

**THE REGIONAL MUNICIPALITY OF NIAGARA
PROCEEDINGS OF COUNCIL
OPEN SESSION**

**CL 15-2021
Thursday, August 26, 2021
Council Chamber/Video Conference
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold**

Council Members Present in the Council Chamber:	Bradley (Regional Chair), Foster
Council Members Present via Video Conference:	Bellows, Butters, Bylsma, Campion, Chiocchio, Darte, Diodati, Disero, Easton, Edgar, Fertich, Gale, Gibson, Greenwood, Heit, Huson, Insinna, Ip, Jordan, Junkin, Nicholson, Redekop, Rigby, Sendzik, Steele, Ugulini, Villella, Whalen, Zalepa
Absent/Regrets:	Witteveen
Staff Present in the Council Chamber:	M. Bannerman, Grant & Incentive Program Manager, D. Barnhart, Executive Officer to the Regional Chair, T. Harrison, Commissioner/Treasurer, Corporate Services, M. Lewis, Client & Support Advisor, A.-M. Norio, Regional Clerk, M. Sergi, Commissioner, Planning and Development Services, R. Tripp, Acting Chief Administrative Officer
Staff Present via Video Conference:	A. Apfelbaum, Manager, Business Licensing, H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, N. Early, Director, Corporate Strategy & Innovation, D. Gibbs, Director, Legal & Court Services, D. Giles, Director, Community and Long Range Planning, D. Heyworth, Official Plan Policy Consultant, Dr. M. M. Hirji, Acting Medical Officer of Health, A. Jugley, Commissioner, Community Services, F. Meffe, Director, Human Resources, B. Menage, Director, Procurement & Strategic Acquisitions, C. Ogunniyi, Diversity, Equity & Inclusion Program Manager, D. Rurak, Director, Asset Management Office, K. Scholtens, Manager, Business Development Expedited Services, G. Spezza, Director, Economic Development, M. Trennum, Deputy Regional Clerk, D. Woiceshyn, Director, Niagara Housing/Chief Executive Officer, Niagara Regional Housing, B. Zvaniga, Interim Commissioner, Public Works

1. **CALL TO ORDER**

Regional Chair Bradley called the meeting to order at 6:32 p.m.

2. **ADOPTION OF AGENDA**

2.1 **Addition of Items**

Moved by Councillor Gale
Seconded by Councillor Greenwood

That Evan Sugden **BE PERMITTED** to appear before Council respecting Niagara Official Plan: Land Needs Assessment and Settlement Area Boundary Review Update.

Carried

Moved by Councillor Gale
Seconded by Councillor Whalen

That Council Weekly Correspondence Item CWCD 2021-179, dated August 13, 2021, respecting Response to Councillor Information Request regarding Status of Recommendations for Operational Improvements to the Biosolids Management Program, **BE ADDED** to the Agenda under Correspondence to Receive and/or Refer as Agenda Item 8.1.11.

Carried

2.2 **Changes in Order of Items**

Moved by Councillor Heit
Seconded by Councillor Edgar

That the order of the agenda **BE AMENDED** to move Report CAO 17-2021 respecting COVID-19 Vaccination Policy Update (Agenda Item 10.3) to immediately following the Delegations section (Agenda Item 6.0).

Carried

Councillor Darte requested that the order of the agenda be changed to move the consideration of Report CHR 5-2021 respecting Need for a Province-wide COVID-19 Vaccine certification (Agenda Item 5.2) to immediately following the consideration of Report CAO 17-2021 respecting COVID-19 Vaccination Policy Update (Agenda Item 10.3).

Moved by Councillor Butters
Seconded by Councillor Huson

That Council Agenda CL 15-2021, **BE ADOPTED**, as amended.

Carried

3. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

4. PRESENTATIONS

There were no presentations.

5. CHAIR'S REPORTS, ANNOUNCEMENTS, REMARKS

The Regional Chair provided an update respecting activities within the Region and the efforts of Niagara Region with respect to the COVID-19 pandemic.

