



# MINUTES

## BOARD OF DIRECTORS MEETING #53

Wednesday, June 27, 2017 @ 7:00 p.m.

Fairfield Inn & Suites by Marriott

199 Kenmount Road, St. John's

### IN ATTENDANCE:

- Ed Grant, Chairperson
- Dave Aker, Mount Pearl
- Danny Breen, City of St. John's
- Wally Collins, City of St. John's
- Joy Dobbie, Trinity Bay South and Isthmus East
- Ron Ellsworth, City of St. John's
- Sandy Hickman, City of St. John's
- Dave Lane, City of St. John's
- Harold Mallowney, Southern Shore
- Art Puddister, City of St. John's
- Peggy Roche, Small Metro
- Gordon Stone, Trinity Conception North
- Gerard Tilley, CBS
- Sam Whalen, Bay Roberts

### OTHER ATTENDEES:

- Ken T. Kelly, Chief Administrative Officer, ERSB
- Christie Dean, Manager Waste Operations, ERSB
- Bradley Power, Board Clerk/Outreach Coordinator, ERSB
- Andrew Niblock, City of St. John's
- Stephen Colford, Manager Waste and Recycling Division, City of St. John's

### REGRETS:

- Bill Bailey, Clarenville and Isthmus
- Jonathan Galgay, City of St. John's
- Tom Hann, City of St. John's
- Dennis O'Keefe, City of St. John's
- Bruce Tilley, City of St. John's

- Sterling Willis, Town of Paradise

## **PROCEEDINGS:**

### **1) CALL TO ORDER**

Mr. Grant called the meeting to order at 7:02 p.m.

### **2) ADOPTION OF AGENDA**

Mr. Breen requested that a Capital Expenditures at the Robin Hood Bay Waste Management Facility be added under New Business on the Agenda.

*It was moved and seconded (Mr. Aker/Mr. Stone) to adopt the Agenda with the addition.  
MOTION 2017-041: Carried (unanimously)*

### **3) REVIEW OF MINUTES**

*It was moved and seconded (Mr. Ellsworth/Mr. Lane) that the Minutes of the May 31, 2017 meeting of the Eastern Regional Service Board be adopted as tabled.  
MOTION 2017-042: Carried (unanimously)*

### **4) COMMITTEE REPORTS**

#### **a) Finance & Audit Committee (Wednesday, June 14, 2017)**

##### **1) Board Expenditures Report:**

Mr. Breen noted that the cheque register, CRA remittance and payroll summary for the month of May was included in the meeting package.

The May payroll is slightly lower than the previous month because in April there was a quarterly per diem paid to Board members.

The Cheque register is included in the meeting package and included ERSB's regular payments to waste collection contractors and City of St. John's for tipping fees.

The payment made to Nexgen Municipal is a progress payment for new equipment that will delivered before the end of the summer.

The CRA payroll remittance for April was also included in the package.

There were no questions or comments.

*It was moved and seconded (Mr. Breen/Mr. Aker) that Eastern Regional Service Board accept the board expenditures (Cheque Register and Payroll Summary) for May 2017, as tabled.*

*MOTION 2017-043: Carried (unanimously)*

**2) Amendments to Human Resources Policy Manual:**

Mr. Breen note that there are several sections of the Board's Human Resource Policy and Procedures Manual included in the meeting package.

In the process of reviewing the ERSB Human Resources Manual it was discovered that it needs to be clearer in several sections. Some are unclear in the type of employee they refer - all employees or a subset - and one clause conflicts with another section.

The most significant change in the document is 4.29(f) under Disciplinary Procedures which in isolation from the rest of the policy states that termination can only be in cases of just cause. This would limit the Board's ability to reduce the workforce for economic reasons or for any reason other than just cause.

Management Staff have reviewed these sections with input from a solicitor and are proposing that Sections 4.28 to 4.31 be amended as tabled in the meeting package.

A period of notice should be given to Employees before these changes come into effect.

In addition, staff will be asked to acknowledge the changes and sign an updated agreement that their employment is subject to the revised Manual.

Mr. Ellsworth asked whether there is any concern over the proposed changes. Mr. Kelly noted that staff will be provided with an opportunity to put their input forward.

*It was moved and seconded (Mr. Breen/Mr. Ellsworth) that Eastern Regional Service Board adopt the proposed changes to the Human Resources Policy Manual as tabled following a two week notice period to all affected employees.*

*MOTION 2017-044: Carried (unanimously)*

**b) Strategy and Policy Committee (Thursday, June 15, 2017)**

**1) Waste Diversion Options:**

Mr. Hickman noted that a briefing note was included in the meeting package regarding potential waste diversion options that would be explored by ERSB. The briefing note was based on research conducted by MMSB.

The discussion was promoted by the desire of some Board members to look at what ERSB can do to increase the level of diversion in the region.

As the Committee debated the options and the role the Board should play, and its ability to influence the decisions of municipalities and the commercial sector, it became clear that the Province needs to play a key role in the next phase of diversion programs and initiatives.

The Province has announced that it is reviewing the Provincial Solid Waste Management Strategy and it expects to be finished the review within the next six months.

The priority and recommended action for the Board is to have input into the review of the Strategy. The Province needs to know what the Board is facing, what it sees as its challenges and how a revised strategy could help change and achieve a higher level of diversion if that is the goal.

Mr. Grant highlighted the role of the MMSB versus ERSB. He also briefly mentioned the economics surrounding waste diversion, specifically whether or not diversion of plastics, cardboard, etc. is worth pursuing if it is not made mandatory by the Province.

Mr. Ellsworth spoke about how diversion should be driven by the reduction of our carbon footprint, rather than economics. He acknowledged there's an economic impact, but feels it is secondary to the positive impact on the environment diversion can have.

Mr. Kelly suggested an impact analysis should be considered that includes both the greenhouse gas, carbon footprint of the initiative as well as the economic impacts.

***It was moved and seconded (Mr. Hickman/Mr. Stone) that ERSB write the Minister of Municipal Affairs and Environment and request that the Board be given the opportunity to have input into the strategy as a key stakeholder in the province tasked with implementing the strategy.  
MOTION 2017-045: Carried (unanimously)***

## **2) Regional Governance Committee Update:**

Mr. Grant provided an overview of the presentation recently given to the Province by ERSB.

Mr. Grant, Mr. Kelly and Mr. Mallowney also recently met with Craig Pollett from Municipalities NL and provided him a copy of our proposed regional governance concept. Mr. Pollett's response to the proposal was non-committal, and he plans to wait for the Province's consultation process to be completed before forming an opinion on any concept.

Mr. Kelly noted that the regional governance consultations will be taking place in September. He noted that MNL expressed concern about that time-frame, especially considering they will take place at the same time as the Municipal Election.

Mr. Grant noted that he has received good feedback on ERSB being the delivery model for regional services, and will work with MNL and the Province in the fall to find a situation that suits everyone.

Mr. Grant committed to providing an additional update at the next Board meeting. Mr. Power will ensure the consultation schedule is included in the next meeting package if it has been released by then.

c) **Governance Committee (Tuesday, June 20, 2017)**

1) **Remote Meeting Attendance:**

Mr. Mallowney noted that this issue is not a new item for the Board tonight but an important one. In the meeting package was the full Rules and Procedures that govern Board meetings. On page 3 of that document is where the new wording regarding remote meeting attendance would fit that addresses the efforts to be inclusive and accommodating to all Board members. With the adoption of this clause the Rules and Procedures will be formally amended.

Mr. Mallowney said that in addition, ERSB has written the Minister of Municipal Affairs and Environment asking that the *Regional Service Board Act* be revised. The letter also served as formal notice to the Minister of the action the Board has taken to address the issue of inclusiveness.

Mr. Ellsworth thanked the Board for their work on this new policy.

**It was moved and seconded (Mr. Hickman/Mr. Ellsworth) that the ERSB update the Rules and Regulations Governing the Procedures for Meetings of the Eastern Regional Service Board to include the**

**following text in the Attendance at Meetings section on Page 3: “The ERSB is a fully inclusive organization. For those individuals with a self-identified disability or medical condition, the Board will (at the individual’s request), facilitate remote attendance and other accommodations (i.e.: teleconferencing, hearing and/or visual aids/devices), to ensure the Board member has full participation and voting privileges. All other requests for accommodations or to participate remotely will be at the discretion of the Chair.**

The Chair asked if there were any additional comments before the vote was held.

Mr. O’Keefe said the new policy opens the door to a lot of incidental requests, such as someone going on holidays and wanting to participate the meetings. He felt it would put the Chair in a very difficult situation having to approve requests. He doesn’t see the purpose of having the last sentence.

Mr. Grant said that he wouldn’t likely approve remote attendance for someone on holidays, unless an issue on the agenda was very important for the individual or affected their area specifically.

Mr. O’Keefe said if the Board is going to leave in the last sentence, he would like to propose an amendment.

*It was moved and seconded (Mr. O’Keefe/Mr. Breen) that the words “providing such owness for participation is demonstrated by the individual” be added to the end of the Motion at hand.  
AMMENDMENT 2017-001: Carried (unanimously)*

The Chair then called for a vote on the Amended Motion at hand.

*MOTION 2017-046: Carried (unanimously)*

## **2) Updated Governance Calendar:**

Mr. Mallowney drew the Board’s attention to an updated reporting tool that the Governance Committee uses to guide its meetings and to provide oversight for the work of the Board.

Included in the meeting package was a one page document of the key documents and actions that the Board needs to complete each year. Many of these items are regulatory requirements and/or compliance issues.

Mr. Mallowney said the Committee uses this document to ensure that the key business of the Board is brought before the necessary Committees for discussion and action. If in the future any Board member would like to have a copy of this regular report to the Governance Committee it is available for review.

## **5) CORRESPONDENCE**

Mr. Grant provided an overview of the letters tabled at the meeting for the information of Board members – ERSB2017-005, ERSB2017-006, ERSB2017-007 and ERSB2017-008.

These letters were actioned at previous Board meetings and/or respond to direct inquiries from communities in the Eastern Region.

## **6) NEW BUSINESS**

### **a) Capital Expenditures at Robin Hood Bay Waste Management Facility:**

Mr. Breen presented a briefing note from the City of St. John's regarding two capital projects that will be undertaken immediately at Robin Hood Bay. The projects will be funded from the Robin Hood Bay operation reserve which currently has over \$13M to-date.

The first project will expand the current gas collection system at the facility. It is estimated at \$1.275M. Eliminating the odor at Robin Hood Bay is connected to this project.

The second project is an update to the leachate collection system. It will prevent leachate and other liquids from migrating off the site. The cost of this project is anticipated to be \$325,000.

Mr. Grant asked that Mr. Niblock provide an update to the Board on the status of the Robin Hood Bay operational reserve and exactly how much money exists in this fund currently. He also suggested the City of St. John's explore options for funding support from the provincial and federal governments, or the Federation of Canadian Municipalities.

The Board had no issue with these expenditures. A motion was not required whereas the City of St. John's manages and maintains this reserve fund.

## **7) UPCOMING MEETINGS**

Mr. Kelly noted the next Board meeting will likely take place in late August or early September. This meeting will be to primarily have a budget discussion before the Board elections in the fall.

Committee meetings will be at the call of their respective Chairperson.

**8) ADJOURNMENT**

*Seeing no further business to be discussed, it was moved and seconded (Mr. Breen/Mr. Hann) that the meeting adjourn.*

*MOTION 2017-47: Carried (unanimously)*

*The meeting adjourned at 7:42 p.m.*



## **(4) COMMITTEE REPORTS**

**(4)(a) Finance & Governance  
Committee Report**

**(4)(a)(1) Board Expenditures – May  
2017**

# EASTERN REGIONAL SERVICE BOARD

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## PAYROLL EXPENSE

### MAY 2017

Payroll – Staff ( <i>2 pay periods – 34 employees</i> ).....	\$132,087.58
Payroll – Board (19 members) .....	<u>\$ 00,000.00</u>
Total Payroll ( <i>32 employees</i> ) .....	\$132,087.58
Payroll CRA Remittance .....	\$ 46,308.10
<b>TOTAL GROSS PAYROLL .....</b>	<b><u>\$178,395.68</u></b>

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### PREVIOUS MONTH

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### APRIL 2017

Payroll – Staff ( <i>2 pay periods – 32 employees</i> ).....	\$132,770.73
Payroll – Board (19 members) .....	<u>\$ 26,365.00</u>
Total Payroll ( <i>33 employees</i> ) .....	\$159,135.73
Payroll CRA Remittance .....	<u>\$ 53,271.64</u>
<b>TOTAL GROSS PAYROLL .....</b>	<b><u>\$212,407.37</u></b>

## Account summary

This statement shows details of transactions posted to your account since your last statement. To view all transactions related to your account, go to [www.cra.gc.ca/mybusinessaccount](http://www.cra.gc.ca/mybusinessaccount).

The "Remittance account balances" total below includes paid and unpaid amounts for 2017. For more information on withholding requirements and calculating your deduction and remittance amounts, go to [www.cra.gc.ca/payroll](http://www.cra.gc.ca/payroll).

### Remittance account balances

Date posted	Description	Date received	(\$) Amount	CR/DR
	<b>Previous balance</b>		<b>0.00</b>	
Jan 30, 2017	Payment Jan 2017	Jan 25, 2017	28,734.19	CR
Feb 15, 2017	Payment Jan 2017	Feb 10, 2017	24,261.57	CR
Mar 02, 2017	Payment Feb 2017	Feb 27, 2017	23,353.41	CR
Mar 15, 2017	Payment Feb 2017	Mar 10, 2017	23,154.54	CR
Mar 20, 2017	Employment insurance revenue 2016		1,971.39	CR
Mar 20, 2017	Credit interest 2016		4.00	CR
Mar 20, 2017	Refund requested for 2016		1,975.39	DR
Mar 30, 2017	Payment Mar 2017	Mar 27, 2017	24,090.80	CR
Apr 13, 2017	Payment Mar 2017	Apr 10, 2017	21,644.58	CR
Apr 13, 2017	Payment Mar 2017	Apr 10, 2017	<u>21,987.89</u>	CR
	<b>Current balance</b>		<b>167,226.98</b>	<b>CR</b>

### Explanation of changes and other important information

If you received a small business job credit, please remember that when determining your taxable income for the year, you can either:

- subtract the credit from your employment insurance premium expense; or
- include it as income in the year you received it.

You can learn more about the credit at [www.cra.gc.ca/sbjc](http://www.cra.gc.ca/sbjc).

We arranged to issue the refund you requested.

If you have not yet registered for My Business Account or you need more information, call 1-800-959-5525 or go to [www.cra.gc.ca/mybusinessaccount](http://www.cra.gc.ca/mybusinessaccount).

