

**THE REGIONAL MUNICIPALITY OF NIAGARA
PUBLIC WORKS COMMITTEE
MINUTES**

**PWC 4-2021
Tuesday, April 13, 2021
Council Chamber / Video Conference
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

Committee Members Present in the Council Chamber: Fertich (Committee Vice Chair), Rigby (Committee Chair),

Committee Members Present via Video Conference: Diodati, Disero, Edgar, Foster, Gale, Heit, Insinna, Junkin, Nicholson, Sendzik, Steele, Ugulini, Witteveen, Zalepa

Absent/Regrets: Bradley (Regional Chair), Chiocchio

Staff Present in the Council Chamber: E. Fabiani, Technical Support Analyst, C. Habermehl, Director, Waste Management Services, A.-M. Norio, Regional Clerk, R. Tripp, Acting Chief Administrative Officer, B. Zvaniga, Interim Commissioner, Public Works

Staff Present via Video Conference: D. Ane, Manager, Program Financial Support, S. Crocco, Legal Counsel, D. Gibbs, Director, Legal & Court Services, T. Harrison, Commissioner/Treasurer, Corporate Services, B. Menage, Director, Procurement & Strategic Acquisitions, E. Prpic, Associate Director, Waste Disposal Operations and Engineering, M. Robinson, Director, GO Implementation Office, C. Ryall, Director, Transportation Services, C. Selig, GO Implementation Project Planning Lead, J. Tonellato, Director, Water & Wastewater Services, M. Trennum, Deputy Regional Clerk, B. Wilson, Legal Counsel

Others Present via Video Conference: D. Jeffries, Rae Christen Jeffries LLP, External Legal Counsel

1. CALL TO ORDER

Committee Chair Rigby called the meeting to order at 9:30 a.m.

2. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

3. **PRESENTATIONS**

There were no presentations.

4. **DELEGATIONS**

There were no delegations.

5. **ITEMS FOR CONSIDERATION**

5.1 **PW 17-2021**

Approval of Public Works Single Source Purchase Order Requests and Purchase Change Order Requests Exceeding \$100,000

Moved by Councillor Edgar
Seconded by Councillor Steele

That Report PW 17-2021, dated April 13, 2021, respecting Approval of Public Works Single Source Purchase Order Requests and Purchase Change Order Requests Exceeding \$100,000, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the Single Source Purchase Order Requests identified in Appendix 1 of Report PW 17-2021 **BE APPROVED**.

Carried

5.2 **PW 21-2021**

Proposed Producer Responsibility Regulations for Hazardous and Special Products

Moved by Councillor Foster
Seconded by Councillor Witteveen

That Report PW 21-2021, dated April 13, 2021, respecting Proposed Producer Responsibility Regulations for Hazardous and Special Products, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That staff **BE AUTHORIZED** to submit comments on the proposed Hazardous and Special Products regulation to the Ministry of Environment, Conservation and Parks; and
2. That staff **UPDATE** Public Works Committee upon the finalization of the Hazardous and Special Products regulation.

Carried

5.3 PW 5-2021

Approval of Statement of Contributions and Expenditures for Niagara-on-the-Lake Wastewater Treatment Plant

Moved by Councillor Zalepa
Seconded by Councillor Disero

That Report PW 5-2021, dated April 13, 2021, respecting Approval of Statement of Contributions and Expenditures for Niagara-on-the-Lake Wastewater Treatment Plant, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the draft audited statement of contributions and expenditures for Niagara-on-the-Lake (NOTL) Wastewater Treatment Plant (Appendix 1 to Report PW 5-2021), **BE APPROVED**;
2. That staff **BE DIRECTED** to co-ordinate with the auditor to finalize the statement as presented; and
3. That Report PW 5-2021 **BE FORWARDED** to the Region's Audit Committee and to the Ministry of Infrastructure and Communities for information as required.

Carried

5.4 PW 20-2021

Processing of Source Separated Organics

Moved by Councillor Edgar
Seconded by Councillor Diodati

That Report PW 20-2021, dated April 13, 2021, respecting Processing of Source Separated Organics, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That staff **BE AUTHORIZED** to enter into negotiations with Walker Environmental Group Inc. for the expansion of the current Source Separated Organics Processing facility; and
2. That staff **REPORT** back to Regional Council, following negotiations with Walker Environmental Group Inc., with recommendations.

Carried

6. CONSENT ITEMS FOR INFORMATION

6.1 PWC-C 17-2021

COVID-19 Response and Business Continuity in Public Works

Moved by Councillor Ugolini

Seconded by Councillor Insinna

That Correspondence Item PWC-C 17-2021, being a memorandum from B. Zvaniga, Interim Commissioner, Public Works, dated April 13, 2021, respecting COVID-19 Response and Business Continuity in Public Works, **BE RECEIVED** for information.

Carried

7. OTHER BUSINESS

7.1 Options for Securing Recycling Bin Contents - Town of Lincoln Resolution

Councillor Foster advised Committee members of a motion passed by the Town of Lincoln respecting options to secure recycling bin contents and enquired about a Regional response. Catherine Habermehl, Director, Waste Management Services, advised that staff are not recommending the use of bin coverings at this time. She noted that the Region will provide enhanced promotion and education to residents, encouraging residents to ensure the securing of blue box items including not leaving bins out overnight and to not put bins out during inclement weather.

7.2 Road Improvements - City of Port Colborne

Councillor Steele requested an update regarding when scheduled road improvements will begin on Main Street East (Regional Road 3) and Hwy 3, in the City of Port Colborne.

