



**Fundy Regional
Service Commission**

**Commission de Services
Régionaux de Fundy**

Regular Monthly Meeting

November 22, 2021

Minutes of the meeting of the Board of Directors of Fundy Regional Service Commission held on Monday, November 22, 2021, at 10 Crane Mountain Rd., Saint John NB.

1. Call to Order

The Board Chairperson, Brittany Merrifield, called the meeting to order at 10:02 a.m.

2. Record of Attendance

Brittany Merrifield	Chairperson
Jim Bedford	Vice Chairperson
Bette Ann Chatterton	Mayor, St. Martins
John MacKenzie	Deputy Mayor, Saint John
Nancy Grant	Mayor, Rothesay
Libby O'Hara	Mayor, Quispamsis
Cindy MacCready	Local Service District Representative
John Cairns	Local Service District Representative

Absent

Ray Riddell, Local Service District Representative

OTHERS

Marc MacLeod, Executive Director, FRSC

Alicia Raynes, Recording Secretary, FRSC

Gary Crossman, Minister of Environment

Bill Oliver, Speaker of the Legislative Assembly of New Brunswick

3. Approval of the Order of Business

The Chairperson asked for approval of the Order of Business

Motion: To approve the November 22, 2021 agenda as presented with the addition of number six g (6g) "Westfield Playground – CMEI Grant".

Moved: Director Cairns
Seconded: Director Bedford
Vote: Motion Carried

4. Disclosure of Conflict of Interest

Director MacCready expressed a conflict of interest on item six g (6g) "Westfield Playground – CMEI Grant".

5. Approval of the Minutes

Motion: To approve the October 25, 2021 minutes as presented.

Moved: Director O'Hara
Seconded: Director Bedford
Vote: *Motion Carried*

6. Finance

a. Generator - Debenture

Executive Director MacLeod explained that the MCBB approved the FRSC borrowing for a rebuild of the engine in the generation facility in the amount of \$250,000. This was approved in the budget and a motion is needed for the debenture.

Motion: It be resolved that the Executive Director and Chair be authorized to issue and sell to the New Brunswick Municipal Finance Corporation a Municipality of Fundy Regional Service Commission debenture in the principal amount of \$250,000 on such terms and conditions as are recommended by the New Brunswick Municipal Finance Corporation, and it be resolved that the Municipality of Fundy Regional Service Commission agree to issue post-dated cheques payable to the New Brunswick Municipal Finance Corporation as and when they are requested in payment of principal and interest charges on the above debenture.

Moved: Director O'Hara
Seconded: Director Grant
Vote: *Motion Carried*

It was further explained that the project was delayed a year from 2020 and the subsequent surplus was transferred to capital reserves to pay for any increased costs in the delay.

Motion: To approve transfer of \$42,000 from the Generation Facility Capital Reserve Fund for costs of the generator facility refurbishment.

Moved: Director MacKenzie
Seconded: Director Bedford
Vote: *Motion Carried*

b. MCBB Application - Compactor

Executive Director MacLeod explained that as approved in the 2022 Capital Budget, the landfill compactor is due for replacement. It was purchased in 2010 and was rebuilt in 2016. It was further explained that although a refurbished unit would be less expensive, it would use refurbished parts and would not come with any warranty.

Motion: Be it resolved that, in accordance with section 28 of the Regional Service Delivery Act, the Fundy Regional Service Commission intends to submit an application to the Municipal Capital

Borrowing Board for authorization to borrow for a capital expense for the following purposes, amounts and terms:

Purpose: Solid Waste Services (Environmental Health)

Amount: \$1,300,000

Term: \$1,300,000 for a term not to exceed 5 years

The Executive Director shall send written notice of the vote, proposed borrowing, budget projections and the impact on future rates as attached to all members that are local governments and to the Minister at least 45 days before the vote.

Moved: Director Grant
Seconded: Director MacKenzie
Vote: *Motion Carried*

c. Clay Procurement – Cell #9

Executive Director MacLeod spoke with regards to securing a clay source for the construction of containment cell #9. It was explained that there were major issues securing clay for the construction of the last two cells. As per GEMTEC, the only source of a sufficient quantity of clayey material that is currently approved for use as the soil liner is from F. Andrew Simpson Contracting Limited. Any previous bidders from further distances have been at a higher cost. It was further explained that if we were to go to tender, we would be susceptible to predatory bidding.

Motion: The Commission authorize the signing of an agreement to procure clay from F. Andrew Simpson Contracting Limited in the amount of \$11 per metric tonne for the construction of cell #9.