**Eastern Regional Service Board**

BNK2 - Bank of Montreal - EW

Cheques from 000001 to 005923 dated between 05-01-2017 and 05-31-2017

**CHEQUE REGISTER**

Printed: 9:09:06AM 06/08/2017

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Number	Issued		Amount	SC	Status	Status Date
005822	05/03/2017	Dodd's Diesel Repair Ltd.	0.00	A/P	*VOID*	05/03/2017
005823	05/03/2017	Dodd's Diesel Repair Ltd.	0.00	A/P	*VOID*	05/03/2017
005824	05/03/2017	Dodd's Diesel Repair Ltd.	32,319.40	A/P	CLEARED	05/10/2017
005825	05/03/2017	Around The Bay Disposals Inc.	86,307.21	A/P	CLEARED	05/10/2017
005826	05/03/2017	Atlantic Safety Centre	678.50	A/P	CLEARED	05/17/2017
005827	05/03/2017	Bell Aliant	1,689.00	A/P	CLEARED	05/10/2017
005828	05/03/2017	Cansel	431.25	A/P	CLEARED	05/10/2017
005829	05/03/2017	Clowe Construction Ltd.	4,801.25	A/P	OUT-STD	05/03/2017
005830	05/03/2017	Conception Bay Auto & Tire Centre	30.46	A/P	CLEARED	05/17/2017
005831	05/03/2017	Dicks and Company Limited	97.74	A/P	CLEARED	05/10/2017
005832	05/03/2017	GCR Tires & Service	543.89	A/P	CLEARED	05/10/2017
005833	05/03/2017	G Groves & Sons Limited	8,819.35	A/P	CLEARED	05/31/2017
005834	05/03/2017	Harbour Construction Limited	2,672.03	A/P	CLEARED	05/10/2017
005835	05/03/2017	Ivan Heath	68.31	A/P	CLEARED	05/24/2017
005836	05/03/2017	Jenkins Anthony Inc.	4,717.02	A/P	CLEARED	05/10/2017
005837	05/03/2017	Ken Kelly	1,997.49	A/P	CLEARED	05/10/2017
005838	05/03/2017	Kevin Power	410.99	A/P	CLEARED	05/17/2017
005839	05/03/2017	Lynn Tucker	28.60	A/P	CLEARED	05/10/2017
005840	05/03/2017	Newfoundland Exchequer - MVR	1,524.00	A/P	CLEARED	05/17/2017
005841	05/03/2017	Newfoundland Power Inc.	1,062.20	A/P	CLEARED	05/10/2017
005842	05/03/2017	Nexgen Municipal Inc.	17,231.45	A/P	CLEARED	05/10/2017
005843	05/03/2017	Nortrax Canada Inc.	2,288.34	A/P	CLEARED	05/10/2017
005844	05/03/2017	OMB Parts & Industrial Ltd. 1	701.39	A/P	CLEARED	05/17/2017
005845	05/03/2017	Pat Singleton	5,350.00	A/P	OUT-STD	05/03/2017
005846	05/03/2017	Redline Automotive 0765	216.36	A/P	CLEARED	05/10/2017
005847	05/03/2017	Royal Garage Ltd.	298.77	A/P	CLEARED	05/10/2017
005848	05/03/2017	T2 Ventures Inc.	138,609.70	A/P	CLEARED	05/10/2017
005849	05/03/2017	Tulk Tire & Service Ltd.	159.67	A/P	CLEARED	05/10/2017
005850	05/03/2017	Harbour Construction Limited	839.40	G/L	CLEARED	05/10/2017
005851	05/03/2017	Around The Bay Disposals Inc.	938.40	G/L	CLEARED	05/10/2017
005852	05/03/2017	G Groves & Sons Limited	845.14	G/L	CLEARED	05/31/2017
005853	05/03/2017	Pat Singleton	500.00	G/L	CLEARED	05/10/2017
005854	05/03/2017	M J Hickey Construction Ltd.	661.48	G/L	CLEARED	05/17/2017
005855	05/03/2017	Clowe Construction Ltd.	388.12	G/L	OUT-STD	05/03/2017
005856	05/17/2017	Curtis Dawe	21,074.17	A/P	CLEARED	05/24/2017
005857	05/17/2017	Dodd's Diesel Repair Ltd.	0.00	A/P	*VOID*	05/17/2017
005858	05/17/2017	Dodd's Diesel Repair Ltd.	11,570.34	A/P	OUT-STD	05/17/2017
005859	05/17/2017	Nexgen Municipal Inc.	528,959.59	A/P	CLEARED	05/24/2017
005860	05/17/2017	Tulk Tire & Service Ltd.	2,486.73	A/P	CLEARED	05/24/2017
005861	05/17/2017	62167 Newfoundland and Labrador Inc	7,380.30	A/P	OUT-STD	05/17/2017
005862	05/17/2017	A1 Glass	267.38	A/P	CLEARED	05/31/2017
005863	05/17/2017	Acklands Grainger Inc.	276.79	A/P	CLEARED	05/31/2017
005864	05/17/2017	Christie Dean	1,455.96	A/P	OUT-STD	05/17/2017
005865	05/17/2017	City of St. John's	52,305.61	A/P	CLEARED	05/31/2017
005866	05/17/2017	Coish's Trucking & Excavating Ltd.	14,432.50	A/P	CLEARED	05/31/2017
005867	05/17/2017	Ed Grant	161.89	A/P	CLEARED	05/24/2017

Eastern Regional Service Board

BNK2 - Bank of Montreal - EW

Cheques from 000001 to 005923 dated between 05-01-2017 and 05-31-2017

CHEQUE REGISTER

Printed: 9:09:06AM 06/08/2017

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Number	Issued	Amount	SC	Status	Status Date
005868	05/17/2017 GCR Tires & Service	165.54	A/P	CLEARED	05/31/2017
005869	05/17/2017 Harold Mallowney	1,185.79	A/P	OUT-STD	05/17/2017
005870	05/17/2017 Harris Ryan	12,506.25	A/P	CLEARED	05/31/2017
005871	05/17/2017 Imperial Oil	398.08	A/P	CLEARED	05/31/2017
005872	05/17/2017 Iron Mountain Canada	47.23	A/P	OUT-STD	05/17/2017
005873	05/17/2017 Ivan Heath	38.55	A/P	OUT-STD	05/17/2017
005874	05/17/2017 Joy Dobbie	752.74	A/P	CLEARED	05/24/2017
005875	05/17/2017 Ken Kelly	1,482.50	A/P	CLEARED	05/31/2017
005876	05/17/2017 Leslie Squires	440.00	A/P	CLEARED	05/31/2017
005877	05/17/2017 Miller IT Limited	1,168.88	A/P	CLEARED	05/31/2017
005878	05/17/2017 North Atlantic	30,305.50	A/P	CLEARED	05/31/2017
005879	05/17/2017 North Atlantic	144.01	A/P	CLEARED	05/31/2017
005880	05/17/2017 Northern Business Intelligence	681.88	A/P	CLEARED	05/31/2017
005881	05/17/2017 OMB Parts & Industrial Ltd. 1	56.30	A/P	CLEARED	05/31/2017
005882	05/17/2017 Parts For Trucks Inc.	1,891.81	A/P	CLEARED	05/31/2017
005883	05/17/2017 Pitney Bowes	1,923.20	A/P	CLEARED	05/31/2017
005884	05/17/2017 RENU Industries Canada	517.50	A/P	CLEARED	05/31/2017
005885	05/17/2017 Universal Environmental Services Inc.	81.54	A/P	CLEARED	05/31/2017
005886	05/17/2017 Vardy Villa Limited	37,576.67	A/P	OUT-STD	05/17/2017
005887	05/17/2017 Director of Support Enforcement	222.00	G/L	CLEARED	05/31/2017
005888	05/17/2017 Culleton, Howard	427.15	A/R	CLEARED	05/31/2017
005889	05/17/2017 Vardy, Geraldine, Estate of	18.00	A/R	CLEARED	05/31/2017
005891	05/24/2017 61366 Newfoundland and Labrador Inc.	5,290.00	A/P	CLEARED	05/31/2017
005892	05/24/2017 Advantage Personnel Ltd.	1,038.02	A/P	OUT-STD	05/24/2017
005893	05/24/2017 Bell Mobility Inc.	1,889.81	A/P	OUT-STD	05/24/2017
005894	05/24/2017 Bradley Power	29.92	A/P	CLEARED	05/31/2017
005895	05/24/2017 Kevin Power	333.10	A/P	OUT-STD	05/24/2017
005896	05/24/2017 NATIONAL Public Relations	251.42	A/P	CLEARED	05/31/2017
005897	05/24/2017 Newfoundland Exchequer - MVR	63.00	A/P	OUT-STD	05/24/2017
005898	05/24/2017 Newfoundland Power Inc.	950.71	A/P	CLEARED	05/31/2017
005899	05/24/2017 OMB Parts & Industrial Ltd. 1	189.89	A/P	OUT-STD	05/24/2017
005900	05/24/2017 Royal Garage Ltd.	524.12	A/P	OUT-STD	05/24/2017
005901	05/24/2017 SaltWire Network Inc.	758.32	A/P	CLEARED	05/31/2017
005902	05/24/2017 Town of Clarendville	1,608.00	A/P	OUT-STD	05/24/2017
005903	05/24/2017 Cumby, Arthur Barry	2,088.95	A/R	CLEARED	05/31/2017

**Cheque Totals Issued: 1,064,644.55**  
**Void: 0.00**  
**Total Cheques Generated: 1,064,644.55**  
**Total # of Cheques Listed: 81**

\*\* - Name on Check was modified

**(4)(a)(2) Amendments to Human  
Resources Policy Manual**



## Briefing Note – HR Policy Amendments

The following document contains sections of the Board’s Human Resource Policy and Procedures Manual that appear to be contradictory and confusing, either in whole or in isolation. Some are unclear in the type of employee they refer, all employees or a subset, and others clause conflict with other sections. We are proposing that Sections 4.28 to 4.31 be amended as proposed. A period of notice should be given to Employees before these changes come into effect.

In addition, staff should be required to acknowledge these changes and sign an updated agreement that their employment is subject the revised HR Manual.

The most significant change in the document is 4.29(f) under Disciplinary Procedures which in isolation from the rest of the policy states that termination can only be in cases of just cause. This would limit the Board’s ability to reduce the workforce for economic reasons or for any reason other than just cause. Furthermore, in section 4.30 Termination is described as “for the protection of clients and staff”, which may have been intended as an additional reason under just cause but in its current wording it limits termination to just cause for the protection of clients and staff which is in conflict with clauses dealing with redundancy. We either eliminate the statements referring to termination only for just cause or we have to list those instances that termination would be warranted.

### **Recommendation:**

**Board proceed to amend the Human Resources Policy and Procedures Manual, require staff to acknowledge and agree to changes to the Human Resources Policy and Procedures Manual and provide staff with a reasonable period of notice of changes to the Human Resources Policy and Procedures Manual, .**

## Proposed Amendments to Human Resource Manual June 2017

### 4.28 Severance

- a. When a ~~a~~ Permanent Employee terminates his or her employment with the Employer as a result of retirement or termination, ~~not including for just cause,~~ with at least five (5) years of continuous service, s/he will be eligible for severance pay equal to the amount obtained by multiplying the number of years of continuous service by the Employee's weekly salary to a maximum of twenty (20) weeks pay, unless otherwise negotiated by an employment contract.
- b. A ~~an~~ Permanent Employee who has resigned or retired may be re-employed if the break in service is not less than the number of weeks for which s/he has received severance pay pursuant to (a) above or if s/he refunds the appropriate part of such severance pay.
- c. The maximum severance pay paid to a ~~an~~ Permanent Employee for the total period of employment, whether or not s/he is re-employed at any time after the payment of severance pay to him/her, may not exceed the amount specified in (a) above.
- d. Special leave without pay shall not be regarded as a break in service but the period of special leave without pay may not be counted as service for the purpose of severance pay.
- e. Any severance pay entitlement of a deceased Permanent Employee shall be paid to such Employee's beneficiary or Employee's estate.

### 4.29 Disciplinary Procedures

Disciplinary procedures should, whenever possible, be corrective rather than punitive and shall deal with the actual broken rule or regulations, or the actual situation. In applying discipline the following sequence of actions shall be used:

- a. Identify the problem, interview the Employee, define the improvement needed, warn the Employee the improvement must be made and state when the improvement is expected to be seen. The discussion with the Employee should be recorded in the Employee's local (or departmental) file but no formal entry on the Personnel file should be made.
- b. If the problem persists a follow up interview should be held and the Employee should be formally warned in writing that the disciplinary process is in effect and where necessary, advised that an evaluation will take place after a predetermined period. All documents to the Employee should be copied to his/her Personnel file.

- c. If the problem is still not corrected or recurs, a further interview should take place with a letter being given to the Employee stipulating a short period to come up to standard, and a short suspension without pay (one week is suggested). All documents to the Employee should be copied to his/her Personnel file.
- d. If the problem still exists, step "c" should be repeated but with a shorter period to come up to standard and a longer suspension applied (one month is suggested). As an alternative in extreme cases, termination may be contemplated at this stage subject to discussion between the CAO and Board. All documents to the Employee should be copied to his/her Personnel file.
- e. If the problem still exists, termination of employment with the Employer will occur. All documents to the Employee should be copied to his/her Personnel file.
- f. An Employee may be dismissed, ~~but only for just cause and only~~ upon the authority of the CAO. ~~When an Employee is discharged, s/he shall be given the reason in writing by the Employer.~~
- ~~g. Any Employee has the right to appeal disciplinary matters to Board, who will review the matter and advise the Employee in writing of the results of that process. The appeal must be made within ten (10) days of the disciplinary action.~~
- ~~h. In certain cases, at the discretion of the Employee, the matter may be referred to an external arbitrator.~~
- ~~i. An Employee who has been unjustly discharged shall be immediately reinstated in his/her former position and shall be compensated for all time lost in an amount equal to his/her normal earnings, or by any other arrangement as to compensation which is just and equitable in the opinion of the parties or in the opinion of an arbitrator, if the matter is referred to such as person.~~
- j-g. Any document which might at any time be used against an Employee in any case of suspension, dismissal or disciplinary action shall be removed from his/her personnel file and destroyed after the expiration of twenty four~~twelve~~ (~~12~~24) months providing there is no recurrence of a similar incident during that time, in which case it shall be removed and destroyed twenty four~~twelve~~ (~~12~~24) months after the recurrence.

These are general guidelines and some situations will not fit exactly into this scenario, but in those cases the general principles, sequences and objectives listed above should be maintained. In gross disciplinary situations, the above process may be eliminated but in such cases there must be a detailed report along with the other requirements of pre-notification and discussion with the CAO.

All disciplinary action should be taken after an investigation and after a short report has been completed on the incident.

### 4.30 Termination

The Employer recognizes the right of an Employee to resign; it also reserves the right to terminate an Employee's services, if necessary, for the protection of clients or staff, for just cause, without cause granted notification is provided or payment in lieu of notification, and for management of the workforce.

- a. Resignations must be made in writing to the CAO. An Employee is expected to give ten (10) working days' notice of resignation.
- b. The Employer shall give ten (10) working days' notice in writing to a permanent Employee whose services are being terminated. This does not apply to an Employee who is not successful on his/her probationary period and not to one who is dismissed for just cause.
- c. The period of notice may be reduced or eliminated by mutual agreement.
- d. Upon termination, an Employee is requested to return all articles of ERSB property that have been issued; otherwise, the Employer may deduct from wages accruing, the cost of replacement of such articles.
- e. Entitlements payable (annual leave, severance, etc.) to the Employee, shall be based on the Employee's salary immediately prior to the termination.

### 4.31 Redundancy

Employees terminated as a result of redundancy or otherwise without cause will be eligible for notice of termination. The amount shall depend upon the Employee's age and completed years of continuous service with the Employer as shown on the schedule below, to a maximum of 65 weeks. Where working notice is not given, pay in lieu of notice will be provided instead.

