

# **MINUTES**

# **BOARD OF DIRECTORS MEETING #52**

Wednesday, May 31, 2017 @ 7:00 p.m. Fairfield Inn & Suites by Marriott 199 Kenmount Road, St. John's

# IN ATTENDANCE:

- Ed Grant, Chairperson
- Bill Bailey, Clarenville and Isthmus
- Danny Breen, St. John's
- Wally Collins, St. John's
- Joy Dobbie, Trinity Bay South and Isthmus East
- Ron Ellsworth, St. John's
- Tom Hann, St. John's
- Sandy Hickman, St. John's
- Dave Lane, St. John's (arrived at 7:16 p.m.)
- Harold Mullowney, Southern Shore
- Peggy Roche, Small Metro
- 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

# **REGRETS:**

- Dave Aker, Mount Pearl
- Jonathan Galgay, St. John's
- Dennis O'Keefe, St. John's
- Art Puddister, St. John's
- Gordon Stone, Trinity Conception North
- Bruce Tilley, St. John's
- Sterling Willis, Paradise
- Stephen Colford, Manager Waste and Recycling Division, City of St. John's

# **PROCEEDINGS:**

# 1) CALL TO ORDER

Mr. Grant called the meeting to order at 7:06 p.m.

# 2) ADOPTION OF AGENDA

It was moved and seconded (Mr. Mullowney/Mr. Hann) to adopt the Agenda as tabled. MOTION 2017-029: Carried (unanimously)

# 3) REVIEW OF MINUTES

It was moved and seconded (Mr. Ellsworth/Mr. Whalen) that the Minutes of the May 11, 2017 meeting of the Eastern Regional Service Board be adopted as tabled.

MOTION 2017-030: Carried (unanimously)

# 4) COMMITTEE REPORTS

# a) Finance & Audit Committee (Wednesday, May 17, 2017)

# (1) Board Expenditures Report:

Mr. Breen noted that the cheque register and payroll summary for the month of April was included in the meeting package.

He explained that the April payroll is slightly lower than the previous month because it included only two pay periods. The first quarter payment of the Board members per diem was also paid out in April.

The cheque register was included in the meeting package and includes regular payments to the Board's waste collection contractors and City of St. John's for tipping fees.

There were no questions or comments.

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

MOTION 2017-031: Carried (unanimously)

# (2) CRA Quarterly Payroll Remittance Statement:

Mr. Breen noted the CRA Quarterly Payroll Remittance Statement was included in the meeting package. This was included under a separate heading on the agenda so to inform Board members that this report will be provided on a quarterly basis moving forward, as opposed to a new statement each month. This is as a result of the reports from CRA now coming in a different format.

# (3) Overview of Financial reserves/2016 Surplus:

Mr. Breen noted that when the 2016 Financial Statements were presented to the Committee there was considerable discussion around the accumulated surplus of \$8 million versus what we really have in cash as unallocated or surplus funds.

The Financial Statements include all of the property, buildings and equipment that the Board owns in that \$8 million surplus. In addition, the surplus would include any monies that the board has set aside for reserves for future purchases of equipment or operational shortfalls.

Mr. Breen explained that staff were asked to review the funds that the Board had on-hand at the end of 2016, remove any bills that hadn't been paid, remove the capital expenditures that ERSB has approved for landfill closures, building of the Whitbourne maintenance depot and purchases of new equipment. Once the reserve amounts that the ERSB has approved each year in the budget are removed, there is \$579,200 in surplus funds.

Given the recurring monthly expenditures of the Board of about \$650,000, this is about enough funds to keep the Board operating for one month.

Mr. Breen suggested the Board allocate these "surplus" funds to operating reserve for future years.

It was moved and seconded (Mr. Breen/Mr. Mullowney) that Eastern Regional Service Board allocate surplus funds from the fiscal year 2016 of \$579,200 to an the operational reserve for future shortfalls.

MOTION 2017-032: Carried (unanimously)

# (4) Revised 2017 Budget:

Mr. Breen noted the briefing note and revised budget for 2017 included in the meeting package.

He explained that during the preparation of the first quarterly report for 2017 to the Finance & Audit Committee an error was discovered in the amount that was budgeted in the 2017 Budget. The amount for Regional Salary costs was under budgeted in the amount of \$228, 646.13 and the totals for the categories of Property, Furnishings & Equipment as well as Purchased Services were not totally correct by \$25,000.

The 2017 Budget that was adopted last fall had an Operating Reserve of \$350,000.

Mr. Breen said the Finance & Audit Committee is recommending that the Board amend its adopted budget for 2017 and stay within the overall budgeted amount for 2017 by reducing the Operating Reserve in order to adjust for the shortfall – a reallocation of budget.

It was moved and seconded (Mr. Breen/Mr. Whalen) that ERSB adopt the amended Budget for 2017 as tabled that increases the amount budgeted for Regional Salaries by \$228,646.13 and corrects the totals for Property, Furnishings & Equipment as well as Purchased Services by adjusting the Operating Reserve in order to maintain the overall expenditures for 2017. MOTION 2017-033: Carried (unanimously)

### Mr. Lane arrived at 7:16.

# (5) Lease Versus Purchase of Photocopier:

Mr. Breen noted that the Finance & Audit Committee is recommending that our original plan to lease a new photocopier instead be a purchase. The purchase will save the Board about \$1,000 versus the lease. He explained that ERSB entered into a consumables and maintenance contract with the vendor and those prices are paid on a per copy basis. These prices were part of the original call for tender so these are competitive prices.

Mr. Grant noted he feels this would be a mistake. In his experience, lease arrangements guarantee a good level of service; however, having to worry about maintenance on our own may become onerous.

It was moved and seconded (Mr. Breen/Mr. Whalen) that ERSB purchase a multifunction copier from Modern Business Ltd. for \$8,472, plus HST, and enter into a 60 month maintenance agreement at the tendered per copy rate prices of \$.009 mono and \$.065 color, plus HST.

MOTION 2017-034: Carried (unanimously)

# b) Strategy and Policy Committee (Thursday, May 25, 2017)

# (1) WRF Operations Policies:

Mr. Hickman noted that a briefing note was included in the meeting package regarding some of the recent issues that staff are experiencing at the waste recovery facilities.

These issues include people towing unlicensed trailers to the sites and using allterrain vehicles (ATV) at the sites.

Mr. Hickman explained that staff would like the ability to block access and use of the waste recovery facilities to those that are towing unlicensed trailers and to those that are accessing the site on ATV. At the committee level, the discussion noted that while these two items are reasonable given that these vehicles are not allowed on public roads/highways it seemed that staff at the waste recovery facilities also need the discretionary authority to deal with people that are not using the sites as they were intended.

Mr. Lane asked Ms. Dean to elaborate on the ATV use at the sites. Ms. Dean said many ATV users are scavenging, and only one facility is truly accessible by trails. The remaining ATVs access the sites on public roads. Mr. Lane felt there would be significant negativity around banning ATV use at facilities.

Mr. Kelly said the RCMP have been notified of illegal ATV use on roads near the Waste Recovery Facilities. He also noted that the discretionary authority for staff is an important aspect of the discussion. He explained that staff need the authority to deal with persistent issues at the sites and the ability to make decisions.

It was moved and seconded (Mr. Hickman/Mr. Tilley) that ERSB exclude those with unlicensed trailers and those on all-terrain vehicles from accessing and using the waste recovery facilities. Staff be granted the discretionary authority to refuse access or use of the waste recovery facility to any vehicle or person(s) that they believe is not using the waste recovery facility for its intended purpose. MOTION 2017-035: Carried (unanimously)

# (2) Waste Operations Report for the First Quarter of the Current Year:

Mr. Hickman note that a detailed report was included in the meeting package regarding the work of Waste Operations over the first quarter of the year. He explained that weather impacted both the curbside collection and the waste recovery facilities with delays and closures during this period.

Mr. Hickman also said it was important to note that the recycling rate has been increasing each year. The Strategy & Policy Committee is going to be discussing options to improve recycling participation and the amount of diverted waste at its next meeting.

Mr. Hickman went on to say that the ERSB mobile Household Hazardous Waste events would begin this coming weekend. Dates and locations are on the ERSB website and the events have been advertised in the Telegram.

Mr. Hickman also highlighted the efforts of staff to get the NL English School District (NLESD) to adopt recycling in schools and the lack of leadership that the School District is providing on this issue. The Provincial Government, MMSB and ERSB piloted a recycling program at 9 of the 118 schools in the Eastern Region. The program has come to an end and staff have not been able to get a clear commitment from the School District on expansion of the program, if it is issuing tenders for these schools that will include recycling, or if the current schools will continue.

Mr. Hickman noted that the Committee discussed actions that it can take to get movement from the school district, such as writing a letter and reaching out to senior management. Mr. Hickman and Ms. Dean have reached out to the Chair of the Board and senior managers respectively, but have yet to get responses. The Strategy & Policy Committee will discuss this issue again at a future meeting.

