COR/2019/03055

July 10, 2019

Dear Applicant:

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [Our File #: TW/087/2019]

On June 11, 2019, the Department of Transportation and Works received your request for access to the following records:

- Emails from staff to MHA Tracey Perry regarding the replacement of Bay D'Espoir Academy.
- I am also seeking documents relevant to the site selection.

I am pleased to inform you that a decision has been made by the Deputy Minister for Transportation and Works to provide access to some of the requested information. Access to the remaining records, and/or information contained within the records, has been refused in accordance with the following exceptions to disclosure, as specified in the Access to Information and Protection of Privacy Act (the Act):

Subsection 40(1) - The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of a third party's personal privacy.

As required by 8(2) of the Act, we have severed information that is unable to be disclosed and have provided you with as much information as possible. In accordance with your request for a copy of the records, the appropriate copies have been enclosed.

Please be advised that you may appeal this decision and ask the Information and Privacy Commissioner to review the decision to provide partial access to the requested information, as set out in section 42 of the Act (a copy of this section of the Act has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the request and why you are submitting the appeal.

The appeal may be addressed to the Information and Privacy Commissioner as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act (a copy of this section of the Act has been enclosed for your reference).

Please be advised that responsive records will be published following a 72-hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Completed Access to Information Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please contact me by telephone at 709-729-5351 or by email at ATTW@gov.nl.ca.

Sincerely,

Angela McIntyre
ATIPP Coordinator
Disclosure harmful to personal privacy

40. (1) The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of a third party's personal privacy.

(2) A disclosure of personal information is not an unreasonable invasion of a third party's personal privacy where

(a) the applicant is the individual to whom the information relates;

(b) the third party to whom the information relates has, in writing, consented to or requested the disclosure;

(c) there are compelling circumstances affecting a person's health or safety and notice of disclosure is given in the form appropriate in the circumstances to the third party to whom the information relates;

(d) an Act or regulation of the province or of Canada authorizes the disclosure;

(e) the disclosure is for a research or statistical purpose and is in accordance with section 70;

(f) the information is about a third party's position, functions or remuneration as an officer, employee or member of a public body or as a member of a minister's staff;

(g) the disclosure reveals financial and other details of a contract to supply goods or services to a public body;

(h) the disclosure reveals the opinions or views of a third party given in the course of performing services for a public body, except where they are given in respect of another individual;

(i) public access to the information is provided under the Financial Administration Act;

(j) the information is about expenses incurred by a third party while travelling at the expense of a public body;

(k) the disclosure reveals details of a licence, permit or a similar discretionary benefit granted to a third party by a public body, not including personal information supplied in support of the application for the benefit;

(l) the disclosure reveals details of a discretionary benefit of a financial nature granted to a third party by a public body, not including
(i) personal information that is supplied in support of the application for the benefit, or

(ii) personal information that relates to eligibility for income and employment support under the *Income and Employment Support Act* or to the determination of income or employment support levels; or

(m) the disclosure is not contrary to the public interest as described in subsection (3) and reveals only the following personal information about a third party:

(i) attendance at or participation in a public event or activity related to a public body, including a graduation ceremony, sporting event, cultural program or club, or field trip, or

(ii) receipt of an honour or award granted by or through a public body.

(3) The disclosure of personal information under paragraph (2)(m) is an unreasonable invasion of personal privacy where the third party whom the information is about has requested that the information not be disclosed.

(4) A disclosure of personal information is presumed to be an unreasonable invasion of a third party's personal privacy where

(a) the personal information relates to a medical, psychiatric or psychological history, diagnosis, condition, treatment or evaluation;

(b) the personal information is an identifiable part of a law enforcement record, except to the extent that the disclosure is necessary to dispose of the law enforcement matter or to continue an investigation;

(c) the personal information relates to employment or educational history;

(d) the personal information was collected on a tax return or gathered for the purpose of collecting a tax;

(e) the personal information consists of an individual's bank account information or credit card information;

(f) the personal information consists of personal recommendations or evaluations, character references or personnel evaluations;

(g) the personal information consists of the third party's name where

(i) it appears with other personal information about the third party, or
(ii) the disclosure of the name itself would reveal personal information about the third party; or

(h) the personal information indicates the third party's racial or ethnic origin or religious or political beliefs or associations.