**NOTICE UPON REDUNDANCY OR OTHER TERMINATION WITHOUT CAUSE**

Age	<35			35-45			46-55			>55		
Years of Service	<10	10-20	>20	<10	10-20	>20	<10	10-20	>20	<10	10-20	>20
Weeks pay per years of service	1.5	2	2.5	2	3	4*	3	4*	5*	4	5*	5*

\* To a maximum of 65 weeks.

**Interpretation**

An Employee shall not under any circumstances be eligible to pay in lieu of notice upon resignation, normal or early retirement, or termination for cause.

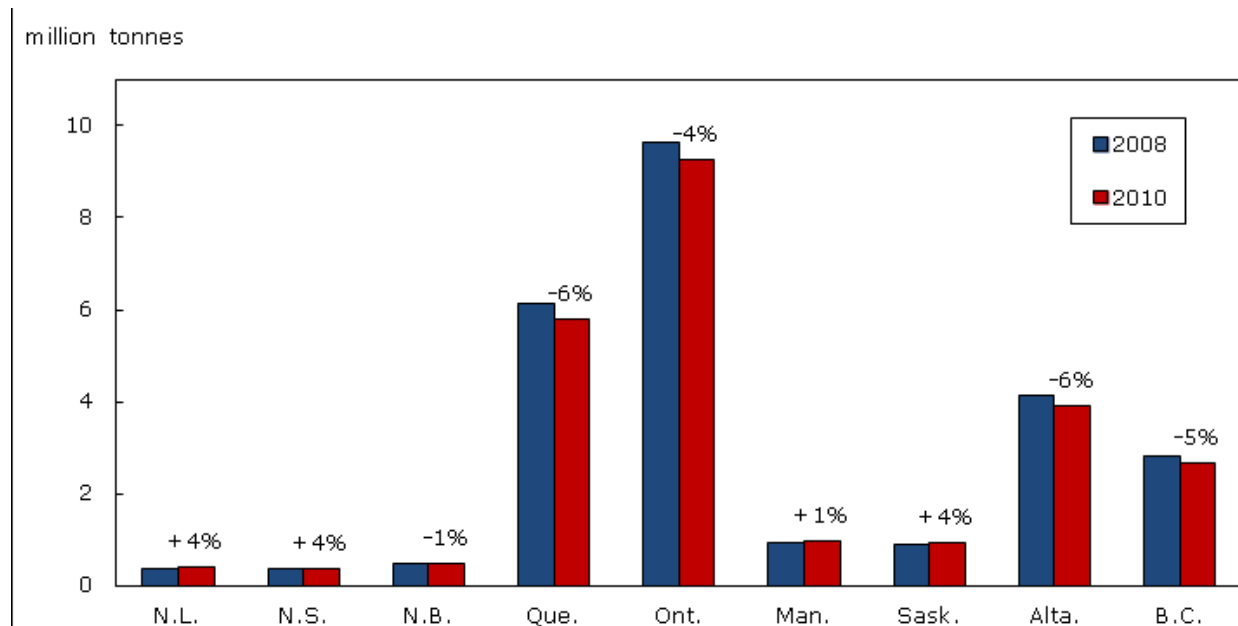
**(4)(b) Strategy & Policy Committee  
Report**

# **(4)(b)(1) Waste Diversion Options**

## Briefing Note – Waste Diversion Options for Discussion

This is a summary of some research on potential options to explore to increase waste diversion within the eastern region.

### Total Waste (Residential and non-Residential) Disposed by Jurisdiction 2008 and 2010



**Note(s):** Percentages indicate changes between 2008 and 2010. Data for Prince Edward Island, Yukon, Northwest Territories, and Nunuvut are not included in order to meet the confidentiality requirements of the Statistics Act.

**Source(s):** Statistics Canada, CANSIM table 153-0041 (accessed August 21, 2013).

In the table above we see that several provinces including NL continue to increase the amount of waste we generate and dispose of on a province wide basis. From 2012 to 2014 according to Statistics Canada the province of NL led the country in the percentage increase of waste generated at 6% versus the provincial average of 1.7% across the country.

Recent research suggests that the amount of waste generated per person is not correlated to income level and that across the global income spectrum people produce between 2.5 and 4 lbs/person/day. This suggests that there is a threshold of waste generation or base level that we should expect to deal with from all areas and populations.

So while we discuss diversion options there is a broader discussion of waste management that needs to coincide with a review of the Provincial Waste Management Strategy.

The Multi Material Stewardship Board (MMSB) has undertaken research on options that can be implemented on a regional level to influence behavior and potentially increase diversion. Below are the main options:

**1) Pay-As-You-Throw (PAYT)** – home owners are charged directly for the amount of waste that they set out at the curb. Those that choose to recycle or divert can lower their costs and those that do not participate will incur higher costs.

**Pros:**

Increase in Fairness – Those homeowners that are diverting more, pay less while those that waste more, pay more.

Waste Reduction and Diversion -Increases participation in diversion activities such as recycling and composting.

**Cons:**

High Upfront Cost – Initial purchase of specialized bins, bags, tags, vehicles, equipment, and information management systems can be expensive although costs can be recouped through program operation.

Administratively Burdensome – Billing for waste management services will be done on a household by household basis instead of a regional or municipal basis.

**2) Public Drop-Off Diversion (PDO)** – are drop off locations for residents focused on recyclables or special waste. They can use specialized containers to reduce cost, minimal staffing and surveillance.

**Pros:**

Low-Cost Waste Diversion - Diversion programs that utilize PDO's are typically less expensive to deliver than curbside collection programs for similar materials.

Convenient - Curbside collection of recyclables is typically done once a week or once every two weeks whereas PDO's provide multiple opportunities for the public to recycle their materials.

**Cons:**

Risk of Becoming Waste Magnets – In spite of a waste managers best efforts to inform the public about what is or what is not accepted at a public drop off, if PDO's are not placed in areas where they can be supervised or surveyed with cameras, invariably someone will drop-off unwanted materials and leave them in the specialized containers or on the ground near specialized containers.

**3) Differential Tipping Fee (DFO)** – Tipping fees are set based on type of material and focus lower fees on separated material and higher fees for materials that are unseparated. DTF directly impacts waste haulers while residents and businesses are impacted indirectly.

**Pros:**

Ease of Administration – unlike homeowner PAYT systems, a DTF system charges the waste hauler only. The administrative burden of charging individual households or businesses is passed onto the waste hauler.

Low Upfront and Ongoing Costs – without the need for detailed, waste generator-specific information, landfill operators have relatively low upfront and ongoing costs to administer a DTF system.



Waste Reduction and Diversion – As long as tipping fees are sufficiently high so as to make the costs associated with adopting waste reduction and diversion activities cheaper than waste disposal, diversion and waste reduction will be pursued.

Cost Equalization – For most waste management facility operators, landfill operating costs are significantly lower than recycling and composting costs. By instituting differential tipping fees, facility operators are artificially increasing the cost waste generators pay for landfilling to reflect the true environmental cost of this activity. Revenue generated through higher landfill fees can then be used to artificially decrease the cost paid by waste generators for diversion

**Cons:**

Inherent Conflict – Waste over the scales at a landfill means revenue for a landfill operator. Unless a landfill operator has a mandate to increase diversion and waste reduction, there is an inherent conflict between a landfill operators desire to generate revenue and the desire to divert or reduce waste which will decrease landfill revenues.

Lack of Fairness – Communities that are charged a flat rate pass that flat rate onto homeowners equally. Meaning that a homeowner who diverts most of their waste through backyard composting and recycling and a homeowner who neither composts nor recycles will pay the same amount.

Uncertainty Surrounding How High to Set the Fees – As the internal cost structure of each waste generator cannot be known, it is difficult to know at what precise level a differential tipping fee should be set to incent diversion. This means that tipping fees from waste disposal must continue to be increased until diversion activities increase

**4) Landfill Bans** – as it states, banning a material from disposal however, there must be a reasonable alternative method of disposal in order for a ban to work.

**Pros:**

Incent Diversion - Landfill is the option of last resort for any material and should not be an option for materials that have an alternative end-of-life. Landfill Bans drive the diversion of waste to more a beneficial, environmentally sustainable use for materials than landfilling.

Impacts the Entire Waste Management Chain – Landfill Bans affect everyone from homeowners to landfill operators.

Supports Diversion Related Industries - By banning material from landfill, this material and those generating it will be sent

**Cons:**

Potential for Waste Transfer - In Newfoundland and Labrador, unless a Landfill Ban is province-wide, banning a material in one region or from one landfill may cause waste haulers and waste generators to send their waste to another landfill in another region where material is not banned.

Potential for a Toothless Ban – In the absence of a significant effort in enforcement, a Landfill Ban will be a ban in name only and banned material will continue to be landfilled.

Inherent Conflict – Waste over the scales at a landfill means revenue for a landfill operator. Unless a landfill operator has a mandate to increase diversion and waste reduction, there is an inherent conflict between a landfill operator’s desire to generate revenue and the desire to divert or reduce waste which will decrease landfill revenues.

**5) Clear Bag Initiatives** – Mandatory use of clear bags at the curb so that collectors can enforce rules for recycling.

**Pros:**

Quality of Recyclables – Clear recycling bags enable collectors to ban contaminated material from entering the recycling stream thereby maximizing their aftermarket value while reducing the downstream costs for processing.

Increase Capture Rate – Clear garbage bags enable collectors to reject bags that contain recyclables, enforcing mandatory compliance with a diversion program while communicating to waste generators what is actually divertible.

**Cons:**

Cost and Availability of Bags – Ahead of implementing a clear bag initiative, waste managers must make sure that local bag retailers are made aware of the requirement so that they may stock clear bags for sale. In some locations, clear or opaque blue bags can be more expensive than their black counterparts.

Compliance for Businesses and Multi-residential Waste Generators – Unlike a home owner who puts out their own waste from a single dwelling, businesses and multi-res buildings put out waste from multiple generators at once. This makes it difficult for waste collectors to determine the level of contamination and act to correct it at the point of collection. If contamination is identified at the landfill or Material Recovery Facility and a load is rejected, it is difficult for collectors

**Recommendation:**

**The Board should work with other stakeholders to adopt a series of diversion focused initiatives – landfill operator, municipalities, MMSB and Province.**



# Waste Diversion Best Practices

*Per capita waste disposal in Newfoundland and Labrador is 743 kilograms per year. Per capita waste disposal in Makkovik (population 380) is less than 200 kilograms per year. What can we do differently?*

According to the Canadian Federation of Municipalities, waste diversion directs garbage away from landfills or incinerators through reuse, recycling, composting or gas production through anaerobic digestion. 2016

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## Introduction

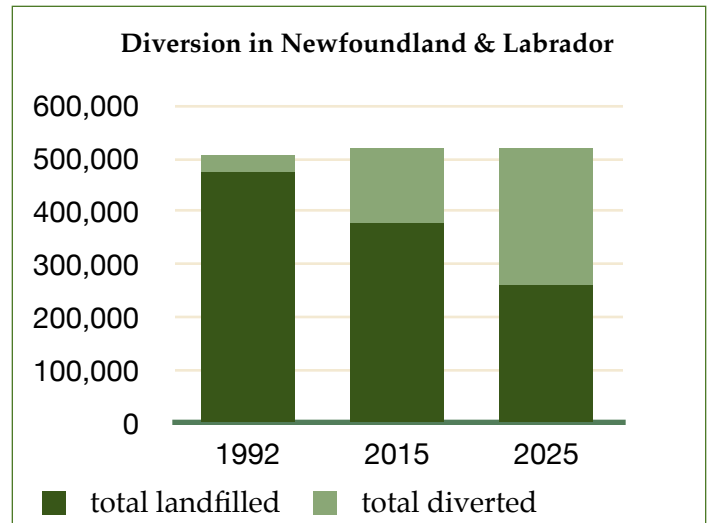
In Newfoundland and Labrador, individuals, communities, businesses and governments dump over 380,000 metric tonnes of garbage into landfills every year where it is buried and in some cases set afire and then buried. That represents more than 73% of all of our waste and enough material to cover Terra Nova National Park in ¼ of an inch of nasty garbage every year.

When dumped and buried in a landfill, our waste begins to break down. This rotting pile of refuse then produces greenhouse gases such as methane and, as the rain and melting snow soak through the pile and pick up all sorts of nasty compounds, it creates a toxic soup called leachate. With modern landfill technologies we can manage some of these issues through methane capture systems and leachate treatment facilities. Without them, methane rises into our atmosphere and increases global warming while leachate pollutes our ground and surface waters.

With the implementation of the 2002 Provincial Waste Management Strategy (strategy), we now have two modern landfills (Robin Hood Bay and Norris Arm) that manage methane and leachate. Nearly 70% of all waste in Newfoundland and Labrador is disposed of in these two landfills. Under the strategy, it is envisioned that this will increase to 94% within ten years when 80% of the province’s dumps will be closed. We are well on our way to managing the waste that we bury in a more responsible manner. However, we are still disposing and not diverting most of our waste.

Diversion in Newfoundland and Labrador has greatly improved since 1992 when it was at 7%. Through significant financial investments in recycling infrastructure, the development of regional and provincial recycling programs and the actions of the private sector, Newfoundland and Labrador now diverts 27% or 140,000 metric tonnes of its garbage from landfills. Unfortunately, that is a far cry from the strategy goal of 50% waste diversion by 2025.

It should be said at this point that landfilling, when compared to any type of diversion, is almost always less expensive. In knowing this you may ask yourself: “If diversion is so expensive and our new landfills are



managing all of the nasty impacts of our garbage, then why wouldn’t we put all of our garbage in landfills?” and “Why would we be investing in recycling and composting at all?”

The answer depends on how you think about waste. Yes, our landfills are much better, but should we be burying hundreds of thousands of metric tonnes of materials that could otherwise be recycled or composted? Should we forgo the opportunity to use this material to replace the need to drill for oil, mine for minerals and buy chemical fertilizers? Should we throw away the opportunity to create employment, invest in innovation, and better our communities? Is this sustainable? If not, then we need to continue to rethink waste and invest in waste diversion.

Waste diversion is brought about by more than infrastructure and regulations. It is achieved through a combination of many different activities that work toward a common goal, seeing waste as a resource. To that end, MMSB has prepared this document to highlight some of the activities undertaken throughout the world that have increased waste diversion with the intention of starting more conversations about how we can rethink waste as a province and get to 50% by 2025.



## What is Waste Diversion?

*According to the Canadian Federation of Municipalities, waste diversion directs garbage away from landfills or incinerators through reuse, recycling, composting or gas production through anaerobic digestion. This definition is in keeping with the definition that Statistics Canada uses when measuring and comparing waste disposal and waste diversion activities across Canada and is the definition of waste diversion in Newfoundland and Labrador.*



## What is not Waste Diversion?

There are many things that you can do with waste that will diminish the negative impact that it has on the environment; however, they may not be considered diversion. In order for waste to be considered diverted it must enter the waste stream and be directed away from disposal in a landfill or an incinerator.

### Waste Reduction

If you reduce the amount of food waste that you produce at home by purchasing the right amount of food and not letting it spoil, then you have done a good thing for the environment. However, as there was never any waste to begin with, this is not waste diversion, it is waste reduction.

### Reuse



Materials that are reused in-house, such as a brewery reusing beer bottles over 50 times, are not considered waste until the bottles enter the waste stream and are destined for disposal. At that point, if the glass is diverted to a glass recycler, it is considered diversion. If it is placed in a landfill it is considered disposal.

### Landfill Gas Capture



If you bury all of your waste in a landfill, it will produce methane. If you capture that methane and burn it, you will produce carbon dioxide and reduce the greenhouse effect that your landfill has on the planet. If you recover heat or generate electricity from this process, so that you don't have to use coal or oil to

generate that heat or electricity then you have done a good thing for the environment. However, this is not waste diversion as you have disposed of the waste in the landfill and forgone the economic and environmental benefit of recycling, or composting the materials.

### Waste Incineration



Waste incineration or waste-to-energy is the combustion of waste to generate heat and electricity.

As with Landfill Gas Capture, if employed as an alternative to more polluting sources of energy such as burning oil or coal, there are environmental benefits of this activity. However, this is not considered diversion as you have forgone the economic and environmental benefit of recycling, or composting the materials.

### Conclusion

Simply put, in order to divert waste, it must be waste in the first place. If you buy your food more carefully so that you don't have waste, then you cannot divert it. If a product is reusable, then it becomes waste when you cannot reuse it in its current form or you forgo the opportunity to reuse it. Once it is considered waste, landfilling or incinerating it is not diverting it.

## Pay-As-You-Throw (PAYT)

**We all have a neighbor who doesn't recycle their beverage containers, doesn't backyard compost and puts out twice the amount of garbage as everyone else on garbage day. Have you ever asked yourself "I recycle and compost and reduced my waste by half, why do I pay as much for waste as the neighborhood waste pig?" If you have, then a PAYT system may be for you.**

Under a PAYT at home system, waste management costs borne by an individual are based directly on the volume of their waste that is destined for landfill. PAYT systems establish incentives for households to reduce the amount of waste they generate and in doing so, lower their annual waste collection costs.

Under this system, waste collection, recycling and management costs are covered by a basic or flat fee that is charged to households that cover the fixed costs of the system and ensure the sustainability of the program.

However, in addition to this basic fee, the homeowner is charged another variable fee that is directly related to how much waste (not recycling) they actually put to the curb. Under this system your waste pig neighbour will pay more each year for their wasteful ways than you will. This can be achieved in many ways. Here are some of the more popular:

- **Volume based systems** – Your variable fee is based on the volume of waste that is put to the curb. This is controlled by only allowing waste to be put to the curb in specialized containers. Home owners have the choice of a small, medium, or large sized bin to place their waste at the curb. The smaller the bin, the smaller the fee.
- **Bag or tag based systems** – Each home owner is allowed to place a limited number of bags to the curb without paying an additional fee. If a homeowner wishes to put out more bags than is allowed, they must purchase uniquely identifiable bags or tags at an additional cost. Or, any bags that are beyond the allowed limit are counted by the collector and the homeowner is charged an additional fee per bag.
- **Frequency of pick-up systems** – Homeowners are only permitted to place waste in specialized containers at the curb. The volume of the fee is based upon the number of times the homeowner places the bin at the curb for collection. This could also be used in the delivery of services to areas where you have a combination of permanent and seasonal residences.
- **Weight based systems** – Homeowners are charged by the weight of waste that is contained within a specialized container and weighed at the time of pick-up.

In addition to increasing the fairness in waste management costing, PAYT systems have been proven to drive diversion and waste reduction. As an example, in Ireland, two types of

PAYT systems were implemented in 2005 and monitored in 2007. Tag-based systems resulted in a 23 percent reduction in the volume of waste put out to the curb for disposal while weight based systems resulted in a 49 percent reduction. In areas where PAYT systems were in place, diversion rates increased to 46 percent, 16 percent higher than the national average.



### Pros:

Increase in Fairness - Those homeowners that are diverting more, pay less while those that waste more, pay more.

Waste Reduction and Diversion - Increases participation in diversion activities such as recycling and composting.

### Cons:

High Upfront Cost – Initial purchase of specialized bins, bags, tags, vehicles, equipment, and information management systems can be expensive although costs can be recouped through program operation.

Administratively Burdensome – Billing for waste management services will be done on a household by household basis instead of a regional or municipal basis.

*(continued)*



## Pay As You Throw (Cont'd)

### Secret Of Success

Unlike an outright landfill ban, PAYT systems present home owners and businesses with a number of choices. They can choose to waste more and pay more or waste less and pay less. To ensure the success and fairness of this best practice, these choices must be informed choices.

Information about how the system works, the value of savings realized through increased diversion, the costs of not increasing diversion and how best to participate should all be part of an extensive and ongoing public education and awareness campaign. Also, participants must be given sufficient notice of the implementation date of the system so as to provide them with the opportunity to put in place the infrastructure and habits that they need for success. Doing so diminishes the likelihood that ignorance and a lack of notice will be used as excuses for non-compliance and resistance.

Once sufficiently educated about the system, enforcement of its rules must be the next highest priority. Participants must consistently see that the system is robust and that the rules are being applied fairly. Any deviation from fair and consistent enforcement such as exceptions, grace periods, or no enforcement will undermine the system and cause poor performance.

When developed and implemented well, a PAYT system is one of the best methods of ensuring fairness to those who wish to divert more by increasing the costs of those who divert less.





## Public Drop-Off Diversion (PDO)

Its Saturday, you've just cleaned out the shed and the basement and you've loaded up the car with stuff that you don't need or want anymore. You bring the electronics, beverage containers and paint to a depot in the next town. Next, you head to the dump. You heave off your metal in a special pile, and drop off your household hazardous waste in the Depot. When all of that stuff is out of the car you look inside and see paper and plastic packaging (recyclables) mixed in with your garbage. Your town can't afford curbside collection of recyclables so you have to put it all to the dump, right? Maybe not.

What if you could drop off your recyclables into a specialized container that the whole town could use?

PDO's consist of establishing centres within a region or municipality where residents can drop-off recyclable materials or special wastes in specialized containers throughout the year. These sites can have minimal staffing and surveillance with a high number of operational hours year round.

For recyclables such as paper fibre and containers, PDO's represent a lower-cost option to the provision of diversion services through curbside collection. For special materials that cannot be collected at the curb or mixed with other materials, PDO's represent an option for offering

diversion instead of landfill. These materials can be collected from the public at specific locations throughout a jurisdiction in specialized containers that limit the contamination of the recyclables with garbage and other wastes. When containers are full they are transported to a waste diversion service provider for recycling, re-use or proper disposal.

Prior to the adoption of curbside collection of recyclables, the Town of Conception Bay South was able to offer inexpensive paper fibre diversion to its residents by installing specialized containers at popular public areas such as the stadiums and large soccer fields.

Reusable clothing collection through a curbside program can be problematic due to contamination and processing complications. However, as demonstrated by organizations such as the Diabetes Association PDO's can be used to ensure that this material doesn't end up in a landfill.

A state-of-the-art glass processing plant called Ripple Glass was constructed in Kansas City to turn recycled glass into fibreglass insulation and other products. To be most cost effective and to avoid the complications surrounding the curbside collection of glass (cost, contamination of other recycling streams and health and safety concerns), glass for Ripple Glass is collected in specialized purple PDO bins that were placed throughout the Kansas City Metro Area.

### Pros:

Low-Cost Waste Diversion - Diversion programs that utilize PDO's are typically less expensive to deliver than curbside collection programs for similar materials.

Convenient - Curbside collection of recyclables is typically done once a week or once every two weeks whereas PDO's provide multiple opportunities for the public to recycle their materials.

### Cons:

Risk of Becoming Waste Magnets - In spite of a waste managers best efforts to inform the public about what is or what is not accepted at a public drop off, if PDO's are not placed in areas where they can be supervised or surveyed with cameras, invariably someone will drop-off unwanted materials and leave them in the specialized containers or on the ground near specialized containers.

### Secret of Success

Make sure you have a good home for the material you collect.

PDO's are a cost effective way to collect small volumes of divertible materials. Whether it be container and paper fibre recycling in a rural area or glass recycling in a city, having a secure, long-term home for the material you are collecting is the key to ensuring that this initiative will be sustainable.



## Differential Tipping Fee (DTF)

**Let's say that you operate a public waste management system and your constituents agree to pay more for waste management as long as recycling services are offered and a diversion target is reached. On a particular day six trucks come into your site to dispose of their waste. One truck is carrying a full load of fridges, one is carrying cardboard, another paint cans, and another bio-hazard waste bags, while the remaining two trucks are carrying a mixed load of all four materials mixed in with black garbage bags for good measure. It costs money to handle some of these materials, handling some of these materials can make money and handling some of them is cost neutral. Would you charge them all the same tipping fee? If you wanted to reduce your costs, increase your revenue and increase diversion you could use a DTF.**

Under a DTF system, you set tipping fees according to the type of waste that is coming into your facility. To drive diversion, source separated recycling or organic waste would be charged a low tipping fee while the tipping fee set for unseparated waste would be high enough to ensure that the landfilling of unseparated waste was significantly more expensive than diversion. In doing so, this system acts as an incentive for the source separation of divertible or hard to manage materials and as a disincentive for co-mingled wastes.

Underlying this best practice is the reality that landfilling waste is almost always cheaper than recycling or composting waste. So it is an additional benefit of the DTF system that surplus revenues generated by charging higher tipping fees for unsorted waste can be used to subsidize the cost of recycling and managing organic waste at the same facility.

A DTF directly impacts waste haulers that are bringing waste into a facility and paying tipping fees directly for the content of their loads. Waste generators such as households or businesses are impacted indirectly as the cost of these tipping fees are passed onto them by waste haulers. If the hauler has not employed a Pay-As-You-Throw system for its customers than each generator bears the cost equally, and possibly, unfairly.

An example of a successful DTF system is the one employed at the Ottawa Valley Waste Recovery Centre (OVWRC) in Pembroke Ontario. This operation is home to a compost facility, a material recovery facility, a landfill and a public drop-off for materials such as electronic waste. The landfill accepts all waste except for hazardous waste. Divertible material such as recyclables, organic waste, waste from construction, renovation or demolition activities, tires or electronic waste are accepted free of charge. Solid waste that does not contain divertible material may be placed in the landfill for a charge of \$87.00/metric tonne. However, waste that is mixed with divertible materials is charged \$225.00/metric tonne for disposal in the landfill.



### Pros:

Ease of Administration – unlike homeowner PAYT systems, a DTF system charges the waste hauler only. The administrative burden of charging individual households or businesses is passed onto the waste hauler.

Low Upfront and Ongoing Costs – without the need for detailed, waste generator-specific information, landfill operators have relatively low upfront and ongoing costs to administer a DTF system.

Waste Reduction and Diversion – As long as tipping fees are sufficiently high so as to make the costs associated with adopting waste reduction and diversion activities cheaper than waste disposal, diversion and waste reduction will be pursued.

Cost Equalization – For most waste management facility operators, landfill operating costs are significantly lower than recycling and composting costs. By instituting differential tipping fees, facility operators are artificially increasing the cost waste generators pay for landfilling to reflect the true environmental cost of this activity. Revenue generated through higher landfill fees can then be used to artificially decrease the cost paid by waste generators for diversion.

*(continued)*

## Differential Tipping Fee (Cont'd)

### Cons:

Inherent Conflict – Waste over the scales at a landfill means revenue for a landfill operator. Unless a landfill operator has a mandate to increase diversion and waste reduction, there is an inherent conflict between a landfill operators desire to generate revenue and the desire to divert or reduce waste which will decrease landfill revenues.

Lack of Fairness – Communities that are charged a flat rate pass that flat rate onto homeowners equally. Meaning that a homeowner who diverts most of their waste through backyard composting and recycling and a homeowner who neither composts nor recycles will pay the same amount.

Uncertainty Surrounding How High to Set the Fees – As the internal cost structure of each waste generator cannot be known, it is difficult to know at what precise level a differential tipping fee should be set to incent diversion. This means that tipping fees from waste disposal must continue to be increased until diversion activities increase and targets, both financial and environmental, are reached.

### Secret Of Success

Instituting a DTF system changes the rules of the waste management game by making waste diversion the lower cost option. As with any game, to be successful and fair all players in the waste management system from homeowners and businesses to municipalities and waste haulers must be hyper-aware of the rules and these rules must be consistently applied and enforced.

Specifically, waste generators and haulers must be given adequate notice to react to the new rules and reminded of them on a regular basis. Once the system is in place, loads of waste and divertible material must be inspected at the tip face and tipping fees must be applied accordingly.

ISLAND WASTE MANAGEMENT CORPORATION		Waste Watch Drop-Off Center			
- DISPOSAL FEES -					
Type of Material	Minimum Charge	Rate Per Tonne	Type of Material	Minimum Charge	Rate Per Tonne
Waste - Residential and Commercial	\$5	\$ 115	Residential Bio-Medical Waste (Including Sharps)	No Charge	
Compost - Residential and Commercial (Includes yard trimmings)	\$5	\$ 115	Stilage Wrap - Clean, Reusable Sealed (Waste)	\$5	\$30
Recyclables	\$3	\$45	White Goods	No Charge	\$ 110
Construction and Demolition	\$5	\$ 115	Scrap Metal	\$5	
Mixed Waste	\$40	\$ 215	Household Hazardous Waste	No Charge	
Contaminated Material (Petroleum coated absorbents and soil - max. 3 tonnes, asbestos material, ammonium nitrate bags)	\$15	\$ 140	Public Scale	\$5 Per Weigh	
			Tires (De-timmed)	No Charge	
			Home Heat Tanks	\$25	



## Waste Audits

The proof is in the pudding, or in the case of waste diversion, it is in the bag. The most definitive way to understand the behavior of waste generators in your area and evaluate the health of your diversion program is to roll up your sleeves and pick through garbage.

Standardized waste audits, however unsavory, will provide you with a very clear window into the health of your diversion program. They can answer such questions as:

1. Are people diverting all of the right stuff?
2. Is there anything in the waste stream that I am missing?
3. What are people actually placing in the blue bag?
4. Who is getting it right and who is not?
5. Is my communications plan getting through?
6. Should I adopt a mandatory program?
7. How much is not diverting costing me?

In the past, waste managers in Newfoundland and Labrador had to rely on proxies generated from the waste data collected in other Canadian jurisdictions to tell us what was in our waste. Waste diversion targets and programs were based upon these proxies.

As diversion programs rolled out in Newfoundland and Labrador, data on the volume of recyclables that were being diverted was not available. How much of our waste was comprised of recyclable material and how much of this material was still going to landfill was unknown. As a result, an appropriate evaluation of the impact of diversion programs was not possible.

To begin to remedy this, MMSB began completing waste audits of the recyclable materials found in the blue bags and the garbage bags that were used in regions where diversion programs were in place. These audits revealed which materials people believed were divertible, how much divertible material was going to landfill and what proportion this material made up the total waste picture. MMSB has been able to share this information with waste diversion program operators and developers to help them better understand the health of their programs and the likelihood of their success.

### Pros:

Detailed Snapshot - Waste audits give you a quick diagnosis of the health of your diversion program and can inform strategy and program development.

Increases Credibility – Locally obtained information will be better received when seeking approval of programs or strategies.

### Cons:

A Stitch in Time – Waste audits are a look into the past and are subject to a number of factors that will influence their outcome such as time of year, weather, and area where waste was collected. The only way to see the long-term value from waste audits is to complete them often.

Time Consuming and Labour Intensive – With limited resources, the person completing the audit will likely be the person using the results to inform strategy and programs.

Completing standardized waste audits requires procedural and health and safety training and equipment.

### Secret of Success:

A single waste audit completed at a single point-in-time in a specific area will not help develop a clear picture of what is happening on the ground with a diversion program. These audits are most valuable when they are done consistently and frequently. Once an initial or baseline audit has been completed, ongoing audits will provide waste managers with a living account of programs and initiatives. As an example, if you want to evaluate the effectiveness of a communications or compliance initiative, complete before and after waste audits.



## Landfill Bans

**It sounds simple. If you don't want to have something put in a landfill, don't let anyone put it in a landfill. That is the premise behind the establishment of Landfill Bans. Landfill Bans increase the diversion of certain material types from landfill by prohibiting their disposal at landfill.**

A Landfill Ban can be put in place for any type of material. Banning recyclables or compostables from landfill, as an example, will limit the options for its end-of life management thereby driving the management of this material up the waste hierarchy toward reduction, re-use or recycling. However, it should be noted that though they may seem simple in theory, in practice they are much more complicated.

For instance, one of the major challenges to putting a Landfill Ban in place is when to put it in place. If modern waste management systems, services and infrastructure in Newfoundland and Labrador were not fully implemented, when to put a Landfill Ban in place presents a classic “chicken and the egg” decision for waste managers and can be summed up in the following two questions:

1. Do I ban a material from landfill when there are no alternative end-of-life management options available and hope that this will create the opportunity needed to incent the creation of alternatives through the private sector?; or
2. Do I wait until there are alternative end-of-life management options available for this material and then ban it from landfill?

In 1995 the province of Nova Scotia (NS) released its Solid Waste-Resource Management Strategy which clearly outlined bans on a multitude of materials. Currently, in NS there are disposal bans in place for 17 material types which include everything from used electronics to organic wastes. The enactment of these province-wide bans have resulted in increasing the NS diversion rate to about 50% and have given Nova Scotia the lowest per-capita waste disposal rate in the country.

### Pros:

Incent Diversion - Landfill is the option of last resort for any material and should not be an option for materials that have an alternative end-of-life. Landfill Bans drive the diversion of waste to more a beneficial, environmentally sustainable use for materials than landfilling.

Impacts the Entire Waste Management Chain – Landfill Bans affect everyone from homeowners to landfill operators.

Supports Diversion Related Industries - By banning material from landfill, this material and those generating it will be sent to alternative public or private waste diversion service providers.

### Cons:

Potential for Waste Transfer - In Newfoundland and Labrador, unless a Landfill Ban is province-wide, banning a material in one region or from one landfill may cause waste haulers and waste generators to send their waste to another landfill in another region where material is not banned.

Potential for a Toothless Ban – In the absence of a significant effort in enforcement, a Landfill Ban will be a ban in name only and banned material will continue to be landfilled.

Inherent Conflict – Waste over the scales at a landfill means revenue for a landfill operator. Unless a landfill operator has a mandate to increase diversion and waste reduction, there is an inherent conflict between a landfill operator's desire to generate revenue and the desire to divert or reduce waste which will decrease landfill revenues.

*(continued)*

## Landfill Bans (Cont'd)

### Secret Of Success

The most significant contributing factor to the success of Landfill Bans is the continuous and consistent enforcement of the ban at every stage of waste management:

Homeowners and ICI Generators – While operating in a jurisdiction with a ban in place, banned materials put out to the curb for landfill disposal must be left with the home or business owners until they are sorted or diverted. This puts a significant enforcement burden on waste collectors.

Waste Collectors - Unlike a Differential Tipping Fee system where a waste collector can pay a fee if their load is contaminated, a Landfill Ban prohibits a waste hauler from disposing of a load of material that is contaminated with banned material. As a result the entire load is left with the hauler until it is sorted or

diverted. This puts an enforcement burden on the landfill or transfer station operator who must inspect the load they are receiving and accept or reject it accordingly.

Waste Management Facility Operators – Enforcing a ban at waste management facilities requires on-site load inspections. If a load is found to be contaminated it must be rejected or, if it has been dumped, put back into the collection vehicle, at the collectors cost, and rejected.

Provincial Regulators – If a Landfill Ban has been placed on a waste management facility by a provincial regulator then this regulator must ensure that the waste management facility operators are complying with the ban by not permitting banned material into the landfill.







## Clear Bag Initiatives

You have a curbside diversion program that you're paying big bucks for. You want to report how well everyone is doing in diverting their recyclables from the landfill. However, they are not doing well at all.

You think you have done everything right: you have clear blue bags for recyclables to make sure there is no garbage in the recyclables; you have a differential tipping fee in place to charge extra for garbage that is full of recyclables; and you have a landfill ban in place for recyclables so you can leave contaminated waste or recyclables at the curb or turn it away from the landfill. The only problem is that the garbage is coming in big black bags and you can't see what is in the bags. So how do you enforce compliance? A solution could be to require everyone, businesses included, to use clear bags.

Clear bag initiatives are enforcement tools that requires participants in a waste or recycling system to place their waste material in clear or translucent bags. This enables waste collectors and receivers to see the contents of the bag and determine if they are contaminated with material that is not supposed to be in the bag.

In practice, material that arrives at a landfill in clear bags can be inspected on the tipping floor or landfill tipping face where contaminated loads can be rejected or fines can be levied. If black bags make it to the landfill then the waste hauler can be charged a premium tipping fee or the load can be rejected. This forces waste haulers to leave contaminated material or black bags with the home or business owner along

with some form of notification stating why material has been rejected.

You may be asking yourself, "with all of this visibility, what about my privacy?" Don't worry. No one will see your most personal stuff. Another important element of the clear bag system is the use of small black privacy bags into which waste generators are permitted to place personal items that they can then place in the clear waste bag.

In April of 2015, the Central Regional Service Board (Central) adopted Newfoundland and Labrador's first clear bag initiative. Central's initiative required all home and business owners to place their waste and recycling in separate translucent clear and blue bags respectively. This program has helped Central attain one of the highest diversion rates in Newfoundland and Labrador. The adoption of this approach in Central is a good example of a jurisdiction adopting the learnings and best practices of another jurisdiction. In this case, Central adopted the approach taken in Nova Scotia.

In Nova Scotia, in spite of landfill bans that had been in place since 1998 and some of the highest diversion participation rates in Canada, waste audits revealed that a good deal of divertible material was still going to landfill in traditional black bags. In response to this, waste managers began adopting clear bag systems to increase the capture of divertible material. As a result the province of Nova Scotia reported a 35% increase in recyclables collected within two years of adopting clear bag initiatives.

*(continued)*



## Clear Bag Initiatives (cont'd)

### Pros:

Quality of Recyclables – Clear recycling bags enable collectors to ban contaminated material from entering the recycling stream thereby maximizing their aftermarket value while reducing the downstream costs for processing.

Increase Capture Rate – Clear garbage bags enable collectors to reject bags that contain recyclables, enforcing mandatory compliance with a diversion program while communicating to waste generators what is actually divertible.

### Cons:

Cost and Availability of Bags – Ahead of implementing a clear bag initiative, waste managers must make sure that local bag retailers are made aware of the requirement so that they may stock clear bags for sale. In some locations, clear or opaque blue bags can be more expensive than their black counterparts.

Compliance for Businesses and Multi-residential Waste Generators – Unlike a home owner who puts out their own waste from a single dwelling, businesses and multi-res buildings put out waste from multiple generators at once. This makes it difficult for waste collectors to determine the level of contamination and act to correct it at the point of collection. If contamination is identified at the landfill or Material Recovery Facility and a load is rejected, it is difficult for collectors to determine the source of the contamination.

### Secret Of Success

The contribution that adequate training, notification, education, and consistent enforcement make toward the success of clear bag initiatives cannot be overestimated.

Ahead of implementation, waste haulers and waste generators should be provided with a significant amount of education and training on what is to be diverted and what is not to be diverted so that they can participate and enforce compliance.

The introduction of clear bags will require waste generators and waste haulers to change their waste management practices. As such, they should be given adequate notice of the launch of the initiative so that they are aware of when they will be expected to have switched to a clear bag for waste and recycling.

Once the initiative has started, landfill operators and haulers must enforce compliance regularly and consistently. All waste haulers that arrive at a landfill with black bags must be rejected or significantly fined. Similarly, waste collectors must leave any black bags at the curb along with any clear bags that are contaminated.







## Mandatory Verses Voluntary Diversion

You operate a business in a competitive retail market where every dollar you save can make your business more profitable than your competitors. To manage your garbage, it costs you \$100.00 a month. One day you are presented with the opportunity to have your recyclables and your garbage collected and it will cost you \$200.00 a month. You are not required to do it and you don't know what your competitors are going to do. Are you going to increase your operating cost by \$100.00/month putting yourself at a potential disadvantage just to help save the earth? Likely not.

As a home owner who recycles and composts, how would you feel about paying extra taxes per year because your neighbors don't recycle and as a result your municipality's waste disposal bill is through the roof?

The above examples illustrate some of the inequities and challenges that we face when we participate and pay for a voluntary diversion program. The remedy? Make the programs mandatory.

For many reasons, waste managers may choose to start diversion programs as voluntary initiatives to acclimatize home and business owners to the changes in habit that are needed to fully participate in a waste diversion program. However well-intentioned, this approach has shown that, on average, voluntary programs only recover 35% of the materials that are targeted for diversion.

It may well be the case that participation in a voluntary program is high. You may find that 60% of homes and businesses do separate their waste and place it in the appropriate containers. However, high participation does not mean high diversion. Waste audits may uncover that over 80% of the recyclables you want are in the garbage stream.

For home owners, a mandatory program prohibits divertible material from being collected at the curb, thereby ensuring uniform participation, increasing waste diversion and more equitably distributing the costs of diversion. For businesses, a mandatory program levels the playing field by requiring all parties to participate in diversion. This removes any competitive disadvantage created by increasing waste diversion.

Comparing the success of diversion programs in British Columbia to those in Nova Scotia is a good way to highlight the effectiveness of the mandatory vs. a voluntary approach. In British Columbia, some diversion programs are voluntary and some are mandatory. As a result of these programs, BC's per capita waste disposal is 566kg per year. However, in Nova Scotia where all diversion programs are made mandatory through landfill bans, per capita waste disposal is 376kg per year. Nova Scotians divert more because they cannot dispose of more.

### Pros:

Maximizes Diversion – World-wide, the most successful waste diversion programs are mandatory.

Level Playing Field - Mandatory programs force everyone to pull their weight and divert their waste. Businesses can implement company-wide diversion programs knowing that they are not putting themselves at a disadvantage by doing so.

Maximize the Environmental Return on Investment - Modern waste management and diversion cost money. Maximizing diversion maximizes the environmental benefits to be gained from investing.

### Cons:

Significant Enforcement and Communication is Needed - A mandatory program is only mandatory if it is continually communicated and enforced. Communications and enforcement efforts must be tailored to suit everyone from the generator to the waste manager. Otherwise, it will be mandatory in name only.

### Secret of Success

The objective of any mandatory diversion program is zero tolerance for non-compliance. When a material is banned from landfill, enforcement must be applied continuously and equally to all waste generators and haulers. In practice, zero tolerance is the best way to ensure that the program is applied fairly and that rules are understood.

Though thought to have some merit in certain instances, the use of exceptions and grace periods for ramping up compliance should be approached with caution. Each have the potential to create confusion amongst waste haulers/generators and may compromise the integrity of the program.





## Continuous Reflection and Improvement

Change is the only constant in life. When planning ahead, decisions are influenced by factors that change over time. Decisions on waste management and diversion systems are no different. Factors such as behavior, politics, economics, technology, and demography greatly influence the form and structure of waste diversion programs. As these factors change over time, so too must the waste management systems that they influence.

Once a waste diversion program is in place, waste managers must strive to be constant tinkers; measuring, testing and evaluating their efforts to maximize the value that their stakeholders receive.

Tough questions must be asked:

1. What is the cost per tonne to divert this material type?
2. How much is it contributing to my diversion rate?
3. What is its environmental impact?
4. Is there another more cost effective way to collect this material?
5. Should I be pursuing diversion despite all costs?
6. I've met my goal. Should I set a tougher one?

This approach is highlighted by Nova Scotia who, for the past 15 years, has been a leader in the development and implementation of province-wide modern waste management and waste diversion. In spite of the fact that they have the highest diversion rate in Canada and a per capita disposal rate of 376 kg/year (which is more typical of a European country than a North American jurisdiction) they are constantly striving for improvement:

- In 2006 they set a new target to reduce the amount of waste disposed per person to less than 300kg/year by 2015.
- They continually audited black bag waste and found that in spite of significant landfill bans, recyclables and organic wastes were still being sent to landfills. In response they successfully rolled out clear bag programs in all counties by 2014.
- They have moved beyond traditional container, paper fibre and organic waste diversion and have invested in diverting some of the more challenging material such as asphalt shingles, mattresses and construction, renovation and demolition waste.

### Pros:

Program Costs will be Minimized – Without compromising environmental goals, diligent waste managers will find cost efficiencies through continually improving their operations.

Environmental Outcomes will be Maximized – Running a tight ship financially will enable what little funds are available to be invested in maximizing diversion and reducing disposal.

### Cons:

Drag on Limited Time and Human Resources – Operating waste management systems is time consuming and as most waste managers operate within limited budgets it is difficult to devote time to completing waste audits and program analysis.

### Secret of Success

Keep your head up. Sometimes it may be hard to find the drive to innovate when you are caught up in the day-to-day. Remember that Canadians are spending more than eight billion dollars a year on a waste management industry that employs over 32,000 mostly full-time people. With growth in both the amount of waste generated and the industry needed to manage it, there is a lot happening in waste management in Canada and around the world. Keep an eye on the horizon and get inspired to do better by subscribing to waste management publications; enrolling in seminars/webinars on key topics; and visiting sites to see diversion programs in action.

## Interconnected Waste Diversion Programs and Activities

**How effective is a diversion program if the landfill still accepts recyclables? What good is a landfill ban if no one is enforcing it? How mandatory is a landfill ban if the landfill operator is allowing black bags and mixed bulk waste? What good would the higher tipping fee be if it wasn't high enough to make people divert more waste?**

There is no standalone method for delivering a waste diversion program and certainly no silver bullet. Successful waste diversion programs adopt more of a shotgun approach where the impact is more wide-spread but no less effective. This approach should not be confused with the “throw everything at the wall and see what sticks” approach. It is much more strategic and involves implementing a number of inter-connected activities at various levels within the public and private sector, all aimed at attaining the greatest likelihood of success.

As an example, in Newfoundland and Labrador, the government has put in place a provincial regulation that requires the electronics industry to set up, manage and finance a diversion program for the collection and recycling of electronic products (e-waste) that have reached the end of their useful life. The objective of this program is to ensure that e-waste is recycled and does not end up in landfills where these discarded computers, monitors, and TVs, leak lead, mercury, arsenic, cadmium, beryllium, and other toxics into the ground.

To collect this material, industry has designated over 47 electronic waste drop-off centres province-wide which are located at local transfer stations, landfills, retail outlets and Green Depots. They also hold over 25 collection events in areas where there is no drop-off centre. To increase awareness of this program, the industry spends close to \$450,000 on consumer awareness and communications.

To support the objectives of this program, the provincial government has re-drafted certificates of approval and mandated e-waste disposal bans at landfills in select areas where e-waste collection is in place. This action is aligned with the objective of preventing e-waste from going in landfills.

In spite of this interconnected approach, only 1,000 metric tonnes of the estimated 3,000 metric tonnes of e-waste is collected under this program each year. Why this is the case is a combination of a number of factors. One such factor may be the misalignment of well-intentioned municipal/ regional bulk collection services and the objectives of the e-waste program.

Municipalities or regions that offer bulk collection and allow e-waste to be mixed with other bulk materials and subsequently disposed in a landfill are acting contrary to the objectives of the e-waste program. Additionally, towns offering a bulk collection drop-off event that accepts e-waste and landfills it instead of directing it to the e-waste drop-off locations are acting contrary to the objectives of the e-waste program.

The above example highlights the unavoidable interconnectivity of waste diversion programs and highlights the need for coordinated and comprehensive approaches to ensure successful waste diversion programs.

*(continued)*





## Interconnected Waste Diversion Programs and Activities (cont'd)

### Pros:

Presents a Unified Front – For better or for worse, successful waste diversion is often a case of prohibiting a race to the bottom of the waste hierarchy. Ensuring that at every step waste takes from the generator to the end-user, diversion is encouraged or mandated, reduces the possibility that some materials will end up in landfill.

### Cons:

High Degree of Stakeholder Management – Successful waste diversion programs require cooperative action from householders, businesses, waste haulers, recyclers and landfill operators. The perspectives of each will have to be well understood and their expectations managed to secure/require their support.

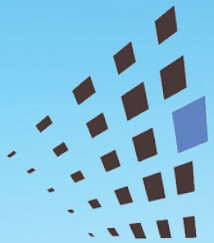
### Secret Of Success

See your diversion program as only one link in a long chain that leads away from the landfill. Understanding what the other links are, who controls them, which are strong, which are weak and how to support them are keys to a successful diversion program. Networking, communication and collaboration will go a long way to keeping your waste diversion objectives in line with everyone else's.



June 15, 2017

# WASTE DIVERSION OPTIONS



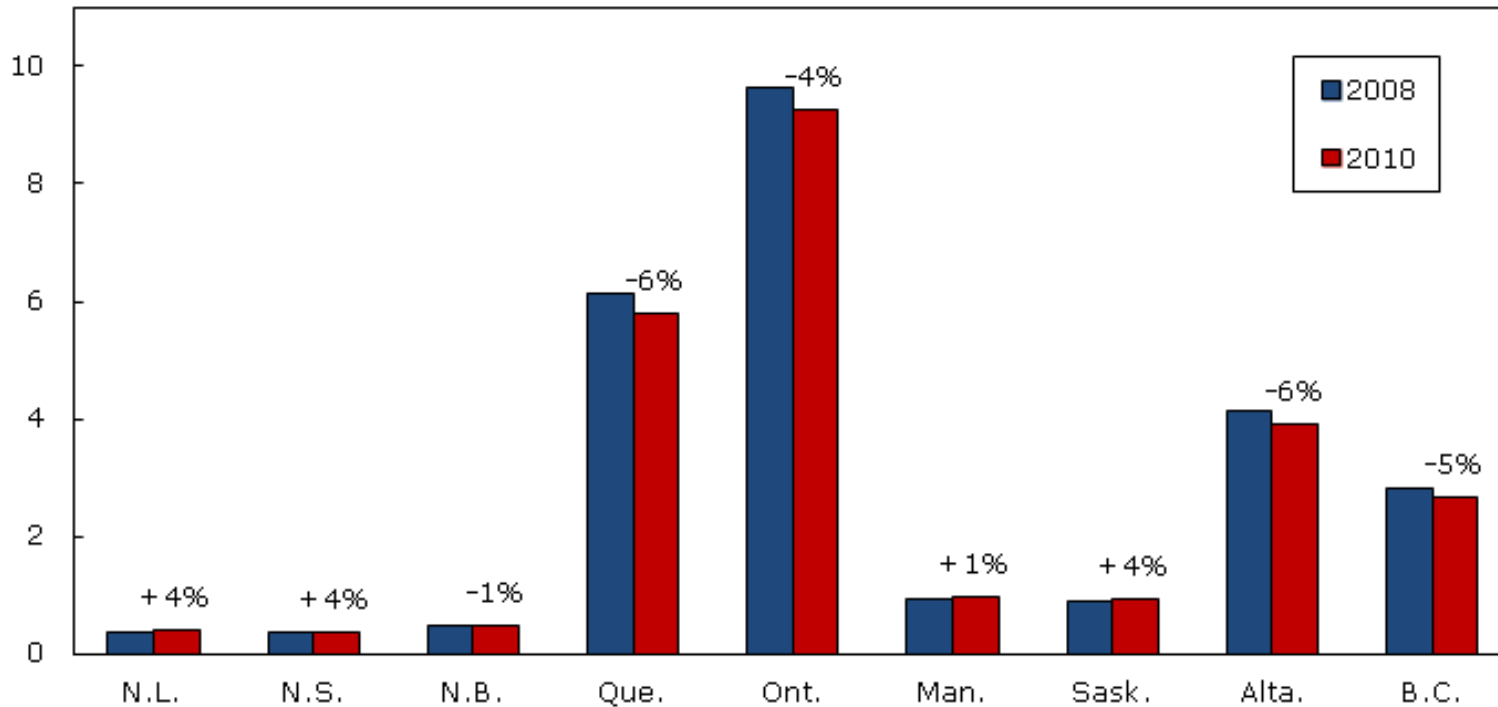
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# Amount of Waste is increasing

million tonnes



**Note(s):** Percentages indicate changes between 2008 and 2010. Data for Prince Edward Island, Yukon, Northwest Territories, and Nunuvat are not included in order to meet the confidentiality requirements of the Statistics Act.

**Source(s):** Statistics Canada, CANSIM table 153-0041 (accessed August 21, 2013).

# Curbside focused vs Commercial

- Curbside
  - Pay as you Throw – Home charged based on what they set out
  - Public Drop-off Diversion – placement of containers or drop off centres
  - Clear Bar Initiatives – clear bags for garbage and enforcement/penalties
- Commercial
  - Differential Tipping Fee – Setting fees based on type of material generally separated and unseparated
  - Landfill Bans – increase materials banned from landfill



# Pay as you Throw

- **Pros:**
- Increase in Fairness – Those homeowners that are diverting more, pay less while those that waste more, pay more.
- Waste Reduction and Diversion -Increases participation in diversion activities such as recycling and composting.
- **Cons:**
- High Upfront Cost – Initial purchase of specialized bins, bags, tags, vehicles, equipment, and information management systems can be expensive although costs can be recouped through program operation.
- Administratively Burdensome – Billing for waste management services will be done on a household by household basis instead of a regional or municipal basis.

# Public Drop Off Centre

- **Pros:**
- Low-Cost Waste Diversion - Diversion programs that utilize PDO's are typically less expensive to deliver than curbside collection programs for similar materials.
- Convenient - Curbside collection of recyclables is typically done once a week or once every two weeks whereas PDO's provide multiple opportunities for the public to recycle their materials.
  
- **Cons:**
- Risk of Becoming Waste Magnets.



# Clear Bags

- **Pros:**
- Quality of Recyclables – Clear recycling bags enable collectors to ban contaminated material from entering the recycling stream.
- Increase Capture Rate – Clear garbage bags enable collectors to reject bags that contain recyclables, enforcing mandatory compliance.
  
- **Cons:**
- Cost and Availability of Bags – Stock and in some locations, clear or opaque blue bags can be more expensive than their black counterparts.
- Compliance for Businesses and Multi-residential Waste Generators – Commercial hauler and businesses do not have direct/clear link to the waste generator. If a load is rejected it is difficult for collectors

# Differential Tipping Fees

- **Pros:**

- Ease of Administration –DTF system charges the waste hauler only.
- Low Upfront and Ongoing Costs – without the need for detailed, waste generator-specific information, landfill operators have relatively low upfront and ongoing costs to administer a DTF system.
- Waste Reduction and Diversion –tipping fees are high to make adopting waste reduction and diversion activities cheaper than waste disposal, diversion and waste reduction will be pursued.
- Cost Equalization –Make landfill as or more expensive than recycling.

- **Cons:**

- Inherent Conflict - divert or reduce waste which will decrease landfill revenues.
- Lack of Fairness – No incentive for diversion at homeowner as waste generator as they do not see this cost directly.
- Uncertainty Surrounding How High to Set the Fees

# Landfill Bans

- **Pros:**
- Incentivizes Diversion - Landfill is last resort. Landfill Bans drive the diversion of waste to more a beneficial, environmentally sustainable use for materials than landfilling.
- Impacts the Entire Waste Management Chain – Landfill Bans affect everyone from homeowners to landfill operators.
- Supports Diversion Related Industries - alternative public or private waste diversion service providers develop.
  
- **Cons:**
- Potential for Waste Transfer – Can drive banned materials to another location.
- Potential for a Toothless Ban –enforcement is controversial.
- Inherent Conflict

**(4)(b)(2) Regional Governance  
Committee Update**

June 5, 2017

# DE FACTO REGIONAL GOVERNMENT

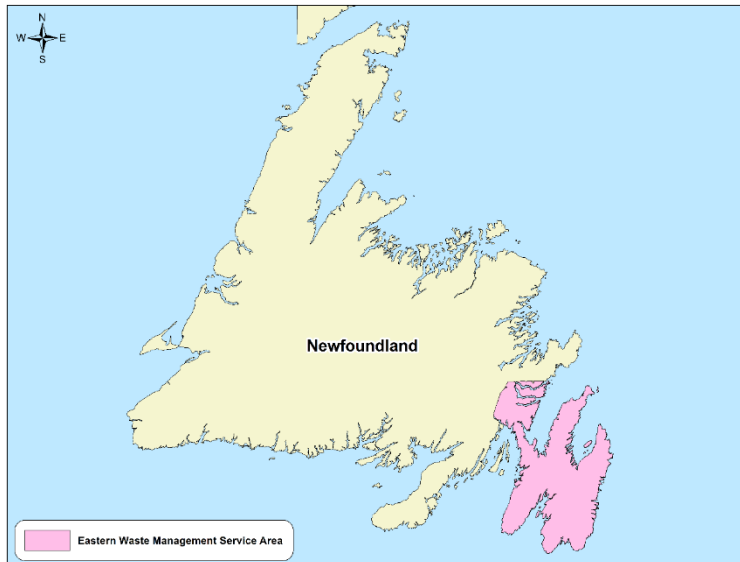


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# What we currently do



- Regional Services:
  - Curbside Waste Collection
  - Regional network of waste infrastructure
  - Regional Water and Wastewater pilot
  - GIS Mapping and Property Ownership Database
  - Fire Protection Services
  - Support to Joint Councils
    - Shared services
    - Corporate administration



# Creative Opportunities

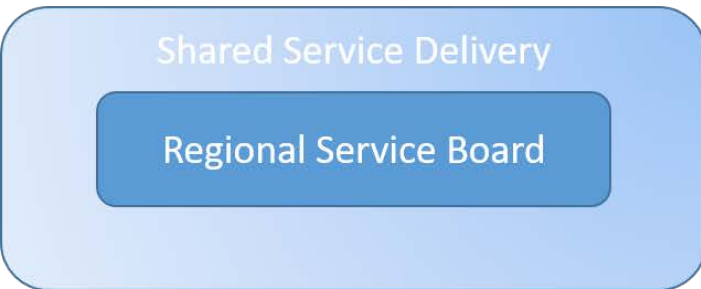
- Joint Councils
  - Southern Shore
  - Conception Bay North
  - Trinity/Conception Bay North
  - Northeast Avalon
  - Isthmus/Clareville
  - Killick Coast Mayors
  - \*Southwest Avalon
  - \*Trinity Bay South/Isthmus
- Joint Building Inspection service
- Regional Water Technician
- Regional Water System
- Joint Snow Clearing Tender
- Municipal Assessment Appeal Commissioners
- Cost recovery for Motor Vehicle Accidents
- Bylaw Enforcement
- Town Administrator

\* To be reestablished or created.

# Concept



- Appoint to JC
- Appoint or Elect to RSB
- Decision to provide services itself or buy from RSB



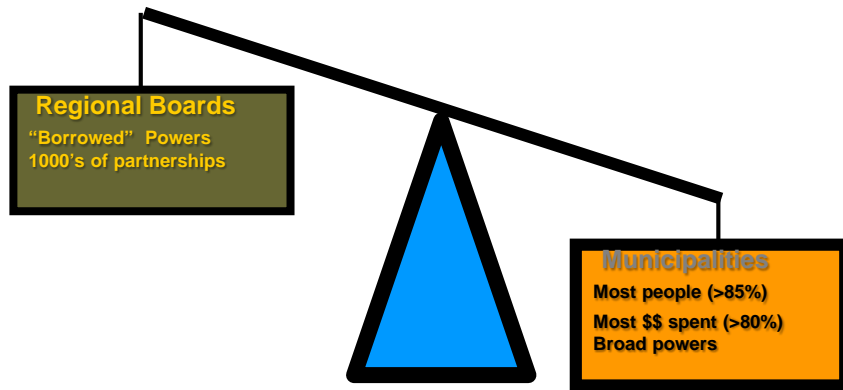
- Corporate Administration for RSB and JC (assessment, GIS, land registry, zoning)
- Service Delivery on behalf of LAM and to unincorporated areas
- Revenue collection



- Members appointed by LAM's
- Chairperson appointed to RSB
- Functional Area Planning Leadership
- Functional Area Economic Development
- Setting of Service Standards

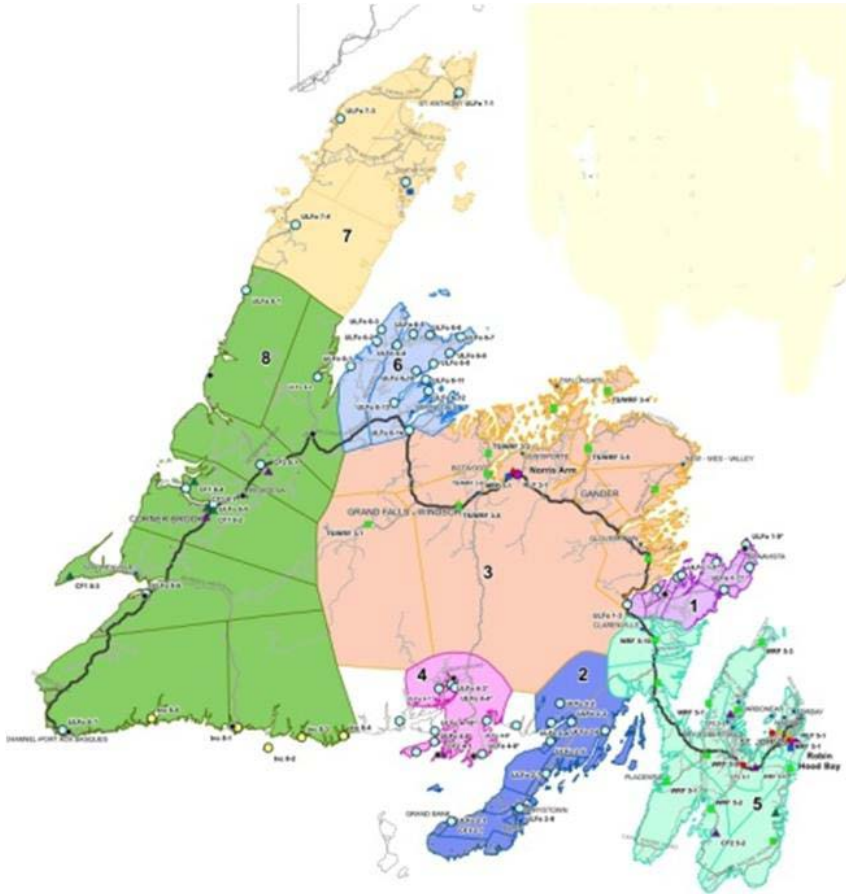


# Benefits of Concept



- Municipality center of decision making
- Leverage large RSB organization
- Set one service standard
- Pay for services that you receive
- Gentle imposition

# Benefits RSB



- Cost efficiency of one organization – invoicing, tendering, revenue collection
- Leverage data and experience across several services
- Common implementation of objectives
- Scale for large projects and services that benefit from size/volume
- Specialization of staff and equipment

**(4)(c) Governance Committee  
Report**

# **(4)(c)(1) Remote Meeting Attendance**



## **Rules and Regulations Governing the Procedures of Meetings**

### Authority

The Eastern Regional Service Board (hereinafter referred to as “the Board”) has been established by the Province under the authority granted in the *Regional Service Board Act 2012* as a board of governance.

In accordance with Section 16 of the *Regional Service Board Act 2012* the Board must adopt rules and procedures for meetings.

### Composition

The Board shall be comprised of twenty individuals appointed by the Minister of Municipal Affairs. Appointments shall remain in effect until the individual is removed by the Minister of Municipal Affairs as per section 8 of the Act.

An independent Chairperson shall be appointed by the Minister of Municipal Affairs in accordance with Section 5 of the Act.

### Voting

Each appointed member and the Chairperson are entitled to one vote.

### Regular and Special Meetings

The Chairperson will convene the Board on a regular monthly basis, or more frequently as may be required in order to achieve the Terms of Reference. The Board by majority vote will name the date and hour on which a regular meeting shall be held. The Board has adopted the fourth Wednesday of each month at 7:00pm as the regular monthly meeting.

Special meetings may be held as required. The Chair will convene all special meetings.

## Notice

Notice of meetings of the Board by way of an Agenda, shall be made available to all members of the Board at least forty-eight (48) hours prior to each meeting as follows:

Regular Meeting - the Chair will notify each member by email of the time and location of the meeting and provide an agenda.

Special Meeting – the Chair or designate will contact each member by email advising of the date, time and agenda for the meeting.

Failure of any member not to have received notice in the prescribed manner shall not invalidate a meeting of the Board.

## Statutory Holiday

When the day fixed for a meeting of the Board falls on a statutory holiday, the meeting shall be held on the next day following which is not a statutory holiday.

## Meetings Open to The Public

Meetings of the Board are open to the public except when held as a Privileged meeting. Meetings are intended for members and those invited by the Chair to speak to specific items on the agenda for that meeting. Alternates are not permitted to attend Board or Committee meetings on behalf of a member.

Committee meetings are not open to the Public.

## Privileged Meeting

In accordance with Section 17 of the *Regional Service Board Act* a meeting of the Board can be held as a privileged meeting or declared by a vote of the members present as a privileged meeting.

If a meeting is held as a privileged meeting or declared to be a privileged meeting, all members of the public present at the meeting shall leave.

A decision of the members made at a privileged meeting shall not be valid until that decision has been ratified by a vote of the members at a public meeting.

## Presiding Officer

Every meeting of the Board or Committee shall be presided over by a presiding officer who shall be the Chair or designate if the Chair is absent.

If no designate has been assigned by the Chair then the Board members shall nominate a member to preside over the meeting and shall make a motion and seconded to appoint the presiding officer, which shall then be debatable.

#### Attendance at Meetings

All members are expected to attend Board and Committee meetings.

***The ERSB is a fully inclusive organization. For those individuals with a self-identified disability or medical condition, the Board will (at the individual's request), facilitate remote attendance and other accommodations (i.e.: teleconferencing, hearing and/or visual aids/devices), to ensure the Board member has full participation and voting privileges. All other requests for accommodations or to participate remotely will be at the discretion of the Chair.***

#### Resignation from Committee

Any member who wishes to resign from the Board or Committees shall do so by informing the Chair and by written notice to the Minister of Municipal Affairs that the member wishes to resign in accordance with Section 9 of the Act. It will be the prerogative of the Minister to accept or deny the resignation and to appoint a new member to fill a vacant position.

#### Quorum

A majority of the members appointed to the Board constitutes a quorum for the purpose of a meeting of the Board. The Chairperson is to be included in the total of members present for the purposes of determining quorum. Quorum will be considered eleven members present of the twenty-one member Board.

As soon as possible after the time appointed for holding the meeting as quorum is achieved, the presiding officer shall take the Chair, and call the meeting to order.

#### Absence of Quorum

If there is no quorum present within fifteen (15) minutes of the time appointed for holding the meeting, or if no members have stipulated they will make it within a half hour of the appointed time, the Chair shall adjourn the meeting until the next regular meeting.

#### Minutes

Minutes of meetings shall be recorded by the Chair or designate and shall contain:

- All motions and resolutions including the names of the movers and seconders.
- Mention by title or brief descriptions the purpose of reports, petitions and other documents tabled at the meeting.
- Reports accepted by the Board may be attached to the Minutes.

If any member objects to any portion of the Minutes of the proceeding meeting, that member shall state the grounds of the objection, and, if the Board agrees, the Minutes shall then be adopted as corrected at the next meeting.

#### Amending Minutes

If all members of the Board that are present do not consent to the correction of the Minutes, then a motion must be made and seconded to amend the minutes to meet the objection, which shall then be debatable.

#### Agenda

Prior to each regular meeting of Board, the Chair or designate shall prepare an agenda for the Meeting and the agenda shall be distributed to members via email.

The agenda will include:

- Calling the Meeting to Order
- Adoption of Agenda
- Adoption of Minutes
- Business Arising from Minutes
- Committee Reports: (Strategy & Policy, Finance & Audit, Governance)
- General Business (new/unfinished)
- Agenda Items/Notice of Motion (for next meeting)
- Scheduling of Committee meetings
- Adjournment

Any member of the Board may submit to the Chair an item for inclusion in the Agenda under “New Business” or “Notices of Motion”, provided that the item is submitted via email by 5pm. Tuesday of the week prior to the date fixed for the next Board meeting.

#### Business of Special Meeting

When a special meeting is called for the consideration of some particular matter, Board shall proceed at once to the consideration of that matter which shall be specified in the notice calling the meeting and no other business shall be considered unless otherwise decided by a majority vote of the Board members present as the meeting.



## Order and Decorum

The presiding officer at any meeting shall preserve order during debate and maintain decorum at all times.

The presiding officer may expel and exclude from a meeting any member of the Board or other person who has been guilty of improper conduct at such meeting and in case of the exclusion of a member of the Board the minutes will reflect a reason for such exclusion.

If any member of Board or other person uses insulting or improper language to the presiding officer or any member and refuses to apologize when so directed by the presiding officer or willfully obstructs the conduct of business, he/she may be ordered by the presiding officer to leave the Board meeting for the remainder of the meeting, and if he/she refuses to do so, then, by order of the presiding officer, the member may be removed from the meeting by any member of the Royal Newfoundland Constabulary.

Any member removed from the meeting under the provisions of this rule, may be permitted, by majority vote of the meeting in progress, to resume his/her place upon making an apology to the presiding officer and to any member of members insulted by the actions of the offending member.

## Notice of Motion

Every notice of motion shall be in writing and shall be placed on the Agenda in the manner described above.

## Notice under Debate

When a motion is under debate, the following non-written motions shall be in order:

- To extend the time of the meeting
- To refer or commit
- To amend
- To lay on the table
- To move the previous question
- To postpone

## Motions to be seconded

Every motion shall be seconded before being put or debated.

## Withdrawal of motion

When a motion has been moved and seconded it cannot be withdrawn, except with the permission of the Board and the mover and the seconder, and then before a decision of the amendment thereof.

### Division of Motion

Any motion or question which contains several distinct propositions may, by the direction of the presiding officer or upon the request of any member be divided. The vote on each such division shall be taken separately. If a motion cannot reasonably be so divided then the request shall be declared out of order by the presiding officer.

### Addressing the Motion

Members of the Board shall address their remarks to the presiding officer and confine themselves to the question at hand. If two or more members speak at the same time, the presiding officer shall determine which member is entitled to speak.

### Rereading of Motion

Any member of the Board may require the question or motion under discussion to be read for information at any period during the debate but not so as to interrupt a member speaking.

### Member Speaking Not to be Interrupted

When a member is speaking or a question is being put, no member shall hold any private discourse or make any noise or disturbance or interrupt a speaker, except to ask a question.

### Length of Debate

No member, without the consent of the Board, shall speak longer than five (5) minutes at any one time or more than once on any motion, or more than once on any amendment thereto. The mover of a motion may, however, speak twice.

### Voting

All votes of the Board, unless otherwise specified under these rules, shall be by majority vote of the members present. Every member must register a vote or an abstention, including the Chair, with all votes being recorded. No vote shall be taken by the Board by ballot or any other method of secret voting.

A vote may take place via email with the list of those voting for or against read at the next Board meeting and a ratification of the motion and vote taking place.

### Reconsideration

Any question may be reconsidered providing a notice of motion of reconsideration is given in accordance with the rules defined under the Agenda.

If a motion to reconsider is carried by a majority of members present and voting, the main question shall then be read and shall be open for debate the same as an original motion.

#### Motion to Adjourn

A motion to adjourn does not need to be seconded and is always in order except when:

- A member is addressing the Chair
- A vote is being taken
- It has been decided that the previous question shall be taken.

A motion to adjourn the Board meeting or adjourn the debate cannot be amended and is not debatable. However, a motion to adjourn the Board meeting or the debate to a given day may be amended or the debate to a given day may be amended and is open to debate.

No second motion to adjourn the Board meeting or the debate shall be made until some intermediate proceedings have transpired.

#### Previous Question

The previous question shall preclude all amendments of the main question and shall be put in the following words: “that the question be now put.” If the motion is resolved in the affirmative, the original question shall be put forthwith without any amendment or debate. If the motion is resolved in the negative, the main question may then be debated and amended.

#### Amendments

Every amendment shall be decided or withdrawn before the main question is voted on.

Amendments shall be voted on in the reverse order to that in which they are moved.

#### Motion to Lay on the Table

A motion to lay a question on the table shall not be debatable. However, a motion to “lay on the table” with addition, qualification or deletion shall be subject to amendment and debate.

#### Motion to Suspend the Rules

A motion to suspend the Rules requires a majority vote of the members present.

#### Privilege

Whenever a matter of privilege arises it shall be dealt with immediately by the Board.

#### Motion to Refer or Commit

A motion to refer or commit a matter under discussion shall preclude all amendments of the main question until it is decided.

#### Motion to Postpone

A motion to postpone shall not be amended and shall preclude all amendments of the main question until it is decided.

#### Call to Order

The presiding officer may call a member to order while debate is in progress. The debate shall then be suspended and the member called to order shall not speak again until the point of order has been decided.

#### Point of Order

The decision of the presiding officer on a point of order is subject to an appeal to the Board which is to be decided without debate.

#### Committees

The Board shall determine the number of standing committees and the Chair shall appoint at least five (5) members of the Board to each. The Chair, as an ex-officio member of all committees, shall have the same status as other committee members.

#### Quorum of Committee

At least three (3) members of the Committee shall constitute a quorum.

## Minutes and Reports of Committees

All reports of Committee meetings should be ready for inclusion with the Board Notice of Meeting package 48 hours in advance of the Boards regular monthly meeting. Said reports are to include recommendations to the Board.

## Conduct of Business

The following rules and regulations shall apply to Committee proceedings:

1. Each Committee may consider issues outlined in the Terms of Reference for each Committee.
2. The Committee Chairperson shall preside at each meeting. In the absence of the chairperson or designate, one of the other members of the Committee shall preside.
3. An appropriate staff person will provide support and be responsible for preparing minutes of meetings and reports containing recommendations for consideration of the Board.
4. All recommendations of Committees shall be arrived at by majority vote of the members present.

## Minority Report of Committee

One or more members of a Committee dissenting from a recommendation to the Board may prepare and have circulated to the Board the reason for dissent. This report must accompany the Committee's report to the Board.

## Conflict of Interest

Where a member of the Board or a member of staff fails to disclose that he/she is in conflict of interest the onus is upon the presiding officer to inform the Board of such conflict of interest. If the presiding officer is unaware or fails to act, any member of the Board or staff member shall advise Board of such conflict of interest and request a decision. The Act Section 10 will be govern matters in this regard.

## Delegations

When delegations request to be present at Board meetings the following procedure shall apply:

1. A written request (email) must be submitted to the Chair not later than the close of business on Friday the week preceding the meeting.
2. The Chair will decide is the request is of sufficient importance that the privilege to address the Board should be granted.
3. Requests to address the Board will only be considered after appropriate representations have been made to the Board through the Committees of the Board.

4. The privilege of speaking will be granted for a period of fifteen minutes. There will be no discussion or debate. The Chair may request further information or clarification.

**Board Spokesperson**

The Chairperson, or Vice Chairperson in the Chairperson's absence, shall be the spokesperson for the Board on all matters, unless otherwise decided by the Board. The Chair may ask another member or staff member to speak to a specific issue.

**Clarification of Rules**

In all cases where these rules and regulations do not make provision or adequate provision, then Robert's Rules of Order shall apply.

**Amendment of Rules**

Any motion to amend these Rules shall be submitted to the Board in the manner prescribed under the rules governing the AGENDA and appropriate Notice of Meeting and shall be passed by a majority of members present at a meeting.

**Effective Date**

These rules and regulations shall become effective upon the date of enactment: \_\_\_\_\_

Chair: \_\_\_\_\_



**(4)(c)(2) Updated Governance  
Calendar**

## OVERALL CALENDAR OF AGENDA EVENTS

MEETING DATE	GOVERNANCE ITEM	STATUS
January	WorkplaceNL Report (Incidents/Issues) Payroll Remittance for ERSB CRA Payroll Remittance Quarterly Report Annual Board Member Development Plan Review Bank Reconciliation	Completed Completed Completed Completed Completed
February	Unaudited Financial Report of Previous Year Waste Operations Report of Previous Year Payroll Remittance for ERSB Corporate Strategic Plan Review Motions Log Review Bank Reconciliation	Completed Completed Completed Completed Completed
March	ATIPP Report and Review Annual Occupational Health and Safety Plan Payroll Remittance for ERSB Review Bank Reconciliation	Completed Completed Completed Completed
April	Financial Report First Quarter of Current Year Waste Operations Report for First Quarter of Current Year Payroll Remittance for ERSB CRA Payroll Remittance Quarterly Report Payment of Quarterly Board Per Diem Review Bank Reconciliation	Completed (May) Completed (May) Completed Completed Completed Completed
May	Draft Financial Statements Insurance Review (policy expires in September) Payroll Remittance for ERSB Review Motions Log Review Bank Reconciliation	Completed Completed Completed Completed Completed
June	Final Financial Statements Employee Benefits Review Payroll Remittance for ERSB WorkplaceNL Report (Incidents/Issues) Review Bank Reconciliation	Completed (April) Completed Completed Completed Completed
July	Payroll Remittance for ERSB CRA Payroll Remittance Quarterly Report Payment of Quarterly Board Per Diem Review Bank Reconciliation	Outstanding Outstanding Outstanding Outstanding
August	Financial Report Second Quarter Waste Operations Report Second Quarter Corporate and Business Line Work Plans for Next Year WorkplaceNL Report (Incidents/Issues) Review Bank Reconciliation	Outstanding Outstanding Outstanding Outstanding Outstanding
September	Draft of Budget Review Motions Log Review Bank Reconciliation	Outstanding Outstanding Outstanding
October	Financial Report Third Quarter Fees for Next Year Established Waste Operations Report Third Quarter Fees Established and Announced CRA Payroll Remittance Quarterly Report Payment of Quarterly Board Per Diem Review Bank Reconciliation	Outstanding Outstanding Outstanding Outstanding Outstanding Outstanding Outstanding
November	WorkplaceNL Report (Incidents/Issues) Performance Reviews of CAO and Staff ATIPP Report and Review Confirm Employee Benefit Program Board/Committee/Member Annual Assessment Review Bank Reconciliation	Outstanding Outstanding Outstanding Outstanding Outstanding Outstanding
December	Review Motions Log Payment of Quarterly Board Per Diem Review Bank Reconciliation	Outstanding Outstanding Outstanding

\*\*REVISED June 2017\*\*

**(5) CORRESPONDENCE**

Mayor Hilda Whelan  
Town of Whitbourne  
P.O. Box 119  
Whitbourne, NL  
A0B 3K0

Dear Mayor Whelan:

Your letter of April 27, 2017 was presented and discussed at our Board of Directors meeting on May 11, 2017. Our Board can appreciate that this new facility has created some discussion amongst your residents and town council.

To suggest the site is in the “centre of our town” seems somewhat inaccurate and can be more properly described as being adjacent to the Department of Transportation and Works depot.

With regards to the use of “metal bins” as part of the operations of the waste recovery facility in comparison to the Regional Waste Management Facility located at Robin Hood Bay: the Regional Waste Management Facility is owned and operated by the City of St. John’s on behalf of the region. The design and operation of that facility is entirely within the authority of the City of St. John’s. However, the metal bins that are used at the residential drop off at Robin Hood Bay are to facilitate the transport of material from the drop off area to the tipping face of the landfill. This process ensures that residents are kept safely away from the working face of the landfill and minimizes the traffic on the landfill. There is a significant difference in the methods employed to deal with the volume of vehicles and material at Robin Hood Bay compared to our Waste Recovery Facility. Because of the short distance on the Robin Hood Bay site from the residential drop off to the tipping face of the landfill the necessity to compact the material in the containers and maximize the payload of each trip is not a significant operational issue. For a longer distance, such as that from Whitbourne to the Regional Waste Management Facility, the costs of not compacting the material would be prohibitive. The Board uses a system that includes a transport truck equipped with a grapple and trailer capable of compacting material to maximize the payload of each trip and manage the costs of the operation. Open-air storage of this benign material facilitates the easy loading of the trailers with the grapple. Furthermore, the system used at RHB requires significant heavy equipment not available or financially viable at each of our residential drop off sites.

That being said, when the Town of Whitbourne was approached by the Eastern Regional Service Board in 2014 to be the site of this facility material was presented to your Council, and you were Mayor at the time. We note that your site was the last of our network to be completed and the presentation included detailed pictures from the other eight (8) sites that the Board operated at that time. We offered the opportunity for the Whitbourne Council to tour other sites operated by the Board so that you could see exactly how they were set up and operated. No one from the Council accepted the offer. The exchange of information between the Board and the Town is documented in emails. There have been several inferences that the Board promised one thing and is doing something else. While we appreciate that Council may be

under some pressure with regards to the site, the facts captured in emails on November 5, 2014, and again on May 2, 2016, between the Board and the Town tell a different story.

Our staff were on site April 18, 2017 and performed an extensive cleanup of both the Waste Recovery Facility and the surrounding ditches (before and after the site on Old Brigus Road), the wooded area surrounding the site, the grassy area between Old Brigus Road and the Trans-Canada Highway. The material that was removed was predominantly food waste containers from neighboring businesses along the highway. There were no items as you described, such as mattresses or other large debris that were collected anywhere in the area. Given the proximity of the Royal Canadian Mounted Police detachment office and the Transportation and Works Depot, both adjacent to the Waste Recovery Facility on Old Brigus Road, we would expect that any dangerous conditions such as material from the site blowing onto the highway would be immediately reported to the our office or to staff on the site. There were no reports received.

After receiving your most recent letter, Ken Kelly our Chief Administrative Officer visited the site the following week on May 4, 2017 and took pictures of the surrounding area, including both sides of the TCH and the grassy area in front of the site between the TCH and Old Brigus Road, and no large items such as mattresses or other debris that would pose a hazard were present outside of the site. Again the visible waste was food containers from neighbouring businesses.

In response to the individual questions in bold on Page 2 of your letter:

- The selection of the site in Whitbourne was primarily based on the characteristics of the site, specifically the highway access via Old Brigus Road. The Board identified other sites along the TCH. The cost of work to create appropriate access and egress from the highway to a site in the form of turning lanes off of the highway was prohibitive. Ultimately the site selected was deemed both the best financially and strategically.
- The Eastern Regional Service Board (Eastern Waste Management) is comprised of twenty one (21) Board members, of which ten (10) are from the City of St. John's, ten (10) are from other municipalities and areas, and an independent Chairperson. This governance structure was approved by the Government of Newfoundland and Labrador when it created the Eastern Regional Service Board in September 2011. In fact, based on population, the makeup of the Board fairly represents the various communities in our Region.
- The proposal to establish a compost site along Route 100 is for the processing of industrial waste. The Eastern Regional Service Board was established to implement the Provincial Waste Management Strategy (PWMS) with a focus on waste generated at the municipal level. Industry with its special needs is regulated by the Department of Municipal Affairs and Environment. The use of open windrow composting facilities is included in the PWMS and would be authorized and regulated by Provincial Government. Clearly this type of activity is outside our mandate.

Again, while the Board can appreciate that your town council is feeling pressure on many issues as of late, such as the closing of your local school and the proposed compost facility, the Whitbourne Waste Recovery Facility was built as originally described and it operates under the direct regulatory authority of the Provincial Government.

With that said and in an effort to address the concerns brought forward by the Whitbourne Town Council, we have included additional mitigation measures in the development of the maintenance depot. Our Board has awarded a contract for site work for the depot that includes a fence and trees along the front of the site. This will increase the height of the berm that acts



as a barrier along the front of the site. The location of the maintenance depot building was also strategic so that it will act as a barrier on the eastern edge of the site. The civil work to install the fence and trees is expected to start in early June and the tender for the construction of the building has been posted. We will need to evaluate the responses and timelines before we have any further information on the construction of this new building.

Also, we have purchased concrete jersey barriers which have been delivered to the site. These concrete barriers will be the base of a fence that will have privacy screening installed. The barriers and fence will be set back from the gate along the front of the site to act as a visual barrier to mitigate the site lines into the working part of the Waste Recovery Facility.

We hope that you will continue to work with the Board and its staff and give the measures identified above a chance to be constructed and operational before taking any further action. The ERSB wants to be a good neighbour to the residents and businesses of the Town of Whitbourne. If you would like to meet and discuss this further we can make arrangements to visit the Town and tour the site with you.

Sincerely,



**ED GRANT**  
CHAIRPERSON  
Eastern Regional Service Board



June 2, 2017

Ms. Joan Morrissey, Town Clerk  
Town of St. Bride's  
General Delivery, 37 Main Road  
St. Bride's, NL AOB 2Z0

Dear Ms. Morrissey,

Thank you for your correspondence dated April 24, 2017. Your letter was brought before the Board of Directors for discussion at its recent meeting on May 31.

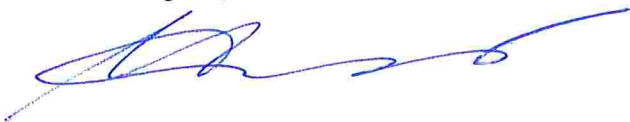
As you are aware, the Eastern Regional Service Board operating as Eastern Waste Management has mapped all community properties in the Eastern region in order to get an accurate number of properties in each service area. The mapping of properties for St. Bride's was completed and the total number of properties identified is 146. The Board remains committed to invoicing for the actual number of properties identified. We have removed those properties that were identified as uninhabitable to the best of our knowledge from the total household count.

That said, the Board acknowledges the concerns raised in your recent letter. The property destroyed by fire in 2016 will be removed from the list of habitable properties immediately. The property repossessed by the bank is still a habitable property in our opinion. The waste fees owed to your town in regard to that property can be collected from the bank and therefore will remain on our list.

As the Board begins budget planning in the fall for the 2018 operating year, it will look at the financial impact of reducing the number of properties that share in the cost of the \$180 fee. Whereas the cost of the service remains the same, less properties may require an increase in fees overall. The fees have to be cost-recovery in nature.

If you have any questions regarding this matter, please do not hesitate to contact the undersigned at (709) 579-7960.

Best regards,



**ED GRANT**  
CHAIRPERSON  
Eastern Regional Service Board

The Honourable Eddie Joyce, MHA  
Minister of Municipal Affairs and Environment  
P.O. Box 8700  
St. John's, NL  
A1B 4J6

Dear Minister Joyce:

The Eastern Regional Service Board (ERSB) hired a new Board Clerk and Outreach Coordinator, Mr. Bradley Power, in October 2016. The position was created to provide service to our Board of Directors, as well as to regional groups such as Joint Councils or Mayors' Association. Since the position was created, the ERSB has had tremendous success in achieving its goals in the Eastern Region, of which I will outline further in my letter.

Mr. Power (the Coordinator) is responsible for maximizing outreach initiatives regarding waste management programs implemented by the service board, and for coordinating, engaging and communicating with the many different groups involved in municipal service delivery, including regional groups, towns, local service districts, waste management groups, waste haulers, businesses, residents and seasonal property owners. Mr. Power also organizes, arranges and provides support to regional groups, specifically Joint Councils and Mayors' Associations, including their notice of meetings, agenda development, tracking of quorum, preparing meeting packages and letters, and maintaining records. Mr. Power essentially provides much needed organizational, administrative and logistical support, free of charge, for the continuity of meetings and advancing the various issues that are before them. Mr. Power also maintains a very valuable channel of consistent communications with and amongst the various regional groups, including the sharing of information and working with them to further regional service delivery. The ERSB has become a repository of information for each Joint Council and allows municipalities to access the current and historical discussions and documents of these groups.

In terms of our success to-date, Mr. Power has become engaged with the following groups in one form or another:

- Conception Bay North Joint Council;
- Northeast Avalon Joint Council;
- Southern Shore Joint Council;

- Isthmus of the Avalon Regional Mayors' Committee;
- Trinity-Bay de Verde Mayors' Association; and,
- Killick Coast Mayors' Association.

In some cases Mr. Power provides the full gambit of coordination services we offer (CBN, Southern Shore, Northeast Avalon, Isthmus of the Avalon and Trinity-Bay de Verde), while the Killick Coast Mayors' Committee asked him to explore a specific regional service sharing opportunity (outlined in detail below).

Regional service delivery is one of the main objectives of these groups and the reason for the involvement of the ERSB in supporting these groups to promote shared services and a regional approach. In this regard, Mr. Power has already analyzed the possibility of engaging a regional water technician on behalf of the Southern Shore Joint Council, and he's also explored the possibility of establishing a regional residential and business development inspector for the Killick Coast Mayors' Committee. Work is still ongoing in both cases, with presentations to the respective communities to be completed soon.

Over and above the general and regional services explored the contribution that the Board has made to these groups has reinvigorated them and their membership. Participation has increased and progressive is being made on issues/ideas that the groups have struggled with bringing to fruition such as the discussions on regional service delivery. The learnings from this initiative are that with the proper support these organizations can become effective components in the regionalization of services and the sustainability of our communities.

We believe this office/role/position focused on outreach and linkage to the Board provides a very strong base for regional initiatives and municipal cooperation. With the expansion of the scope to include local service districts and a mechanism to include the unincorporated areas this could be the catalyst for regional government.

Recognizing the important discussions ongoing with respect to regional governance, we felt it would be helpful for you to see on paper how we are doing our part to support local government in terms of administration/coordination and exploring new regional service delivery opportunities. Undoubtedly, there's much work to be done, but we are confident in the resource we've established to support the current local governments in the Eastern Region.

Moving forward, we are eager to expand our support to additional areas, including on the Cape Shore (Southwest Avalon), St. Mary's Bay, Trinity South/Isthmus, and the Clarenville region. We anticipate progress will be made in this regard over the summer and into the fall of 2017.

We trust you will find this information beneficial. Also, please feel free to reach out at any time to discuss this initiative further.

Sincerely,



**ED GRANT**  
CHAIRPERSON

cc: Mr. Jamie Chippett, Deputy Minister  
Ms. Heather Tizzard, Assistant Deputy Minister  
Ms. Karen Oldford, President of Municipalities NL  
Mr. Craig Pollett, CEO of Municipalities NL



The Honourable Eddie Joyce, MHA  
Minister of Municipal Affairs and Environment  
P.O. Box 8700  
St. John's, NL  
A1B 4J6

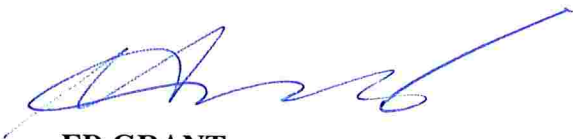
Dear Minister Joyce:

Further to my letter of Friday, May 26, 2017, regarding our request for the *Regional Service Board Act 2012* to be reviewed with a specific focus on remote meeting participation, we now wish to inform you we have amended our Rules and Regulations Governing the Procedures of Meetings. Given that the municipalities that appoint and elect representatives to our Board have the ability to be inclusive, encourage and facilitate the participation of all of their elected councillors in their deliberations it behooves the Board to match the policies of its member municipalities. The new section of our rules and procedures document states the following:

***“The ERSB is a fully inclusive organization. For those individuals with a self-identified disability or medical condition, the Board will (at the individual’s request), facilitate remote attendance and other accommodations (including, but not limited to teleconferencing, hearing and/or visual aids/devices), to ensure the Board member has full participation and voting privileges. All other requests for accommodations or to participate remotely will be at the discretion of the Chair.”***

The *Regional Service Board Act*, is silent on this issue; however, our Board feels strongly that you will see fit to amend the enabling legislation of the regional service boards to support this policy. We look forward to your thoughts and concurrence.

Sincerely,



**ED GRANT**  
CHAIRPERSON