Moved: Director Cairns
Seconded: Director O'Hara
Vote: *Motion Carried*

d. Safety – Dump Truck Box

Executive Director MacLeod explained that during the construction of cell #9 berms and underdrains it was noted that there was significant fatigue in the box of the 2012 Peterbilt Dump Truck. After discussion with the fabrication and maintenance department, the equipment can no longer be repaired safely and a new box was recommended rather than a rebuild. Three quotes were received. It was also explained that the Commission is in excess of \$500,000 surplus at the end of October, 2021.

Motion: The Commission authorize the purchase of a new dump box from Bayview Trucks for \$20,820.39 taxes included from surplus in the operating budget fund.

Moved: Director Grant
Seconded: Director MacKenzie
Vote: *Motion Carried*

e. Safety – Light Tower

Executive Director MacLeod explained that there have been complaints about the darkness of the landfill cell operations in the early morning and late evening and under fog conditions. He

explained that light towers have been used by construction companies and other sites to alleviate these problems. It was further explained that in the event of storm conditions, a light could also be operated at night at the Leachate pumping station for monitoring additional pumps.

It was asked if it was feasible to have a permanent light rather than a portable one. It was explained that extra wiring would be required in order to have a permanent light and it would have to be moved with the completion of each cell. Additionally, having a portable light would allow us to use the same lighting system for other areas as needed. It was also explained that we have a yearly operational analysis with the Insurance Company and this would help mitigate costs.

Only one quote was received from Battlefield CAT as 2 other suppliers were contacted but no stock was available until June or July of 2022.

Motion: The Commission authorize the purchase of a new portable lighting system from Battlefield CAT for \$12,096.85 taxes included from surplus in the operating budget fund.

Moved: Director O'Hara
Seconded: Director MacKenzie

Director O'Hara stepped out during the vote.

Vote: *Motion Carried*

f. Environment – 6" Pump

Executive Director MacLeod explained that during our last major storm in 2021, we needed to utilize temporary containment to prevent leachate overflow. There was no pump available at the time and luckily, it was not needed. He explained that during storm events, several entities are seeking rental pumps which leaves the Commission vulnerable. For these reasons, it is felt that purchasing a portable water pump would help mitigate any risks. Additionally, it was explained that a new pump could also be used for the backup to our existing 6" pump under normal conditions. A new pump was not considered as the unit would be for backup only. A quote was received from Battlefield CAT for a 2014 unit and a quote was received from Ready Rentals for a 2013 unit.

It was asked what kind of costs the Commission would be facing in the event of a leachate breach. It was explained that there would be an environmental clean up which could potentially be in the hundreds of thousands of dollars and would be covered under pollution liability insurance.

Motion: The Commission authorize the purchase of a used 6" pump from Battlefield CAT for \$20,125 including taxes to be funded from surplus in the operating budget fund.

Moved: Director Grant
Seconded: Director MacKenzie
Vote: *Motion Carried*

g. Westfield School – CMEI Grant

Director MacCready explained that a new playground is being built at the Westfield Elementary School. Last year, the Commission authorized the funds to be held over until 2021 due to delays caused by the COVID-19 pandemic. It was further explained that the play ground equipment was

ordered and supposed to arrive in December, however, it has now been delayed until February 2022. It was explained that if the money is not spent, it is lost. Westfield school is requesting that the funds be held over until March 31, 2022.

Director MacCready did not participate in the discussion due to a declared conflict of interest.

Motion: The Commission authorize the total funding of \$48,904.91 (\$25,296.32 for 2020 and \$23,608.59 for 2021) for the Westfield Elementary School Playground Project be held over into 2022.

Moved: Director Chatterton
Seconded: Director Cairns
Vote: *Motion Carried*

The floor was opened to Minister Crossman who mentioned the upcoming PPP program in the province of New Brunswick. It was explained that discussions are ongoing with the Regional Service Commissions and industry with regards to the implementation of the program. Communities that have introduced a single use plastic bag ban bylaw were commended on their efforts.

It was asked if there is an alternative to the clay that is currently used as part of the cell liner system at Crane Mountain Landfill. Director MacLeod explained that we are currently looking into an alternative liner design which uses other materials as opposed to clay; similar to the Moncton Landfill design.

Chairperson Merrifield called for a motion to adjourn.

It was noted that the next meeting would be on December 20, 2021.

Motion: To adjourn the meeting at 10:46 a.m.

Moved: Director MacCready
Seconded: Director O'Hara
Vote: *Motion Carried*

APPROVED (date) Dec 20, 2021


Brittany Merrifield, Chairperson


Alicia Raynes, Recording Secretary