

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

**PWC 6-2020
Tuesday, July 14, 2020
Council Chamber/Teleconference
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

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

Committee Members Present via Teleconference: Bradley (Regional Chair), Chiocchio, Diodati, Disero, Edgar (Committee Vice-Chair), Fertich, Foster, Gale, Heit, Insinna, Ip, Junkin, Nicholson, Sendzik, Steele, Ugulini, Witteveen, Zalepa

Staff Present in the Council Chamber: M. Elia, Technology Support Analyst, A.-M. Norio, Regional Clerk, R. Tripp, Acting Chief Administrative Officer, B. Zvaniga, Interim Commissioner, Public Works

Staff Present via Teleconference: D. Ane, Manager, Program Financial Support, T. Byrne, Procurement Manager, T. Cimino, Associate Director, Water Wastewater Engineering, S. Crocco, Legal Counsel, M. Cruickshank, Legal Counsel, D. Gibbs, Director, Legal & Court Services, C. Habermehl, Director, Waste Management Services, B. Menage, Director, Procurement and Strategic Acquisitions, R. Mostacci, Commissioner, Planning and Development Services, M. Robinson, Director, GO Implementation Office, C. Ryall, Director, Transportation Services, R. Salewytch, Program Manager, Transit Services, J. Tonellato, Director, Water & Wastewater Services, M. Trennum, Deputy Regional Clerk, S. Wood, Legal Counsel

1. CALL TO ORDER

Committee Chair Rigby called the meeting to order at 9:31 a.m.

2. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

3. **PRESENTATIONS**

3.1 **Niagara Region Transit On-Demand**

Rob Salewytch, Program Manager, Transit Services provided information respecting Niagara Region Transit On-Demand. Topics of the presentation included:

- Background
- Pilot Goals
- Service Parameters, Metrics & Reporting
- Vehicles
- Branding - Logo, Vehicles, Phone App
- Service App
- Local Engagement
- Timelines - Pre-Launch & Milestones

4. **DELEGATIONS**

There were no delegations.

5. **ITEMS FOR CONSIDERATION**

5.1 **PW 5-2020**

Delegation of Authority Respecting Routine Traffic and Parking Schedule Regulations

Moved by Councillor Insinna
Seconded by Councillor Steele

That Report PW 5-2020, dated July 14, 2020, respecting Delegation of Authority Respecting Routine Traffic and Parking Schedule Regulations, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Council **APPROVE** Appendix 1 of Report PW 5-2020 titled - Delegation of Traffic and Parking By-law Matters Policy, and **DELEGATE AUTHORITY** to the Director of Transportation Services to make routine and administrative changes to the schedules of Traffic and Parking By-law 89-2000, as amended, in accordance with the Policy;
2. That the Director of Transportation Services **BE DIRECTED** to coordinate and/or notify affected municipal staff and affected members of Regional Council of any amendments to the schedules of Traffic and Parking By-law 89-2000 that are proposed to be made pursuant to the Policy, prior to the passage of the necessary amending by-law(s);

3. That the Regional Clerk **SUBMIT** the necessary by-law(s) to amend the Traffic and Parking By-law 89-2000 directly to Regional Council for passage upon receipt of a memorandum from the Director of Transportation Services in accordance with the Policy;
4. That the Director of Transportation Services **INFORM** Public Works Committee members of the amendments made to the schedules of Traffic and Parking By-law 89-2000 pursuant to the Policy on quarterly basis; and
5. That the necessary by-law to delegate authority to the Director of Transportation Services in accordance with Recommendation 1 of Report PW 5-2020 **BE PREPARED** and **PRESENTED** to Regional Council for consideration.

Carried

5.2 PW 24-2020

Award of Tender 2020-T-6 Area Winter Maintenance

Moved by Councillor Gale

Seconded by Councillor Zalepa

That Report PW 24-2020, dated July 14, 2020, respecting Award of Tender 2020-T-6 Area Winter Maintenance, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Contract 2020-T-6 Area Winter Maintenance **BE AWARDED** to Steed and Evans Limited, based on year one pricing of \$3,605,378 (including 13% HST) for a ten (10) year term; and
2. That the Regional Chair and Regional Clerk **BE AUTHORIZED** to execute the Contract and any required documents related thereto in a form satisfactory to the Director of Legal and Court Services.