Ms. Dean noted that schools are losing interest. Some haven't had any recyclables in months. The schools are encouraged to recycle paper, cardboard and other containers. Beverage containers are not included as they are typically used for fundraisers and the like.

Mr. Grant said there are serious issues at play with the NLESD. He explained how ERSB has offered to collect the materials and provide bins to make the initiative more accessible, but there has been no uptake. He also noted that the schools are now going to tender and must include recycling in their tender call.

Mr. Grant made it clear that the schools in the NLESD have a responsibility to promote recycling for the community at large. Starting recycling in schools is the first step to encouraging recycling at home. Mr. Grant suggested ERSB make this a public issue if the school district doesn't come on board. He said ERSB has offered a way for schools to save money and contribute to waste diversion goals. It is a win-win situation for all involved, yet uptake is surprisingly very limited.

Ms. Roche expressed her displeasure with the lack of recycling at schools. She asked whether the ERSB has considered promotions and competitions amongst schools to encourage participation in the program.

Mr. Kelly noted that the Board, the former Department of Environment and the MMSB introduced the "We Recycle" campaign with the school district. There is also a beverage container recycling program at the schools already, usually for fundraising efforts.

Mr. Hickman said recycling should be mandatory at all schools. He said there's an obvious need for the buy-in of custodial staff, which could be part of the uptake issue currently.

By consensus, Board members agreed to continue pushing this program at every opportunity. Recycling, without question, needs to become mandatory in all schools immediately.

# (3) Killick Coast Regional Inspection Services:

Mr. Power outlined a piece of work completed by ERSB staff for the Killick Coast Mayors' Committee in regard to the potential implementation of a shared residential and business development inspector for the region. The analysis to be presented to the communities in the coming weeks and was completed at their

request. The communities included in this analysis are Portugal Cove-St. Philip's, Torbay, Logy Bay-Middle Cove-Outer Cove, Pouch Cove, Flatrock and Bauline.

Mr. Breen asked whether there would be risk to the ERSB in providing this service in the future. Mr. Kelly noted that the service is envisaged to be delivered on a fee-for-service basis by ERSB, and would be similar to consultancy – insurances would be carried, such as general liability and errors and omissions. The service, if implemented, would see the ERSB make recommendations to the communities, with the issuing of a permit still resting with the community.

Mr. Grant liked the idea and commended staff on pulling it together for the communities. He noted that any future services must be self-financing. The Board agreed.

Mr. Power and Mr. Kelly will present the findings of their work to the Killick Coast mayors on Thursday, June 22. They will report back to the Board at a later date.

# (4) Southern Shore Regional Water Technician:

Mr. Power outlined a piece of work completed by ERSB staff for the Southern Shore Joint Council in regard to the potential implementation of a shared water technician for the region. The analysis to be presented to the joint council tomorrow night (Thursday, June 1) was completed at their request.

Mr. Collins asked about the rationale for the four proposed positions, which he felt was somewhat excessive. Mr. Kelly explained this level of staff is required for full service coverage in all communities seven days a week. So this is based on workload plus coverage for holidays, sick time, training, etc.

Mr. Mullowney explained how pleased he was to see this analysis completed. He looks forward to the presentation to the Southern Shore Joint Council, of which he is Chairperson. He said this service can be delivered to all households for a dollar a day, which is reasonable to pay in his opinion for clean drinking water.

Mr. Kelly noted that communities will still be expected to pay for utilities, chlorine and capital improvements on water systems. The service outlined in the ERSB proposal is for testing and treatment only.

Mr. Power will update the Board following the presentation to the joint council.

# (5) Outreach Coordinator Update:

Mr. Power highlighted the briefing note included in the meting package which outlined his work to-date in terms of outreach and coordination at the joint council level.

Mr. Power noted that his work has him engaged with six regional groups. He provides coordination support to these groups to advance the issues before them. The offer of service has been received well, and much work is getting done.

Ms. Roche noted a big improvement in participation and membership at the Northeast Avalon Joint Council as a result of the support now being provided by the ERSB. She suggested we provide an overview of our work at the next MNL symposium or convention.

Mr. Grant noted this advocacy work is exactly what the ERSB envisaged. The feedback has been excellent. He noted that the Board will write a letter to the Minister of Municipal Affairs and Environment to highlight our work in this regard.

# c) Governance Committee (Tuesday, May 23, 2017)

# (1) Use of tablets and Digital Devices for Meetings:

Mr. Mullowney noted that the Governance Committee has discussed the amount of paper that is used at meetings for agendas, reports and minutes, and wants to encourage Board members to use electronic devices and tablets at meeting in the future if they are comfortable with using that technology.

He explained that staff have surveyed existing members and for the most part, 17 of 21 members have a device at their disposal. So, starting at the meeting in June, Board members will be encouraged to use their tablets or devices to reduce the need for hard copies of meeting materials.

Even with the move toward paperless operation at meetings, some copies of the meeting packages will be available and staff will also use a projector so that everyone can see the information on a screen too.

Mr. Mullowney noted the election in the fall will mean that there may be some turnover in Board members. We cannot assume that all will have access to a tablet or other device. So, we believe that the Board should have a policy ready to purchase devices for those that do not have a device. This policy needs to address issues such as repair and maintenance, loss/theft, etc. An example of the Town of Conception Bay South policy for devices is included in the meeting package for information purposes.

It was moved and seconded (Mr. Mullowney/Ms. Roche) that ERSB develop a policy in respect to the use of tablets and digital devices for meetings to be implemented in full in the fall of 2017. Paper copies of meeting documentation will be provided to those who request it.

# MOTION 2017-036: Carried (unanimously)

# (2) Remote Meeting Attendance:

Mr. Mullowney noted the Board had a discussion at the last meeting to provide staff direction on the ability of Board members to attend meetings remotely. At that meeting the Board rescinded a motion that would require a person to be physically present in order to attend and participate in a meeting.

During Committee and Board discussions, the point has been made that the Board needs to endeavor to be inclusive. Requiring physical presence is not facilitating a person's ability to participate in the Board proceedings. Mr. Mullowney also noted that the current section of the Rules and Regulations Governing the Procedures of Meetings for the Board states "All members are expected to attend Board and Committee meetings."

The Committee has made two separate recommendations for change to the Rules and Procedures:

First, the Board will facilitate the participation of any Board member that selfidentifies as having a disability or medical condition that may impede them from participating at a meeting. What this could mean is that the Board would:

- 1) provide remote access so someone could be present and participate in the meeting;
- 2) provide any hearing devices so someone could hear while at the meeting; and,
- 3) provide other tools or accommodations to facilitate participation in the meeting as a Board member.

Second, that the Chair has the discretionary authority to address other requests for remote meeting attendance.

Mr. Mullowney said staff should be directed to develop the amendments to the Rules and Regulations Governing the Procedures of Meetings for the Board and to bring forward tools and solutions to facilitate participation.

Mr. Mullowney said the Board has drafted a letter to the Minister of Municipal Affairs and Environment requesting an amendment to the *Regional Service Board Act* as it currently is silent on this issue.

It was moved and seconded (Mr. Mullowney/Mr. Ellsworth) that ERSB amend the Rules and Regulations Governing the Procedures of Meetings for the Board to reflect the organization's responsibility to be inclusive of all individuals. For those individuals with a self-identified disability or medical condition the Board will facilitate remote attendance including participation and voting in Board meetings. All other requests will be at the discretion of the Chair of the Board. MOTION 2017-037: Carried (unanimously)

# (3) Regional Governance Advisory Committee Update:

Mr. Grant noted the Provincial Government's Regional Governance Advisory Committee has not met in some time. He also highlighted the recent consultation held by the Department of Municipal Affairs and Environment at the MNL Municipal Symposium in Gander.

Mr. Grant, Mr. Kelly and Mr. Power will be meeting with the Deputy Minister of Municipal Affairs and Environment in the coming days to discuss the ERSB's position on regional governance. MNL representatives have also been invited to attend that meeting. A report will be provided at the next Board meeting in June regarding the outcome of the discussion with Municipal Affairs.

# 5) CORRESPONDENCE

- <u>ERSB2017-005</u>: Letter from Hilda Whalen dated Thursday, April 27 Mr. Power noted that a response was being drafted to this letter. It will be presented at the next Board meeting for informational purposes.
- <u>ERSB2017-006</u>: Letter from Joan Morrissey, Town Clerk for St. Bride's dated Monday, April 24, 2017 Mr. Power noted that a response was being drafted to this letter. It will be presented at the next Board meeting for informational purposes.

# 6) NEW BUSINESS

• <u>Tender Award for Whitbourne WRF (Ratification of Digital Vote from Wednesday, May 24, 2017):</u>

It was moved and seconded (Mr. Mullowney/Mr. Ellsworth) that ERSB award the tender for site preparation associated with the construction of a new maintenance depot in the Town of Whitbourne to Harbour Construction Limited in the amount of \$255,733.22 (HST included).

MOTION 2017-038: Carried (unanimously)

• Request from provincial Government to waive tipping fees for Outer Ring Road Cleanup:

Mr. Kelly presented a letter from the Government of Newfoundland and Labrador, Department of Transportation and Works, requesting an exemption for tipping fees associated with the impending clean-up on the Outer Ring Road.

