens when a collection day is cancelled, etc. At the moment we have resolutions of Council that state the municipality is adopting/accepting the regional service but this can be revoked. We are also encountering issues where communities claim we broke the contract; however, there is no contract in the form of a document that states exactly what we have committed to provide and what they agree to purchase. This document is intended to define that relationship and the work. The *Service Level Agreement* is a blend of our *Service Delivery Policy* and the tender documents used

with the contractors. We are basically going to hold ourselves to the same service that the contractors are obligated to provide.

In closing, Mr. Kelly stated that the main question for tonight is do we present this as a contract which we want the municipality to sign and accept or are we providing this as the document that defines the service. If presented as a contract, it is open to negotiation. If we provide the document as an outline of the service, it is not a contract and opting out will still be within the municipalities' authority.

General discussion ensued with members agreeing that presenting this agreement as a contract and negotiating with every community is not practical.

Mr. Lane stated that research should be done to see how this is done in other jurisdictions.

Mr. Huxter noted that the Department of Municipal and Intergovernmental Affairs enters into contracts with any municipality receiving capital monies. A formal contract is signed. The Department feels this is the best way to protect all parties of the agreement. However, he concluded that this Board runs its own shop and is responsible to decide how to deliver this agreement.

Mr. Grant suggested that the agreement be presented as a standardized contract to be used across the entire Eastern Region.

Mr. Galgay stated that a letter be prepared for each municipality for signature that would acknowledge the terms of the agreement. The agreement would be attached as a schedule. The letter would be signed by both parties.

Ms. Roche suggested that the document could be called a memorandum of understanding rather than a contract.

Mr. Galgay stated that it would be best to align our collection contracts to the election terms of Council i.e. every four years.

General discussion ensued with members agreeing that a letter with an attached schedule may be the most appropriate way to present this agreement.

Mr. Grant concluded that aligning our contracts with the terms of Council would be possible for future contracts; however, our collection contracts are now let for 36 months. In addition, it is clear that we cannot engage in negotiating with every municipality regarding the terms of this agreement.

It was moved and seconded (D Aker/D Lane) that Eastern Regional Service Board adopt the service level standards as outlined for delivery of the Board's waste collection service. MOTION 2015-004: Carried (unanimously)

iii. **Internal Waste Collection Service Delivery Update and Request for Additional Resources –**

Mr. Aker reported that the internal waste collection service started January 5, 2015 for about 8,000 properties in Carbonear, Spaniard's Bay, Bristol's Hope and the Southwest Avalon. A briefing note is included in tonight's meeting package (Appendix C). From the material presented at the committee meeting and the discussion that took place the internal service is working well. Any issues encountered during startup have been worked out and the service is being delivered as planned. As you can see from the briefing note, some additional capacity is and continues to be required to ensure that service continues uninterrupted. The table in the briefing note shows the cost that we approved in the fall and the current costs we are experiencing with the addition of another garbage truck and driver.

The addition of a garbage truck and driver is approximately \$114 per property versus the \$108 presented in the fall. This is still within the overall amount that we have generally budgeted for the collection service – approximately \$120 per property. This will allow us to ensure service is delivered even with equipment breakdowns and staffing issues and stay within the overall budget.

The addition of another Field Operations Officer and vehicle is shown as a separate cost in the table. The addition of another Field Operations Officer is approximately \$10 per property. This will push us over budget for the service but is recommended as on-site supervision is recommended and several towns have asked that we have someone in the town when collection is taking place to troubleshoot and monitor our staff.

Mr. Kelly added that even with the addition of these resources, we will stay within our adopted budget for this year. Regarding the second Field Operations Officer, this position is necessary to ensure that supervision is available for our collection contracts, our waste recovery facilities and our contractors.

Mr. Grant confirmed that as per the MOU with the City of St. John's, these collection expenses will not back up into the tipping fees. Our collection contracts should provide a surplus of approximately \$500,000, if fully collected. However, no soft costs i.e. administrative costs, staff salaries, etc., are included. In addition, the second Field Operations Officer would have been necessary once the Whitbourne Waste Recovery Facility and equipment depot is ready. He concluded by stating that he fully supports this request for additional resources.

It was moved and seconded (D Aker/J Galgay) that ERSB purchase (1) a rear loader compactor; (2) hire an additional compactor driver; (3) hire an additional Field Operations Officer; and (4) purchase an additional pickup truck.

MOTION 2015-005: Carried (unanimously)

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

No meeting was held.

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

First of all, Mr. Mallowney reported that there is an in-camera session on the agenda for tonight. It will be the last item under Other Business.

Mr. Mallowney reported that the Governance Committee met on January 19th and February 17th and in its oversight role has reviewed the motions log of the Board, the payroll remittances, and the Board's Occupational Health & Safety Committee minutes (requirement of Workplace Health and Safety Compensation Commission). The Governance Committee also looked at the planned reports and work for the Finance & Audit Committee and the Strategy & Policy Committee. The Governance Committee will continue to look at the agendas and decisions of each committee to ensure that the required work of each committee is being completed and that each committee is getting appropriate support and materials for the discussions and decisions.

The Governance Committee is also responsible for board member development and there are three upcoming opportunities for board member development, as follows:

- i. Dutch Visit in Newfoundland – March 20, 2015: Meeting with a visiting Dutch group and presentations from various companies on waste management services they provide such as organics management, etc.
- ii. MMSB Regional Forum, Gander – May 28-29, 2015: Discussion-based forum with tour of new Materials Recovery Facility, Norris Arm with Central Newfoundland Waste Management. Maximum of 2 representatives to attend.
- iii. SWANA WasteCon (Solid Waste Association of North America Waste Conference, Orlando, Florida - August 25-27, 2015: Mr. Grant and Mr. Kelly attend as well as a maximum of 2 representatives from the Board to attend.

Mr. Grant stated that information will be sent to all Board members regarding these events. Anyone interested in participating in either of these events should let Lynn Tucker or Ken Kelly know. For the SWANA WasteCon, please note that the Board has adopted a motion to send two (2) members each year in addition to Mr. Grant and Mr. Kelly. To be fair to all Board members, different members will be provided opportunity to attend each year.

5. New Business

- a) **Whitbourne Waste Recovery Facility (WRF)/Equipment Depot and Bell Island Waste Update** – Mr. Grant informed members that a parcel of land at Whitbourne has been identified for a waste recovery facility as well as for an equipment depot for the Board. The land is located on the old Whitbourne highway. An appraisal was done about a year ago on another parcel of land and the estimated land value was \$15,000 per acre. We have now found another suitable site. However, we will have to pay more than \$15,000 per acre because the federal government recently acquired land in Whitbourne at \$80,000 an acre. As land value are based on comparables, this means that the Board will now pay \$52,000 more an acre for land in Whitbourne. This price has been approved by the Department of Municipal and Intergovernmental Affairs who is providing capital funding to the Board for this site. Having said that, Mr. Grant continued that the site is very suitable for our use with

berms in place already. In addition, the Town of Whitbourne has approved the site for usage as a waste recovery facility as well as an equipment depot. An offer is being made and it will either be accepted for the land will be expropriated. This will happen before the next meeting of the Board.

Bell Island – Mr. Grant noted that waste management for Bell Island was discussed at a recent meeting with the Minister; however, there is not much happening right now.

- b) Infrastructure/Possible Waste Recovery Facility (WRF) at Holyrood** - Ms. Roche asked Mr. Grant and Mr. Kelly for an update regarding the discussion of infrastructure at Holyrood.

Mr. Grant confirmed that the Town of Holyrood had asked about a WRF for the Holyrood area; however, the proposed site was not suitable for that usage. In addition, the motion adopted by the Board included other infrastructure besides a WRF i.e. possible organics facility; however, as no decision has been made on the organics facility, no further consideration has been made regarding this item.

- c) Discovery Regional Service Board (DRSB) – Discussion of Future Service Support** – Mr. Grant informed members that discussion was held with the Discovery Regional Service Board (DRSB) regarding assisting them both in waste collection as well as in financial collection. However, Mr. Grant noted that he would only look at this level of support with full cost recovery. The DRSB has been put in place to provide services on the Bonavista Peninsula. They have asked for a high level of assistance; however, Mr. Grant stated that he does not see a role for this Board. We would look at shared agreements for some services such as HHW Collection, etc. but he does not recommend that this Board entertain providing full waste collection and financial support services to DRSB. The DRSB will be bringing their material to the Clarenville Waste Transfer Station once operational.