Carried

5.3 PW 25-2020

Award of Contract 2020-T-59 Reconstruction of Regional Road 71 (St. David's Road)

Moved by Councillor Ugulini

Seconded by Councillor Foster

That Report PW 25-2020, dated July 14, 2020, respecting Award of Contract 2020-T-59 Reconstruction of Regional Road 71 (St. David's Road), **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Contract 2020-T-59 – Reconstruction of Regional Road 71 (St. David's Road) From Highway 406 ramps to Regional Road 56 (Burleigh Hill Drive/Collier Road), in the City of St. Catharines and the City of Thorold, **BE AWARDED** to Beam-Rankin Joint Venture Limited, at their bid price of \$9,451,597 (including 13% HST); and
2. That a gross capital budget adjustment in the amount of \$3,290,153 gross and \$0 net **BE APPROVED** (and **INITIATED**) for the Reconstruction of Regional Road 71 (St. David's Road), and that the gross capital budget adjustment **BE FUNDED** from cost sharing agreements with both the City of St. Catharines (\$2,115,852) and City of Thorold (\$1,174,301).

Carried

5.4 PW 29-2020

Uploading a Section of Livingston Avenue, Town of Grimsby to Niagara Region

Moved by Councillor Fertich
Seconded by Councillor Diodati

That Report PW 29-2020, dated July 14, 2020, respecting Uploading a Section of Livingston Avenue, Town of Grimsby to Niagara Region, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That pursuant to its authority under Subsection 52(1) of the Municipal Act, 2001, Regional Council **APPROVE** adding the following lower-tier highway in the Town of Grimsby to its highway system, namely Livingston Avenue from Casablanca Boulevard to west of Emily Street, within the limits of Ofield Orchard Plan 441;
2. That a copy of Report PW 29-2020 and a copy of Regional Council's decision **BE SENT** to The Corporation of the Town of Grimsby;
3. That the necessary by-law **BE PREPARED** and **PRESENTED** to Regional Council to add the highway to the Regional Road system; and
4. Upon passage, a copy of the by-law **BE SENT** to The Corporation of the Town of Grimsby, as the highway will be removed from the jurisdiction of the Town.

Carried

5.5 PW 30-2020

Report to Amend By-Law No. 48-2012 – A By-Law to Remove Highways from the Regional Road System in the Town of Grimsby

Moved by Councillor Heit

Seconded by Councillor Nicholson

That Report PW 30-2020, dated July 14, 2020, respecting Report to Amend By-Law No. 48-2012 – A By-Law to Remove Highways from the Regional Road System in the Town of Grimsby, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That By-law No. 48-2012 passed on May 24, 2012 **BE AMENDED** to clarify the description of the lands intended to be removed from the Regional Road system and transferred to the Town of Grimsby; and
2. That the form of Amending by-Law, attached to Report PW 30-2020 as Appendix 5, **BE APPROVED** by Regional Council.

Carried

5.6 PW 26-2020

Update on Extended Producer Responsibility - Batteries

Moved by Councillor Edgar

Seconded by Councillor Sendzik

That Report PW 26-2020, dated July 14, 2020, respecting Update on Extended Producer Responsibility - Batteries, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Commissioner of Public Works **BE AUTHORIZED** to enter into an agreement on behalf of The Regional Municipality of Niagara with Call2Recycle Canada Inc. for the funding of the Region's Drop-off Depot Battery Collection and Recycling Program in a form satisfactory to the Director of Legal & Court Services;
2. That the Director of Waste Management Service or his/her delegate **BE AUTHORIZED** to enter into negotiations with Raw Materials Company Inc. for an agreement for the funding of Niagara Region's Multi-Residential Battery Collection and Recycling Program; and
3. That Niagara Region Public Works staff **BE AUTHORIZED** to cease operation of the Curbside Battery Collection and Recycling Program as of July 1, 2020.

Carried

6. CONSENT ITEMS FOR INFORMATION

Correspondence Item PWC-C 23-2020 (Agenda Item 6.4) was dealt with separately.

6.4 PWC-C 23-2020

Terms of Reference for Long Term Waste Management Strategic Plan

Moved by Councillor Gale

Seconded by Councillor Junkin

That Correspondence Item PWC-C 23-2020, being a memorandum from J. Mazurek, Program Manager, Policy, Planning and Engagement, dated July 14, 2020, respecting Terms of Reference for Long Term Waste Management Strategic Plan, **BE RECEIVED** for information.