(5) In determining under subsections (1) and (4) whether a disclosure of personal information constitutes an unreasonable invasion of a third party's personal privacy, the head of a public body shall consider all the relevant circumstances, including whether

(a) the disclosure is desirable for the purpose of subjecting the activities of the province or a public body to public scrutiny;

(b) the disclosure is likely to promote public health and safety or the protection of the environment;

(c) the personal information is relevant to a fair determination of the applicant's rights;

(d) the disclosure will assist in researching or validating the claims, disputes or grievances of aboriginal people;

(e) the third party will be exposed unfairly to financial or other harm;

(f) the personal information has been supplied in confidence;

(g) the personal information is likely to be inaccurate or unreliable;

(h) the disclosure may unfairly damage the reputation of a person referred to in the record requested by the applicant;

(i) the personal information was originally provided to the applicant; and

(j) the information is about a deceased person and, if so, whether the length of time the person has been deceased indicates the disclosure is not an unreasonable invasion of the deceased person's personal privacy.
Access or correction complaint

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52 (1) or 53 (1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21 ;

(b) a decision respecting an extension of time under section 23 ;

(c) a variation of a procedure under section 24 ; or

(d) an estimate of costs or a decision not to waive a cost under section 26 .

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.
Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant
From: Perry, Tracey
Sent: Sunday, March 4, 2018 10:11 AM
To: premier@gov.nl.ca; Kirby, Dale
Cc: Osborne, Tom; Crocker, Steve; 'AnthonyStack@nlesd.ca'; townofmill@bellaliant.com;
'st.albans@nf.aibn.com'; kristenkendell@nlesd.ca; Connie Willcott (conniewillcott@nlesd.ca);
Collier, Carolyn
Subject: Future of the Children of Bay d' Espoir
Attachments: LettertoPremier.school.march 4.doc

Please see the attached letter on behalf of concerned residents of Bay d' Espoir. We look forward to your response.

All the best,
MHA Tracey Perry
P.O. Box 299  
St. Alban’s, NL  
A0H 2E0

March 4, 2018

Attention: Honourable Premier Dwight Ball and Honourable Minister Dale Kirby

Dear Honourable Sirs:

I would like to take this opportunity to once again thank you for your on-going efforts to work with us as we endeavor to provide the displaced students of Bay d’ Espoir Academy with a new school.

This has been an emotional weekend for parents, who were initially elated with the news that $13 million is available from insurance; and we now all await the budget to learn what your Government plans to do for the children of Bay d’ Espoir.

The elation was quickly followed by anguish, as a bewildering Telegram article on Friday past has many people wondering if it is your intent to refurbish the remains of the burnt 60 plus year old wooden structure. Based on the feedback I have been receiving, this would be the absolute worst possible news they could get.

Prior to the fire, the school council was actively lobbying the school board and Government for a new school. I personally met with them on several occasions, once in the basement of the structure that still stands, where their science lab was located. At that time, grave concerns were expressed about the inadequacy of the facility, the tight corridors, the fire hazards and the lack of wheelchair accessibility.

In fact, the Central Nova School Board agreed with their concerns, and had identified the area as Priority #5 for a new school. Then, the school boards merged. We were in the process of trying to ascertain where we fell in the priority plans of the new Board when disaster struck.

"Working for The People of Grand Falls-Windsor-Green Bay South"

Government Members’ Office, 3rd Floor, East Block, Confederation Building, P.O. Box 8700, St. John’s, NL A1B 4J6  
Office: (709) 729-6932  Fax: (709) 729-1082  Toll Free 1-877-585-0505  Email: rhunter@gov.nl.ca
HOUSE OF ASSEMBLY
Newfoundland and Labrador

It has been a long and difficult year, yet there have been some positives as well. The opportunity to once and for all acquire a new, modern-day school is one of them. Another is the consensus of parents, students and teachers that it does not matter where the school is located, as long as it is a new school that can offer top quality programming as we prepare our children for excelling in the future.

To this end, I reiterate on behalf of concerned residents of Bay d’Espoir, anything less than a completely brand new, state of the art, non-flammable brick structure is unacceptable.

It is our understanding that the School Board has requested a **new school**. The School Council has requested a **new school**. The Municipalities have requested a **new school**. A petition signed by 766 residents has requested a **new school**. Any decision to the contrary flies in the face of these requests.

I trust that you will put the safety, well-being and future of the children above all else, and eagerly await news of your decision in the coming weeks.

