

# EASTERN REGIONAL SERVICE BOARD

## Minutes of Meeting #33

May 26, 2015

7:00 p.m.

### Fairfield Inn & Suites by Marriott

199 Kenmount Road, St. John's

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#### In Attendance:

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

#### Regrets:

Bernard Davis, St. John's  
Tom Hann, St. John's  
Gordon Stone, Trinity Conception North  
Bruce Tilley, St. John's

#### Other Attendees:

Ken Kelly, Chief Administrative Officer, Eastern Waste Management  
Lynn Tucker, Manager Corporate Services, Eastern Waste Management  
Frank Huxter, Director of Municipal Infrastructure & Waste Management, Municipal and Intergovernmental Affairs  
Stephen Colford, Manager of Waste & Recycling, City of St. John's  
Kevin Breen, Acting City Manager, City of St. John's  
Sean Janes, Internal City Auditor, City of St. John's

#### 1. Call to Order

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

## 2. Adoption of Agenda

It was moved and seconded (H Mullaney/P Roche) to adopt the agenda as tabled.  
MOTION 2015-022: Carried (unanimously)

## 3. Review of Minutes – April 29, 2015

It was moved and seconded (D Lane/S Whalen) that the minutes of the April 29, 2015 meeting be adopted as tabled.  
MOTION 2015-023: Carried (unanimously)

## 4. Committee Reports

### a) Governance Committee – H Mullaney, Chairperson

- i. **Amendment to the Eastern Regional Service Board Rules and Regulations Governing the Procedures of Meetings** – Mr. Mullaney stated that the Governance Committee noted that under Section 17 of the *Regional Service Boards Act* that we can either hold a specific meeting as a privileged session or we can vote at a meeting to hold a privileged session. He continued that similar to the rules governing municipalities, any motions or decisions made at a privileged meeting has to be voted on in a public meeting. The Governance Committee is recommending an amendment to the Board's rules and procedures for meetings to correspond to the authority provided in the Act (Appendix A). This amendment simply updates our rules and procedures. The Act does not define under what circumstances we should hold a privileged session but the committee could see items such as human resource issues, contracting strategy issues and other sensitive issues.

It was moved and seconded (H Mullaney/P Roche) to add privileged meetings as tabled to the Eastern Regional Service Board Rules and Regulations Governing the Procedures of Meetings in accordance with Section 17 of the *Regional Service Boards Act*.  
MOTION 2015-024: Carried (unanimously)

### ii. Privileged Session

It was moved and seconded (H Mullaney/K McDonald) that the following portion of the meeting will be held as a privileged session and members of the public are asked to leave the meeting room.  
MOTION 2015-025: Carried (unanimously)

It was moved and seconded (P Roche/J Dobbie) that the privileged meeting be adjourned.  
MOTION 2015-026: Carried (unanimously)

**b. Finance & Audit Committee – D Breen, Chairperson**

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

**It was moved and seconded (D Aker/D O’Keefe) to adopt the cheque register and payroll summary for April 2015 as tabled.**

**MOTION 2015-027: Carried (unanimously)**

- ii. **Award Tender to Build the Clarenville Transfer Station** – Mr. Breen noted that this motion was sent to Board members by email on May 13, 2015 and tonight we are simply ratifying that email vote to award the contract. The final document in your meeting package (Appendix C) is the recommendation of award from our engineers, AMEC Foster Wheeler, including detailed information on the bids received for this work. Brook Construction (2007) Inc., was the lowest bid. There were seven (7) bids received and they ranged in total from \$1,388,431.00 to \$1,859,042.10. We have not received a detailed construction schedule from Brook Construction (2007) Inc. but it has been requested. We are also planning a meeting with the communities in the Clarenville area for mid-June to roll out details and timelines.

**It was moved and seconded (B Bailey/D Lane) that Eastern Regional Service Board award a contract to Brook Construction (2007) Inc. of Corner Brook in the amount of \$1,388,431.00 (HST included) for the construction of a transfer station building at the former Clarenville landfill site.**

**MOTION 2015-028: Carried (unanimously)**

Mr. Grant noted that the recommendation from the Finance & Audit Committee was subject to the Board receiving agreement from the Province to provide the additional funds required to complete the project above its original estimated cost of \$3 million. For members’ information, the Board has been notified that additional funding has been approved for this project. The funds are being provided through the Federal Gas Tax Funds allocated to the *Provincial Waste Management Strategy*.