- d) Regional Services** – Mr. Grant stated that the topic of ‘regionalization’ has been in the media recently i.e. Municipalities Newfoundland & Labrador (MNL) were in the media on February 24th regarding this issue. At this time, the Town of Holyrood’s decision to cut off fire services to the LSD of Deer Park/Vineland Road is driving this issue. The regional services board legislation provides us the ability to assist in the delivery of other services; however, it doesn’t seem that MNL sees the Eastern Regional Service Board as the body to assist in regional delivery of services. They are proposing yet another entity for this which doesn’t make sense when the government has regional services board legislation in place. How the provincial government moves on this will have a huge impact.

Mr. Galgay stated the fire services issue between Holyrood and Deer Park/Vineland Road is not a simple one. The LSD thought they had an agreement with Holyrood.

Mr. Grant noted that he understands that the Town of Holyrood’s own residents pay \$140 annually for fire protection. They offered the LSD of Deer Park/Vineland Road fire protection for \$45 per property which was not acceptable to the LSD. The LSD is paying nothing at this time for fire protection. Despite the fact that there are five (5) fire halls in the area, none of them are really able to provide fire protection to Deer Park/Vineland Road due to problems with getting enough trained fire fighters to respond to a call.

Mr. Kelly reported that the latest update he has received is that the Town of Holyrood and the LSD of Deer Park/Vineland Road has come to some sort of agreement to the end of April 2015 for fire protection.

- e) **Next ERSB Meeting – March 25th move to April 1st** – Mr. Kelly informed members that for the next board meeting scheduled for March 25th Mr. Grant will not be available; therefore, he is proposing that the meeting be held on Wednesday, April 1st instead. Members in attendance were surveyed and agreed to meet again on April 1, 2015.

- f) **In Camera Session – H Mallowney**
 - i. **It was moved and seconded (G Stone/D Aker) to recommend that ERSB pay the vacation pay in the amount of \$12,671.46 accrued to December 31, 2014 in excess of 10 days of eligible vacation pay (the amount eligible to be carried forward to 2015.**
MOTION 2015-006: Carried (unanimously)
 - ii. **CAO Evaluation** – Information has been compiled and reviewed. Mr. Mallowney to perform.

6. Next ERSB Meeting – April 1, 2015

Mr. Mallowney reminded members that the next Board meeting will be held on **Wednesday, April 1, 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, March 11th at 12:00 noon, EWM Boardroom
- Strategy & Policy Committee – Thursday, March 12th at 10:00 a.m., EWM Boardroom
- Governance Committee – Tuesday, March 17th at 10:00 a.m., EWM Boardroom

7. Adjournment

It was moved by G Stone to adjourn the meeting at 8:00 p.m.

*Prepared by:
Lynn Tucker
March 2, 2015*

APPENDIX

A

Eastern Waste Management
BNK2 - Bank of Montreal - EW
 Cheques from 000001 to 003610 dated between 01/01/2015 and 01/31/2015

CHEQUE REGISTER

Printed: 9:31:58AM 02/04/2015

Page 1 of 2

Number	Issued	Amount	SC	Status	Status Date
003528	01/06/2015 61366 Newfoundland and Labrador Inc.	3,759.06	A/P	CLEARED	01/23/2015
003529	01/06/2015 Around The Bay Disposals Inc.	40,187.46	A/P	CLEARED	01/23/2015
003530	01/06/2015 Atlantic Powertrain & Equipment Inc.	37,290.00	A/P	CLEARED	01/20/2015
003531	01/06/2015 Bell Aliant	1,126.64	A/P	OUT-STD	01/06/2015
003532	01/06/2015 Bemice Hickey	65.20	A/P	OUT-STD	01/06/2015
003533	01/06/2015 Channel 6 Ads	285.00	A/P	CLEARED	01/23/2015
003534	01/06/2015 Christie Dean	4,964.37	A/P	CLEARED	01/31/2015
003535	01/06/2015 D&L Russell Limited	50.03	A/P	CLEARED	01/23/2015
003536	01/06/2015 Dicks and Company Limited	291.34	A/P	CLEARED	01/20/2015
003537	01/06/2015 Dynamex Canada Limited	38.65	A/P	CLEARED	01/23/2015
003538	01/06/2015 Ed Grant	61.11	A/P	CLEARED	01/23/2015
003539	01/06/2015 Fast Signs	559.35	A/P	CLEARED	01/23/2015
003540	01/06/2015 Harold Mallowney	179.28	A/P	OUT-STD	01/06/2015
003541	01/06/2015 Harris Ryan	24,408.00	A/P	CLEARED	01/20/2015
003542	01/06/2015 Henry Hennessy	45.25	A/P	CLEARED	01/23/2015
003543	01/06/2015 John Taylor	637.82	A/P	CLEARED	01/20/2015
003544	01/06/2015 Jonathan Miller	141.25	A/P	CLEARED	01/23/2015
003545	01/06/2015 Joy Dobbie	354.96	A/P	CLEARED	01/20/2015
003546	01/06/2015 Ken Kelly	102.66	A/P	CLEARED	01/20/2015
003547	01/06/2015 Kerr Global Communications	1,145.31	A/P	CLEARED	01/23/2015
003548	01/06/2015 Kevin Power	3,237.79	A/P	CLEARED	01/31/2015
003549	01/06/2015 Leslie Squires	330.00	A/P	CLEARED	01/20/2015
003550	01/06/2015 Lynn Tucker	3,071.75	A/P	CLEARED	01/23/2015
003551	01/06/2015 NATIONAL Public Relations	7,645.27	A/P	CLEARED	01/23/2015
003552	01/06/2015 Nexgen Municipal Inc.	147.37	A/P	CLEARED	01/23/2015
003553	01/06/2015 Patterson's Steel Products Ltd.	45.20	A/P	CLEARED	01/23/2015
003554	01/06/2015 Pitney Bowes	1,718.04	A/P	CLEARED	01/23/2015
003555	01/06/2015 Quikprint Services Ltd.	2,275.23	A/P	CLEARED	01/20/2015
003556	01/06/2015 Randy Reid	950.08	A/P	CLEARED	01/20/2015
003557	01/06/2015 Royal Garage Ltd.	129,354.05	A/P	CLEARED	01/23/2015
003558	01/06/2015 Saunders Equipment Ltd.	440,413.88	A/P	CLEARED	01/20/2015
003559	01/06/2015 T2 Ventures Inc.	123,808.44	A/P	CLEARED	01/20/2015
003560	01/06/2015 The Business Post	447.48	A/P	CLEARED	01/23/2015
003561	01/06/2015 The Shoreline News	135.72	A/P	CLEARED	01/23/2015
003562	01/06/2015 Transcontinental Atlantic Media Group G.P.	1,502.90	A/P	CLEARED	01/23/2015
003563	01/06/2015 W J Thorne Surveys Limited	3,627.30	A/P	CLEARED	01/20/2015
003564	01/06/2015 Encon Group Inc.	2,581.93	G/L	CLEARED	01/23/2015
003566	01/28/2015 Argentia Management Authority Inc.	113.00	A/P	OUT-STD	01/28/2015
003567	01/28/2015 Bell Mobility Inc.	1,279.43	A/P	OUT-STD	01/28/2015
003568	01/28/2015 Bemice Hickey	209.00	A/P	OUT-STD	01/28/2015
003569	01/28/2015 Brookside Services Ltd.	818.98	A/P	OUT-STD	01/28/2015
003570	01/28/2015 Cabot Industries Limited	2,983.20	A/P	OUT-STD	01/28/2015
003571	01/28/2015 Christie Dean	2,552.98	A/P	OUT-STD	01/28/2015
003572	01/28/2015 CIBC	395.47	A/P	OUT-STD	01/28/2015
003573	01/28/2015 Coish's Trucking & Excavating Ltd.	9,004.01	A/P	OUT-STD	01/28/2015
003574	01/28/2015 Concord Enterprises Inc.	10,170.00	A/P	OUT-STD	01/28/2015
003575	01/28/2015 Curtis Dawe	13,202.82	A/P	OUT-STD	01/28/2015