I thank you in advance for your time and consideration.

Sincerely,

[Signature]

MHA Tracey Perry

Cc: Honourable Tom Osbourne, Minister of Finance  
Honourable Steve Crocker, Minister of Transportation and Works  
Mr. Tony Stack, CEO, Newfoundland and Labrador English School Board  
Town Councils of Milltown-Head of Bay d’Espoir, St. Albans and Morrisville  
Ms. Connie Willcott, Principal, Bay d’Espoir Academy  
Ms. Priscilla Hussey, Chair, Bay d’Espoir Academy School Council

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"Working for The People of Grand Falls-Windsor-Green Bay South"
From: Connie Willcott <conniewillcott@nlesd.ca>
Sent: Friday, May 11, 2018 11:42 AM
To: Minister, TW
Cc: inquiries, general; Perry, Tracey; Bronson Collins; Wayne Gilbert; Anthony Stack; Gail Hoskins; Jerry Kearley; John George (Trustee)
Subject: HPRM: letter from Bay d’Espoir Academy school council
Attachments: Letter to minister.pdf

Please accept this letter from the school council.

Thank you

Connie Willcott
Principal
Bay d’Espoir Academy

(709)882-2500 (phone)
(709)882-2302 (fax)

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May 2, 2018

Minister Steve Crocker
Department of Transportation and Works
P.O. Box 8700
St. John's, NL
A1B 4J6

Dear Honourable Minister:

Back in March 2018, a new school for Bay d'Espoir was announced. It is our understanding your department is now responsible to move this much needed infrastructure forward. As a school council, we would like to have the process begin immediately.

At a meeting of the school council on April 16 a number of questions were raised on how the process will work for the development of the new school. We respectfully ask the following questions to be reviewed and answered as soon as possible:

1. Can the school council review the Request for Proposals (RFP) before it is published?
2. When will the tender process begin?
3. How long will be given for tenders?
4. When will the tenders be awarded?
5. How long will your department provide the successful bidder to complete the work?
6. What is the process for the successful bidder to follow for the development of the school?
7. Will the site selection process be a part of the tender?
8. When should we expect school construction to begin?
9. How will the school council be involved with the design of the school?

We would appreciate a response as we are very anxious to work with your department to get the new school development moving. Thank you for your time.

Sincerely,

Priscilla Hussey
Chairperson
Bay d'Espoir Academy School Council

*Our learning community will be respectful, supportive and embrace diversity. Together we will create meaningful learning experiences that empower all individuals to grow to their full potential.*
Our learning community will be respectful, supportive and embrace diversity. Together we will create meaningful learning experiences that empower all individuals to grow to their full potential.
Our response will be reflective of Tony's comments below.

Sent from my iPhone

Begin forwarded message:

From: Anthony Stack <anthony@nlesd.ca>
Date: June 19, 2018 at 12:08:51 PM NDT
To: Bob Gardiner <bobgardiner@gov.nl.ca>
Subject: Fwd: New School in Bay D'Espoir

FYI, this gentleman also contacted Minister
----------- Forwarded message -----------

From: Anthony Stack <anthony@nlesd.ca>
Date: 19 June 2018 at 12:08
Subject: Re: New School in Bay D' Espoir
To: 
Cc: Lucy Warren <lucywarren@nlesd.ca>

Dear

I acknowledge your concerns, but the District staff consulted with the School Council of Bay d'Espoir Academy, and assessed that the optimal site for a replacement school was the sites of the former Holy Cross Primary and/or Holy Cross Elementary in St. Alban's. The vast majority of the K-12 population resides in proximity to St. Alban's and the new site will guarantee the construction of a totally new school. Consequently the Board of Trustees passed the following motion on Jun 16, 2018 at a regular board meeting:

That the Board, approve to utilize the noted available school site in St. Alban's for the new Bay d'Espoir Academy, pending confirmation of suitability by the Department of Transportation and Works and further subject to Ministerial approval, as recommended by the Finance and Operations committee.