Mr. Kelly noted ERSB has a policy already in place where communities can get exemptions for community clean-ups up to 10 tonnes of waste, and registered charities can get an exemption for 50 tonnes.

Mr. Breen said the clean-up of the Outer Ring Road is desperately needed and he supports the request for the tipping fees to be waived.

Mr. Ellsworth noted that St. John's Clean and Beautiful will also be participating in the clean-up. He also supports the request.

Mr. Grant supports the request and said the ERSB should be encouraging other groups to undertake similar clean-ups.

It was moved and seconded (Mr. Ellsworth/Ms. Dobbie) that ERSB waive the tipping fees at Robin Hood Bay for waste collected as part of the Outer Ring Road clean-up by the Department of Transportation and Works.

MOTION 2017-039: Carried (unanimously)

# 7) UPCOMING MEETINGS

Mr. Grant noted the following meetings which will take place in June:

- Board of Directors Tuesday, June 27, 2017
- Finance & Audit Committee Wednesday, June 14, 2017
- Strategy & Policy Committee Thursday, June 15, 2017
- Governance Committee Tuesday, June 20, 2017

# 8) ADJOURNMENT

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

MOTION 2017-40: Carried (unanimously)

The meeting adjourned at 8:18 p.m.

# (4) COMMITTEE REPORTS

# (4)(a) Finance Committee Report

# (4)(a)(1) Board Expenditures

# Eastern Regional Service Board

# BNK2 - Bank of Montreal - EW

Cheques from 000001 to 005856 dated between 04-01-2017 and 04-30-2017

CHEQUE REGISTER

Printed:	7:54:58AM	05/15/2017				Page 1 of 2
Number	Issued		Amount	sc	Status	Status Date
005754	04/05/2017	Dodd's Diesel Repair Ltd.	0.00	A/P	*VOID*	04/05/2017
005755	04/05/2017	Dodd's Diesel Repair Ltd.	8,672.97	A/P	CLEARED	04/19/2017
005756	04/05/2017	Around The Bay Disposals Inc.	85,214.31	A/P	CLEARED	04/12/2017
005757	04/05/2017	Bell Aliant	1,651.11	A/P	CLEARED	04/19/2017
005758	04/05/2017	Big Erics Inc.	412.26	A/P	CLEARED	04/19/2017
005759	04/05/2017	Bradley Power	80.24	A/P	CLEARED	04/12/2017
005760	04/05/2017	Cansel	431.25	A/P	CLEARED	04/19/2017
005761	04/05/2017	Christie Dean	338.18	A/P	CLEARED	04/12/2017
005762	04/05/2017	Clarenville Rentals Ltd.	106.78	A/P	CLEARED	04/26/2017
005763	04/05/2017	Conception Bay Auto & Tire Centre	58.58	A/P	CLEARED	04/26/2017
005764	04/05/2017	D&L Russell Limited	136.19	A/P	CLEARED	04/26/2017
005765	04/05/2017	Dicks and Company Limited	101.86	A/P	CLEARED	04/19/2017
005766	04/05/2017	East Coast Hydraulics	284.41	A/P	CLEARED	04/19/2017
005767	04/05/2017	Ed Grant	267.54	A/P	CLEARED	04/12/2017
005768	04/05/2017	ESRI Canada	1,152.60	A/P	CLEARED	04/19/2017
005769	04/05/2017	Express Signs	460.00	A/P	CLEARED	04/19/2017
005770	04/05/2017	Gordon Stone	251.59	A/P	CLEARED	04/19/2017
005771	04/05/2017	Harris Ryan	2,817.50	A/P	CLEARED	04/19/2017
005772	04/05/2017	Jenkins Anthony Inc.	4,717.02	A/P	CLEARED	04/19/2017
005773	04/05/2017	Ken Kelly	3,287.16	A/P	CLEARED	04/12/2017
005774	04/05/2017	Kenneth Rollings	657.64	A/P	CLEARED	04/12/2017
005775	04/05/2017	Ivan Heath	30.26	A/P	OUT-STD	04/05/2017
005776	04/05/2017	Leslie Squires	440.00	A/P	CLEARED	04/19/2017
005777	04/05/2017	Lynn Tucker	1,181.89	A/P	CLEARED	04/12/2017
005778	04/05/2017	M J Hickey Construction Ltd.	1,653.70	A/P	CLEARED	04/19/2017
005779	04/05/2017	North Atlantic	128.46	A/P	CLEARED	04/19/2017
005780	04/05/2017	Northern Business Intelligence	2,227.89	A/P	CLEARED	04/19/2017
005781	04/05/2017	Nortrax Canada Inc.	282.76	A/P	CLEARED	04/19/2017
005782	04/05/2017	Pinnacle Office Solutions Ltd.	304.18	A/P	CLEARED	04/26/2017
005783	04/05/2017	Redline Automotive 0765	7.02	A/P	CLEARED	04/19/2017
005784	04/05/2017	Sam Whalen	226.38	A/P	CLEARED	04/12/2017
005785	04/05/2017	Simms Garage Ltd.	318.84	A/P	CLEARED	04/26/2017
005786	04/05/2017	T2 Ventures Inc.	138,797.43	A/P	CLEARED	04/12/2017
005787	04/05/2017	Town of Placentia	1,592.02	A/P	CLEARED	04/19/2017
005788	04/05/2017	Tulk Tire & Service Ltd.	1,545.54	A/P	CLEARED	04/12/2017
005789	04/05/2017	Wayde Higdon	146.66	A/P	CLEARED	04/19/2017
005790	04/05/2017	Murphy, Cyril	127.95	A/R	CLEARED	04/19/2017
005791	04/19/2017	Blaketown Service Station	2,250.96	A/P	CLEARED	05/10/2017
005792	04/19/2017	61366 Newfoundland and Labrador Inc.	5,290.00	A/P	CLEARED	05/03/2017
005793	04/19/2017	62167 Newfoundland and Labrador Inc	7,380.30	A/P	OUT-STD	04/19/2017
005794	04/19/2017	Acklands Grainger Inc.	632.07	A/P	CLEARED	04/28/2017
005795	04/19/2017	Bell Mobility Inc.	1,737.86	A/P	CLEARED	04/28/2017
005796	04/19/2017	Bradley Power	163.36	A/P	CLEARED	04/26/2017
005797	04/19/2017	Christie Dean	589.18	A/P	CLEARED	05/10/2017
005798	04/19/2017	City of St. John's	50,457.24	A/P	CLEARED	04/28/2017
005799	04/19/2017	Coish's Trucking & Excavating Ltd.	14,432.50	A/P	CLEARED	05/03/2017
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<sup>\*\* -</sup> Name on Check was modified

# Eastern Regional Service Board

BNK2 - Bank of Montreal - EW

Cheques from 000001 to 005856 dated between 04-01-2017 and 04-30-2017

CHEQUE REGISTER

Printed:	7:54:58AM	05/15/2017				Page 2 of 2
Number	Issued		Amount	sc	Status	Status Date
005800	04/19/2017	Craig's Locksmithing & Auto Glass	3,633.77	A/P	CLEARED	05/10/2017
005801	04/19/2017	D&L Russell Limited	4.50	A/P	OUT-STD	04/19/2017
005801	04/19/2017	Dicks and Company Limited	194.04	A/P	CLEARED	04/28/2017
005803	04/19/2017	Dodd's Diesel Repair Ltd.	2,366.88	A/P	CLEARED	04/26/2017
005804	04/19/2017	Gordon Stone	220.36	A/P	OUT-STD	04/19/2017
005804	04/19/2017	Iron Mountain Canada	41.17	A/P	CLEARED	04/28/2017
005806	04/19/2017	Ken Kelly	914.89	A/P	CLEARED	05/03/2017
005807	04/19/2017	Kevin Power	634.60	A/P	CLEARED	05/03/2017
005807	04/19/2017	Kevin Fahey	176.15	A/P	CLEARED	05/03/2017
005809	04/19/2017	Lynn Tucker	1,017.12	A/P	CLEARED	04/28/2017
005809	04/19/2017	Miller IT Limited	828.00	A/P	CLEARED	05/03/2017
005810	04/19/2017	M J Hickey Construction Ltd.	230.00	A/P	CLEARED	04/26/2017
005811	04/19/2017	North Atlantic	230.00 33,128.05	A/P	CLEARED	04/28/2017
005813	04/19/2017	North Atlantic	231.26	A/P	CLEARED	04/28/2017
005813	04/19/2017	Northern Business Intelligence		A/P	CLEARED	04/26/2017
005814	04/19/2017	Parts For Trucks Inc.	562.99 296.11	A/P	CLEARED	04/26/2017
005815	04/19/2017	Pitney Bowes		A/P	CLEARED	04/28/2017
005817	04/19/2017	Sam Whalen	1,877.93	A/P A/P	CLEARED	04/28/2017
005817	04/19/2017	Town of Clarenville	227.66	A/P A/P	CLEARED	04/28/2017
			1,608.00			04/28/2017
005819	04/19/2017	Vardy Villa Limited	35,047.81	A/P	CLEARED	04/28/2017
005820	04/19/2017	Director of Support Enforcement	222.00	G/L	CLEARED	04/20/2017
005821	04/19/2017	Woodman, Estate of, Sarah (Louise)	135.62	A/R	OUT-STD	04/19/2017
		Cheque Totals Issued:	426,642.55			
		Void:	0.00			
		Total Cheques Generated:	426,642.55			