* - Name on Check was modified

Eastern Waste Management
 BNK2 - Bank of Montreal - EW
 Cheques from 000001 to 003610 dated between 01/01/2015 and 01/31/2015

CHEQUE REGISTER

Printed: 9:31:58AM 02/04/2015

Page 2 of 2

Number	Issued	Amount	SC	Status	Status Date
003576	01/28/2015 D&L Russell Limited	9.54	A/P	OUT-STD	01/28/2015
003577	01/28/2015 De Lage Landen Financial Services Canada Ltd.	286.42	A/P	OUT-STD	01/28/2015
003578	01/28/2015 Dicks and Company Limited	162.38	A/P	OUT-STD	01/28/2015
003579	01/28/2015 Dodd's Diesel Repair Ltd.	4,074.70	A/P	OUT-STD	01/28/2015
003580	01/28/2015 Dynamex Canada Limited	57.12	A/P	OUT-STD	01/28/2015
003581	01/28/2015 Imperial Oil	9,134.87	A/P	OUT-STD	01/28/2015
003582	01/28/2015 Iron Mountain Canada	30.45	A/P	OUT-STD	01/28/2015
003583	01/28/2015 Ken Kelly	1,361.64	A/P	OUT-STD	01/28/2015
003584	01/28/2015 Kenneth Thome	579.55	A/P	OUT-STD	01/28/2015
003585	01/28/2015 Kerr Global Communications	169.50	A/P	OUT-STD	01/28/2015
003586	01/28/2015 Kevin Power	1,467.51	A/P	OUT-STD	01/28/2015
003587	01/28/2015 Kevin Butt	75.22	A/P	OUT-STD	01/28/2015
003588	01/28/2015 Lynn Tucker	577.43	A/P	OUT-STD	01/28/2015
003589	01/28/2015 Mark Day	105.22	A/P	OUT-STD	01/28/2015
003590	01/28/2015 NATIONAL Public Relations	24,157.08	A/P	OUT-STD	01/28/2015
003591	01/28/2015 Newfoundland Exchequer - MVR	180.00	A/P	OUT-STD	01/28/2015
003592	01/28/2015 Pinnacle Office Solutions Ltd.	300.39	A/P	OUT-STD	01/28/2015
003593	01/28/2015 Pitney Bowes	2,492.16	A/P	OUT-STD	01/28/2015
003594	01/28/2015 Pro-Tech Construction Ltd.	15,400.98	A/P	OUT-STD	01/28/2015
003595	01/28/2015 Royal Garage Ltd.	58.71	A/P	OUT-STD	01/28/2015
003596	01/28/2015 Sam Pike Masonry Ltd.	72.55	A/P	OUT-STD	01/28/2015
003597	01/28/2015 Saunders Equipment Ltd.	95,120.01	A/P	OUT-STD	01/28/2015
003598	01/28/2015 Simms Garage Ltd.	5,293.56	A/P	OUT-STD	01/28/2015
003599	01/28/2015 The Shoreline News	407.05	A/P	OUT-STD	01/28/2015
003600	01/28/2015 Transcontinental Atlantic Media Group G.P.	894.16	A/P	OUT-STD	01/28/2015
003601	01/28/2015 Tulk Tire & Service Ltd.	384.75	A/P	OUT-STD	01/28/2015
003602	01/28/2015 Vardy Villa Limited	2,175.25	A/P	OUT-STD	01/28/2015
003603	01/28/2015 Wedgwood Insurance Limited	16,513.00	A/P	OUT-STD	01/28/2015
003604	01/28/2015 William Woodman	123.79	A/P	OUT-STD	01/28/2015
003605	01/28/2015 Receiver General of Canada	2,901.33	G/L	OUT-STD	01/28/2015
003606	01/28/2015 Receiver General of Canada	29,907.98	G/L	OUT-STD	01/28/2015
003607	01/28/2015 Carroll, Anne Marie & Does not own any property on SL - make	90.00	A/R	*VOID*	01/28/2015
003608	01/28/2015 Carroll, Anne Marie	90.00	A/R	OUT-STD	01/28/2015
Cheque Totals Issued:		1,092,278.36			
Void:		90.00			
Total Cheques Generated:		1,092,368.36			
Total # of Cheques Listed:		80			

* - Name on Check was modified

Eastern Waste Management
BNK2 - Bank of Montreal - EW
 Cheques from 000001 to 003610 dated between 12/01/2014 and 12/31/2014

CHEQUE REGISTER

Printed: 9:30:58AM 02/04/2015

Page 1 of 3

Number	Issued	Amount	SC	Status	Status Date
003416	12/02/2014 61366 Newfoundland and Labrador Inc.	2,260.00	A/P	CLEARED	12/17/2014
003417	12/02/2014 AMEC Foster Wheeler Environment & Infrastructure	644.10	A/P	CLEARED	12/10/2014
003418	12/02/2014 Around The Bay Disposals Inc.	38,520.01	A/P	CLEARED	12/10/2014
003419	12/02/2014 Atlantic Industrial Services	46,866.75	A/P	CLEARED	12/10/2014
003420	12/02/2014 Avalon Industrial & Marine Supplies Ltd.	1,130.00	A/P	CLEARED	12/10/2014
003421	12/02/2014 Bell Aliant	1,118.39	A/P	CLEARED	12/10/2014
003422	12/02/2014 Bell Mobility Inc.	1,074.14	A/P	CLEARED	12/10/2014
003423	12/02/2014 Big Erics Inc.	94.92	A/P	CLEARED	12/17/2014
003424	12/02/2014 Blaketown Service Station	208.99	A/P	CLEARED	01/20/2015
003425	12/02/2014 Christie Dean	3,064.80	A/P	CLEARED	12/10/2014
003426	12/02/2014 Clowe Construction Ltd.	757.10	A/P	CLEARED	01/23/2015
003427	12/02/2014 Coish's Trucking & Excavating Ltd.	9,004.01	A/P	CLEARED	12/17/2014
003428	12/02/2014 Conception Bay Auto & Tire Centre	1,763.25	A/P	CLEARED	12/17/2014
003429	12/02/2014 De Lage Landen Financial Services Canada Ltd.	286.42	A/P	CLEARED	12/17/2014
003430	12/02/2014 Dicks and Company Limited	203.24	A/P	CLEARED	12/10/2014
003431	12/02/2014 Dodd's Diesel Repair Ltd.	440.70	A/P	CLEARED	12/10/2014
003432	12/02/2014 Dynamex Canada Limited	30.12	A/P	CLEARED	12/10/2014
003433	12/02/2014 Ed Grant	61.12	A/P	CLEARED	12/10/2014
003434	12/02/2014 Gordon Stone	381.35	A/P	CLEARED	12/10/2014
003435	12/02/2014 Harold Mullooney	268.92	A/P	CLEARED	12/10/2014
003436	12/02/2014 Imperial Oil	10,234.28	A/P	CLEARED	12/17/2014
003437	12/02/2014 Iron Mountain Canada	30.45	A/P	CLEARED	12/10/2014
003438	12/02/2014 Joy Dobbie	479.48	A/P	CLEARED	12/10/2014
003439	12/02/2014 Junior Forest Wardens Assoc of Alberta	1,500.00	A/P	CLEARED	12/31/2014
003440	12/02/2014 Ken Kelly	1,010.91	A/P	CLEARED	12/10/2014
003441	12/02/2014 Kerr Global Communications	2,290.62	A/P	CLEARED	12/10/2014
003442	12/02/2014 Kevin Power	1,612.19	A/P	CLEARED	12/10/2014
003443	12/02/2014 Leslie Squires	440.00	A/P	CLEARED	12/10/2014
003444	12/02/2014 Lynn Tucker	84.25	A/P	CLEARED	12/22/2014
003445	12/02/2014 NATIONAL Public Relations	539.01	A/P	CLEARED	12/10/2014
003446	12/02/2014 Patterson's Steel Products Ltd.	452.00	A/P	CLEARED	12/10/2014
003447	12/02/2014 Pinnacle Office Solutions Ltd.	349.41	A/P	CLEARED	12/17/2014
003448	12/02/2014 Pitney Bowes	430.91	A/P	CLEARED	12/17/2014
003449	12/02/2014 Pro-Tech Construction Ltd.	7,700.49	A/P	OUT-STD	12/02/2014
003450	12/02/2014 PROCOM Data Services Inc.	9,172.21	A/P	CLEARED	12/10/2014
003451	12/02/2014 Ridge G&P Services Ltd.	91,882.01	A/P	CLEARED	01/20/2015
003452	12/02/2014 Royal Garage Ltd.	316.31	A/P	CLEARED	12/10/2014
003453	12/02/2014 S & S Supply Ltd.	14,239.71	A/P	CLEARED	12/10/2014
003454	12/02/2014 Sam Pike Masonry Ltd.	85.32	A/P	CLEARED	12/22/2014
003455	12/02/2014 Sam Whalen	305.60	A/P	CLEARED	12/10/2014
003456	12/02/2014 SWANA	256.51	A/P	CLEARED	12/31/2014
003457	12/02/2014 T2 Ventures Inc.	123,097.69	A/P	CLEARED	12/10/2014
003458	12/02/2014 Town of Sunnyside	16.95	A/P	CLEARED	12/31/2014
003459	12/02/2014 Transcontinental Atlantic Media Group G.P.	1,256.64	A/P	CLEARED	12/10/2014
003460	12/02/2014 Tulk Tire & Service Ltd.	548.48	A/P	CLEARED	12/10/2014
003461	12/02/2014 Wedgwood Insurance Limited	593.00	A/P	CLEARED	12/10/2014
003462	12/02/2014 William Woodman	387.08	A/P	CLEARED	12/10/2014