I trust this is of assistance.
On 18 June 2018 at 12:07, [Redacted] wrote:

Why is the school board asking government to locate the New School in St. Alban’s when the school that burnt down was in Milltown and was in a central location. The central location in Milltown was decided years ago and it almost tore the communities apart. Everybody eventually came to accept the decision so why start that fight again. Why would the government spend hundreds of thousands of taxpayers dollars to develop a piece of land in St. Alban’s when they have a developed piece of land in Milltown where the old school burnt down. It was a psychological shock to the community to have their school burnt down and now the school board wants to build the new one in another community. Very cold hearted. The school in St. Alban’s did not burn down, it was in Milltown. What you are doing doesn’t make sense and you are doing it without consulting all the communities in the area serviced by the new school. At least show some respect to the people who lost their community school by coming out to the community of Milltown to tell them why you are taking the school out of their community. Give them a chance to voice their views and maybe if you have an explanation why you are doing this they then they can reject or accept your decision.

All the best to you

[Redacted]
Copy Allan Hawkins, Minister of Education

Sent from my iPad
Sent from my iPad

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Tony Stack
CEO/Director of Education
Newfoundland and Labrador English School District
Telephone: (709) 758-2381
Email: anthony_stack@nlesd.ca

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Tony Stack
CEO/Director of Education
Newfoundland and Labrador English School District
Telephone: (709) 758-2381
Email: anthony_stack@nlesd.ca
Tracy King
Deputy Minister
Transportation and Works
(709)729-3676

The safe way is the only way.

Begin forwarded message:

From: "Crocker, Steve" <SteveCrocker@gov.nl.ca>
Date: June 25, 2018 at 5:36:28 AM NDT
To: "King, Tracy" <TracyKing@gov.nl.ca>, "Burden, Nancy" <hurdenn@gov.nl.ca>
Subject: Fwd: School site selection!!!

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
Date: June 25, 2018 at 12:28:28 AM NDT
To: "SteveCrocker@gov.nl.ca" <SteveCrocker@gov.nl.ca>
Subject: Fw: School site selection!!!
I am a concerned parent here in the Bay Dèspoir area. There has been recent talk that a site selection has been made to take the school out of the community where it burnt down to and relocate it to another community. This is utterly ridiculous and I hope the government does not go along with.

I cannot see how the government can justify tearing down an $8 million structure and then put it on a church lot in St. Albans. We are a community where we support gay rights. If a school is to be put on church grounds, parents should be up in arms that their children will not be able to fly a gay flag and their rights as a gay member of society be violated. If I had a gay child attending that school, I would make sure that NTV would be hear at once.

It does not make sense to relocate a school when we have electricity, water and sewer and everything in place. Not sure what agreements were made behind the scenes, but we will definitely find out. The community of Milltown were not informed of anything that was going on and had to learn about it through VOCM news. The board should at least have the decency to come to the area and meet with the public and explain why the school is to be removed from its previous site.

Imagine putting a new school on church grounds!!! Funerals taking place, mass, etc only to name a few. Remember education was taken out of the school some years ago and now planning on putting a school next to a church. This is so disturbing.

The temporary school that the kids are into now is a total disaster. The roofs have been leaking, buckets everywhere in the gymnasium, crowded spaces, no labs or sensory rooms, no skilled trades rooms. These are just some of the many problems that is occurring.

As far as I am concerned, students should be in the school that remains intact where the Elementary portion was destroyed by arson. We have an excellent science lab there and many necessities that the kids could use. It would be no more detrimental to their health than what they are in now and have been there for over a year and a half.

If my child comes down with any respiratory issues, someone will have to deal with it because as far as I know, no air quality testing has been done. Remember that school was condemned some years ago and Bay DèEspoir Academy was chosen as the school. It was a more Central location and it was a better facility.

The parking lot up there is a tragedy waiting to happen already let alone having it on a church parking lot. It does not make any sense to relocate when we have a parcel of land readily available. We are not allowed to have cross walks or anything. This is 2018 so let the flags fly
and let there be crosswalks.

I am sooooo happy that my child will not have to be a part of that so called New School. As far as I am concerned, the school should be built where it was destroyed. It was through no fault of the community that this occurred so why is it going to be relocated elsewhere? I just hope the government will not approve this site selection. I am hoping that someone from the board will come in and face the people of Milltown and explain to them why this particular site was deemed the best possible site. Imagine having a school on a church parking lot with funerals, etc. This is going to be a total disaster. Be fair to all the residents in the community and put the school where it was destroyed.

If I lost my home tomorrow, I would not expect to have to go to Grand Falls to live. That school should go back on the land that it was on originally. I did hear that the church was giving the land to the school as a gift. What about the insurance money that the school had; where is this. So many unanswered questions that once again the board should come down and let the people know.