Carried

6. CONSENT ITEMS FOR INFORMATION

Moved by Councillor Chiocchio

Seconded by Councillor Zalepa

That the following items **BE RECEIVED** for information:

PWC-C 24-2020

COVID-19 Response and Business Continuity in Public Works

PWC-C 16-2020

2018 Waste Management Benchmarking Report

PWC-C 22-2020

Update on the New Waste Collection Contract (2019-RFP-156)

PW 10-2020

Dain City Sewage Pumping Station Forcemain Emergency Replacement

PW 31-2020

Contract 2014-T-114 (RN14-14) NOTL Wastewater Treatment Plant and
Contract 2014-T-113 (RN14-13) Lakeshore Road, Garrison Village and William
Street Pumping Station Upgrades and Linear Works – Project Status Update

PW 32-2020

Status Update for Contract 2015-T-109 (RN 15-09) Welland Wastewater
Treatment Plant, Phase I

Carried

7. OTHER BUSINESS

7.1 Regional Grass Cutting

Councillor Steele requested that Public Works staff coordinate with the City of Port Colborne respecting grass cutting on Regional property in the City of Port Colborne. Councillor Foster requested information respecting grass cutting along Regional Roads.

7.2 Regional Branding Policy

Councillor Zalepa requested information respecting the policy or process for a local area municipality to put its name on a water tower. Ron Tripp, Acting Chief Administrative Officer advised there is a Council approved branding policy that would be provided to the Councillor.

8. CLOSED SESSION

Moved by Councillor Fertich
Seconded by Councillor Nicholson

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

A Matter of Advice that is Subject to Solicitor Client Privilege - Update Regarding Investigation of Source of Material causing Flooding in Dain City Sewer System

Carried

Committee resolved into closed session at 10:54 a.m.

9. BUSINESS ARISING FROM CLOSED SESSION ITEMS

Committee reconvened in open session at 11:02 a.m. with the following individuals in attendance:

Committee Members Present in the Council Chamber:	Rigby (Committee Chair)
Committee Members Present via Teleconference:	Chiocchio, Diodati, Disero, Edgar (Committee Vice-Chair), Fertich, Foster, Gale, Heit, Insinna, Ip , Junkin, Nicholson, Steele, Ugulini, Witteveen, Zalepa
Absent/Regrets:	Bradley (Regional Chair), Sendzik
Staff Present in the Council Chamber:	M. Elia, Technology Support Analyst, A.-M. Norio, Regional Clerk, R. Tripp, Acting Chief Administrative Officer, B. Zvaniga, Interim Commissioner, Public Works
Staff Present via Teleconference:	D. Ane, Manager, Program Financial Support, T. Cimino, Associate Director, Water Wastewater Engineering, S. Crocco, Legal Counsel, M. Cruickshank, Legal Counsel, D. Gibbs, Director, Legal & Court Services, R. Mostacci, Commissioner, Planning and Development Services, J. Tonellato, Director, Water & Wastewater Services, M. Trennum, Deputy Regional Clerk

9.1 Confidential Report PWC-C 21-2020

A Matter of Advice that is Subject to Solicitor Client Privilege – Update Regarding Investigation of Source of Material Causing Flooding in Dain City Sewer System

Moved by Councillor Zalepa
Seconded by Councillor Steele

That Confidential Report PWC-C 21-2020, dated July 14, 2020, respecting A Matter of Advice that is Subject to Solicitor Client Privilege – Update Regarding Investigation of Source of Material Causing Flooding in Dain City Sewer System, **BE RECEIVED** and the recommendation contained therein **BE APPROVED**.

Carried

9.2 Confidential Memorandum PWC-C 26-2020

A Matter Respecting Litigation and A Matter of Advice that is Subject to Solicitor-Client privilege under s. 239(2) of the Municipal Act, 2001 – Update Regarding Niagara-on-the-Lake Wastewater Treatment Plant (“NOTL WWTP”), Niagara-on-the-Lake Sewage Pumping Station (“NOTL SPS”), and Welland Wastewater Treatment Plant Upgrades (“Welland WWTP”)

Moved by Councillor Zalepa
Seconded by Councillor Witteveen

That Correspondence Item PWC-C 26-2020, being a memorandum from T. Harrison, Commissioner, Corporate Services/Treasurer, dated July 14, 2020, respecting Confidential Report CSD 29-2020 - A Matter Respecting Litigation and A Matter of Advice that is Subject to Solicitor-Client privilege under s. 239(2) of the Municipal Act, 2001 – Update Regarding Niagara-on-the-Lake Wastewater Treatment Plant (“NOTL WWTP”), Niagara-on-the-Lake Sewage Pumping Station (“NOTL SPS”), and Welland Wastewater Treatment Plant Upgrades (“Welland WWTP”), **BE RECEIVED** for information.

Carried

10. **NEXT MEETING**

The next meeting will be held on Tuesday, August 4, 2020 at 9:30 a.m.

11. **ADJOURNMENT**

There being no further business, the meeting adjourned at 11:04 a.m.

Councillor Rigby
Committee Chair

Matthew Trennum
Deputy Regional Clerk

Ann-Marie Norio
Regional Clerk