* - Name on Check was modified

Eastern Waste Management
BNK2 - Bank of Montreal - EW
 Cheques from 000001 to 003610 dated between 12/01/2014 and 12/31/2014

CHEQUE REGISTER

Printed: 9:30:58AM 02/04/2015

Page 2 of 3

Number	Issued	Amount	SC	Status	Status Date
003463	12/02/2014 Penney, George	90.00	A/R	CLEARED	12/17/2014
003464	12/02/2014 Encon Group Inc.	2,581.93	G/L	CLEARED	12/17/2014
003465	12/02/2014 Encon Group Inc.	2,581.93	G/L	CLEARED	12/17/2014
003466	12/02/2014 Receiver General of Canada	15,796.60	G/L	CLEARED	12/17/2014
003486	12/16/2014 Bell Mobility Inc.	1,084.83	A/P	CLEARED	12/31/2014
003487	12/16/2014 Bemice Hickey	252.71	A/P	CLEARED	12/22/2014
003488	12/16/2014 Big Erics Inc.	87.69	A/P	CLEARED	12/31/2014
003489	12/16/2014 Bill Bailey	1,202.60	A/P	CLEARED	12/31/2014
003490	12/16/2014 Cabot Industries Limited	2,983.20	A/P	CLEARED	12/31/2014
003491	12/16/2014 Christie Dean	2,102.29	A/P	CLEARED	12/31/2014
003492	12/16/2014 Coish's Trucking & Excavating Ltd.	9,004.01	A/P	CLEARED	12/31/2014
003493	12/16/2014 Conception Bay Auto & Tire Centre	881.63	A/P	CLEARED	12/31/2014
003494	12/16/2014 Dicks and Company Limited	8.46	A/P	CLEARED	12/31/2014
003495	12/16/2014 Dodd's Diesel Repair Ltd.	7.85	A/P	CLEARED	12/31/2014
003496	12/16/2014 Fairfield Inn & Suites by Marriott	1,128.15	A/P	CLEARED	01/20/2015
003497	12/16/2014 Fast Signs	327.70	A/P	CLEARED	12/31/2014
003498	12/16/2014 Gordon Stone	101.86	A/P	CLEARED	12/31/2014
003499	12/16/2014 Imperial Oil	11,059.40	A/P	CLEARED	12/31/2014
003500	12/16/2014 Iron Mountain Canada	30.28	A/P	CLEARED	12/31/2014
003501	12/16/2014 Jonathan Miller	508.50	A/P	CLEARED	12/31/2014
003502	12/16/2014 Ken Kelly	1,260.00	A/P	CLEARED	12/22/2014
003503	12/16/2014 Kevin Butt	77.41	A/P	CLEARED	12/31/2014
003504	12/16/2014 Krysta Molloy	29.75	A/P	CLEARED	12/22/2014
003505	12/16/2014 Leslie Squires	440.00	A/P	CLEARED	12/22/2014
003506	12/16/2014 Lynn Tucker	160.29	A/P	CLEARED	12/22/2014
003507	12/16/2014 Michelle Squires	15.28	A/P	CLEARED	12/31/2014
003508	12/16/2014 NATIONAL Public Relations	7,201.35	A/P	CLEARED	01/23/2015
003509	12/16/2014 Nexgen Municipal Inc.	733.01	A/P	CLEARED	12/31/2014
003510	12/16/2014 Pinnacle Office Solutions Ltd.	272.10	A/P	CLEARED	12/31/2014
003511	12/16/2014 Quikprint Services Ltd.	89.27	A/P	CLEARED	12/31/2014
003512	12/16/2014 Red Oak Catering	6,631.70	A/P	CLEARED	01/20/2015
003513	12/16/2014 Royal Garage Ltd.	88.07	A/P	CLEARED	12/31/2014
003514	12/16/2014 Sam Pike Masonry Ltd.	214.80	A/P	CLEARED	01/20/2015
003515	12/16/2014 Sam Whalen	336.23	A/P	CLEARED	12/22/2014
003516	12/16/2014 Sandy Hickman	39.00	A/P	CLEARED	12/31/2014
003517	12/16/2014 T2 Ventures Inc.	5,779.88	A/P	CLEARED	12/22/2014
003518	12/16/2014 Transcontinental Atlantic Media Group G.P.	779.02	A/P	CLEARED	12/31/2014
003519	12/16/2014 Jacqueline Crocker	101.86	A/P	CLEARED	12/31/2014
003520	12/16/2014 Michael Lundrigan	86.58	A/P	CLEARED	12/31/2014
003521	12/16/2014 Wayne Sellers	121.21	A/P	*VOID*	12/16/2014
003522	12/25/2014 Receiver General of Canada	20,334.36	G/L	CLEARED	12/31/2014
003523	12/17/2014 Avalon Industrial & Marine Supplies Ltd.	410.76	A/P	CLEARED	12/31/2014
003524	12/17/2014 Jacqueline Crocker	186.03	A/P	CLEARED	12/31/2014
003525	12/17/2014 Kerr Global Communications	406.80	A/P	CLEARED	12/31/2014
003526	12/17/2014 Royal Garage Ltd.	58.71	A/P	CLEARED	12/31/2014
003527	12/17/2014 Wayne Sellers	124.27	A/P	CLEARED	12/31/2014

* - Name on Check was modified

Eastern Waste Management
BNK2 - Bank of Montreal - EW
Cheques from 000001 to 003610 dated between 12/01/2014 and 12/31/2014

CHEQUE REGISTER

Printed: 9:30:58AM 02/04/2015

Page 3 of 3

Number	Issued	Amount	SC	Status	Status Date
Cheque Totals Issued:		475,167.99			
Void:		121.21			
Total Cheques Generated:		475,289.20			
Total # of Cheques Listed:		93			

* - Name on Check was modified

Eastern Waste Management
BNK2 - Bank of Montreal - EW
 Cheques from 000001 to 003610 dated between 11/01/2014 and 11/30/2014