If my child is to attend school for another year in the temporary building, I want a full air quality testing done ASAP. It had to be done when we got the school here. It was no time before air quality was done and tested. Our children have been the temporary school now for a year and a half and no air quality has been ever checked out. This is a must!!!!

I just hope you can see where we are coming from and we are not giving up. We have so much information that is being revealed. We want answers!!!!!

If the government goes ahead and allows them the money, it will be one of the biggest mistakes ever. Like I stated earlier, gay students have just as much rights as anyone and not being allowed to fly a flag is utterly ridiculous. Their rights will be violated and I would encourage all parents of gay students to speak out.

Just hope the government makes the right decision in this matter.

Sincerely
Hi Jim

Just received this latest correspondence from Lisa. See below.

Just wondering if you’ve move forward with this file since? Has a letter been issued to Minister Hawkins? And have you moved forward with the tile search?

Just trying to get some background on the site.

Thanks
Wendy

From: Reid, Lisa  
Sent: Tuesday, September 11, 2018 12:23 PM  
To: Clarke, Wendy; Skinner, Stephen  
Subject: FW: Bay d’Espoir site

Wendy / Stephen,

Attached are some photos of the proposed school site in St. Alban’s.

Jim has done some work on this since, and the NLESd has approved.

Wendy, I suggest you touch base with Jim to see if he has any survey information.

Lisa

From: Jim Sinnott <jimsinnott@nlesd.ca>  
Sent: Monday, June 11, 2018 4:19 PM  
To: Reid, Lisa <LisaReid@gov.nl.ca>  
Subject: Re: Bay d’Espoir

Hi,

We convened a special committee meeting on Friday past to accept the St. Alban’s site(s) where 2 previous schools were, and this goes to the full Board this weekend; from there we will write Min. Hawkins. In anticipation of both being favorable, attached is the location info. "I am told" that this land was crown grant to RCEC for schools, so would still be in RCEC name, but granted as schools means it has no inherent resale value to them etc., so we would just need to transfer title. If we get go ahead I will obviously need title search - or I could do in advance if you wanted?

Jim

On Mon, Jun 4, 2018 at 3:00 PM, Reid, Lisa <LisaReid@gov.nl.ca> wrote:

| Hi Jim,
As discussed at our meeting today, please commence the site selection process to build a replacement school for Bay D’espoir Academy.

Regards,
Lisa

Lisa Reid, P.Eng. | Director (Acting) Building Design and Construction

Department of Transportation & Works
Government of Newfoundland & Labrador
Sir Richard Squires Building
P.O. Box 2006, Corner Brook, NL A2H 6J8

t. 709-637-2258
e. lisareid@gov.nl.ca

From: Jim Sinnott <jimsinnott@nlesd.ca>
Sent: Monday, April 30, 2018 2:58 PM
To: Reid, Lisa <LisaReid@gov.nl.ca>
Subject: Bay d’Espoir

Hi Lisa,

My exec is looking for clarification of process here to make sure we are moving this project as intended. To this end I have described the "past" processes - recognizing both that they may have changed, and that this is not a standard project given the fire aspect, but looking to you for input.

Past:
- GovNL approves project - NLESD starts site selection
- TW appoints consultant (sometimes after site selection by Board, sometimes concurrent) who reviews sites and assists ranking
- NLESB (the Board) approves ranked list, and sends to Min of DEEC
- Min DEEC selects "the" site from ranked list
- TW manages the design and build on that site

Present:
- The high school wing still standing was reconnected to power by insurance folks, and is being heated to keep it usable - but our Board desire is to have all new vs trying retrofit those smoked remains
- Given above - we need decision/direction from GovNL to move to site selection (i.e. if GovNL also intends to reuses this structure, there is no site selection)

Restated we very much would lick to get these folks in a new building, and do not want to hinder progress, but do not feel that we can start formal site selection at present, given nobody has formally advised us so.

Please give me a call if any questions.

Jim

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Hi Lisa,

Following up on this one as well. Has there been any decision?

Thanks

Wendy

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And one more thing:

Are we moving forward with Gender Neutral Washrooms for this school?

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Hi Lisa,

Are you able to send me some info of the site selected for Bay D’Espoir?