5.1 CHR 04-2021

Regional Chair's Youth Advisory Panel

Moved by Councillor Greenwood
Seconded by Councillor Zalepa

That CHR 4-2021, being a memorandum from D. Barnhart, Chief Executive Officer to the Regional Chair, dated August 26, 2021, respecting Regional Chair's Youth Advisory Panel, **BE RECEIVED** for information.

Carried

6. DELEGATIONS

6.1 Regional Chair's Youth Advisory Panel (Memorandum CHR 4-2021 (Agenda Item 5.1))

6.1.1 Salony Sharma and Arul Dilwaria, Niagara Falls Mayor's Youth Advisory Committee

Salony Sharma and Arul Dilwaria, Niagara Falls Mayor's Youth Advisory Committee, appeared before Council to speak in support of the creation of a Regional Chair's Youth Advisory Committee (RCYAC). They provided information respecting the purpose, logistics and benefits of the RCYAC for the community and Niagara's youth.

6.2 Niagara Official Plan: Land Needs Assessment and Settlement Area Boundary Review Update (Minute Item 5.1 of Minutes PEDC 8-2021 (Agenda Item 9.4)).

6.2.1 Evan Sugden, Bousfields Inc., representing the Jukic Group Inc.

Evan Sugden, Bousfields Inc., representing the Jukic Group Inc., appeared before Council in support of the Niagara Official Plan: Land Needs Assessment and Settlement Area Boundary Review Update recommendations. Mr. Sugden provided information respecting the Jukic Group's urban area expansion request for a new development named Black Creek Commons.

Councillor Information Request(s):

Provide information respecting the percentage of residential and commercial properties in this new development. Councillor Darte.

10. CHIEF ADMINISTRATIVE OFFICER'S REPORT(S)

10.3 CAO 17-2021

COVID-19 Vaccination Policy Update

Moved by Councillor Heit

Seconded by Councillor Whalen

1. That CAO 17-2021, being a memorandum from R. Tripp, Chief Administrative Officer, dated August 26, 2021, respecting COVID-19 Vaccination Policy Update, **BE RECEIVED** for information;
2. That staff **BE DIRECTED** to develop and implement a policy, and any required procedures, to require all Regional employees to be fully vaccinated against COVID-19, at the earliest opportunity, subject to and in compliance with any applicable legal directives and requirements, including but not limited to applicable human rights obligations, accommodation of employees legally entitled to accommodation, *Municipal Freedom of Information and Protection of Privacy Act* and the *Personal Health Information Protection Act*;
3. That Regional Council **APPROVE** that the applicable provisions of the above-mentioned vaccination policy include members of Regional Council who wish to attend in-person meetings (including Committee and Council), conduct business on Regional property or facilities, or attend official events in their capacity as a Regional Councillor; and

4. That a copy of this resolution **BE PROVIDED** to the Local Area Municipalities, and the Region's agencies boards and commissions, namely the Niagara Regional Police Service and Niagara Peninsula Conservation Authority.

Moved by Councillor Redekop
Seconded by Councillor Chiocchio

That clause 2 of the motion **BE AMENDED** as follows:

2. That staff **BE DIRECTED** to develop and implement a *draft* policy, and any required procedures, **for Council review at a Special Meeting to be held Thursday, September 16, 2021**, to require all Regional employees to be fully vaccinated against COVID-19, at the earliest opportunity, subject to and in compliance with any applicable legal directives and requirements, including but not limited to applicable human rights obligations, accommodation of employees legally entitled to accommodation, *Municipal Freedom of Information and Protection of Privacy Act* and the *Personal Health Information Protection Act*;

Recorded Vote:

Yes (12): Bellows, Champion, Chiocchio, Darte, Diodatio, Fertich, Foster, Gale, Insinna, Junkin, Redekop, Steele.

No (18): Butters, Bylsma, Disero, Easton, Edgar, Gibson, Greenwood, Heit, Huson, Ip, Jordan, Nicholson, Rigby, Sendzik, Ugulini, Villella, Whalen, Zalepa.

Defeated

Moved by Councillor Rigby
Seconded by Councillor Sendzik

That the question **BE CALLED**.