CHEQUE REGISTER

Printed: 9:25:34AM 02/04/2015

Page 1 of 1

Number	Issued	Amount	SC	Status	Status Date
003379	11/05/2014 61366 Newfoundland and Labrador Inc.	2,260.00	A/P	CLEARED	11/19/2014
003380	11/05/2014 Around The Bay Disposals Inc.	41,803.12	A/P	CLEARED	11/30/2014
003381	11/05/2014 Bell Aliant	1,155.20	A/P	CLEARED	11/19/2014
003382	11/05/2014 Bruce Butt	141.83	A/P	CLEARED	11/19/2014
003383	11/05/2014 Cabot Industries Limited	2,983.20	A/P	CLEARED	11/19/2014
003384	11/05/2014 Christie Dean	452.44	A/P	CLEARED	11/19/2014
003385	11/05/2014 Community Centre Committee	200.00	A/P	CLEARED	11/30/2014
003386	11/05/2014 De Lage Landen Financial Services Canada Ltd.	303.34	A/P	CLEARED	11/19/2014
003387	11/05/2014 Derm Moran	211.06	A/P	CLEARED	11/19/2014
003388	11/05/2014 Dicks and Company Limited	823.85	A/P	CLEARED	11/19/2014
003389	11/05/2014 Dodd's Diesel Repair Ltd.	3,808.42	A/P	CLEARED	11/19/2014
003390	11/05/2014 Don Gibbons Enterprises Ltd.	158.20	A/P	CLEARED	11/30/2014
003391	11/05/2014 Ed Grant	659.53	A/P	CLEARED	11/19/2014
003392	11/05/2014 Fairfield Inn & Suites by Marriott	1,252.83	A/P	CLEARED	11/30/2014
003393	11/05/2014 G Groves & Sons Limited	474.60	A/P	CLEARED	12/10/2014
003394	11/05/2014 Gordon Stone	215.43	A/P	CLEARED	11/30/2014
003395	11/05/2014 Harold Mallowney	224.10	A/P	CLEARED	11/30/2014
003396	11/05/2014 Henry Hennessey	35.09	A/P	CLEARED	11/19/2014
003397	11/05/2014 Jonathan Miller	621.50	A/P	CLEARED	11/19/2014
003398	11/05/2014 Kevin Power	644.60	A/P	CLEARED	11/19/2014
003399	11/05/2014 Lynn Tucker	592.33	A/P	CLEARED	11/19/2014
003400	11/05/2014 Madsen Construction Equipment	386.96	A/P	CLEARED	11/19/2014
003401	11/05/2014 M J Hickey Construction Ltd.	211.88	A/P	CLEARED	11/19/2014
003402	11/05/2014 Mount Carmel Building Supplies Ltd.	63.39	A/P	CLEARED	11/19/2014
003403	11/05/2014 NATIONAL Public Relations	526.82	A/P	CLEARED	11/30/2014
003404	11/05/2014 Newcap Inc.	468.95	A/P	CLEARED	11/19/2014
003405	11/05/2014 Newfoundland Exchequer - MVR	5,332.00	A/P	CLEARED	11/30/2014
003406	11/05/2014 Parsons Trucking Limited	542.40	A/P	CLEARED	11/19/2014
003407	11/05/2014 Ridge G&P Services Ltd.	97,664.80	A/P	CLEARED	11/30/2014
003408	11/05/2014 Robert Denine	104.43	A/P	CLEARED	11/30/2014
003409	11/05/2014 Royal Garage Ltd.	212.51	A/P	CLEARED	11/19/2014
003410	11/05/2014 S & S Supply Ltd.	14,239.71	A/P	CLEARED	11/19/2014
003411	11/05/2014 Sam Whalen	152.80	A/P	CLEARED	11/19/2014
003412	11/05/2014 T2 Ventures Inc.	127,500.07	A/P	CLEARED	11/30/2014
003413	11/05/2014 Tulk Tire & Service Ltd.	5,676.11	A/P	CLEARED	11/19/2014
003414	11/05/2014 Wayde Higdon	96.35	A/P	CLEARED	11/19/2014
003415	11/05/2014 Wedgwood Insurance Limited	20,299.00	A/P	CLEARED	11/19/2014
Cheque Totals Issued:		332,498.85			
Void:		0.00			
Total Cheques Generated:		332,498.85			
Total # of Cheques Listed:		37			

* - Name on Check was modified

**EASTERN REGIONAL SERVICE BOARD
EASTERN WASTE MANAGEMENT**

**PAYROLL EXPENSE
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>
TOTAL GROSS PAYROLL	<u>\$115,705.05</u>

PREVIOUS MONTHS

NOVEMBER 2014

Payroll – Staff.....	\$59,742.63
Payroll – Board.....	<u>\$00,000.00</u>
Total Payroll (<i>20 employees</i>)	\$59,742.63
Payroll CRA Remittance (<i>Chq#3466</i>)	<u>\$15,796.60</u>
TOTAL GROSS PAYROLL	<u>\$75,539.23</u>

DECEMBER 2014

Payroll – Staff.....	\$60,246.47
Payroll – Board (<i>Q4</i>)	<u>\$19,020.01</u>
Total Payroll (<i>39 employees</i>)	\$79,266.48
Payroll CRA Remittance (<i>Chq#3522</i>)	<u>\$20,334.36</u>
TOTAL GROSS PAYROLL	<u>\$99,600.84</u>

Statement of account as of February 6, 2015

Account number 86109 6600 RP0001

Employer name Eastern Regional Service Board

000744

Balances on last statement		Current balances	
Amount paid for 2015	Assessed amount owing	Amount paid for 2015	Assessed amount owing
Not Available	Not Available	29,907.98Cr	0.00

EXPLANATION OF CHANGES

Date	Description	Amount
Feb 5	Payment Jan 2015	29,907.98Cr

You want to request your HCSB as a refund? You can request it online using My Business Account service at www.cra.gc.ca/mybusinessaccount. Make sure you sign up for direct deposit to get your HCSB refund and all your Canada Revenue Agency payments quickly and conveniently. Simply fill out Form RC366, Direct Deposit for Businesses, available online at www.cra.gc.ca/directdeposit and mail it to your tax centre. Enroll now, because the Government of Canada is phasing out federal government cheques by April 2016.

Please use remittance voucher to make your next remittance or explain on the last page why you will not be remitting.

If you already receive your statement and remit source deductions electronically, please continue to do so.

Thank you for your payment.

The "amount paid" boxes on this statement reflect the balances for 2015. Future statements will also reflect the 2015 balances.

If you need more information, please call 1-800-959-5525.

Andrew Treusch
Commissioner of Revenue

CPP contributions	EI premiums	Tax deductions	Current payment	Gross payroll	No. of employees in last pay period

PD7A E (13/05) Tear off here and return lower portion with your payment.

CURRENT SOURCE DEDUCTIONS REMITTANCE VOUCHER

PD7A E (13/05)

ST. JOHN'S NL A1B 3Z1

Account number **06** 86109 6600 RP0001

Do not use this area

Gross payroll in remitting period (dollars only)

0,0

Eastern Regional Service Board
3-255 MAJORS PATH
ST JOHN'S NL A1A 0L5

Number of employees in last pay period

End of remitting period for which deductions were withheld

Year Month

Amount paid

0610020006000000861096600RP00010000000000000000000000000610027

1 2 2014 1 1 7 1

96



Canada Revenue Agency / Agence du revenu du Canada

STATEMENT OF ACCOUNT FOR CURRENT SOURCE DEDUCTIONS

RECEIVED JAN 13 2015

Statement of account as of December 31, 2014

Account number 86109 6600 RP0001

Employer name Eastern Regional Service Board

000634

Balances on last statement		Current balances	
Amount paid for 2014	Assessed amount owing	Amount paid for 2014	Assessed amount owing
247,250.59Cr	0.00	267,584.95Cr	0.00

EXPLANATION OF CHANGES

Date	Description	Amount
Dec 30	Payment Dec 2014	20,334.36Cr

You want to request your HCSB as a refund? You can request it online using My Business Account service at www.cra.gc.ca/mybusinessaccount. Make sure you sign up for direct deposit to get your HCSB refund and all your Canada Revenue Agency payments quickly and conveniently. Simply fill out Form RC366, Direct Deposit for Businesses, available online at www.cra.gc.ca/directdeposit and mail it to your tax centre. Enroll now, because the Government of Canada is phasing out federal government cheques by April 2016.

Please use remittance voucher to make your next remittance or explain on the last page why you will not be remitting.

If you already receive your statement and remit source deductions electronically, please continue to do so.

Thank you for your payment.

If you need more information, please call 1-800-959-5525.

Andrew Treusch
Commissioner of Revenue

CPP contributions	El premiums	Tax deductions	Current payment	Gross payroll	No. of employees in last pay period

PD7A E (13/05) Tear off here and return lower portion with your payment.

Canada Revenue Agency / Agence du revenu du Canada

CURRENT SOURCE DEDUCTIONS REMITTANCE VOUCHER

PD7A E (13/05)

ST. JOHN'S NL A1B 3Z1

Account number **06** 86109 6600 RP0001 Do not use this area

Gross payroll in remitting period (dollars only) 00

Eastern Regional Service Board
3-255 MAJORS PATH
ST JOHN'S NL A1A 0L5

Number of employees in last pay period End of remitting period for which deductions were withheld Year Month

Amount paid

0610020006000000861096600RP000100000000000000000610027

1 2 2 0 4 . 1 1 7 5

96

APPENDIX

B

SERVICE LEVEL AGREEMENT

THIS AGREEMENT is made effective as of this 1st day of January, 2015.