Mr. Grant continued that many communities in the Clarenville area are asking the status of the transfer station as they have been waiting for this facility for some time. He noted that a meeting will be held in the Clarenville area to ensure that Clarenville and adjacent communities are aware of what’s happening with the transfer station and how things will work once it is operational.

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

- i. No meeting was held in May but Mr. Hickman noted that a meeting would be held in June.

## 5. New Business

- a) **Whitbourne Waste Recovery Facility and Equipment Depot** – Mr. Grant stated that as members know, the Board had requested the parcel of land identified at Old Brigus Road in Whitbourne be expropriated as no agreement could be reached with the property owner. The Province advised the Board to go back to the property owner one more time to try and reach a settlement. Today a meeting was held by teleconference with the property owner and their lawyer and we believe we have an agreement. A formal purchase and sale agreement will be drawn up based on that meeting. The Board is hoping to begin constructing of the waste recovery facility and equipment depot in 2015.
- b) **Local Service District of Deer Park/Vineland Road** – Mr. Grant informed members that he and Mr. Kelly met with the four new executive members of the Local Service District (LSD) of Deer Park/Vineland Road Committee regarding waste management services in the LSD. It was a good meeting with the Committee members wanting more information. He continued that he agreed to suspend collection action for property owners in the LSD for two (2) more weeks to provide the Committee members an opportunity to go back to their residents to pass along information from the meeting. After the two week period, the Board will begin issuing Statements of Claim to those property owners in arrears on their accounts. In addition, the Committee executive was informed that no interest would be waived for those property owners who have chosen not to pay their waste management invoices.

Mr. Kelly stated that the new Executive is an interim group elected until the LSD election in August. Once the Executive was aware of the Board's legislation, they seemed to have a better understanding of the implementation of the service in the LSD. In closing, it appears that there is a lack of communication of basic factual information between many of the property owners and the LSD Executive. The LSD Executive indicated that not all information provided to the previous group was passed along to property owners.

- c) **Organics Processing** – Mr. Grant noted that he recently attended a conference call with officials from Municipal and Intergovernmental Affairs and the other regional service boards to discuss the Province's organics strategy. They were informed that the Province is delaying full implementation of organics until 2025. The Province is planning to use the gas tax monies for other waste management projects.
- d) **Tour of Robin Hood Bay Regional Waste Management Facility** – Mr. Grant thanked Mr. Colford for his time this afternoon to provide a tour of the Robin Hood Bay Regional Waste Management Facility to Board members and Eastern Waste Management staff. The tour was very informative.
- e) **Northeast Avalon Joint Councils** – Ms. Roche informed members that the Northeast Avalon Joint Councils (NEAJC) met last evening and a good discussion on waste management and the Robin Hood Bay Regional Waste Management Facility (RHB). NEAJC is looking at hiring a summer student to research waste of energy and the need to utilize that energy which is currently burned off at RHB. NEAJC is seeking the support of the Eastern Regional Service

Board for this project that will include mechanisms to take the organics out and use the energy.

Mr. Grant stated that the Board would be supportive of these types of initiatives; however, NEAJC should be aware that this particular issue has been studied already. He asked Mr. Colford to provide additional information.

Mr. Colford said that the utilization of methane at RHB has been studied. In addition, he is currently preparing a Request for Interest (RFI) to use methane from the landfill for energy production at RHB. They have gone to the Province who has suggested that they do a RFI to identify potential issues that proponents will bring forward in order to make this work at RHB and then to go back to the Province regarding the legislative changes that may be required. He concluded that they are working with the Province on this matter and have indicated that they require some flexibility from the Province with their current legislation.

**ACTION ITEM: Mr. Grant stated that Mr. Kelly will prepare a briefing document for NEAJC regarding the study at RHB on waste-to-energy production.**

Ms. Roche asked why the police are not called and tickets issued for those drivers who show up at RHB without their loads covered.

Mr. Puddister noted that the Royal Newfoundland Constabulary has informed the City of St. John's that they will be targeting uncovered loads on vehicles visiting RHB.

Mr. Colford stated that the City of St. John's is currently preparing communication materials regarding the requirement to have loads covered when coming to RHB and, in addition, signage will be posted in the RHB area. Tickets for uncovered loads are \$120.