Carried

The Regional Chair called the vote on the motion. Clauses 1, 2 and 4 were considered separately as follows:

1. That CAO 17-2021, being a memorandum from R. Tripp, Chief Administrative Officer, dated August 26, 2021, respecting COVID-19 Vaccination Policy Update, **BE RECEIVED**;

2. That staff **BE DIRECTED** to develop and implement a policy, and any required procedures, to require all Regional employees to be fully vaccinated against COVID-19, at the earliest opportunity, subject to and in compliance with any applicable legal directives and requirements, including but not limited to applicable human rights obligations, accommodation of employees legally entitled to accommodation, *Municipal Freedom of Information and Protection of Privacy Act* and the *Personal Health Information Protection Act*; and
4. That a copy of this resolution **BE PROVIDED** to the Local Area Municipalities, and the Region's agencies boards and commissions, namely the Niagara Regional Police Service and Niagara Peninsula Conservation Authority.

Recorded Vote:

Yes (28): Bellows, Butters, Campion, Chiocchio, Darte, Diodati, Disero, Easton, Edgar, Fertich, Foster, Gale, Gibson, Greenwood, Heit, Huson, Insinna, Ip, Jordan, Junkin, Nicholson, Redekop, Rigby, Sendzik, Steele, Ugulini, Whalen, Zalepa.

No (2): Bylsma, Villella.

Carried

Clause 3 was considered separately as follows:

3. That Regional Council **APPROVE** that the applicable provisions of the above-mentioned vaccination policy include members of Regional Council who wish to attend in-person meetings (including Committee and Council), conduct business on Regional property or facilities, or attend official events in their capacity as a Regional Councillor.

Recorded Vote:

Yes (24): Bellows, Butters, Campion, Chiocchio, Darte, Diodati, Disero, Easton, Edgar, Foster, Gibson, Greenwood, Heit, Huson, Insinna, Ip, Jordan, Nicholson, Redekop, Rigby, Sendzik, Steele, Ugulini, Whalen.

No (6): Bylsma, Fertich, Gale, Junkin, Villella, Zalepa.

Carried

5. **CHAIR'S REPORTS, ANNOUNCEMENTS, REMARKS**

5.2 **CHR 5-2021**

Need for a Province-wide COVID-19 Vaccine Certificate

Moved by Councillor Darté

Seconded by Councillor Butters

That CHR 5-2021, being a memorandum from Regional Chair Jim Bradley, dated August 26, 2021, respecting Need for a Province-wide COVID-19 Vaccine Certificate, **BE RECEIVED**.

The following friendly **amendment** was accepted by the Regional Chair, and the mover and seconder of the motion:

That CHR 5-2021, being a memorandum from Regional Chair Jim Bradley, dated August 26, 2021, respecting Need for a Province-wide COVID-19 Vaccine Certificate, **BE RECEIVED and the Federal government BE REQUESTED to implement a vaccine certificate**.

The Regional Chair called the vote on the motion, as amended, and declared it,

Carried

Moved by Councillor Darté

Seconded by Councillor Butters

Whereas the COVID-19 pandemic continues to radically impact the health of Niagara's residents and economic viability of thousands of Niagara businesses;

Whereas studies have shown that the Delta variant is as much as twice as contagious as the Alpha variant;

Whereas unvaccinated individuals are at the greatest risk of complications, being 2,900% more likely to become hospitalized after becoming infected by COVID-19;

Whereas unvaccinated individuals are more susceptible to contracting the virus;

Whereas each time the virus is transmitted there is a risk of another variant of concern to be created;

Whereas vaccines play a crucial role in helping to return our lives to a sense of normalcy by protecting the health of Niagara's residents and the sustainability of our economy;

Whereas there is currently a sufficient supply of COVID-19 vaccines available in Niagara;

Whereas a growing number of public and private institutions across Niagara, and the Province of Ontario, have recently announced policies that would require proof of vaccination before being granted access or in-person service;

Whereas the Association of Local Public Health Agencies (ALPHA) have endorsed the creation of province-wide proof-of-vaccination certificate system;

Whereas the Provinces of Quebec, British Columbia and Manitoba have already moved to create such systems in order to both support local businesses and encourage vaccination rates with residents; and

Whereas the best available science shows that high vaccination rates save lives and will help avoid further economic shut downs.