BETWEEN: **EASTERN REGIONAL SERVICE BOARD**, a corporation incorporated under the laws of the Province of Newfoundland and Labrador,

(the “**Board**”)

AND: **MUNICIPALITY**, a corporation incorporated under the laws of the Province of Newfoundland and Labrador,

(the “**Municipality**”)

WHEREAS section 4(1) of the *Eastern Regional Service Board Regulations*, Nfld. Reg. 92/11 (“**Regulations**”) provides the Eastern Regional Services Board with the power to charge user fees to a municipality in the Eastern Region, local service district in the Eastern Region, unincorporated area in the Eastern Region or other user of a facility or service provided by the Board;

AND WHEREAS it is the consensus of the Eastern Regional Services Board to establish this policy to regulate the provision of waste management services, including the handling and collection of garbage and other waste materials, by the Board;

AND WHEREAS the Municipality wishes to contract with the Board for the provision of waste management services, including the handling and collection of garbage and other waste materials, by the Board pursuant to the terms and conditions as set out herein;

NOW THEREFORE THIS AGREEMENT WITNESSES that for and in consideration of the sum of \$1.00 and other good and valuable consideration paid by the Board to the Municipality and by the Municipality to the Board on or before the execution of this Agreement (the receipt and sufficiency of which are hereby acknowledged by each party) the parties hereby covenant and agree as follows:

ARTICLE I DEFINITIONS AND INTERPRETATION

1.1 For the purposes of this Agreement, unless the context otherwise requires, the following terms shall have the respective meanings set forth in this section 1.1 and grammatical variations of such terms shall have corresponding meanings:

“**Agreement**”, “**this Agreement**”, “**the Agreement**”, “**hereto**”, “**hereof**”, “**herein**”, “**hereby**”, “**hereunder**” and similar expressions mean or refer to this Agreement, as the same may be amended or supplemented from time to time in writing between the parties hereto;

"Board" means the Eastern Regional Services Board established by the *Eastern Regional Services Board Order*, O.C. 2011-255 under the *Regional Service Boards Act*, RSNL 1990 c. R-89 ("Act").

"Bulk Waste" means the following discarded materials: Furniture, mattresses, box springs; (deleting this items to be recycled Televisions, electronics, computers); Carpet, flooring, bathroom fixtures, and additional renovation debris (All materials must be packaged in bags or bundles that are less than 22 kg and less than 1.5 m in length). Metals are included.

"Commercial Property" means a Developed Property used in whole or in part for small businesses, retail establishments, service establishments, recreational purposes, entertainment purposes, or offices.

"Commercial Unit" means a Dwelling Unit or office space situated on Commercial Property.

"Commercial User" means an owner of Commercial Property permitted by the Board to use a Transfer Station.

"Eastern Region" is the geographic region defined in the *Eastern Regional Service Board Order*, O.C. 2011-255.

"Electronic Waste" means waste from households or businesses that is included in the Electronics Producers Association program for return or any other electronics such as cellular telephones.

"Developed Property" means property eligible for Waste Management Services as determined by the Board.

"Dwelling Unit" means a building, apartment, cabin, or trailer that is habitable either seasonally or permanently, situated on Developed Property.

"Garbage" means waste from private or public property, within the Eastern Region, but does not include the following as defined within this Policy or the Schedule hereto:

- (a) Recyclable Materials;
- (b) Compostable Materials;
- (c) Hazardous, Pathological and Hazardous Household Wastes;
- (d) Liquid Waste;
- (e) Building Materials;
- (f) Special Waste; and
- (g) Unsuitable Items.

"Garbage Collection Services" means those Services provided by the Board or its agent(s) for the removal of Garbage from public or private property.

"Hazardous Waste" means those items which are or may be harmful to the environment, persons or property including, but not limited to, those items designated in Schedule 1 of this policy, and shall include Household Hazardous Waste.

"Household Hazardous Waste" means hazardous waste that would normally be used and kept in a household, which may include toxic substances or poisons that can result in illness and death; acidic or caustic corrosives that can cause severe burns to skin or mucous membranes; flammable and combustible substances which can pose a significant fire and burn risk at ambient temperatures or when exposed to a heat source; and items that are potentially explosive, e.g. gas cylinders or aerosol containers, and including, but not limited to, those items set out in Schedule 1 of this Policy.

"Institutional Property" means a federal, provincial or municipal government building, including, but not limited to, a hospital, library, school, town hall, or community centre.

"Liquid Waste" means any waste in liquid form.

"Materials" means any Garbage, Recyclable Materials or Bulk Waste as defined in this Policy or the Schedule hereto.

"Materials Recovery Facility" means a materials recovery facility approved by the Board.

"Multiple-unit Complex" means a building used primarily for residential purposes which contains multiple Dwelling Units, and shall include a Personal Care Home, townhouse complex, and a home based business requiring a separate Service Unit.

"Personal Care Home" means a premises, place or private residence in which personal care is provided, for remuneration.

"Property Owner" means an owner of a Dwelling Unit, Commercial Property, Institutional Property, Multi-unit Complex or Personal Care Home.

"Recyclable Materials" means all non-Contaminated waste items which are recyclable or reusable, non-biodegradable and acceptable at the Materials Recovery Facility located at the Regional Integrated Facility at Robin Hood Bay.

"Recycling Services" means those Services provided by the Board or its agent(s) for the collection of Recyclable Materials from public or private property.

"Regulations" means the *Eastern Regional Service Board Regulations*, Nfld. Reg. 92/11.

"Resident" means an occupant, lessee or tenant of a Dwelling Unit.

"Roadside/curbside" means within the road right of way, at the edge of the property or no more than fifteen (15) feet from the edge of the paved roadway.

“Service Unit” means a Dwelling Unit, Commercial Unit, Multi-unit Complex, Personal Care Home or Institutional Property or part thereof eligible to receive Waste Management Services and subject to the annual Waste Management Fee.

“Tipping Fee” means the fee to be charged at a Regional Facility to dispose of waste as determined by the Board. This fee may vary by waste type, service offered, location of facility, volume, classification of users (commercial, residential, institutional) or any other means the Board determines in its structure of user fees for regional facilities and services.

“Transfer Station” means a Regional Facility in the Eastern Region where waste may be disposed of or transferred from one waste disposal vehicle to another at such times and upon such terms and conditions as the Board may determine.

"Unsuitable Items" means waste items unsuitable for collection by virtue of their size, shape, weight or because they are potentially dangerous to the safety of those persons providing Waste Management Services in the Eastern Region.

“Waste Management Fee” is the annual user fee established by the Board to be charged to a Service Unit or Commercial Property for Waste Management Collection Services which Waste Management Fee to be set by the Board by October 31 of each year.

"Waste Management Collection Services" means those services provided by the Board under this Policy, including, but not limited to, Garbage Collection Services, Recyclable Materials Collection and collection of Bulk Waste.

“Waste Recovery Facility” means a Regional Facility where waste may be disposed of by Residents at such times and upon such terms and conditions as the Board may determine. No commercial or institutional users.

ARTICLE 2 TERM

- 2.1 The Term of this Agreement shall be thirty-six (36) months. The Work shall commence on January 1st, 2015 and shall terminate December 31st, 2017. This Agreement may be renewed for two periods of one year each at the Board’s sole option.
- 2.2 Termination of this contract requires six months’ notice in advance of the termination date. Early termination prior to the term set out in this agreement shall result in a claim for liquidated damages for costs incurred.