Thanks

Wendy

Wendy Clarke, P.Eng
Design Manager
Building Design and Construction

Department of Transportation & Works
Government of Newfoundland & Labrador
P.O. Box 8700, St. John’s, NL A1B 4J6
Office: (709) 729-3460
Wendyclarke@gov.nl.ca
From: Reid, Lisa  
Sent: Wednesday, October 3, 2018 11:59 AM  
To: Grandy, Cory  
Cc: Clarke, Wendy  
Subject: RE: FW: Bay d'Espoir site - TW approval required

Cory,

Have you provided confirmation to EECD that we are good with the site? I understand they were waiting on TW concurrence.

Thanks,  
Lisa

From: Clarke, Wendy  
Sent: Wednesday, October 3, 2018 11:00 AM  
To: Reid, Lisa <LisaReid@gov.nl.ca>  
Subject: RE: FW: Bay d'Espoir site

Hi Lisa,

What is the status? Since we have awarded the project to the technical advisor, would like to have the site finalized.

Thanks  
Wendy

From: Clarke, Wendy  
Sent: Thursday, September 27, 2018 1:45 PM  
To: Reid, Lisa  
Subject: FW: FW: Bay d'Espoir site

Hi Lisa,

What are next steps to get final sign off for this site?

Thanks  
Wendy

From: Phillips, Lacey  
Sent: Monday, September 17, 2018 9:11 AM  
To: Reid, Lisa; Skinner, Stephen; Clarke, Wendy  
Cc: ‘Jim Sinnott’  
Subject: RE: FW: Bay d'Espoir site

Good Morning,

Few items I noted during my visit to the school site on Friday and discussions with NLESD Staff and locals:

- There were two schools in this location, one which was demolished approx. 40 years ago and another that was demolished approx. 25 years ago.
- There wasn't any environmental assessments completed on the schools prior to demolition and the foundations are remaining in the ground (can see portions sticking out of the ground).
- Its believed there were above ground oil tanks at these schools, no underground tanks. I have requested old pictures of the schools from the heritage committee, hoping to be able to see the locations on that.
- There is a power line running through the property in question that services two street lights for the parking lot.
- The current parking lot is owned by the church but is used by the school and the school provides snow clearing. It seems to be an appropriate size for the number of staff.
- The land is all natural sand which would need to be taken into consideration for foundation design.
- Its located in a quite part of town with no busy streets and a new playground is just a min walk away, making it an ideal location.
- There is an old road to the south of the land which I believe would be ideal for making a “drop off” loop. The parents could go up church street and then go down this street limiting traffic congestion.

It is my understanding a consultant has been appointed and will be completing an Environmental Assessment.

Please let me know if you have any questions.

Lacey Phillips, P. Eng.
Construction Manager
Transportation & Works (Central Region Works) Gander, NL
Tcl: 709-256-1005
Cell: 709-424-9805
Fax: 709-256-1013
e-mail: laceyphillips@gov.nl.ca

From: Reid, Lisa
Sent: Wednesday, September 12, 2018 2:42 PM
To: Skinner, Stephen; Phillips, Lacey; Clarke, Wendy
Subject: RE: FW: Bay d’Espoir site

Stephen, there is a Phase 1 ESA report listed as one of the deliverables in the PCA with the technical advisor, to be covered under the site investigation allowance of $40K.

This is just a general site review to confirm suitability.

Thanks,
Lisa

From: Skinner, Stephen
Sent: Wednesday, September 12, 2018 1:09 PM
To: Phillips, Lacey <LaceyPhillips@gov.nl.ca>; Reid, Lisa <LisaReid@gov.nl.ca>
Subject: RE: FW: Bay d’Espoir site

Lisa;

Lacey brings up a good point. Any thoughts on doing an environmental site assessment now?

Stephen

From: Phillips, Lacey
Sent: Wednesday, September 12, 2018 12:48 PM
To: Skinner, Stephen
Subject: FW: FW: Bay d’Espoir site

Steve,

Since we have a standing offer do you think we should proceed with an Phase I Environmental Site Assessment?

Lacey Phillips, P. Eng.
Construction Manager
unfortunately nothing available: the demo was done by the RC Board of the day, there were subsequent school board amalgamations in '97 (27 boards to 10), '04 (10 boards to four), and '13 (four boards to one) and unfortunately people with knowledge and files are both non-existant

On Wed, Sep 12, 2018 at 10:51 AM, Phillips, Lacey <LaceyPhillips@gov.nl.ca> wrote:

Jim,

Could you also send me any information/documentation you may have regarding the demolition of the old school, any environmental surveys that were done and if anything is still remaining in the ground.