NOW THEREFORE BE IT RESOLVED

1. That the Regional Chair **BE DIRECTED** to send a letter on behalf of Regional Council urging the Premier of Ontario, and the Minister of Health, to take immediate action to create a province-wide vaccination certificate system to both encourage higher uptake of COVID-19 vaccines among residents and support local businesses and institutions across Niagara; and
2. That the Regional Clerk **BE DIRECTED** to circulate a copy of this motion to Niagara's 12 local area municipalities.

The following friendly **amendment** was accepted by the Regional Chair, and the mover and seconder of the motion:

1. That the Regional Chair **BE DIRECTED** to send a letter on behalf of Regional Council urging ***the Prime Minister of Canada***, the Premier of Ontario, and the Minister of Health, to take immediate action to create a province-wide vaccination certificate system to both encourage higher uptake of COVID-19 vaccines among residents and support local businesses and institutions across Niagara.

The following friendly **amendment** was accepted by the Regional Chair, and the mover and seconder of the motion:

2. That the Regional Clerk **BE DIRECTED** to circulate a copy of this motion to Niagara's ***Members of Parliament, Members of Provincial Parliament, and the*** 12 local area municipalities.

The Regional Chair called the vote on the motion, as amended.

Recorded Vote:

Yes (27): Bellows, Butters, Campion, Chiocchio, Darte, Diodati, Disero, Easton, Edgar, Fertich, Foster, Gale, Gibson, Greenwood, Heit Huson, Insinna, Ip, Jordan, Junkin, Nicholson, Redekop, Rigby, Steele, Ugulini, Whalen, Zalepa.

No (2): Bylsma, Villella.

Carried

7. ADOPTION OF MINUTES

7.1 Council Minutes CL 14-2021

Thursday, July 22, 2021

Moved by Councillor Easton

Seconded by Councillor Gibson

That Minutes CL 14-2021 being the Open Session minutes of the Regional Council meeting held on Thursday, July 22, 2021, **BE ADOPTED.**

Carried

8. CORRESPONDENCE

8.1 Receive and/or Refer

Moved by Councillor Gibson

Seconded by Councillor Zalepa

That the following items **BE DEALT WITH** as follows:

CL-C 59-2021 respecting Report on Municipal Conflict of Interest Act Inquiry - IC-13715-0521 - Councillor Gale, **BE RECEIVED;**

CL-C 60-2021 respecting Report on Code of Conduct Complaint - IC-13741-0521 - Councillor Gale, **BE RECEIVED;**

CL-C 61-2021 respecting Niagara Region Incentive Review, **BE RECEIVED;**

CL-C 62-2021 respecting Niagara Region's Review of Incentive Programs, **BE RECEIVED;**

COTW-C 4-2021 respecting City of Welland Comments regarding PDS 31-2021 - Niagara Region Incentives Policy, **BE RECEIVED;**

CL-C 63-2021 REVISED respecting Urban Area Boundary Expansion Request – Black Creek Commons and Response to Niagara Region Official Plan Update Report No. PDS 33-2021, **BE RECEIVED**;

CL-C 64-2021 respecting 2021 Medical Officer of Health/Associate Medical Officer of Health Compensation Initiative, **BE RECEIVED**;

CL-C 65-2021 respecting Welland City Council Motion regarding Niagara Region Grants and Incentives Review, **BE RECEIVED**;

CL-C 67-2021 respecting Rapid Housing Initiative Capital Funding (Report CSD 52-2021), **BE RECEIVED**;

CL-C 68-2021 respecting City of Welland Resolution – Request Niagara Region to Maintain Existing Grants and Incentive Programs, **BE RECEIVED**; and

CWCD 2021-179 (attached to these Minutes) respecting Response to Councillor Information Request regarding Status of Recommendations for Operational Improvements to the Biosolids Management Program, **BE RECEIVED**.