ARTICLE 3 WASTE MANAGEMENT SERVICES

- 3.1 The Board, or the Board's agent(s), shall provide Waste Management Services to all habitable properties in the Municipality including Dwelling Units, Commercial Property, Institutional Property, and Multi-unit Complexes.
- 3.2 The Board, or the Board's agent(s), shall provide Waste Management Services to all Property Owners on public roadways of a Class IV designation or higher as determined by the Department of Transportation and Works in the Municipality.
- 3.3 The Board shall provide Waste Management Services to Property Owners in the Municipality on unserviced roads. Property Owners on unserviced roads shall pay the Waste Management Fee and bring their Materials to the roadside/curbside of a public roadway for collection.
- 3.4 Collection of Bulk Waste shall be by special collection only at such times and upon such terms and conditions as the Board may determine.
- 3.5 The Board shall provide Transfer Stations in locations to be determined by the Board. Transfer Stations may be used by Residents and Commercial Users. Commercial Users shall pay the Tipping Fee to use the Transfer Station and abide by all rules, guidelines and policies for use of the Transfer Station. Commercial Users that fail to keep their account current and in good standing will be refused entry to the Transfer Station until they are in good standing as determined by the Board.
- 3.6 The Board shall provide Waste Recovery Facilities in locations to be determined by the Board. Waste Recovery Facilities are for the exclusive use of Residents for the purpose of disposing of household bulk items generated under normal household conditions. Use of the Waste Recovery Facility is allowed under the rules, guidelines and policies for use of the Waste Recovery Facility and anyone failing to abide by the rules, guidelines or policies for use will be refused entry. Waste Recovery Facilities do not accept commercial or institutional waste.

ARTICLE 4

ADDITIONS OR DELETIONS TO THE NUMBER OF SERVICE UNITS

- 4.1 The Municipality shall provide notification to the Board of any new businesses, homes, buildings, and subdivisions as soon as they are ready for service so that the Board can add the new entities to its Collection Area.
- 4.2 Any revisions to the Collection Area boundaries or additions within the Collection Area approved during the term of this Contract may result in an adjustment in the price paid as of the date that service is implemented and in accordance with the following formula.
- 4.3 Price per service unit set by the Board and prorated on a monthly basis for that portion of the year that the new service unit is provided or eliminated.

ARTICLE 5

WORK TO BE UNDERTAKEN

5.1 The services include:

- **Implementation** of a collection schedule that will result in the Municipality having a regular weekly collection day and all waste collected and disposed at RHB or other designated site each week throughout the term of the Contract recognizing that weather and holidays may result in cancellation, rescheduling and delay in collection;
- Collection of the waste in the Municipality on the set collection day each week on a regular and consistent basis **within the bag limit set by the Board**;
- On a weekly basis, collection of all roadside waste, **within the bag limit**, contained in garbage bags and/or contained in cardboard boxes or tied in bundles that are less than 22 kg and less than 1.5 m in length and placed at roadside, or contained in a bin, by all households within the boundaries of the Municipality;
- (delete this item **Yard waste shall be collected during each week unless the separate organics collection is implemented**);
- Household hazardous waste (HHW) is excluded from this service and therefore does not have to be collected as a part of this **service**;
- The waste collected shall be source separated by the residents into three (3) streams. The 3 streams shall be kept separated by the Board either by being picked up in separate vehicles or by double/multi compartment vehicles;
- Recyclables shall be collected once every two weeks;
- Provide bulk pick-up two times each year. Exact schedule to be determined by the Board;
- Provide an annual invoice and summary of weight of waste collected to the Municipality on an annual basis.
- **Waste that is prohibited and will not be collected is defined in Schedule A of this agreement.**

**ARTICLE 6
BULK COLLECTION**

- 6.1** Bulk roadside collection service shall be performed two times during a twelve month period based on a schedule approved by the Board and the Municipality.
- 6.2** There shall be no Christmas tree pick up.

6.3 Bulk Items Included:

- Mattresses
- Sofas, chairs, furniture
- Bathroom fixtures
- Carpet tied in rolls (less than 1.5m, less than 22kg)
- Tree limbs tied in bundles (less than 1.5m, less than 22kg)
- Glass, securely packaged and marked
- Other bulk items normally associated with a household
- Renovation debris less than 22 kg in weight and less the 1.5 m long`
- Metal – appliances (fridges, stoves, washers, dryers & additional household appliances) iron and removable car parts less than 22kgs (50lbs) with all fluids such as oil, lubricants & antifreeze removed by resident prior to collection.

6.4 Bulk Items Not Included:

- Brick
- Concrete
- Stumps and large trees
- Tree limbs tied in bundles (more than 1.5m, more than 22kg)
- Roof shingles
- Tires
- Cardboard or paper products
- Liquids
- Recyclables in blue bags
- Animal Carcasses
- Household Hazardous waste like paint, chemicals, etc.
- Special wastes
- Fish nets
- Vehicle parts greater than 22 kgs (50lbs)

6.5 The Board limits the amount of bulk waste that can be set out by a property owner as 500lbs/226kgs or one pick up load. The Municipality will endeavor to make property owners aware and abide by a reasonable amount of bulk material that can be set out for any one collection event.

ARTICLE 7 WEATHER DISRUPTIONS

7.1 In the event of inclement weather resulting in unsafe road conditions and/or road closures, collection shall be re- scheduled in consultation with the Municipality with the goal of collecting the waste from households and businesses disrupted. If a full day's route is cancelled due to inclement weather, the general public will be informed by 7 am through 1 pre-determined media source (VOCM). If portions of routes are cancelled midday due to changing weather conditions, the general public will be informed as early as practical

through 1 pre-determined media source (VOCM). The media sources shall be fixed and mutually agreed upon by the Board, and the Municipality.

- 7.2 Cancelled collection will be collected on Friday of that week and if that collection cannot take place a day will be communicated to the Municipality and property owners according to Section 7.1.
- 7.3 It is the responsibility of the Municipality, property owners to ensure that roads/streets/lanes/driveways and parking lots on which collection is supposed to take place are safe for passage in the opinion of the Board and its employees.

ARTICLE 8 USE OF COURTESY TAGS AND INFORMATION NOTICES

- 8.1 The Board will employ the use of courtesy tags / stickers, which advise the property owner of, generally, but not limited to, waste set-out infractions.
- 8.2 The Municipality will supply By-Law infraction information notices, which advise the resident of, generally, but not limited to, problems with the setting out of waste, which are in non-compliance with the Municipality's waste collection By-Law.
- 8.3 The Board or its Agent shall record all addresses, nature of problems and resolution of problems when a courtesy tag or information notice is issued

ARTICLE 9 EXEMPTION

- 9.1 The Municipality may request an exemption from the provision of Waste Management Services for a particular property.
- 9.2 In order to qualify for an exemption the Municipality must demonstrate to the Board that the property is vacant and is not habitable.
- 9.3 Factors the Board may consider in determining whether a property is habitable include: a) it has no electrical connection, b) it has no water connection, c) it is boarded up, d) it is vacant, e) it is not structurally sound, and f) the Municipality does not assess the property any form of property tax or other service charge.

ARTICLE 10 SERVICE UNITS

- 10.1** Each Dwelling Unit situated on a Developed Property or in a Multiple-unit Complex is a Service Unit.
- 10.2** Property Owners of more than one property in the Municipality will pay the Waste Management Fee for each Dwelling Unit situated on the Developed Property that they own that is provided Waste Management Services.
- 10.3** Owners of Commercial Property in the Municipality will pay the Waste Management Fee for each Commercial Unit situated on the Commercial Property they own that is provided Waste Management Services.
- 10.4** Each Commercial Unit will be billed at the rate set by the Board for service and if additional units are required they will be billed at the same rate. The Board has the right to refuse to provide service in addition to one unit of service per property. The number of units to be provided is the sole decision of the Board.

ARTICLE 11 GARBAGE BOXES

- 11.1** Any Service Units sharing a garbage box must be adjoining properties and must have prior approval from the Board to share the garbage box.
- 11.2** Permanent garbage boxes must be maintained in a state of good repair, kept clean, free of snow and located on the Home Owner's property a distance of no more than 4.75 m (15 ft.) off the road right of way as measured from the edge of the pavement of the public road.
- 11.3** If the requirements of Article 5(1) are not met then Materials will not be collected from the garbage box but must be placed for collection in accordance with Article 6 of this policy.

ARTICLE 12 MATERIALS COLLECTION

- 12.1** Materials must be covered or enclosed. Residents may use nets, tarpaulins, blankets, bins or other covering or enclosure.
- 12.2** All Materials contained in garbage bags, recycling bags, organic carts/bags, and/or contained in cardboard boxes or tied in bundles that are less than 22 kg (50 lbs.) and less than 1.5 m (4 ft.) in length and placed at roadside/curbside, or contained in a bin will be collected.
- 12.3** All Materials must be set out by 7 am on the day of collection.
- 12.4** Property Owners are responsible to clean up Materials from broken bags or animals.
- 12.5** Standard size garbage bags as determined by the Board must be used. They must be securely tied or closed at the top. Kitchen catchers or shopping bags and contractor size garbage bags will not be collected.