Total # of Cheques Listed:

68

# **EASTERN REGIONAL SERVICE BOARD**

# **PAYROLL EXPENSE**

# **APRIL 2017**

TOTAL GROSS PAYROLL	<u>\$212,407.37</u>
Payroll CRA Remittance	• •
• • • • • •	•
Total Payroll (32 employees)	\$159 135 73
Payroll – Board (19 members)	<u>\$ 26,365.00</u>
Payroll – Staff (2 pay periods – 32 employees)	\$132,770.73

# **PREVIOUS MONTH**

# **MARCH 2017**

TOTAL GROSS PAYROLL	<u>\$260</u>	<u>,710.03</u>
Payroll CRA Remittance	<u>\$ 67</u>	<u>,723.27</u>
Total Payroll (33 employees)	\$192	,986.76
Payroll – Board (18 members)	<u>\$</u>	0.00
Payroll – Staff (3 pay periods – 33 employees)	\$192	,986.76

# (4)(a)(2) CRA Quarterly Payroll Remittance Statement

# **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.

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.

### Remittance account balances

Date posted	Description	Date received	(\$) Amount	CR/DR
	Previous balance		0.00	
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	21,987.89	CR
	Current balance		167,226.98	CR

# 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.

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.

# (4)(a)(3) Overview of Financial Reserves / 2016 Surplus

# **Briefing Note - Reserves and Surplus funds 2016**

During the presentation of the 2016 Financial Statements the Finance and Audit Committee requested a report on the actual state of reserves of the Board and if there was an actual surplus of funds.

Below is a table capturing the December 31, 2016 account balances for the Board's bank account and investments minus 2016 invoices that had not yet been paid the Board. In addition, the Board has made commitments for the development of the Whitbourne Maintenance Depot, closure of waste sites and the purchase of heavy equipment valued at \$2,700,219.

This leaves a balance of \$1,635,434 in net cash assets at year end.

As was discussed the presentation of financials under PSAB does not allow the use of reserve funds. The Board has directed that three types of reserve funds be developed – Regional System Equipment, Curbside Equipment and Operational Reserve. Amounts were budgeted in 2015 and 2016 for contributions to reserves as noted in the table. This leaves approximately \$579,000 in unallocated funds that the Board has in its control.

<u>Table 1 – Cash position December 31, 2016</u>

ASSETS	
Cash at Dec 31 2016	582,698
GIC at Dec 31 2016	4,322,108
	4,904,806
CURRENT LIABILITIES	
Payables at Dec 31 2016	569,152
	569,152
ENCUMBERANCES	
Whitborne WRF and Landfill Closures Estimate	2,153,104
Heavy Equipment Purchased Yet to be Paid	547,115
	2,700,219
NET ASSETS	1,635,434
BUDGETED RESERVES	
2015	366,234
2016	690,000
	1,056,234
SURPLUS FUNDS AT DEC 31 2016	\$579,200.75

The Board has \$7.1 m in capital assets at time of purchase which have a book value of \$4.6m at Dec 31, 2016. The reserves for the replacement of equipment and property would seem to be underfunded and these unallocated funds could be used for reserves.

# (4)(a)(4) Revised 2017 Budget

# **Briefing Note - Revised 2017 Budget**

During the preparation of a quarterly report to the Finance & Audit Committee an error was discovered in the amount that was budgeted in the 2017 Budget. The amount for Regional Salary costs was under budgeted in the amount of \$228, 646.13 and the totals for the categories of Property, Furnishings & Equipment as well as Purchased Services were not correct by \$25,000.

The Budget as adopted has an Operating Reserve of \$350,000.

The Board can amend its adopted budget and stay within the overall budgeted amount for 2017 by reducing the Operating Reserve in order to adjust for the shortfall – a reallocation of budget.

### **Recommendation:**

Board adopt an amended Budget for 2017 that corrects these errors and reduces the Operating Reserve budget in order to maintain the overall expenditures for 2017.

# **EASTERN REGIONAL SERVICE BOARD**

# **REVISED BUDGET 2017**

		BUDGET	BUDGET
EXPENDITURES		2017	2016
Salaries			
Chair/Board Member Remuneration		\$ 100,000.00	\$ 100,000.00
Salaries (Corporate Administration)		\$ 477,796.68	\$ 384,743.04
Salaries (Regional Waste Operations)		\$ 672,423.31	\$ 623,430.11
Salaries (Internal Curbside Collections)		\$ 470,062.19	\$ 455,068.79
Salary (Regional Water/Wastewater Technician)		\$ 55,000.00	\$ 55,000.00
S	Sub-total	\$ 1,775,282.18	\$ 1,618,241.94
Benefits			
Employment Insurance		\$ 37,873.18	\$ 39,000.00
CPP		\$ 70,960.83	\$ 67,600.00
WHSCC		\$ 36,050.04	\$ 24,000.00
Group Benefits (Health & Life)		\$ 60,000.00	\$ 60,000.00
RRSP		\$ 90,818.03	\$ 106,000.00
Other		\$ 4,768.15	\$ -
S	Sub-total	\$ 300,470.23	\$ 296,600.00
Transportation & Communications			
Board Local Travel (mileage & expenses)		\$ 15,000.00	\$ 27,000.00
Telephone		\$ 44,500.00	\$ 40,000.00
Staff Local Travel (mileage & expenses)		\$ 5,000.00	\$ 20,000.00
Professional Development - Board		\$ 30,000.00	\$ 25,000.00
S	Sub-total	\$ 94,500.00	\$ 112,000.00
Supplies			
Insurance		\$ 85,000.00	\$ 75,000.00
Office Expenses		\$ 27,800.00	\$ 37,000.00
Bank Charges		\$ 15,000.00	\$ 30,000.00
S	Sub-total	\$ 127,800.00	\$ 142,000.00
Purchased Services Administrative			
Audit		\$ 40,000.00	\$ 40,000.00

443777.2

Professional Development - Staff	\$	32,903.79	\$ 15,000.00	
Professional Services (legal;HR;IT;Engineering;etc.)	\$	25,000.00	\$ 25,000.00	
Sub-to	tal \$	97,903.79	\$ 80,000.00	
Property, Furnishings & Equipment				
Office Space Lease (Majors Path & Blaketown yard)	\$	177,000.00	\$ 125,000.00	
Computer Software/Software Licensing	\$	12,000.00	\$ 4,000.00	
Photocopier Fees	\$	8,000.00	\$ 9,000.00	
Furniture & Equipment	\$	10,000.00	\$ 10,000.00	
Sub-to	tal \$	207,000.00	\$ 148,000.00	232000
Purchased Services Consultants				
Communications	\$	75,000.00	\$ 150,000.00	
Consulting	\$	50,000.00	\$ 100,000.00	
Sub-to	tal \$	125,000.00	\$ 250,000.00	75000
Regional Waste Recovery Facilities				
Snow clearing/ice control - All WRFs	\$	45,000.00	\$ 100,000.00	
Site maintenance - All WRFs	\$	75,000.00	\$ 75,000.00	
Old Perlican WRF contract costs	\$	173,190.00	\$ 109,000.00	
WRF Compaction Trailer Lease Payments	\$	169,382.04	\$ 167,000.00	
Vehicle Maintenance and Operations	\$	258,750.00	\$ 200,000.00	
Whitbourne Depot	\$	40,000.00	\$ 26,500.00	
Sub-to	tal \$	761,322.04	\$ 677,500.00	
Regional Transfer Station - Clarenville				
Utilities/telephones	\$	20,400.00	\$ 35,000.00	
Site maintenance	\$	20,000.00	\$ 25,000.00	
Vehicle Maintenance and Operations	\$	280,000.00	\$ 326,600.00	
Tipping Fees at Regional Landfill for Transfer Stn	\$	759,288.00	\$ 554,320.00	
Sub-to	tal \$	1,079,688.00	\$ 940,920.00	
Household Hazardous Waste Program				
HHW Program Costs	\$	90,000.00	\$ 120,000.00	
Sub-to	tal \$	90,000.00	\$ 120,000.00	
Curbside Waste Collection Program				
Internal curbside waste collection	\$	888,532.50	\$ 722,044.52	
Contracted Services	\$	3,362,399.10	3,789,740.85	
Sub-to	tal \$	4,250,931.60	\$ 4,511,785.37	