7.3 Turning Lane - Wellington Street, City of Port Colborne

Councillor Steele requested staff investigate the addition of a turning lane on Wellington Street to Main Street East (Regional Road 3) heading westbound, in the City of Port Colborne.

7.4 Wastewater Treatment Plant Dumping Station - City of Port Colborne

Councillor Steele enquired when the sewage disposal station located in Port Colborne will reopen for RV trailers. Joe Tonellato, Director, Water and Wastewater Services, advised that the hauling and disposal station is scheduled for upgrades in 2023 and that the station will not reopen until the upgrades have been completed.

8. CLOSED SESSION

Moved by Councillor Insinna
Seconded by Councillor Heit

That this Committee **DO NOW MOVE** into Closed Session for the purposes of receiving information of a confidential nature respecting:

A Matter of Litigation or Potential Litigation and Advice Subject to Solicitor-Client Privilege and a Matter Concerning the Position to be Applied to certain Negotiations to be Carried on by the Municipality, under s.239(2)(e),(f) and (k) of the Municipal Act, 2001 - Material Recycling Facility Opportunity Review, Niagara Recycling Operations Agreement and Cellmark Claim

A Matter of Confidential Commercial or Financial Information that, if disclosed, Could Prejudice or Significantly Interfere with the Competitive Position of the Region Related to Contractual Negotiations – Processing of Source Separated Organics

A Confidential Matter that is Subject to Proposed or Pending Land Acquisition or Disposition Position and/or Plan, Procedure Criteria or Instruction Applied to Negotiations – GO Station Development Strategy Update

Carried

Committee resolved into closed session at 10:00 a.m.

9. BUSINESS ARISING FROM CLOSED SESSION ITEMS

Committee reconvened in open session at 11:14 a.m. with the following individuals in attendance:

Committee Members Fertich (Committee Vice Chair), Rigby (Committee Chair),
Present in the Council
Chamber:

Committee Members Diodati, Disero, Edgar, Foster, Gale, Heit, Insinna, Junkin,
Present via Video Nicholson, Sendzik, Steele, Ugulini, Witteveen, Zalepa
Conference:

Absent/Regrets: Bradley (Regional Chair), Chiocchio

Staff Present in the E. Fabiani, Technical Support Analyst, C. Habermebl, Director,
Council Chamber Waste Management Services, A.-M. Norio, Regional Clerk, B.
Zvaniga, Interim Commissioner, Public Works

Staff Present via Video Conference: D. Ane, Manager, Program Financial Support, S. Crocco, Legal Counsel, D. Gibbs, Director, Legal & Court Services, T. Harrison, Commissioner/Treasurer, Corporate Services, M. Robinson, Director, GO Implementation Office, C. Selig, GO Implementation Project Planning Lead, J. Tonellato, Director, Water & Wastewater Services, M. Trennum, Deputy Regional Clerk, B. Wilson, Legal Counsel

9.1 Confidential PW 19-2021

A Matter of Litigation or Potential Litigation and Advice Subject to Solicitor-Client Privilege and a Matter Concerning the Position to be Applied to certain Negotiations to be Carried on by the Municipality, under s.239(2)(e), (f) and (k) of the Municipal Act, 2001 - Material Recycling Facility Opportunity Review, Niagara Recycling Operations Agreement and Cellmark Claim

Moved by Councillor Steele
Seconded by Councillor Nicholson

That Confidential Report PW 19-2021, dated April 13, 2021, respecting A Matter of Litigation or Potential Litigation and Advice Subject to Solicitor-Client Privilege and a Matter Concerning the Position to be Applied to certain Negotiations to be Carried on by the Municipality, under s.239 (2) (e), (f) and (k) of the Municipal Act, 2001 - Material Recycling Facility Opportunity Review, Niagara Recycling Operations Agreement and Cellmark Claim, **BE RECEIVED**; and

That staff **PROCEED** as directed in closed session.

Carried

9.2 Confidential PWC-C 18-2021

A Matter of Confidential Commercial or Financial Information that, if disclosed, could prejudice or significantly interfere with the competitive position of the Region related to contractual negotiations – Processing of Source Separated Organics

Moved by Councillor Heit
Seconded by Councillor Foster

That Confidential Correspondence Item PWC-C 18-2021, being a memorandum from E. Prpic, Associate Director, Waste Disposal Operations & Engineering, dated April 13, 2021, respecting A Matter of Confidential Commercial or Financial Information that, if disclosed, could prejudice or significantly interfere with the competitive position of the Region related to contractual negotiations – Processing of Source Separated Organics, **BE RECEIVED** for information.

Carried

9.3 Confidential PW 15-2021

A Confidential Matter that is Subject to Proposed or Pending Land Acquisition or Disposition Position and/or plan, procedure criteria or instruction applied to negotiations – GO Station Development Strategy Update

Moved by Councillor Disero
Seconded by Councillor Zalepa

That Confidential Report PW 15-2021, dated April 13, 2021, respecting A Confidential Matter that is Subject to Proposed or Pending Land Acquisition or Disposition Position and/or plan, procedure criteria or instruction applied to negotiations – GO Station Development Strategy Update, **BE RECEIVED** and the recommendation contained therein **BE APPROVED**.

Carried

10. **NEXT MEETING**

The next meeting will be held on Tuesday, May 11, 2021 at 9:30 a.m.

11. ADJOURNMENT

There being no further business, the meeting adjourned at 11:16 a.m.

Councillor Rigby
Committee Chair

Matthew Trennum
Deputy Regional Clerk

Ann-Marie Norio
Regional Clerk