Thanks,

Lacey Phillips, P. Eng.
Construction Manager
Transportation & Works (Central Region Works) Gander, NL
Tel: 709-256-1005
Cell: 709-424-9805
Fax: 709-256-1013
e-mail: laceyphillips@gov.nl.ca

survey attached, as well as an annotated aerial photo

did you want someone from NLES to meet you? Realize you don't need your hand held looking at land, but they would have familiarity with the area and can make intro with school admin (also Town councillor) who has the local knowledge to perhaps answer questions re traffic etc

Jim

On Wed, Sep 12, 2018 at 9:51 AM, Skinner, Stephen <stephenskinner@gov.nl.ca> wrote:

Also, Lacey is wondering if we have a survey of the proposed site so she can confirm how much land is in question?

Stephen
Lacey is going to make a site visit later this week.

Is there anything in particular you want her to check out? Or is this just a general site review to ensure we agree on its suitability for a new school?

Stephen

From: Reid, Lisa
Sent: Tuesday, September 11, 2018 5:25 PM
To: Clarke, Wendy; Skinner, Stephen
Cc: Jim Sinnott (JimSinnott@nlesd.ca) (JimSinnott@nlesd.ca)
Subject: RE: FW: Bay d’Espoir site

Hi Wendy,

I spoke to Cory today on this. He would like to have a TW rep on site prior to concurrence from TW on the selection.

Stephen, would it be possible for one of your Gander staff to travel down this week?

Jim, is there a street address you can provide?

Thanks
Lisa

From: Clarke, Wendy
Sent: Tuesday, September 11, 2018 3:12 PM
To: Reid, Lisa <LisaReid@gov.nl.ca>
Subject: FW: FW: Bay d’Espoir site

Hi Lisa,

I reached out to Jim regarding the site for Bay D’Espoir. I believe the final decision sits with Paul Smith and Cory as per Jim’s email below.

Are you able to get an update on this from Cory?

Thanks
Wendy

From: Jim Sinnott [mailto:JimSinnott@nlesd.ca]
Sent: Tuesday, September 11, 2018 2:46 PM
To: Clarke, Wendy
Subject: Re: FW: Bay d’Espoir site

title search is done - as per this morning, title is with RCEC, but as a Crown Grant for a school (site of 2 former schools demo’ed in 90’s) so they cannot sell, therefore have agreed to sign title over. Expect legal costs only.

Min Hawkin’s was waiting on TW to concur with NLES D on site, Paul Smith and Cory Grandy to consult as per my request to Paul - ball in GovNL court on that (I am happy do assit - but don’t know what I can do?)

On Tue, Sep 11, 2018 at 2:39 PM, Clarke, Wendy <WendyClarke@gov.nl.ca> wrote:

Hi Jim
Just received this latest correspondence from Lisa. See below.

Just wondering if you’ve move forward with this file since? Has a letter been issued to Minister Hawkins? And have you moved forward with the tile search?

Just trying to get some background on the site.

Thanks
Wendy

From: Reid, Lisa
Sent: Tuesday, September 11, 2018 12:23 PM
To: Clarke, Wendy; Skinner, Stephen
Subject: FW: Bay d’Espoir site

Wendy / Stephen,

Attached are some photos of the proposed school site in St. Alban’s.

Jim has done some work on this since, and the NLESQ has approved.

Wendy, I suggest you touch base with Jim to see if he has any survey information.

Lisa

From: Jim Sinnott <jimsinnott@nlesq.ca>
Sent: Monday, June 11, 2018 4:19 PM
To: Reid, Lisa <LisaReid@gov.nl.ca>
Subject: Re: Bay d’Espoir

Hi,

We convened a special committee meeting on Friday past to accept the St. Alban’s site(s) where 2 previous schools were, and this goes to the full Board this weekend; from there we will write Min. Hawkins. In anticipation of both being favorable, attached is the location info. "I am told" that this land was crown grant to RCEC for schools, so would still be in RCEC name, but granted as schools means it has no inherent resale value to them etc., so we would just need to transfer title. If we get go ahead I will obviously need title search - or I could do in advance if you wanted?

Jim

On Mon, Jun 4, 2018 at 3:00 PM, Reid, Lisa <LisaReid@gov.nl.ca> wrote:

Hi Jim,

As discussed at our meeting today, please commence the site selection process to build a replacement school for Bay D’esperoir Academy.