Water/wastewater Program			
Water/wastewater Program		\$ 17,500.00	\$ 22,500.00
	Sub-total	\$ 17,500.00	\$ 22,500.00
<b>Fire Protection &amp; Emergency Services Program</b>			
Fire protection/emergency services		\$ 115,500.00	\$ - ]
	Sub-total	\$ 115,500.00	\$ -
Reserves			
Regional Capital Reserve		\$ 320,000.00	\$ 170,000.00
Curbside Capital Reserve		\$ 150,000.00	\$ 130,000.00
Operational Reserve		\$ 96,353.88	\$ 390,000.00
	Sub-total	\$ 566,353.88	\$ 690,000.00
TOTAL EXPENSES		\$ 9,609,251.72	\$ 9,609,547.31
Capital ERSB			
Whitbourne Depot & Landill Closures		\$ 2,154,000.00	\$ -
Regional Equipment		\$ 850,000.00	\$ 
	Sub-total	\$ 3,004,000.00	\$ -
TOTAL EXPENSES AND CAPITAL		\$ 12,613,251.72	\$ 9,609,547.31

		BUDGET	BUDGET
REVENUE		2017	2016
Waste collection contracts	\$	5,130,000.00	\$ 5,290,365.00
Provision for bad debt	\$	(90,000.00)	\$ (150,000.00)
Transfer Station Clarenville - Tipping Fees	\$	507,000.00	\$ 554,320.00
Transportation charges	\$	150,000.00	\$ 83,600.00
Fire protection and emergency services fees	\$	127,500.00	\$ -
Recyclable metals	\$	50,000.00	\$ 35,000.00
Interest	\$	34,500.00	\$ -
Miscellaneous revenue	\$	1,000.00	\$ -
ERSB surplus (deficit) previous years	\$	-	\$ -
Regional landfill tipping fee derived	\$	3,395,751.73	\$ 3,418,762.31
HST rebate	\$	280,000.00	\$ 300,000.00
Provincial capital - carried from 2014	\$	2,100,000.00	\$ -

TOTAL REVENUE	\$ 1	2,613,251.73	\$ 9	,609,547.31
Water/wastewater program funding	\$	77,500.00	\$	77,500.00
Reserve funding	\$	850,000.00	\$	-

# (4)(a)(5) Lease Versus Purchase of Photocopier

# **Briefing Note - Lease versus purchase agreement**

The supplier of the photocopier, Modern Businesss Ltd, has asked that the Board agree to assign the lease of the copier to a finance company. In reviewing the assignment agreement it imposes conditions that are not in keeping with the tender terms or the subsequent lease agreement that the vendor agreed to with Board.

The following are the clauses on page 2 of the DeLage Laden lease assignment that are in conflict:

- 1. Contract is non-cancellable which is not the case, termination of the lease is included in the tender document and the lease agreement.
- 2. Rental this clause absolves Lessor of obligation to service equipment.
- 3. Requirement to pay Lessor even if equipment is "unfunctionable". So Board could terminate agreement with MB but still have to pay for non-functioning equipment to DLL until the end of the term of the agreement at the same time as it could be stuck with a non-functioning piece of equipment.
- 9. Return of Equipment customer risk and expenses "at such location" as Lessor shall designate. This is an open ended cost that Board would be accepting it is not quantified or without limitation.
- 10(b) Customer required to insure at its own expense. Furthermore, Lessor can require that customer pay for Lessor to insure. In the lease agreement that you have signed with the Board MB is responsible for insurance.

It was proposed to Modern Business that the Board purchase the photocopier instead of lease as in essence that is what Modern Business is trying to accomplish with Delage Laden. The purchase price would be \$8472 plus tax. We would save the lease finance interest rate of 4.86% or about \$1000 in interest.

Even in the scenario preferred by Modern Business in which it assigns the lease to DeLage Laden, Modern Business is still required to maintain the equipment for the 5 year term. Under the Purchase arrangement with the Board we would have to maintain this requirement to service, supply parts and support the unit.

### Recommendation:

Board proceed to purchase the unit under a purchase and 5 year maintenance arrangement.

# (4)(b) Strategy and Policy Committee Report

# (4)(b)(1) WRF Operations Policies

# **Briefing Note - WRF Operating Policies**

Operational staff have asked for direction on a number of policies in relation to the operation of Waste Recovery Facilities throughout the region. The following questions are presented for discussion purposes:

- 1. Should WRFs be accessible to out of province vehicles? Please note that once the vehicle is relicensed to the Province of Newfoundland and Labrador they could potentially receive another 16 visits as site visits are tracked through the license plate numbers. Some of the vehicles recorded to-date have had more than one visit in a month, plus the facilities are meant to serve people contributing financially (fees).
- 2. Should WRFs be accessible to unlicensed trailers? Staff are also seeing trailers with no license plates, which are illegal to operate. Unlicensed trailers are quite common at WRFs.
- 3. Should WRFS be accessible to all-terrain vehicles, such as quads and side-by-sides? The Manager of Waste Operations has sought the opinion of our insurer on this issue (included below), and in summary it is that it is not ERSB's place to police the roads.

### **Recommendation:**

- It is recommended that visitors accessing a WRF with a vehicle displaying an out-oftown license plate will be required to present proof of residency (i.e. NL license card with local address displayed). Those without the required documentation will not be permitted to enter a site.
- It is recommended that only trailers with a valid registration and license plate displayed will be permitted to access a WRF.
- 3. It is recommended that all-terrain vehicles not be permitted to access WRFs.

# E-MAIL CORRESPONDENCE WITH WEDGWOOD INSURANCE

From: Jeanette Dawe [mailto:jvdawe@wedgwoodinsurance.com]

**Sent:** Tuesday, April 11, 2017 12:45 PM **To:** Christie Dean < <u>cdean@ersbnl.ca</u>>

**Subject:** RE: ATV Use

Hi Christie,

Seems like you are doing everything you can do to manage the risk.

As discussed previously, the fact that they are driving vehicles that are unlicensed/unregistered would be on them as far as I am concerned.

From: Christie Dean [mailto:cdean@ersbnl.ca]
Sent: Tuesday, April 11, 2017 12:42 PM

To: Jeanette Dawe <jvdawe@wedgwoodinsurance.com>

Subject: RE: ATV Use

Thanks Jeanette but the no trespassing signs are up and the gates locked outside of poperating hours and they are there doing what the site is for dropping material, so its OK that they are not driving vehicles licensed for the road in this case ATVs?

From: Jeanette Dawe [mailto:jvdawe@wedgwoodinsurance.com]

**Sent:** Tuesday, April 11, 2017 12:28 PM **To:** Christie Dean < <u>cdean@ersbnl.ca</u>> **Cc:** Christie Dean < <u>cdean@ersbnl.ca</u>>

Subject: FW: ATV Use

HI Christie

I have received a reply from the underwriter.

# Regarding ATV Use

### **Underwriter Wrote:**

By allowing anyone onto their property for other than the Insured's business they are setting themselves up to get dragged into a lawsuit.

A couple of things play into it, but mostly it is the deep pocket syndrome.

Anyone who is injured would probably include them in any lawsuit as the land owner.

If it was me I would post signs around the property saying No Trespassing. (which would apply to anyone)

It doesn't matter whether the units are licensed or not or if people are walking in, there is potential for the Insured to be considered liable in law for any injury which might occur.

When staff are not on site the gates should be closed and locked.

# Hope this helps!

From: Jeanette Dawe

**Sent:** Tuesday, April 11, 2017 9:08 AM

**To:** 'Christie Dean' < <a href="mailto:cdean@easternwaste.ca">cdean@easternwaste.ca</a>>

Subject: ATV Use

HI Christie,

Sorry I missed your call, I was off yesterday.

I have sent a follow up to the underwriter regarding your inquiry on the ATV use at the Cavendish site. I am hoping to hear back from them later this am.

My apologies for the delay!



# Jeanette V. Dawe-Follett CAIB, CIP, CRM |

Commercial Account Manager Wedgwood Insurance Limited

P | 709-753-3210 ext. 6313 F | 709-753-4406

W | www.wedgwoodinsurance.com









Kolbe A Index 9722

# (4)(b)(2) Waste Operations Report for Q1 of 2017

# **2017 - Q1 Report**

# **Community Waste Collections:**

- Disruptions to collections during quarter:
  - o 26Jan17, 30Jan17, 6Feb17, 14Feb17 15Feb17, in addition to these noted disruptions there were several occasions where isolated community roads though out the region could not be travelled due to icy conditions.
- New Collection Areas; Fair Haven Road
- ERSB no longer facilitating collections in: Spaniard's Bay

# WRF's:

- Accepted metals from bulk day (s)
- Regulatory visit:
  - o None
- Due to weather conditions Sites were closed on:
  - o 21Jan17, 14Feb17, 11Mar17 (wind)

# **Clarenville Transfer Station:**

- No regulatory visits
- Impact of weather at site:
  - o Delayed opening 21Jan17
  - o Closed Early 14Feb17
  - o Closed 11Mar17.
- Total waste moved from CTS to RHB = 1,192,470 kg, total recycling moved from CTS to RHB 101,950 kg. Waste removed from CTS in Q1 of 2016 was 1,285840 kg. Since operations began in Q1 of 2016 the recycling number are not representative of the final annual number but for information purposes recycling removed from CTS in Q1 of 2016 was 34,350 kg. Note that if recycling efforts continue at the 2017 Q1 level there will be approximately 410,000 kg, in 2016 273210 kg was removed.