- 12.6** Standard size recycling bags as determined by the Board must be used. They must be securely tied or closed at the top, transparent blue bags, non-biodegradable and acceptable at a Materials Recovery Facility at the Regional Integrated Facility at Robin Hood Bay.
- 12.7** Broken glass and sharps must be in a puncture-proof packaging marked as BROKEN GLASS or SHARPS.
- 12.8** Household Hazardous Waste, Liquid Waste, animal carcasses, construction waste, tires, excrement or small items that are not in garbage bags or recycling bags shall not be placed for collection.
- 12.9** Placement of Garbage or Recyclable Materials or Bulk Waste for collection not in a garbage box shall be within the right of way of the public road at roadside/curbside in a manner that is accessible and in conformity with the rules, guidelines and policies for materials collection as determined by the Board.
- 12.10** Bulk Waste in excess of normal household volume as determined by the Board of no more than 500 lbs or one pick-up truck load will not be collected. Individual bulk items that an individual collector cannot load without the aid of mechanical means will not be collected.
- 12.11** The Board shall establish limits for number or amount of bags, recyclables, organics, or bulk waste materials that it will collect from any service unit from time to time.

ARTICLE 13 SUCCESSORS AND ASSIGNS

- 13.1** The provisions of this Agreement shall enure to the benefit of and shall be binding upon the Board, the Municipality and their respective heirs, executors, administrators, successors and assigns or successors and assigns, as the case may be.

ARTICLE 14 GOVERNING LAW

- 14.1** This Agreement shall be governed by and interpreted in accordance with the laws of the Province of Newfoundland and Labrador and the federal laws of Canada applicable in such province and the parties hereby attorn to the jurisdiction of the courts of such province.

**ARTICLE 15
COUNTERPARTS**

15.1 This Agreement may be executed in one of more counterparts each of which when so executed shall constitute an original and all of which together shall constitute one and the same Agreement.

IN WITNESS WHEREOF each of the parties has executed this Agreement as of the day and year first before written.

EASTERN REGIONAL SERVICE BOARD

Name:
Title:

Name:
Title:

MUNICIPALITY

Name:
Title:

Name:
Title:

SCHEDULE "A" - WASTE PROHIBITED FOR COLLECTION

The following items shall not be placed for collection:

1. Hazardous Waste:

- (a) Hazardous waste chemicals;
- (b) Corrosive waste;
- (c) Hazardous Industrial waste;
- (d) Ignitable waste;
- (e) PCB waste;
- (f) Radioactive waste;
- (g) Reactive waste;
- (h) Toxic waste.

2. Pathological Waste:

- (a) Bandages, poultices, dressings, drugs, vaccines, medicines, vials, vitamins **and needles**. Other similar materials or substances which contain or could reasonably be expected to contain pathogenic bacteria or micro-organisms, or could reasonably be expected to be infectious, hazardous or dangerous.
- (b) Any part of the human body, including excrement, tissues and bodily fluids, but excluding extracted teeth, hair, nail clippings and the like that are not infectious.
- (c) Any part of the carcass of any animal infected with, or suspected to be infected with a communicable disease.
- (d) Non-anatomical waste infected with a communicable disease.

3. Household Hazardous Waste:

Any household product, material or item labeled as "corrosive", "toxic", "reactive" or "flammable" including, but not limited to, the following:

- (a) Chemicals: pool or photographic chemicals, laundry bleach, drain, oven, toilet and carpet cleaning solutions, paint thinner and paint remover;
 - (b) pesticides: rat and mouse poison, flea collars and powders, insect killers, moth balls;
 - (c) Herbicides: weed killers, fungicides;
 - (d) **Aerosols**: hairspray or other aerosol sprays;
 - (e) Paints: wood preservatives, acrylic and latex paints;
 - (f) Oils & Grease: engine oil, brake and transmission fluid, anti-freeze;
 - (g) Batteries: automotive batteries, nickel-cadmium rechargeable batteries;
 - (h) Gas Tanks: propane tanks, other gas tanks, including lighters.
4. Building materials (including demolition debris) including, but not limited to the following: soil, sod, earth, plaster, drywall, masonry and tile, bricks, concrete or cinder blocks, paving stones, asphalt, wood, windows and window glass (See Section 6 (7)), shingles, and insulation (such as fibreglass or styrofoam).
 5. Liquid waste, hay, straw, manure or animal excrement.
 6. **Swill or other organic matter not properly drained and securely wrapped.**
 7. Any material which has become frozen to or otherwise attached to its garbage bag, recycling bag or garbage box which cannot be removed by shaking.
 8. Industrial waste.
 9. Manufacturer's or Trade Waste.
 10. Unsuitable Items, except as otherwise may be designated by the Board from time to time.
 11. Items which have been banned from disposal at landfill sites or for which reasonable alternative disposal methods are available, as determined by the Board.
 12. Maggot, **rodent or hornet/wasp/bee** infested garbage.

APPENDIX

C

Briefing Note – Internal Service Delivery Update and Request additional resources

Issue: Update on the first month of internal service delivery and addition of equipment and resources.

The internal serviced started January 5, 2015 for about 8000 properties in Carbonear, Spaniard’s Bay, Bristol’s Hope, and the Southwest Avalon. We are still awaiting the delivery of one compactor (garbage truck) in order to complete the projected fleet required for service. To address this issue we have leased a garbage truck from the Town of Clarke’s Beach who had a surplus vehicle because they have opted to become part of the regional service. The cost is \$4000 per month with an upset of \$20,000 – once we reach that point we will own the vehicle for a dollar. A new compactor is about \$244,000. We have brought in contractors to fill in and to add additional capacity especially at the start because of the additional material after the holidays. The average rate per day between the three contractors that we have used is approximately \$2000 per day (includes truck, fuel, operator).

Now that we are operating we see the need for an additional compactor driver and an additional compacting garbage truck to complete the daily workload. In addition we find that the single Field Operations Officer is required to be onsite throughout the day for supervision which does not allow for other required work either in the office or in the field. We are recommending the creation of an additional supervisor position which will require the purchase of an additional vehicle.

In the table below are presented the projected resources and equipment that was approved in the Fall of 2014 alongside the requested additional resources and equipment and its effect on the per household cost.

See table on following page.

Recommendation: Purchase a rearloader compactor and hire additional driver.

Recommendation: Hire an additional Field Operations Officer and purchase additional pick up.

Cost Internal Service Delivery					
		PREVIOUS		REVISED	
		Package 3		Package 3	
Units per l		725			
Days		12 Bulk		12 Bulk	
Properties		8700		8700	
Labour		\$281,174	\$30,092	\$325,957	\$30,092
Payroll Burden		\$73,105	\$7,824	\$84,749	\$7,824
Fuel		\$207,106	\$9,553	\$210,288	\$7,668
Maintenance		\$52,200	\$0	\$52,200	\$0
Insurance		\$61,140	\$0	\$20,603	\$0
Equipment		\$161,565	\$0	\$161,588	\$0
Rearloader	n/a			\$29,525	\$0
Rearloader (Ins, Fuel & Main)	n/a			\$26,570	\$0
Yard		\$62,715	\$0	\$36,824	\$0
Sub-total		\$899,006	\$47,469	\$948,302	\$45,584
Total		\$946,475	\$0	\$993,887	
Per Unit		\$108.79		\$114.23	
Field Ops Officer				\$61,000.00	
Payroll Burden				\$1,586.00	
Fuel				\$16,016.00	
Maintenance				\$3,000.00	
Insurance				\$1,500.00	
Equipment				\$6,731.61	
				\$89,833.61	
Per Unit				\$10.33	
EQUIPMENT		Total		Total	
		Compactor	3	Compactor	5
		Pick Up	3	Pick Up	4
		Dump Trailer	3	Dump Trailer	3
		Spare Compa	1	Spare Compa	1
Equipment Cost		1,130,957		1,223,364	
Diesel at \$1.30 in revised versus \$1.55					
Regular Gas at \$1.10 in revised versus \$1.42					