

EASTERN REGIONAL SERVICES BOARD

Minutes of Meeting #12

January 30, 2013

7:00 p.m.

Ramada St. John's
102 Kenmount Road

In Attendance:

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

Regrets:

Gerry Colbert, St. John's
Debbie Hanlon, St. John's
Tom Hann, St. John's
Sandy Hickman, St. John's
Sheilagh O'Leary, St. John's
Bruce Tilley, St. John's
Sterling Willis, Paradise

Guests:

Ken Kelly, Chief Administrative Officer, Eastern Waste Management
Lynn Tucker, Manager Corporate Services, Eastern Waste Management
Kevin Power, Manager Waste Operations, Eastern Waste Management
Darryl Johnson, Chairperson, Bonavista Peninsula Regional Waste Management Committee
Sarah Morgan, Regional Coordinator, Bonavista Peninsula Regional Waste Management Ctte.
Leigh Puddester, Chair & CEO, MMSB
Cara Pike, Manager of Marketing, Public Education & Communications, MMSB

1. Call to Order

Mr. Harold Mullowney, Vice-Chairperson and Acting Chairperson, called the meeting to order at 7:00 p.m.

2. Adoption of Agenda

It was moved and seconded (C Ash/W Butt) to adopt the agenda as tabled.

MOTION 2013-001: Carried

3. Review of Minutes – December 12, 2012

It was moved and seconded (W Butt/B Bailey) that the minutes of the December 12, 2012 meeting are adopted as tabled.

MOTION 2013-002: Carried

4. MMSB Presentation – School Program

Mr. Puddester outlined that MMSB and Eastern Waste Management (EWM) have agreed to partner on its school program in the eastern region. EWM wanted to get into the schools to promote waste diversion and recycling and it was decided that because the messages for both organizations are basically the same, that it made sense to work together.

Ms. Pike, Manager of Marketing, Public Education & Communications, MMSB, presented the following regarding the MMSB School Program:

- MMSB's goal is to 'inspire youth' to become involved in a greener future. To date, MMSB has:
 - Visited 154 schools across the province;
 - Made 1,100 presentations; and,
 - Reached approximately 30,000 youth.
- MMSB's School Program: Multi-Faceted Approach
 - Major source of fundraising for schools;
 - 98% of provincial schools participate;
 - MMSB matches dollar-for-dollar the consumer refund;
 - In 2011-12: 16.7 million containers recycled and \$1.7 million invested in our schools;
 - Since 2008: \$6 million invested overall.
- MMSB in Schools – Resources
 - Cross-curricular materials that promote waste reduction and the overall concept of environmental sustainability in schools including...
 - ...a portfolio of guides, classroom leave-behinds, PA announcements, and newsletter content. All of which is available for free.

- MMSB in Schools – Outreach
 - Programming reflects classroom curriculum making our program appealing to teachers and administration.
 - Last year, MMSB:
 - Visited 42 schools;
 - Delivered 274 presentations; and,
 - Engaged 5,600 students.

- Strong Presence in Eastern School District
 - 100% of schools in ESD participate in the Beverage Recycling Program.
 - 8.5 million containers recycled by ESD schools in 2011-12.
 - MMSB has presented to 90 ESD schools since 2008.
 - On average, MMSB staff visit 28 ESD schools each year.

- Opportunities
 - MMSB has a positive, established relationship with schools.
 - MMSB is seen by schools as the leading, go-to expert on waste reduction and diversion.
 - There is an opportunity to work together to incorporate EWM messages into our programming.

- Working Together
 - Update our presentations to incorporate EWM’s curbside recycling messages.
 - MMSB’s public education staff can target EWM communities and adapt each presentation to include community-specific recycling initiatives and promote your services.
 - Our school program encourages students to bring waste reduction messages home. Work with EWM to develop kid-friendly take-home materials.

- Greener Education for a Greener Future

Ms. Pike finished by stating that the school program is important for youth as it is an opportunity to inspire youth to get involved in recycling and waste diversion and to take those messages home to their families. Ms. Pike noted that 100 percent of the schools in ESD participate in the beverage container recycling program.