# **Other Waste Operations:**

- EPRA enhanced support of EPRA program by no accepting eligible products during bulk collections.
- Conducted monthly site visits
- 2016 2017 School Recycling Pilot meet with School Board representative to discuss a
  go forward, At this time approval to continue the current partnership agreement between
  NL English SD and Eastern Regional Service Board ends with this school year we have
  identified 39 schools in our service area where we feel we could provide collections. The
  School Board representative has verbally confirmed they are interested in this.
  Contractors are somewhat hesitant.
- Household Hazardous Waste Tender for 27 events closed and has been awarded spring events to be held June 3<sup>rd</sup> and 17th fall events will be held 16Sept17.

#### **Tonnage:**

#### Table 1:

Contract	Waste	Recycling	Total	Diversion %
Southern Shore	433,800	11,310	445,110	2.5
Isthmus / SWAS	360,540	10,920	371,460	2.9
Trinity South Center	347,510	6,320	353,830	1.8
Trinity Bay North	301,980	4,750	306,730	1.5
Bay de Grave	158,920	4,370	163,290	2.7
South West Avalon	507,720	17,990	525,710	3.4
Clarenville	551,380	45,320	596,700	7.6
Carbonear	466,380	18,320	484,700	3.8
CBC	337,310	15,830	353,140	4.5
Total	3,465,540	135,130	3,600,670	3.8

All weights in Kg

#### In summary:

- Change in the curbside diversion rate, 2.5% in 2014 / 2.7% in 2015 / 3.4% in 2016 and 3.8 % to date in 2017.
- As previously reported from communities serviced since 2014 we have seen an overall decrease in waste collected. Extrapolating Q1 volumes to the remainder of the year waste volumes may increase in 2016.

Table 2:

WRFs	Waste	Removals	Tires	E- Waste (bags)	Metals	Client visits
Bay Bulls	254,110	18			0	1105
Renews / Cappahayden	91,730	6	50	12	0	192
St. Joseph's	114,190	8	43		0	182
Placentia	156,500	11	110		0	372
Sunnyside	0	0	0		0	0
Cavendish	166,260	12	91		0	435
Harbour Grace	370,970	27	240		0	1226
Old Perlican	115,570	14			0	761
Clarenville	159,290	12	1129			844
Whitbourne	54,600	4	91			353
Total	1,483,220	112	754	12	0	5,470

All weights in Kg

Note: Sunnyside closed for quarter

#### In summary:

- Waste removal from the WRFs is up from Q1 of 2016 by 295,030 Kg and up from Q1 of 2015 by 95,640 Kg.
- Staff have been working on getting Notice to Remain away from Premises issues to scavengers specifically with Town of Harbour Grace and Bay Bulls and intend on expanding efforts though out year.
- Staff have begun to track effort to deal with illegal dumping at gates of facilities.

## (4)(b)(3) Killick Coast Inspection Services

#### **Briefing Note - Building Inspection Services**

The Eastern Regional Service Board (ERSB) has been asked to investigate the issues and costs associated with the development of capacity to deliver building inspection services to the communities on the Killick Coast. This is envisaged to be a contract service delivered by the ERSB on a fee-for-service basis.

The communities on the Killick Coast are Torbay, Portugal Cove-St. Philip's, Logy Bay-Middle Cove-Outer Cove, Pouch Cove, Flatrock and Bauline. The building inspection function is not currently delivered by either town, and there will be no displacement of current workload or staff. The inspection function would focus on renovation and new residential/commercial construction activity.

The key stages of the building inspection function will be (1) plan review (development application, plot plan, grading plan, etc.); (2) excavation; (3) backfill; (4) framing; (5) fireplace/chimney; (6) slab polyethylene; (7) insulation and vapour barrier; (8) ventilating equipment; and, (9) final inspection.

There are other inspections that can be incorporated into the service to cover renovations, patio deck and fencing, etc.

Using the data supplied from each town in respect to projected building permits received annually as an indicator of the potential workload amongst the communities, ERSB has determined that there will be a potential 410 building inspections required annually. This would require a staff complement of three full-time inspectors and one support person. The table below outlies the projected volume by town:

Annual Inspection Volume	
Torbay	200
Portugal Cove-St. Philip's	100
Loggy Bay-Middle Cove-Outer Cove	50
Pouch Cove	5
Flatrock	50
Bauline	5
Total	410

Using this volume as the workload driver we have developed a budget for the service, which would equate to a fee per new construction inspection in the range of \$900 per inspection. This fee includes all travel, staff time, equipment etc. A projected budget for the service is included to the right.

Implementing this service is contingent on the Provincial Government granting authority for the Eastern regional Service Board to proceed.

Projected Budget		
	Year 1	
Salary	\$270,000	
Burden	\$ 29,580	
WHSCC	\$ 5,000	
Cellphone	\$ 3,320	
Vehicle Capital	\$ 12,000	
Maintenance	\$ 12,000	
Vehicle Insurance	\$ 6,210	
Training	\$ 4,000	
AVL	\$ 1,446	
Office Space	\$ 11,780	
Liablity Insurance	\$ 5,000	
Software		
Total	\$360,336	
Annual Inspections	410	
Fee Per Inspection	\$ 879	

## (4)(b)(4) Southern Shore Regional Water Technician

#### **Briefing Note - Water Services**

The Eastern Regional Service Board (ERSB) has been asked to investigate the issues and costs associated with the development of capacity to deliver water services to the communities on the Southern Shore of the Avalon Peninsula and the Cape Shore of Placentia Bay. This is envisaged to be a service delivered by the ERSB on a fee-for-service basis.

The communities included in this service would be: Aquaforte, Portugal Cove South, Ferryland, Fermeuse, Port Kirwan, Renews-Cappahayden, Biscay Bay, Brigus South, Trepassey, St. Shotts, St. Mary's and Gaskiers-Point La Haye.

The key duties of a water supply operator include: mixing of Chlorine and or other chemicals for addition to the water supply; testing of Chlorine residuals throughout the system; checking the pump for normal operation and total flow; and, recording all results. Other duties may include: cleaning intake screens, flushing the water system, and watershed inspections.

It is proposed that four full-time qualified water supply operators would be hired to replace the unqualified part-time and volunteer operators. Better water quality should be the result. In terms of regional employment, the hiring of four full-time qualified water supply operators would more than offset the layoff of part-time operators. The annual budget is shown below.

Projected Budget		
	Year 1	
Salary	\$145,600 <sup>1</sup>	
Burden	\$51,448	
WHSCC	\$5,000	
Cellphone	\$3,320	
Tools/Equipment	\$2,000	
Vehicle Capital	\$10,000 <sup>2</sup>	
Maintenance	\$10,000	
Vehicle Insurance	\$4,140	
Training	\$4,000	
AVL	\$964	
Total:	\$236,472	
# of services (households):	952	
Fee per year:	\$248.39	

Data on the number of services was obtained from the Municipal Information Management System at the Department of Municipal Affairs and Environment.

Implementing this service is contingent on the Provincial Government granting authority for the Eastern Regional Service Board to proceed.

#### *Notes:*

- 1) Four positions at 35 hours per week and \$20 per hour (140 hours total)
- 2) Two vehicles over five years

### (4)(b)(5) Outreach Coordinator Update

### Briefing Note - Update on Ongoing Work with Joint Councils and Other Consultative Groups

Since November 2016, the Board Clerk/Outreach Coordinator has been working with numerous joint councils and mayors'/regional committees throughout the Eastern Region to advance their priorities and explore regional service sharing opportunities.

The Board Clerk/Outreach Coordinator is currently engaged with the following groups:

- 1. Northeast Avalon Joint Council
- 2. Southern Shore Joint Council
- 3. Conception Bay North Joint Council
- 4. Trinity-Bay de Vere Mayors' Association
- 5. Isthmus of the Avalon Regional Committee
- 6. Killick Coast Mayors' Committee

One of the main objectives of these groups and the reason for the involvement of the Board in supporting these groups is the discussion of regional service delivery issues. In this role the Board's staff has developed and provided to these various groups analysis on the implementation of regional services for building inspection, water technicians, bylaw enforcement officers and municipal assessment appeals commissioners.

A synopsis of work undertaken with each group is included below:

#### **Northeast Avalon Joint Council**

- Ongoing coordination of meetings, correspondence and guest speakers;
- Development of an advocacy calendar;
- Completed letters related to road safety, plastic bag ban, family fireworks, assessments, library closures, as well as Thank You letters for the monthly speakers.
- Researched the possibility of employing a summer student for additional joint council research purposes; and
- Working to coordinate a joint meeting with other joint councils on the Avalon Peninsula.