Carried

Councillor Information Request(s):

Provide information respecting the Ministry of the Environment's (MOE) investigation of Thomas Nutrient Solutions including:

- a) Did staff advise the independent investigators from Kroll, that the Ministry of Environment was also investigating Thomas Nutrient Solutions?
- b) Why was Council not informed of the Provincial investigation into Thomas Nutrient Solutions?
- c) Why was the Province requested by the Region to file an FOI for specific information being requested; and
- d) What was the result of the Provincial investigation into Thomas Nutrient Solutions related to the Region's biosolids program? Or is it still ongoing? Councillor Gale

Ensure future Integrity Commissioner annual reporting include costs and name the parties involved in the complaint investigation. Councillor Zalepa

8.2 For Consideration

There were no items for consideration.

9. COMMITTEE REPORTS - OPEN SESSION

9.1 Committee of the Whole

Minutes COTW 3-2021, Thursday, August 5, 2021

Moved by Councillor Ugolini
Seconded by Councillor Gibson

That Minutes COTW 3-2021 being the Open Session minutes of the Committee of the Whole meeting held on Thursday, August 5, 2021, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

9.1.1 Minute Item 5.1 respecting Niagara Region Incentives Policy

The motion contained in Minute Item 5.1 was considered separately as follows:

That Report PDS 31-2021, dated August 5, 2021, respecting Niagara Region Incentives Policy, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Niagara Region Incentives Policy (Appendix 1 of Report PDS 31-2021) **BE APPROVED** with the following additions:
 - a) That the following existing program continue to be maintained:
 - i. SNIP – Smarter Niagara Incentive Program;
2. That staff **PROVIDE** sunset clause policies with reasonable expiration dates;
3. That staff formally **REVIEW** and **REPORT** to Regional Council prior to October 2024 on the effectiveness, challenges and any recommended changes to the Region's Incentive Programs, after consulting with the local area municipalities;
4. That staff **BE DIRECTED** to explore the inclusion of the Niagara Investment in Culture Program as part of the updated policy; and
5. That Report PDS 31-2021 **BE CIRCULATED** to the Local Area Municipalities.

Moved by Councillor Foster
Seconded by Councillor Darte

That the motion **BE AMENDED** to read as follows:

1. That the Niagara Region Incentives Policy (Appendix 1 of Report PDS 31-2021) which promotes ***Council's four priority areas for Niagara Region, namely Affordable Housing, Employment, Brownfield Remediation, and Public Realm,*** **BE APPROVED** with the following additions:
 - a) ***That the current programs be maintained until October 1 2024;***
 - b) ***That the SNIP (Smarter Niagara Incentive Program) be maintained with a maximum dollar figure available for grants that is determined during the annual budget process;***
2. That staff **PROVIDE** sunset clause policies ***for currently approved programs*** that include reasonable expiration dates;
3. That staff formally **REVIEW** and **REPORT** to Regional Council prior to October 2024 on the effectiveness, challenges and any recommended changes to the Region's Incentive Programs, after consulting with the local area municipalities;
4. That staff **BE DIRECTED** to explore the inclusion of the Niagara Investment in Culture Program as part of the updated policy;
and
5. That Report PDS 31-2021 **BE CIRCULATED** to the Local Area Municipalities.

Councillor Information Request(s)

Provide information respecting the consultations with the Local Area Municipalities. Councillor Darte

Moved by Councillor Steele
Seconded by Councillor Foster

That Regional Council **EXTEND** this meeting's curfew to 11:00 p.m.

Carried

The following friendly **amendment** was accepted by the Regional Chair, and the mover and seconder of the motion:

1(a) That the current **Regional TIG and Smart Growth DC** programs be maintained **in municipal CIP districts** until October 1, 2024 **or until new programs are approved by Regional Council that further support municipal CIP Districts with criteria that supports residential intensification, employment enhancements and brownfield remediation.**

Moved by Councillor Ugolini
Seconded by Councillor Diodati

That the rules of procedure **BE SUSPENDED** to permit Council to extend this meeting's curfew past 11:00 p.m.

Defeated

At this point in the meeting, the Chair advised Council that it was nearing the 11:00 p.m. curfew and stated that the time sensitive items would be brought forward for consideration.