Ms. Pike continued that MMSB would be interested in knowing when recyclables collection begins in a new area so that they could reinforce the program by visiting the local school(s) so the kids can get the message and just as importantly take the message home to their parents.

Mr. Puddester noted that they have been working with the schools to increase overall recycling in schools besides just beverage containers. ESD is interested in piloting a project to expand recycling on a much broader basis i.e. paper, organics, etc.

Mr. Kelly stated that schools receive a lot of requests from groups trying to get in to address students and it makes sense for EWM to work with MMSB as they have an established relationship with the schools. Our messages are basically the same - very good synergy regarding service and messaging.

Ms. Duff asked if the messaging for schools involves "reducing and re-using" materials.

Ms. Pike stated that most messaging to schools involves the reduction of waste and is not about the beverage container program.

Ms. Duff asked where we are regarding organics.

Mr. Puddester responded that the provincial government has gone to tender to do a province-wide organics study and that tender should be awarded soon. He understands that there have been multiple responders to the tender. Initially the *Provincial Waste Management Strategy* stated that there would be three (3) composting facilities located across the province; however, that is being re-assessed as other options may be available and may be better overall. More small-scale operations may be best. That is why the province is studying organics – to determine the best approach. EWM is discussing a pilot in organics. There are several organics pilots currently underway across the province and those results will become part of the study the province is doing now.

Mr. French noted that our schools seem to be doing very little regarding recycling paper. In his town they have large bins for paper recyclables to be dropped off and schools are not participating.

Mr. Puddester said that this results in mixed messages for the school children - they see beverage containers being recycled but paper is not being recycled. This is what needs to be addressed now.

Mr. Ash noted that he endorses working cooperatively with MMSB but he wonders the nature of these visits to schools when most households in the eastern region now have curbside recycling.

Ms. Pike noted that MMSB will work closely with EWM to coordinate its messaging to students. The intent is to provide broad recycling messages through visuals and games and to provide a 'leave-behind' for the kids. Basically the message should reinforce the curbside recyclables collection.

Mr. Puddester noted that the audience in schools is students and teachers – they need the basics. They are not administrators or decision makers. We have to be cognizant of the audience.

Ms. Dobbie asked if there is any resistance from school boards regarding recycling in the schools.

Mr. Puddester stated that he wouldn't call it resistance but that they are used to issuing waste collection contracts that does not include recyclables. There is a need to work with the school boards to see that they include recyclables collection in their waste contracts.

5. Committee Reports

a. Finance & Audit Committee (D Breen, Chairperson)

i. **MOU timeline/process** - Mr. Breen reported that he emailed a draft MOU to Mr. Mullooney and Mr. Kelly today. He noted that this is within the timeline set in December. He will await comments from Mr. Mullooney and Mr. Kelly before the draft MOU goes either to committee and/or to the board for discussion.

ii. **Recommendation to award tenders for the following equipment:**

It was moved and seconded (D Breen/D Aker) that Eastern Regional Service Board award tender for one new 1-ton 4x4 pickup to Terra Nova Motors in the amount of \$38,908.00 plus HST.

MOTION 2013-003: Carried

It was moved and seconded (D Breen/D Green) that Eastern Regional Service Board award tender for one new rubber tire backhoe with attachments to Case Atlantic in the amount of \$133,940.00 plus HST.