Ms. Roche stated that NEAJC would like to have information on water issues for the Northeast Avalon and they would like to be involved in any discussions on the provision of water that may be held. ERSB should provide the services necessary to ensure water safety.

Mr. Grant stated that as members know the Province recently announced funding for a pilot program to hire a water technician for about three (3) years. The Province will identify clusters of communities that will receive the services of this technician. The budget is approximately \$140,000 annually and there has been discussion held at committee meetings that questions if that amount will be adequate to provide the service. No costs for this service can come from the tipping fees or the waste management side of business. At this time, it is too early to provide any further details to the NEAJC regarding this pilot program.

He continued that there may be serious liability issues for the Board if the water technician makes any errors, etc. The concept of this pilot program is great; however, the Board is awaiting details from the Province. Thus far it seems that all costs must be included in the \$140,000.

Ms. Roche stated that she is requesting that NEAJC be included in meetings regarding the water testing pilot program. NEAJC wants to be involved.

Mr. Grant replied that the Province is not likely to include communities in the Northeast Avalon in this pilot program. Information provided so far indicates that this pilot program will be targeting those rural areas with boil-water orders in place.

Mr. Huxter confirmed that the focus of this pilot program will be those communities under boil-water advisories and those communities who have been without suitable drinking water for some time. He continued that the Province continues to work on the outline for this program and the position descriptions for water technicians, etc. Further details will be made available when finalized.

Mr. Grant stated that the Board is willing to meet with NEAJC any time.

Mr. Willis stated that as current President of NEAJC, he would like to confirm Ms. Roche's statement that NEAJC would like to be involved. NEAJC would like to have a representative attend any meeting where the provision of regional services for the Northeast Avalon is being discussed.

Mr. O'Keefe stated that the big issue around the provision of water services is the cost. Not only implementing the service but maintaining the system(s) once established. It is very expensive to provide this service.

Mr. Huxter replied that if the pilot project is successful, the plan is to provide the water service as 'pay per use' or 'fee for service' costing where the users of the service would pay.

- f) **Organics Processing and Effect on RHB** – Mr. Colford noted that Mr. Grant stated earlier that the Province intends to delay the full implementation of organics processing until 2025.

Mr. Huxter stated the intent is to look at the organics processing again for 2020-2025. However, the Province would be open to looking at this item earlier if approached by one of its regional service boards (RSB) with a plan.

Mr. Colford noted that as carried in local media today, the City of St. John's is looking at changing to a fully automated waste collection system. However, the decision regarding organics processing will impact what equipment they need, etc.

Mr. Kelly asked Mr. Colford what the life expectancy of RHB is at this time.

Mr. Colford responded that it is approximately 37 years without organics processing. Adding on new regions and accepting additional garbage has impacted the lifespan of the facility.

## 6. Next ERSB Meeting – JUNE 24, 2015

The next meeting of the Eastern Regional Service Board will take place on **Wednesday, June 24, 2015 at 7:00 p.m. at the Fairfield Inn & Suites by Marriott.**

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

- Finance & Audit Committee – Wednesday, June 17 at 12:00 noon, EWM Boardroom
- Strategy & Policy Committee – Thursday, June 11 at 10:00 a.m., EWM Boardroom
- Governance Committee – Tuesday, June 16 at 10:00 a.m., EWM Boardroom

## 7. Adjournment

It was moved by J Dobbie to adjourn the meeting at 8:10 p.m.

*Prepared by:  
Lynn Tucker  
June 1, 2015*

# APPENDIX

## A



**Eastern Regional Service Board**  
**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.

#### 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 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 and 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 at 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 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 if 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:

\_\_\_\_\_

# APPENDIX

## B

**Eastern Waste Management**  
 BNK2 - Bank of Montreal - EW  
 Cheques from 000001 to 003854 dated between 04-01-2015 and 04-30-2015