Regards,
Lisa

Lisa Reid, P.Eng. | Director (Acting) Building Design and Construction
Department of Transportation & Works
Government of Newfoundland & Labrador
Sir Richard Squires Building
Hi Lisa,

My exec is looking for clarification of process here to make sure we are moving this project as intended. To this end I have described the "past" processes - recognizing both that they may have changed, and that this is not a standard project given the fire aspect, but looking to you for input.

**Past:**
- GovNL approves project - NLESĐ starts site selection
- TW appoints consultant (sometimes after site selection by Board, sometimes concurrent) who reviews sites and assists ranking
- NLESĐ (the Board) approves ranked list, and sends to Min of DEECĐ
- Min DEECĐ selects "the" site from ranked list
- TW manages the design and build on that site

**Present:**
- The high school wing still standing was reconnected to power by insurance folks, and is being heated to keep it usable - but our Board desire is to have all new vs trying retrofit those smoked remains
- Given above - we need decision/direction from GovNL to move to site selection (i.e. if GovNL also intends to reuses this structure, there is no site selection)

Restated we very much would like to get these folks in a new building, and do not want to hinder progress, but do not feel that we can start formal site selection at present, given nobody has formally advised us so.

Please give me a call if any questions.

Jim

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Hi Ian,

We need to pick a day to travel to St. Albans to have a look at the site.

Jim suggests drive to Gander the day before on our own schedule, then the next day coordinate along lines of the following:

8:00   leave Gander
10:45  arrive St. Alban's
12:45  leave St. Alban's
6:45   arrive St. John's

Suggesting next Thursday/Friday.
What are your thoughts?
Thanks
Wendy

Wendy Clarke, P.Eng
Design Manager
Building Design and Construction

Department of Transportation & Works
Government of Newfoundland & Labrador
P.O. Box 8700, St. John's, NL A1B 4J6
Office: (709) 729-3460
Wendyclarke@gov.nl.ca
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November 19, 2018

Mr. Goronwy Price  
Chairperson  
NL English School Board  
Suite 601, Atlantic Place  
215 Water Street  
St. John’s, NL A1C 6C9

Dear Mr. Price:

The Department of Education and Early Childhood Development has reviewed the Board motion pertaining to the site selection for Bay d’Espoir Academy as noted in your letter dated June 18, 2018. The Department of Transportation and Works has been consulted and has confirmed suitability of the site selected by the Board.

As such, Ministerial approval is granted to utilize the available school site in St. Alban’s for the new Bay d’Espoir Academy.

Sincerely,

HON. AL HAWKINS, MHA  
District of Grand Falls-Windsor-Buchans  
Minister

cc: Mr. Tony Stack
Hi Brian,

Sincere apologies for the delay in response.

TW has no concerns with the site proposed by the school district for the replacement of Bay d'Espoir Academy.

Cory

-----Original Message-----
From: Evans, Brian
Sent: Thursday, October 25, 2018 11:06 AM
To: Grandy, Cory <corygrandy@gov.nl.ca>
Cc: Reid, Lisa <LisaReid@gov.nl.ca>
Subject: RE: HPE Records Manager EXECUTIVE CORRESPONDENCE : EXC/18/6/724 : Ministerial approval from NLESD to utilize the school site in St. Alban's for the new Bay d'Espoir Academy.

Hi Cory,

Touching base on this again.

Brian

-----Original Message-----
From: Evans, Brian
Sent: Tuesday, October 9, 2018 5:06 PM
To: Grandy, Cory <corygrandy@gov.nl.ca>
Cc: Reid, Lisa <LisaReid@gov.nl.ca>
Subject: HPE Records Manager EXECUTIVE CORRESPONDENCE : EXC/18/6/724 : Ministerial approval from NLESD to utilize the school site in St. Alban's for the new Bay d'Espoir Academy.

Hi Cory,

As discussed today, can you please provide TW's assessment/approval of NLESD's request for site selection of Bay d'Espoir Academy.

Thanks, Brian

BRIAN EVANS | ADM – Corporate & School Infrastructure

Education and Early Childhood Development Government of Newfoundland & Labrador P.O Box 8700, St. John’s NL A1B 4J6

709 729-3041 (t) | 709 729-1400 (f) | brianevans@gov.nl.ca