MOTION 2013-004: Carried

b. Strategy & Policy Committee - (C Ash, Chairperson)

- i. **Update on Shingle Recycling Project** – AMEC completed its feasibility study in the early fall and was attempting to meet with representatives from the Department of Transportation and Works. There have been some scheduling issues with the consultant team. We have made contact with Transportation and Works and it has been suggested that we engage the Department of Municipal Affairs to work on the municipal master specification for asphalt. This project has the potential to reduce the landfilling of asphalt shingles and to make a contribution to the issue of pavement rutting that we experience here on the island.
- ii. **Update on Strategic Plan** - You will recall that the Transparency and Accountability Office met with the board in June 2012. We had just stated our strategic planning process. They informed us that we are required to submit a business plan for a three-year period to the province. Given that we are part way through the current planning cycle, we could submit a one-year plan. That plan is due March 31, 2013. We must bring forward a one-year business plan for the next Board meeting if we are to meet these timelines. For our longer-term plan, the strategic plan, we have conducted a survey of communities in the eastern region to gather input on the services and issues facing communities. We are gathering further information for analysis to help guide some of the initiatives and issues that will form the strategic plan.
- iii. **Extended Hours of Use at the Regional Facility at Robin Hood Bay** – It was brought up at Christmas that a notice was given out at the Regional Facility located at Robin Hood Bay (RHB) to inform users of the Christmas holiday schedule. It told users that the closing time on

Christmas Eve was noon but that the facility would remain open until the last City of St. John's truck came into the site. This creates a situation where the City has the ability to finish its work but others if they try to work beyond the posted time run the risk of having to leave garbage in their trucks over the holidays with the potential for it to freeze. The City is treating itself differently than it does others. A similar situation occurs when the City stays open on the next working day after a statutory holiday so that its vehicles can make two trips a day rather than one. This allows the City to make up for the holiday and to get itself back on schedule. It was suggested that a meeting be arranged with City staff to discuss this issue – it could potentially be the same meeting to discuss the MOU.

Discussion ensued with members making the following points:

- This is not fair to others.
- City officials know when the last City truck is coming and that's why the policy is there. They do not know when outside contractors are arriving.
- Flexibility within reason has to be considered.
- If the facility noted in previous years that it needs to be opened until 1:30 or 2:00 p.m. to accommodate the last St. John's vehicle, then that is the time to advertise that the facility will be closing. Why can't the closing time be based on past practice?
- The message has to be fair and consistent for everyone.
- We cannot treat customers differently – all users of the facility must be treated equally.

Members agreed that this issue must be discussed with City of St. John's officials.

c. Governance Committee - (H. Mallowney, Chairperson)

- i. Establishment of an Executive Committee** - Mr. Mallowney informed members that is has been suggested that the establishment of an Executive Committee may assist in moving the work of the Board along and create a better understanding and cohesion of the work of the Board and its Committees. The initial suggestion was for the establishment of an Executive Committee of the Chairs of each Standing Committee that would meet on a regular basis to advance the work of the Board. Mr. Mallowney continued that discussion to date was that this body would not be a decision-making body.

Discussion ensued with the following points:

- Isn't that what Board meetings are for – to inform members of the work of the Board and its Committees.
- It would be good to know what other committees are doing so that efforts are not duplicated.
- Suggesting that a meeting once every two months.
- There is value in sharing information.
- It would be beneficial to know what is happening in other committees.

After discussion it was decided to try an Executive Committee as follows:

- This committee would be the Chairs of the Standing Committees (Strategy & Policy; Finance & Audit; and, Governance); the Chairperson; CAO; and Manager Corporate Services to discuss/manage the agendas and issues before the Board and Committees.
- This committee will meet once every two months or as needed.

The purpose of this Committee is to structure the work of the Standing Committees and to provide a cohesive approach so that the issues are not duplicated in each Committee and there is dialogue between the Committees.