**CHEQUE REGISTER**

Printed: 3:08:54PM 05/11/2015

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Number	Issued	Amount	SC	Status	Status Date
003752	04/07/2015 81368 Newfoundland and Labrador Inc.	4,915.50	A/P	CLEARED	04/15/2015
003753	04/07/2015 Around The Bay Disposals Inc.	52,632.95	A/P	CLEARED	04/15/2015
003754	04/07/2015 Atlantic Powertrain & Equipment Inc.	225.66	A/P	CLEARED	04/15/2015
003755	04/07/2015 Bell Aliant	1,209.50	A/P	CLEARED	04/30/2015
003756	04/07/2015 Christie Dean	3,726.91	A/P	CLEARED	04/30/2015
003757	04/07/2015 Concord Enterprises Inc.	5,085.00	A/P	CLEARED	04/15/2015
003758	04/07/2015 Dave's Towing Ltd.	791.00	A/P	CLEARED	04/15/2015
003759	04/07/2015 De Lage Landen Financial Services Canada Ltd.	286.42	A/P	CLEARED	04/15/2015
003760	04/07/2015 Dodd's Diesel Repair Ltd.	11,377.99	A/P	CLEARED	04/15/2015
003761	04/07/2015 Ed Grant	119.03	A/P	CLEARED	04/15/2015
003762	04/07/2015 Fairfield Inn & Suites by Marriott	1,128.15	A/P	CLEARED	04/30/2015
003763	04/07/2015 GMK Equipment Rentals Ltd.	116,320.79	A/P	CLEARED	04/30/2015
003764	04/07/2015 Gus Power	405.00	A/P	CLEARED	04/15/2015
003765	04/07/2015 Henry Hennessy	34.76	A/P	CLEARED	04/30/2015
003766	04/07/2015 Jonathan Miller	282.50	A/P	CLEARED	04/15/2015
003767	04/07/2015 Ken Kelly	2,709.32	A/P	CLEARED	04/15/2015
003768	04/07/2015 Kerr Global Communications	1,145.31	A/P	CLEARED	04/15/2015
003769	04/07/2015 Kevin Fahey	13.54	A/P	CLEARED	04/15/2015
003770	04/07/2015 Leslie Squires	550.00	A/P	CLEARED	04/15/2015
003771	04/07/2015 Lorraine Kaczmarczyk	51.42	A/P	CLEARED	04/15/2015
003772	04/07/2015 Lynn Tucker	149.55	A/P	CLEARED	04/30/2015
003773	04/07/2015 M J Hickey Construction Ltd.	6,669.50	A/P	CLEARED	04/15/2015
003774	04/07/2015 NATIONAL Public Relations	16,616.21	A/P	CLEARED	04/30/2015
003775	04/07/2015 Newfoundland Exchequer - MVR	926.00	A/P	OUT-STD	04/07/2015
003776	04/07/2015 Nortrax Canada Inc.	1,522.69	A/P	OUT-STD	04/07/2015
003777	04/07/2015 Pitney Bowes	1,710.00	A/P	CLEARED	04/15/2015
003778	04/07/2015 Quikprint Services Ltd.	178.54	A/P	CLEARED	04/30/2015
003779	04/07/2015 Ridge G&P Services Ltd.	31,735.34	A/P	CLEARED	04/30/2015
003780	04/07/2015 Royal Garage Ltd.	182.09	A/P	CLEARED	04/15/2015
003781	04/07/2015 T2 Ventures Inc.	156,159.00	A/P	CLEARED	04/15/2015
003782	04/07/2015 Transcontinental Atlantic Media Group G.P.	1,386.52	A/P	CLEARED	04/15/2015
003783	04/07/2015 Tulk Tire & Service Ltd.	2,600.73	A/P	CLEARED	04/15/2015
003784	04/07/2015 Wayne Higdon	150.26	A/P	CLEARED	04/30/2015
003785	04/08/2015 Kevin Butt	90.38	A/P	CLEARED	04/30/2015
003786	04/08/2015 Madsen Construction Equipment	83.52	A/P	CLEARED	04/30/2015
003787	04/08/2015 P Clarke & Co Inc.	25,863.95	A/P	CLEARED	04/30/2015
003788	04/08/2015 Saunders Equipment Ltd.	712.47	A/P	CLEARED	04/30/2015
003789	04/23/2015 Atlantic Business Interiors	620.37	A/P	CLEARED	04/30/2015
003790	04/23/2015 Atlantic Powertrain & Equipment Inc.	138.27	A/P	CLEARED	04/30/2015
003791	04/23/2015 Bell Mobility Inc.	1,731.35	A/P	CLEARED	04/30/2015
003792	04/23/2015 Christie Dean	855.90	A/P	OUT-STD	04/23/2015
003793	04/23/2015 City of St. John's	16,576.05	A/P	CLEARED	04/30/2015
003794	04/23/2015 Clowe Construction Ltd.	4,746.00	A/P	CLEARED	04/30/2015
003795	04/23/2015 Coish's Trucking & Excavating Ltd.	9,004.01	A/P	OUT-STD	04/23/2015
003796	04/23/2015 Conception Bay Auto & Tire Centre	1,294.98	A/P	OUT-STD	04/23/2015
003797	04/23/2015 D&L Russell Limited	230.36	A/P	CLEARED	04/30/2015