9.2 Public Works Committee

Minutes PWC 8-2021, Tuesday, August 10, 2021

Moved by Councillor Rigby
Seconded by Councillor Disero

That Minutes PWC 8-2021 being the Open Session minutes of the Public Works Committee meeting held on Tuesday, August 10, 2021, **BE RECEIVED** and the recommendations contained therein **BE APPROVED.**

Carried

9.3 Corporate Services Committee

Minutes CSC 8-2021, Wednesday, August 11, 2021

Moved by Councillor Foster
Seconded by Councillor Whalen

That Minutes CSC 8-2021 being the Open and Closed Session minutes of the Corporate Services Committee meeting held on Wednesday, August 11, 2021, **BE RECEIVED** and the recommendations contained therein **BE APPROVED.**

9.3.1 Minute Item 5.2 respecting Rapid Housing Initiative Capital Funding

The motion contained in Minute Item 5.2 was considered separately as follows:

That Report CSD 52-2021, dated August 11, 2021, respecting Rapid Housing Initiative Capital Funding, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That, contingent on Federal Government approval of Niagara's Rapid Housing Initiative (RHI) submission, a gross capital budget adjustment in the amount of \$13,577,582 and \$0 net, **BE APPROVED** (and **INITIATED**) for the Welland Multi-Residential Intensification Project; and
2. That the project **BE FUNDED** as follows:
 - Federal RHI Grant - \$10,515,033
 - Development Charges – Social Housing - \$2,465,243
 - Municipal Contributions - \$597,306

The following friendly *amendment* was accepted by the Regional Chair, and the mover and seconder of the motion:

3. ***That Niagara Region PREPARE and EXECUTE such agreement or agreements with Niagara Regional Housing for construction, holding of legal title and on-going operation of the Project described in Report CSD 52-2021 as may be necessary to meet the requirements of Niagara Region's commitments arising from its application for RHI funding.***

The Regional Chair called to vote on the motion, as amended, and declared it,

Carried

9.3.2 Balance of the Recommendations from Corporate Services Committee

The Regional Chair called the vote on the balance of the recommendations from the Corporate Services Committee and declared it,

Carried

Councillor Information Request(s):

Provide information respecting additional consultations with local caleche operators respecting Report CSD 11-2021 and Bill 2021-58, being a by-law to license, regulate and govern vehicles used for hire (specialty vehicles, shuttle buses, sightseeing vehicles, caleche). Councillor Zalepa

9.4 Planning and Economic Development Committee

Minutes PEDC 8-2021, Wednesday, August 11, 2021

Moved by Councillor Huson

Seconded by Councillor Sendzik

That Minutes PEDC 8-2021 being the Open Session minutes of the Planning & Economic Development Committee meeting held on Wednesday, August 11, 2021, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

10. CHIEF ADMINISTRATIVE OFFICER'S REPORT(S)

10.1 CAO 15-2021

Updated Land Acknowledgement Statements

Due to time constraints, Council did not consider this item.

10.2 CAO 16-2021

Planning for Return to the Workplace and Gradual Re-opening

Due to time constraints, Council did not consider this item.

11. MOTIONS

11.1 Recruitment of Permanent Medical Officer of Health

Due to time constraints, Council did not consider this motion.

11.2 Request to Review and Amend Section 128 (Rate of Speed) of the Highway Traffic Act

Due to time constraints, Council did not consider this motion.

12. NOTICES OF MOTION

12.1 National Day for Truth and Reconciliation

Due to time constraints, Council did not consider this motion.

13. OTHER BUSINESS

Due to time constraints, Council did not deal with items of other business.

14. CLOSED SESSION

Council did not resolve into closed session.

15. BUSINESS ARISING FROM CLOSED SESSION

Council did not resolve into closed session.

16. BY-LAWS

Moved by Councillor Disero
Seconded by Councillor Greenwood

That the following Bills **BE NOW READ** and **DO PASS**:

Bill 2021-55

A by-law to accept, assume and dedicate Part of Township Lot 90, in the Town of Niagara-on-the-Lake as part of Regional Road No. 100 (Four Mile Creek Road).

Bill 2021-56

A by-law to accept, assume and dedicate Part of Township Lot 90, in the Town of Niagara-on-the-Lake as part of Regional Road No. 81 (York Road).

Bill 2021-57

A by-law to licence, regulate and govern owners, drivers and brokers of taxicabs and transportation network company businesses.