- ii. **Meeting with Minister O'Brien** - Mr. Mallowney stated that he and the other two regional chairs, Mr. Allan Scott (Central Newfoundland Waste Management Authority) and Mr. Don Downer (Western Regional Waste Management) met Minister O'Brien this afternoon. They discussed five items:
 - i. Board Remuneration – Board remuneration was discussed and he received the same answer today that he did at the last meeting with the Minister. Minister O'Brien stated that this affects many provincial government committees and that remuneration must remain at Level I. Mr. Mallowney stated that Minister O'Brien confirmed that the remuneration rates are based on 1993 levels. Mr. Mallowney asked him about the 2% remuneration rate that municipalities use; however, the Minister reiterated that all provincial waste management regional service boards must continue to remunerate at Level I. Mr. Mallowney stated that he does not see any progress on this matter.
 - ii. Communications – Mr. Mallowney stated that it was communicated that the boards feel 'out of the loop' on some items such as the recent extension provided to the Town of Sunnyside for the continued operation of their landfill. ERSB was assured that the Sunnyside landfill would be closing and Mr. Mallowney communicated that in an interview with *The Packet*. Almost immediately following the interview, the town was granted their extension but this was not communicated to ERSB. Mr. Mallowney said the Minister stated he was blindsided on that issue as well.
 - iii. Board Terms and Appointments – It was confirmed by the Minister that Board members are in place until they have been replaced or someone else appointed. This is for continuity of Board business. Mr. Mallowney stated that he asked the Minister about the appointment of Mr. Colin Corcoran for the Southwest Avalon region as we have been waiting since August 2012 for the appointment to be finalized. The Minister asked Mr. Mallowney to forward the information regarding Mr. Corcoran along to him again.
 - iv. Follow Up with Service NL – ERSB has been awaiting an answer regarding using trailers capable of carrying a heavier payload but that require an additional axle. This additional steerable axle is currently not allowed in NL but is elsewhere in Canada. The Minister does not think that approval will be given as the asphalt used on our provincial roads is too thin. Of course, the final answer will come from Service NL.
 - v. Regional Service Board Set-up Province-wide – The Minister stated that they are working on speeding up the process.

Mr. Aker asked if the appointment of a Chairperson for ERSB was discussed.

Mr. Mallowney stated that it was brought up and it is of interest that Mr. Allan Scott said that the Central Newfoundland group was in the same position. Mr. Scott was Acting Chairperson for some time and when they pressured the Minister regarding the appointment of a Chairperson, the Minister appointed Mr. Scott. Mr. Mallowney continued that the Minister did not seem to have anyone for the ERSB Chairperson position.

Discussion took place regarding the lack of a Chairperson.

It was moved and seconded (D Aker/W Butt) that the Board will write the Minister of Municipal Affairs to recommend that Mr. Harold Mallowney be appointed Chairperson of the Eastern Regional Service Board.

MOTION 2013-005: Carried

Discussion took place regarding Board remuneration and members agreed that the Board can only pay at the Level I rates.

Members questioned if the Board can make a recommendation for the Chairperson if the legislation states that an 'independent' Chair would be appointed.

Mr. Kelly noted that the legislation does not state that an 'independent' Chair would be appointed but that the Minister appoints a Chairperson.

6. Other Business

- a. **Budget for the Regional Facility (Robin Hood Bay) 2013** – Mr. Kelly directed members to the budget for the Regional Facility that is included in tonight's meeting package. He noted that Mr. Sinyard was not available for tonight's meeting so this item will be deferred for discussion at the February Board meeting.
- b. **Extension of Certificate of Approval for Sunnyside Landfill** – Mr. Kelly directed members to the briefing note in tonight's meeting package. The Town of Sunnyside has been granted an extension on its Certificate of Approval to operate its landfill until June 30, 2013. The argument for maintaining the site is due to the six companies that bring organic waste to the Sunnyside landfill. The current extension allows the facility to accept similar waste as the Regional Facility. ERSB had written two letters to the Minister of Environment & Conservation last fall outlining our concerns regarding the extensions to the Certificate of Approval. In December 2012 the Town of Sunnyside was told it had a one-month extension and it needed to inform the users of the site to make other arrangements. However, on January 17th Service NL issues another extension for six months. The Town of Sunnyside gets to keep all the revenue generated at its landfill – it is not feeding into the regional system like the Regional Facility at RHB. Neighbouring communities to Sunnyside question

why they had to close their landfills and Sunnyside continues to operate. If the Sunnyside landfill is to continue, it should be treated as a regional facility.

Mr. Mullowney stated that another letter was sent to the Minister of Environment & Conservation today regarding this matter.

Following discussion, general consensus was that the extension of the Certificate of Approval for the Sunnyside landfill is not fair to adjacent communities.

- c. **Spread Eagle Area (W French)** – First of all, it was clarified that Mr. French is not in a conflict of interest on this matter. Mr. French noted that he is a cottage owner in the Spread Eagle area adjacent to Old Shop. Property owners in Spread Eagle recently received a letter from Eastern Waste Management that they will be expected to pay \$180.00 annually for waste collection and they are responsible to bring their waste to nearest public road for collection. Mr. French has concerns as he sees the side of the public road becoming a dumping ground when the property owners, mostly seasonal users, leave on Sunday. He asked if a bin would be provided for residents to put their waste in as he foresees a mess otherwise. He continued that while attending the recent recycling expo in Ontario, he saw a system where a bin was buried in the ground and residents would dump their waste in that until collection time. He asked that EWM give this some consideration to avoid an environmental nightmare. Mr. French continued that if EWM insists on charging the residents of Spread Eagle, then they must provide the service.

Mr. Power noted that according to the *Service Delivery Policies* recently adopted by the Board, EWM is expected to provide service to all property owners on public roadways of a class IV designation or higher. Having said that, EWM recognizes that there are issues in providing that service. Most rural areas in the eastern region use garbage boxes and EWM does plan on placing garbage bin(s) at the side of the public road in Spread Eagle.

Mr. Green noted that there are many cabin areas in the eastern region without ploughed roads. Do we charge them?

Mr. Power stated that the Board has passed its policy on waste collection in cabin areas and that EWM is proceeding to include them.

Mr. Kelly confirmed that the policy adopted states that waste management services shall be provided to all property owners on public roadways of a class IV designation or higher in the eastern region. If the property owner is not on a public roadway, they are responsible to get their waste to the nearest public road for collection. He noted that these public collection areas where bins have been provided can become dumps and must be monitored. In the past, seasonal rates were offered in one sub-region; however, that has been discontinued as it was difficult to administer and unfair. If you are a seasonal property owner in an incorporated town there is no seasonal property tax rate.

Following discussion, members agreed that if residents are to bring their garbage to the public road, then a bin must be provided by EWM. Members asked how fees are collected.

Mr. Kelly stated that EWM currently provides waste collection services to approximately 18,000 households every week and collects the fees for this service.

Mr. Green noted that the administrative costs are being borne by municipalities and the tipping fees. He noted that there are many communities not paying for the administration of the waste collection system.

Mr. Kelly noted that there are two options here to address that inequity – they are: (1) Regional Service Board structure means that ERSB can do more than waste management. ERSB could deliver other services similar to what NorPen offers such as fire services, etc. as stated in the Regional Service Board Act. Administrative costs would be shared by each service; or, (2) administrative fees are covered by the tipping fees and those municipalities who currently administer their waste services could transfer that service to ERSB. Mr. Kelly continued that the decision was made recently by the Finance & Audit Committee that the development of an administrative fee for communities that ERSB is serving would be looked at this year.

d. In-Camera Session – HR Issues:

It was moved and seconded (D Breen/D Aker) that ERSB implement the pay scale as prepared by AEM Human Resources Consulting Ltd. for the position of Manager Corporate Services starting at Step 5 effective January 1, 2013.

MOTION 2013-006: Carried

It was moved and seconded (D Breen/S Duff) that ERSB implement a RRSP contribution for its full-time staff at the rate of seven (7) percent of gross wages effective January 1, 2013.

MOTION 2013-007: Carried

7. Next Meeting

The next regular meeting of the Eastern Regional Service Board will take place on Wednesday, February 27, 2013 at 7:00 p.m. at the Ramada St. John's.

8. Adjournment

It was moved (W Butt) to adjourn the meeting at 8:40 p.m.

MOTION 2013-008: Carried

*Prepared by: Lynn Tucker
February 5, 2013*