#### **Southern Shore Joint Council**

- Ongoing coordination of meetings, correspondence and guest speakers;
- Completed letters related to road safety, the recreational cod fishery, a regional water technician and bylaw officer, and RCMP-related coordination;
- Performed research on the upcoming changes to the provincial snow clearing regulations and provided an assessment of the impact on the region;
- Coordinated a presentation on the Public Procurement Act;
- Completed primary and secondary research associated with the implementation of a regional water technician.
- Completed an initial assessment on the implementation of a regional by-law officer.

#### **Conception Bay North Joint Council**

- Ongoing coordination of meetings, correspondence and guest speakers;
- Completed letters related to road safety, cost-share ratios, Special Olympics, as well as Thank You letters for the monthly speakers;
- Coordinated ADM of Transportation Joe Dunford to attend and present on road safety;
- Developed a regional contact list for distribution to the RCMP and other key stakeholders in the area; and
- Coordinated invites and RSVPs for the annual joint council dinner;

#### **Trinity-Bay de Verde**

- Provided support in posting minutes of meetings online;
- Met with the group to discuss issues of importance to develop a plan for correspondence and advocacy;
- Completed research on cell phone towers, municipal assessments, crown lands, CEEP and JCP;
- Provided monthly report on ongoing research; and
- Developed an Expression of Interest for Municipal Assessment Appeals Commissioners.

#### **Isthmus of the Avalon Regional Committee**

- Provided support in developing an agenda and speaking points for an upcoming meeting w/ local MHA and MP;
- Met with the group to discuss issues of importance to develop a plan for correspondence and advocacy; and
- Provided a report on operations and recycling in the region at the request of the group.

#### **Killick Coast Mayors' Association**

- Coordinated a speaker (NF Power) and agenda/minutes for an initial meeting; and
- Completed an assessment of the implementation of a regional building inspection officer.

# (4)(c) Governance Committee Report

## (4)(c)(1) Use of Tablets and Digital Devices for Meetings

#### Briefing Note – Usage of Tablets and Digital Devices

At the ERSB Board of Directors meeting on March 29, 2017, Councillor Roche inquired about the possible utilization of digital devices (iPads, tablets, etc.) for meeting purposes in the future. She suggested the usage of digital devices would cut down on the significant amount of paper used on a regular basis to print meeting packages.

The Board instructed Mr. Power and Ms. Tucker to poll its members to determine who among them currently utilizes an iPad or similar device, and if not, were they familiar with their usage/functionality. Of those surveyed, 17 members have a device that can be used at ERSB meetings. Four members do not have a device at their disposal; however, all were familiar with their usage/functionality.

For the purpose of finalizing a recommendation to the Board, the following questions are presented for discussion purposes:

- 1. Should the ERSB purchase a device for anyone that has not been provided one by their municipality or local service district?
- 2. Should individuals be expected to use a device they personally own for ERSB purposes?
- 3. In regard to devices owned by a municipality or LSD, who should be expected to provide IT support?
- 4. Should ERSB provide technical support for Board-owned devices?
- 5. Will it be expected that devices owned by ERSB will be returned after a Board members term expires?
- 6. Should ERSB be responsible for repair/replacement of Board-owned devices that are broken or lost?

An example Electronic Equipment Usage and Care Policy from the Town of Conception Bay South is attached to this briefing note for information purposes.

#### **RECOMMENDATION:**

It is recommended that staff develop an Electronic Equipment Usage and Care Policy for consideration. The policy should be finalized and ready for implementation for the fall of 2017.

Title: Electronic Equipment Usage & Care Policy

**Resolution Number: 14-289** 

Policy Number: 072 Date Approved: August 12, 2014

#### PURPOSE:

To outline the proper usage and care of Town owned computers, cellular phones, tablets, and related equipment that may be in the care of a member of Council or an employee of the Town of Conception Bay South.

#### **AUTHORITY**:

Council Discretion

Town of Conception Bay South Acceptable Use Policy

• Section 176.1, Highway Traffic Act

#### **PROCEDURE:**

Computer related activities must be consistent with the Town of Conception Bay South statements of purpose as well as relevant federal and provincial statutes such as the Freedom of Information Act, Privacy Act, and Criminal Code of Canada. Since it is impossible to anticipate every possible violation, it is incumbent upon the user to weigh his / her actions against the purpose and examples provided in this policy statement.

All users are responsible for reading and abiding by these policies and guidelines pertaining to the use of any computer resources including laptops, desktops, server and printer resources, tablets, cellular devices and the Conception Bay South computer network.

#### **Usage**

1. As laptops, tablets and cellular devices are portable, they are liable to physical damage and theft. Any person with access to a Town of Conception Bay South owned electronic equipment must assume a reasonable amount of responsibility for its safety against theft or damage. In the event that electronic equipment is presumed stolen, the Network Manager must be notified immediately and a police report must be filed. The Town of Conception Bay South must receive a copy of this report.

#### 2. Cellular usage:

a. Usage of Town owned cellular devices should be restricted to work related communications. Incidental and occasional personal use of this



#### Town of Conception Bay South Policy Manual

Title: Electronic Equipment Usage & Care Policy

**Resolution Number: 14-289** 

Policy Number: 072 Date Approved: August 12, 2014

equipment is allowed, providing such limited use will not result in any measurable expense to the Town in time or materials.

Personal long distance calls must be limited and not result in any measurable expense to the Town.

- b. Any charges incurred as a result of usage outside of the subscribed airtime package will be reviewed. If it is deemed that personal usage contributed to the overage, the user shall be responsible for the personal portion of the overage charges.
- c. In accordance with Section 176.1 of the *Highway Traffic Act*, use of a cellular phone without a hands free device is prohibited while operating a motor vehicle.
- d. For safety purposes, operating a cellular phone is prohibited while fueling a vehicle.
- 3. No unauthorized software shall be installed on any Town of Conception Bay South owned computer, including laptops. Prohibited software includes, but is not limited to, such programs that allow downloading and/or distribution of copyright material such as games, music, movies, etc. These types of programs introduce a security risk to the Town of Conception Bay South computing environment.
- 4. Automatic updates of the operating system and virus scanner will be set up for those users who do not have administrative rights.
- 5. Based on the Town of Conception Bay South Internet policies, certain websites may be blocked from viewing. These may include (but are not limited to) sites considered pornographic, file sharing sites and other sites deemed inappropriate by the Town of Conception Bay South.
- 6. The Town of Conception Bay South reserves the right to conduct a scheduled maintenance change on any electronic device at any time that does not disrupt normal business and/or Town functions. Scheduling for such activities will be coordinated through the user by the Town of Conception Bay South.
- 7. All statements and procedures listed in the Acceptable Use Policy as contained in the Town of Conception Bay South's Occupational Health & Safety Manual remain in effect.



#### Town of Conception Bay South Policy Manual

Title: Electronic Equipment Usage & Care Policy

**Resolution Number: 14-289** 

Policy Number: 072 Date Approved: August 12, 2014

#### **Reasonable Care**

Although, some repairs may be covered by the warranty on your electronic equipment, users are reminded that they are primarily responsible for taking reasonable care of their devices and failure to do so may result in financial responsibility for necessary repairs or replacement. As well, any damage that occurs could possibly result in user downtime while the equipment is repaired or replaced. Following are some general guidelines to assist in protecting your electronic equipment from theft and/or damage:

- 1. When plugging equipment into an outlet, it should always be grounded and plugged into a power bar with surge protection.
- 2. Electronic equipment should never be stored in a vehicle for any length of time. Storing such devices in a car renders it vulnerable to theft and possibly extreme temperature changes, especially in the winter months.
- 3. If electronic equipment is left in a vehicle for any length of time during winter months it should be allowed time to reach room temperature before it is powered on.
- 4. Do not use electronic equipment on unstable furniture and ensure that power cords do not present a trip hazard (causing bodily harm and equipment damage).
- 5. When using electronic equipment in a public place, never leave it unattended. These devices are a popular target for thieves.
- 6. Avoid extremely dusty or smoky environments with electronic equipment.
- 7. Always transport the electronic equipment in appropriate carrying case.
- 8. You should always unplug electronic equipment from modem jacks and power outlets during a lightning storm.
- 9. Do not deliberately deface electronic equipment.

#### **Software Maintenance**

In the event that electronic equipment must be re-imaged the user is responsible for ensuring that all personal data is removed from the device. Personal data should always be copied to a safe location (network drive, CD-R(W), memory stick, etc.) when



Title: Electronic Equipment Usage & Care Policy

**Resolution Number: 14-289** 

Policy Number: 072 Date Approved: August 12, 2014

any maintenance is performed. Personal data should also be backed up periodically to avoid data loss due to equipment failure.

NOTE: The Town of Conception Bay South assumes no responsibility for personal data residing on electronic equipment.

#### Theft

As mentioned above, electronic equipment should never be left unattended for any period of time. It takes only seconds for a device to be stolen. Leaving a device unattended in any other public area constitutes an act of negligence and may lead to financial consequences.

You should never leave electronic equipment unattended in a vehicle. If you choose to do so, ensure that the device is locked in the trunk and that the vehicles windows are rolled up and all doors are locked. Users will be fully responsible for electronic equipment stolen from vehicles.