Bill 2021-58

A by-law to licence, regulate and govern vehicles used for hire (specialty vehicles, shuttle buses, sightseeing vehicles, caleche).

Bill 2021-59

A by-law to licence, regulate and govern salvage shops and salvage yards.

Bill 2021-60

A by-law to licence, regulate and govern second-hand good shops and dealers in second-hand goods.

Bill 2021-61

A by-law to licence, regulate and govern tow trucks, and owners, drivers and brokers of towing businesses.

Bill 2021-62

A by-law to amend By-Law No. 2021-03, being a by-law to establish fees and charges for the services and activities provided by the Regional Municipality of Niagara and for the use of its property.

Bill 2021-63

A by-law to amend By-Law 89-2000 to Provide for the Regulation of Traffic on Regional Highways (Speed Limit Reduction Regional Road 27 in The Town of West Lincoln).

Bill 2021-64

A by-law to amend By-Law 89-2000 To Provide for the Regulation of Traffic on Regional Highways (Parking Prohibition Regional Road 69 in The Town of Lincoln and The City of St. Catharines).

Bill 2021-65

A by-law to amend By-Law 89-2000 To Provide for the Regulation of Traffic on Regional Highways (Speed Limit Reduction Regional Road 20 in The Town of West Lincoln).

Bill 2021-66

A by-law to amend By-Law 89-2000 To Provide for the Regulation of Traffic on Regional Highways (Speed Limit Reduction Regional Road 10 in The Town of Grimsby).

Bill 2021-67

A by-law to amend By-Law 89-2000 To Provide for the Regulation of Traffic on Regional Highways (Parking Prohibition Regional Road 81 in The Town of Grimsby).

Bill 2021-68

A by-law to amend By-Law 89-2000 To Provide for the Regulation of Traffic on Regional Highways (Speed Limit Reduction Regional Road 38 in The City of St. Catharines).

Bill 2021-69

A by-law to adopt, ratify and confirm the actions of Regional Council at its meeting held on August 26, 2021.

Carried

17. ADJOURNMENT

In accordance with Section 5.4 of Niagara Region Procedural By-law, curfew having been reached, the meeting ended at 11:00 p.m.

Jim Bradley
Regional Chair

Matthew Trennum
Deputy Regional Clerk

Ann-Marie Norio
Regional Clerk

MEMORANDUM

CWCD 2021-179

Subject: Response to Councillor Information Request regarding Status of Recommendations for Operational Improvements to the Biosolids Management Program

Date: August 13, 2021

To: Regional Council

From: Bruce Zvaniga, Commissioner of Public Works (Interim)

At the meeting of Niagara Regional Council on July 22, 2021, Councillor Gale asked for an update on the status of the various recommendations for operational improvements to the Biosolids Management program.

A status update is attached as Appendix 1.

Respectfully submitted and signed by

Bruce Zvaniga, P.Eng.
Commissioner of Public Works (Interim)

Appendix

Appendix 1 – Recommendations for Operational Improvements to the Biosolids Management Program – Status Update

Recommendations for Operational Improvements to the Biosolids Management Program – Status Update

#	Recommendation	Comment	Status
1	Improve measures to ensure all hauled wastewater truck entry and exit activity at the Garner Road is properly recorded and documented.	New motorized gates have been installed at the site including proximity card reader, intercom, CCTV camera, remote lock/unlock gate controls, and safety bollards. In addition new network video recorder and 2 monitors have been installed at the facility to allow for remote monitoring from the operator control room. The new gates and system are anticipated to be operational in August 2021.	On-going August 2021 Expected Completion
2	Ensure contractor secure access to Garner Road facility is compliant with regulated hours of operation	See question # 1. Contractor security access cards have been assigned to individual drivers for TNS and N-Viro. Programming for the security cards allows access to the site Mon-Sat. 7am-9pm as per current Biosolids contract 2020-RFP-60. Access outside the haulage operating hours is granted by the Biosolids manager for other activities such as site maintenance and cell mixing or dewatering, no haulage inbound/outbound is allowed outside the haulage hours. Once the upgraded gate system is in place and operational (est Aug. 6, 2021) the security gates will be closed 24/7 with only security card access for entry.	Completed