\* - Name on Check was modified

**Eastern Waste Management**  
 BNK2 - Bank of Montreal - EW  
 Cheques from 000001 to 003854 dated between 04-01-2015 and 04-30-2015

**CHEQUE REGISTER**

Printed: 3:08:54PM 05/11/2015

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Number	Issued	Amount	SC	Status	Status Date
003798	04/23/2015 Dicks and Company Limited	217.56	A/P	CLEARED	04/30/2015
003799	04/23/2015 Dodd's Diesel Repair Ltd.	6,379.41	A/P	OUT-STD	04/23/2015
003800	04/23/2015 Dynamex Canada Limited	26.64	A/P	CLEARED	04/30/2015
003801	04/23/2015 ESRI Canada	1,017.00	A/P	OUT-STD	04/23/2015
003802	04/23/2015 G Groves & Sons Limited	237.30	A/P	CLEARED	04/30/2015
003803	04/23/2015 Gordon Stone	97.42	A/P	CLEARED	04/30/2015
003804	04/23/2015 Imperial Oil	25,170.70	A/P	OUT-STD	04/23/2015
003805	04/23/2015 Iron Mountain Canada	29.61	A/P	OUT-STD	04/23/2015
003806	04/23/2015 Joy Dobbie	334.51	A/P	OUT-STD	04/23/2015
003807	04/23/2015 Ken Kelly	428.00	A/P	CLEARED	04/30/2015
003808	04/23/2015 Kevin Butt	116.45	A/P	OUT-STD	04/23/2015
003809	04/23/2015 Kevin Fahey	21.81	A/P	OUT-STD	04/23/2015
003810	04/23/2015 Lynn Tucker	866.60	A/P	CLEARED	04/30/2015
003811	04/23/2015 Nexgen Municipal Inc.	192,879.70	A/P	CLEARED	04/30/2015
003812	04/23/2015 Pinnacle Office Solutions Ltd.	336.72	A/P	CLEARED	04/30/2015
003813	04/23/2015 Printer Tech Solutions Inc.	197.75	A/P	CLEARED	04/30/2015
003814	04/23/2015 Saunders Equipment Ltd.	282,163.26	A/P	OUT-STD	04/23/2015
003815	04/23/2015 SWANA	250.00	A/P	OUT-STD	04/23/2015
003816	04/23/2015 Transcontinental Atlantic Media Group G.P.	1,123.38	A/P	CLEARED	04/30/2015
003817	04/23/2015 Tulk Tire & Service Ltd.	2,227.85	A/P	OUT-STD	04/23/2015
003818	04/23/2015 Encon Group Inc.	2,751.86	G/L	OUT-STD	04/23/2015
003819	04/23/2015 Adam Gushue	270.00	A/R	OUT-STD	04/23/2015
003820	04/23/2015 Fagan, Glenn	286.53	A/R	OUT-STD	04/23/2015
<b>Cheque Totals Issued:</b>		<b>1,002,374.85</b>			
<b>Void:</b>		<b>0.00</b>			
<b>Total Cheques Generated:</b>		<b>1,002,374.85</b>			
<b>Total # of Cheques Listed:</b>		<b>69</b>			

\* - Name on Check was modified

**EASTERN REGIONAL SERVICE BOARD  
EASTERN WASTE MANAGEMENT**

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**PAYROLL EXPENSE  
APRIL 2015**

Payroll – Staff ( <i>3 pay periods</i> ) .....	\$132,478.19
Payroll – Board .....	<u>\$16,665.03</u>
Total Payroll ( <i>25 employees</i> ) .....	\$149,143.22
Payroll CRA Remittance ( <i>Chq#3822</i> ) .....	<u>\$49,027.56</u>
<b>TOTAL GROSS PAYROLL .....</b>	<b><u>\$198,170.78</u></b>