In the event that any electronic equipment is stolen, the Network Manager must be notified immediately and you must call the police to report the theft. Filing a false police report is against the law and the police may charge the offender accordingly.

#### Financial Charges due to Damages

Acts of negligence may lead to necessary repairs or replacement for which financial charges will be the responsibility of the user, not the Town of Conception Bay South. This will largely depend upon how the damage occurred and the type of damage (see below). All potential charges will be assessed by the Network Manager.

#### 1. Normal "Wear and Tear"

Normal "wear and tear" will not be charged to you and occurs on your electronic equipment over time as a result of recommended and responsible usage. Instances of normal "wear and tear" are determined by the Town of Conception Bay South and usually do not include cuts, cracks or breakage. Examples of normal "wear and tear" include faint scuffs or scratches.



Title: Electronic Equipment Usage & Care Policy

**Resolution Number: 14-289** 

Policy Number: 072 Date Approved: August 12, 2014

#### 2. Warranty Repairs

Repairs covered under vendor warranty will not be charged to the user. These repairs are determined solely by the vendor. Some components are repaired or replaced under warranty due to defects in manufacturing. An example of a warranty repair would be the replacement of a defective hard drive due to the presence of bad sectors. All warranty calls to the vendor will be placed through the Town of Conception Bay South. Charges may apply if the vendor deems the repair is necessary due to negligence.

#### 3. Accidental Damages

Accidental damages generally are not covered under vendor warranties. The user may be responsible for repair of damages to or replacement of electronic equipment not covered under vendor warranty. These decisions will be made by the Town of Conception Bay South.

#### 4. Negligence

Guidelines and practices relevant to the use and reasonable care of electronic equipment are summarized within this document. For billing purposes, negligence is defined as the failure to follow the previously mentioned guidelines and practices. If your electronic equipment and/or accessories are damaged or stolen due to negligence you will be charged the full repair or replacement value of the required components.

#### **REVISION HISTORY:**

Revision:	Author:	Change Made:	Date:

## (4)(c)(2) Remote Meeting Attendance Policy

#### **Briefing Note - Remote Meeting Attendance Policy**

Since February 2017, the ERSB has been discussing and debating the implementation of a Remote Meeting Attendance Policy for committee and board meetings.

In March, a draft policy was presented for discussion purposes. The Board eventually landed on recommending the *Rules and Regulations Governing the Procedures of Meetings of the Eastern Regional Service Board* be amended to reflect physical presence of Board members in the definition of meeting attendance.

At the Board of Directors meeting of May 11, the proposed policy change/recommendation was presented for final approval. Significant discussion ensued, including reference to the UN Convention on the Rights of Persons with Disabilities.

The Board of Directors agreed the recommendation needed additional debate at the committee level before a final decision could be made.

The following questions are presented to facilitate additional discussion:

- 1. What are the primary purposes for having a remote meeting attendance policy?
- 2. Should the policy be specific to accessibility and inclusion for persons with disabilities, accommodations for individuals with medical conditions, and/or to address extenuating circumstances such as achieving quorum for meetings during inclement weather, etc.?
- 3. Should there be an approval process for remote attendance? Who should be responsible for approval of the requests?

#### **Recommendation:**

It is recommended that the Rules and Regulations Governing the Procedure of Meetings of the Eastern Regional Service Board be amended to reflect the ERSB's responsibility to be inclusive of persons with disabilities and individuals with medical conditions that require accommodations. Board members should coordinate a request to participate remotely with the Chairperson and Board Clerk. The Chair of the Board will review all requests and provide direction to staff as needed.

### (4)(c)(2)(i) Letter to Minister Joyce Re: Remote Meeting Attendance Policy



May 26, 2017

Hon. Eddie Joyce, MHA Minister of Municipal Affairs and Environment Government of Newfoundland & Labrador P.O. Box 8700 St. John's NL A1B 4J6

Dear Minister Joyce,

The ability to attend meetings remotely via conference call or other electronic means is available to municipal councilors under the Municipalities Act or through the Cities Act for Corner Brook, Mount Pearl and St. John's.

Our Board has debated this issue extensively and while we see the benefits of allowing board members to attend meetings remotely to increase inclusiveness and participation the legislation for the regional service board's does not support this mechanism.

Therefore, I am requesting that you review the Regional Service Board Act and investigate the benefits of allowing board members to attend regular meetings remotely via electronic means with the full rights of participation as if they were physically in attendance for the meeting.

Sincerely,

**Ed Grant** Chairperson

Eastern Regional Service Board

255 Majors Path | Suite 3 | St. John's | NL | A1A 0L5 Tel: 709.579.7960 | Fax: 709.579.5392 | Email: info@ersbnl.ca | ersbnl.ca

### (4)(c)(3) Regional Governance Advisory Committee Update/Letter to MNL



May 25, 2017

Mrs. Karen Oldford President, Municipalities NL 460 Torbay Road St. John's, NL A1A 5J3

Dear Mrs. Oldford,

On April 4, 2017 our Board met with Mr. Craig Pollett to discuss the Provincial initiative to develop a regional governance model for public consultation. Mr. Pollett outlined for our Board the many challenges that he sees on the horizon for municipal leaders and their towns.

Challenges such as the low number of people coming forward to serve as councillors, provisional authority to operate without a quorum, the aging and declining population in many communities, the increased regulatory and financial demands of water and wastewater infrastructure. These will impact volunteerism, tax revenue and the level of service that will be required in the future. At times the word crisis was used to describe the state of local government in NL.

Craig also gave the Board a history of the extensive work that Municipalities NL (MNL) has undertaken or facilitated on issues such as shared services with the Community Cooperation Resource Center in 2002; the President's Task Force in 2004-05 on fiscal reform; and, a series of discussion papers and public consultations in 2010. These efforts culminated in the 2012-2013 consultation and report on regional governance that outlines the MNL position which is still the position today.

In the document "The Next Steps in the Regional Governance Process" MNL outlines the principles for a regional government and compares it to a joint council, "which represents the seed from which all municipal regionalization should grow", excerpt from page 10. This document continues, "Municipalities do not view joint councils as another level of government, and, in its most general form, the regional government proposed by MNL will be a joint council with more authority and capacity."

At the recent MNL Spring Symposium held May 4-6, 2017 several others added their thoughts on the impending need to look at the state of local government and the Province. These others were the Auditor General Terry Paddon on the fiscal reality versus budgetary projections and Dr. Rob Greenwood of MUN's Harris Centre who pointedly illustrated the demographic reality that is sweeping rural NL whether or not we react or sit on our laurels.

Mrs. Karen Oldford President, Municipalities NL Page 2 May 25, 2017

This information has caused a great deal of considered and learned discussion around our Board table which is comprised of hundreds of years of municipal leadership experience.

Our Board has significant questions with the proposed model for regional governance as outlined by the Province and is the supposedly represents the output of the Regional Governance Advisory Committee of which myself, Allan Scott of the Central Regional Service Board and Craig Pollett of MNL represent 3 of the 10 sitting members.

It became evident to us during this discussion that the vision of MNL for regional governance and the current work that the Eastern Regional Service Board is doing to support joint councils within our region are mutually agreeable.

It was agreed at the April 4<sup>th</sup> meeting that the ERSB and MNL would continue to work together to flush out this concept and model for regional governance based on joint councils or a formalized joint council entity to lead regionalization of service delivery.

We would like to formally engage with MNL on the development of a joint proposal to the Province that brings the research and public consultation efforts of MNL together with our operational knowledge and regional development experience.

I propose another meeting that will include members of the MNL Executive in the discussion to sanction a proposal upon which we can proceed.

Sincerely,

Ed Grant

Chairperson

Eastern Regional Service Board

### (6) NEW BUSINESS

### (6)(a) NEW BUSINESS: Tender Award for Whitbourne WRF (Ratification of Electronic Voting)

## THOSE WHO RESPONDED ELECTRONICALLY TO THE MOTION REGARDING AWARDING A TENDER FOR SITE PREPARATION WORK FOR THE CONSTRUCTION OF THE WHITBOURNE MAINTENANCE DEPOT

**MOTION:** "To award the tender for site preparation associated with the construction of a new maintenance depot in the Town of Whitbourne to Harbour Construction Limited in the amount of \$255,733.22 (HST included)."

(Motion sent by e-mail to the Board of Directors on Thursday, May 18, 2017)

#### **IN FAVOUR**

(Alphabetical order)

Ed Grant

Dave Aker

Bill Bailey

Danny Breen

Joy Dobbie

Ron Ellsworth

Jonathan Galgay

Tom Hann

Sandy Hickman

Dave Lane

Harold Mullowney

Dennis O'Keefe

Art Puddister

Peggy Roche

**Gordon Stone** 

**Gerard Tilley** 

Sam Whalen

#### **AGAINST**

(Alphabetical order)
NONE

#### **NO RESPONSE**

(Alphabetical order)

Wally Collins Bruce Tilley Sterling Willis

Officiated by: Bradley Power, Board Clerk

Date: May 29, 2017