#	Recommendation	Comment	Status
3	Periodically explore and assess approaches to cost-effectively measure the volume of wastewater hauled in each truck load.	Refer to the Biosolids Management Plan update that is currently being finalized by procurement and engineering for issuance of a Request for Proposal by mid to end of August 2021. A full review of loading practices will be included in the BMSP to determine if flow meters or a scale house may be a cost effective approach to monitoring proper hauled volumes. Several wastewater treatment facilities (NOTL, P. Weller, P. Dalhousie, Grimsby, F. Erie) have or have been upgraded to include flow meters on the loading systems for the tankers. During plant upgrades new flow measurement equipment will be reviewed and implemented where possible. The haulage contractor has utilized the F. Erie WWTP flow meter to confirm consistent tank volume levels by loading to specific axle pressures (72psi) before attending the certified Catapillar scale located on Gilmore Rd. F. Erie for correct weight capacity of 115980lbs loaded. Last time this was completed was July 16, 2021 as the contractor has new tankers to put in service. Contractor utilizes onboard weight gauges to ensure all tankers are loading to the same axle pressure of 72psi. Bi-annual scale verification to be implemented for 2022.	On-going
4	Determine details of the process and procedures used in dewatering biosolids.	Discussed details with contractor and CIMA+ on February 16, 2021 Zoom call. Received additional detailed lab test records from contractor Feb 23, 2021.	Completed

#	Recommendation	Comment	Status
5	Consider opportunities to incentivize the contractor to increase the solids concentration in the sludge that is disposed of through land application.	Contract specifies solids concentration range (4-6%) that is required both when land applying and for dewatering operations. Samples are taken daily to identify solids concentration and lagoon cell utilized for land applied solids. Samples are processed through NR lab and monitored by Biosolids manager for follow up actions if required. Operations staff sample weekly to monitor solids content for dewatering process and log results. If solids requirements are lower than required Biosolids manager requests additional mixing of cell contents to increase consistency. Additional supernating or mixing most common practices to increase solids content for lagoon cells. Operational issues or concerns such as low solids content is also discussed and logged in the monthly joint operational meetings. Solids handling and optimization opportunities will be included in the Biosolids Management Plan for review as the solids content can have a direct impact on the dewatering cake process.	On-going
6	Confirm that all biosolids from the wastewater treatment plants are transported directly to the Garner Road facility	Contractor confirmed this and CIMA+ analysis provided corroborating conclusion February/March 2021	Completed
7	Periodically review access control reports to assure accuracy and completion, and if needed investigate any anomalous activity	Once new Security system upgrades have been completed a report will be generated and reviewed weekly. Reports to contain all security gate access by security card or key fobs, time and date of entry and which card holder accessed the site.	On-going

#	Recommendation	Comment	Status
8	Remind staff and contractors of their obligations under the Code of Ethics / Conflict of Interest policy.	Staff are assigned digital training on an annual basis, policy and procedure review fall under this process and are completed and documented. The haulage contractors and contractors for projects are made aware of the Region's policies, procedures and regulations pertaining to site employees, Occupational Health and Safety Act, Employment Standards Act of Ontario (ESA), Human Rights Law, Employment Law and specifically policies on Workplace Violence and Harassment, Code of Ethics and Accessibility. References to these policies are included in the current Biosolids contract 2020-RFP-60 as well. Monthly joint operational meetings have been implemented between the Region and haulage contractors to review and document any Health & Safety or operational issues or concerns for follow up. Follow up actions will be situational. Project related contractors to be advised through the Regions project management team.	Completed
9	Establish testing protocol for polymer supply contract to ensure compliance with performance requirements	There is a formal testing protocol in place for bulk polymer supply contracts which was utilized during the most recent tender. The testing protocols are included in the tender documents. Polymer trial testing protocols will be reviewed and recommendations will be implemented based on the trial results. This approach falls into the Regions quality management strategy of continuous improvement. Performance concerns would be followed up with additional bench testing and certificate of analysis to confirm product is within spec.	Completed (with continuous improvement plan)