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PREVIOUS MONTH

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**MARCH 2015**

Payroll – Staff ( <i>2 pay periods</i> ) .....	\$100,294.17
Payroll – Board.....	<u>\$00,000.00</u>
Total Payroll ( <i>25 employees</i> ) .....	\$100,294.17
Payroll CRA Remittance ( <i>Chq#3732</i> ) .....	<u>\$35,572.08</u>
<b>TOTAL GROSS PAYROLL .....</b>	<b><u>\$135,866.25</u></b>



# APPENDIX

## C

**THOSE WHO RESPONDED TO THE MOTION TO  
AWARD CONTRACT FOR THE CONSTRUCTION OF A TRANSFER STATION  
AT CLARENVILLE LANDFILL**

MOTION: It was moved and seconded (Bill Bailey/Dave Aker) that Eastern Regional Service Board award a contract to Brook Construction Inc. of Corner Brook for \$1,388,431.00 (including HST) for the construction of a transfer station building at the former landfill. This approval is subject to the Board receiving agreement from the Province to provide the additional funds required to complete the project above its original estimated project cost of three (3) million dollars.

(Motion sent by email – May 13, 2015)

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**In Favour**

*(alphabetical order)*

Bill Bailey  
Danny Breen  
Wally Collins  
Bernard Davis  
Joy Dobbie  
Jonathan Galgay  
Ed Grant, Chairperson  
Tom Hann  
Sandy Hickman  
Dave Lane  
Ken McDonald  
Harold Mullooney, Vice Chairperson  
Dennis O'Keefe  
Art Puddister  
Gordon Stone  
Sterling Willis  
William Woodman



8 May 2015

Project # TF1572724

Mr. Ken Kelly, CMA  
Chief Administrative Officer  
Eastern Regional Service Board  
255 Majors Path, St. John's, NL  
Email: [kkelly@easternwaste.ca](mailto:kkelly@easternwaste.ca)



**Re: CLARENVILLE WASTE TRANSFER STATION  
EASTERN WASTE MANAGEMENT – MIGA # 17-WSTM-13-12E010**

Dear Ken:

We have reviewed the submitted tenders for the above referenced project as per the attached and based on that review, we hereby recommend that the contract for this work be awarded to the lowest bidder, **Brook Construction (2007) Inc.**, for their tendered contract price of **\$1,388,431.00 including HST.**

As we understand it, after contract award, the overall project budget and expenditures to date including the current commitment will be as follows:

Description	Amount	HST	Extension
<b>Allocated Project Funding</b>			
Overall Project Budget	\$ 3,588,496	\$ 466,504	\$ 4,055,000
<b>Total Allocated Project Funding</b>	<b>\$ 3,588,496</b>	<b>\$ 466,504</b>	<b>\$ 4,055,000</b>
<b>Expenditures to Date</b>			
<b>Design-Build RFP Development</b>			
Engineering - Concept Design and RFP Development	\$ 98,390	\$ 12,791	\$ 111,181
Solid Waste Handling Equipment - NEXGEN	\$ 1,682,317	\$ 218,701	\$ 1,901,018
<b>Site Work - Rough Grading</b>			
Engineering - Site Design and Supervision	\$ 42,001	\$ 5,460	\$ 47,461
Site Construction - Goobies Rentals & Contracting Ltd.	\$ 204,300	\$ 26,559	\$ 230,859
<b>Detailed Design Engineering:</b>			
Design and Contract Documents	\$ 125,272	\$ 16,285	\$ 141,557
Construction Phase Engineering	\$ 76,286	\$ 9,917	\$ 86,203
<b>Total Expenditures to Date</b>	<b>\$ 2,228,566</b>	<b>\$ 289,714</b>	<b>\$ 2,518,280</b>
<b>Commitment this Contract (Main Construction Contract)</b>			
Brook Construction (2007) Inc.	\$ 1,228,700	\$ 159,731	\$ 1,388,431
<b>Total Expenditures and Commitments</b>	<b>\$ 3,457,266</b>	<b>\$ 449,445</b>	<b>\$ 3,906,711</b>
<b>Available Budget Remaining</b>	<b>\$ 131,230</b>	<b>\$ 17,060</b>	<b>\$ 148,289</b>

If you have any questions regarding the above information, please feel free to contact the undersigned. Otherwise, after consideration, please advise if you are in agreement with our

43 Maple Valley Road, Unit #2  
Comer Brook, NL A2H 6T3  
Tel +1 709 634 0608  
[amecfw.com](http://amecfw.com)

Amec Foster Wheeler Environment & Infrastructure  
Registered office:  
2020 Winston Park Drive, Suite 700, Oakville, ON L6H 6X7  
Registered in Canada  
No. 773289-9; GST: 899879050 RT0008; DUNS: 25-362-6642

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Continued...

recommendation to award the contract as tendered and we'll request formal "Approval of Award" from Municipal & Intergovernmental Affairs.

Sincerely,



Michael B. Spencer, P.Eng.  
Senior Civil Engineer  
[Michael.B.Spencer@amecfw.com](mailto:Michael.B.Spencer@amecfw.com)

cc. Robert Moroney, Amec Foster Wheeler  
Steve Cutcliffe, Amec Foster Wheeler

Attachments.

43 Maple Valley Road, Unit #2  
Comer Brook, NL A2H 6T3  
Tel +1 709 634 0608  
[amecfw.com](http://amecfw.com)

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**REC'D/RECEIVED**  
 01-05-2015

**REPORT AFTER PUBLIC TENDER CALL**

TENDER #: 9142      DOCKET #: MA9142      TENDER CLOSING DATE & TIME: 2015/04/29 2:00:00PM  
 TENDER DESCRIPTION: MA9142 - Clarenville Waste Transfer Station, Eastern Regional Services Board      PROJECT #:  
 NUMBER OF TENDERS RECEIVED: 7      NUMBER OF ADDENDUM ISSUED: 8  
 CHAIRMAN: Stephen Slaney      SECRETARY: Lisa Willar      CONSULTANT: AMEC Foster Wheeler

**SCHEDULE OF TENDERS**

NAME AND ADDRESS	Base Bid	HST	Tender Total	Security
BROOK CONSTRUCTION (2007) INC. , 8 Gullage Ave., PO Box 882, Corner Brook, NL, A2H6H6	\$ 1,228,700.00	\$159,731.00	\$1,388,431.00	69-4742-0014-15 Bid Bond
R & D CONSTRUCTION LTD. , 36 Phillips Lane, P.O. Box 507, Bonaville, NL, NL, A0C1B0	\$ 1,287,000.00	\$167,310.00	\$1,454,310.00	5222453-15-005 Bid Bond
BARACO ATLANTIC CORP. , 323 Freshwater Road, 2nd Floor, St. John's, NL, A1B1C3	\$ 1,303,786.73	\$169,492.27	\$1,473,279.00	69-6675-0010-15 Bid Bond
GOOBIE RENTALS & CONTRACTING , P.O. Box 9100, Clarenville, NL, A5A2C2	\$ 1,465,305.00	\$190,489.65	\$1,655,794.65	5222444-15-001 Bid Bond
TRAYTOWN BUILDERS LTD. General Delivery, Traytown, NL, A0G4K0	\$ 1,487,188.50	\$193,334.51	\$1,680,523.01	501,757 Bid Bond
POMERLEAU INC , 10 Morris Drive, Unit 37, Dartmouth, NS, B3B1K8	\$ 1,524,022.25	\$198,122.89	\$1,722,145.14	MS801969556 Bid Bond
PTL SERVICES LTD (TB) , P.O. Box 40, Southern Harbour, NL, A0B3H0	\$ 1,645,170.00	\$213,872.10	\$1,859,042.10	#260452107 - \$185,904.21 Bank Draft

**TRANSPORTATION TENDERS (Only)**

**PRE-TENDER ESTIMATE OF COST:**

Base Bid  
 Materials  
 Other Charges  
 Engineering

TOTAL COST: \_\_\_\_\_

**POST-TENDER ESTIMATE OF COST:**

Base Bid  
 Materials  
 Other Charges  
 Engineering

TOTAL COST: \_\_\_\_\_

ESTIMATED SUBSTANTIAL COMPLETION DATE:

DESIGN MANAGER:

CONSTRUCTION MANAGER:

RECOMMENDED TENDER:

AMOUNT Less HST:

TENDER ANALYSIS COMPLETED & RECOMMENDED BY:

REVIEWED BY:

CONTRACT AWARD:

\_\_\_\_\_  
 (Approved By)

\_\_\_\_\_  
 (Date)

REMARKS: