

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

**PWC 3-2019
Tuesday, March 19, 2019
Council Chamber
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

Committee: Bradley (Regional Chair), Chiocchio, Disero, Edgar (Committee Vice-Chair), Fertich, Foster, Heit, Insinna, Junkin, Nicholson, Rigby (Committee Chair), Sendzik, Steele, Ugolini, Zalepa

Absent/Regrets: Diodati, Gale, Witteveen

Staff: D. Gibbs, Director, Legal & Court Services, J. Gilston, Legislative Coordinator, C. Habermehl, Director, Waste Management Services, T. Harrison, Acting Chief Administrative Officer, A.-M. Norio, Regional Clerk, M. Robinson, Director, GO Implementation Office, C. Ryall, Director, Transportation Services, H. Talbot, Financial & Special Projects Consultant, J. Tonellato, Director, Water & Wastewater Services, J. Wilson, Supervisor, Waste Management, S. Wood, Legal Counsel

1. CALL TO ORDER

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

There being no objection, Reports PW 5-2019 (Agenda Item 5.1) and PW 22-2019 (Agenda Item 5.4) were considered following Closed Session.

2. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

3. PRESENTATIONS

3.1 Emterra Environmental

Brad Muter, Chief Operations Officer, and Roger Davis, Director of Safety and Fleet Operations, Emterra Environmental, provided information respecting Emterra Environmental. Topics of the presentation included:

- Why Are We Here?
- Fleet Maintenance
- Hiring and Retention
- Other Obstacles
- Emterra Goals

3.2 Emterra Collection Contract Performance Update

Jennifer Wilson, Supervisor, Waste Management, provided information respecting Emterra Collection Contract Performance Update. Topics of the presentation included:

- Background
- Hours of Collection
- Incomplete Collections
- Customer Relations/Service - Missed Collections
- Supply and Maintenance of Equipment
- Liquidated Damages

4. **DELEGATIONS**

There were no delegations.

5. **ITEMS FOR CONSIDERATION**

5.2 PW 19-2019

Drinking Water Compliance and Water Wastewater Quality Management System Endorsement

Jen Croswell, Water Compliance Specialist, and Rachel Whyte, Water and Wastewater Quality Management Specialist, provided information respecting Drinking Water Compliance and Water Wastewater Quality Management System Endorsement. Topics of the presentation included:

- Niagara Region's Drinking Water Systems
- Municipal Drinking Water Licensing Program
- Licensing Program: Legal Instruments
- Water and Wastewater Quality Management
- Standard of Care
- Ongoing Communication
- Training Opportunity and Resources

Moved by Councillor Insinna
Seconded by Councillor Zalepa

1. That Report PW 19-2019, detailing information regarding Niagara Region's drinking water compliance and quality management programs, **BE RECEIVED**;

2. That information **BE RECEIVED** for Standard of Care requirements and training opportunities for members of Regional and Area Municipal councils;
3. That the Water Quality Management System Operational Plan and the Wastewater Quality Management System Operational Plan **BE APPROVED** and **ENDORSED**; and
4. That the Regional Chair and Regional Clerk **BE AUTHORIZED** to sign the Operational Plans on behalf of Council as evidence of Council's endorsement.

Carried

5.3 PW 20-2019

Base and Enhanced Services for Next Collection Contract

Moved by Councillor Sendzik
Seconded by Councillor Fertich

That Report PW 20-2019, dated March 19, 2019, respecting Base and Enhanced Services for Next Collection Contract, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That, based on the results of consultations with the various stakeholder groups, including the Local Area Municipalities (LAMs), the Request for Proposal (RFP) for Niagara Region's next garbage, recycling and organics collection contract **BE APPROVED** to include the following base collection options:
 - a. Obtain pricing for the following garbage collection frequency options:
 - i. Every-other-week (EOW) garbage collection for all residential properties and for those Industrial, Commercial & Institutional (IC&I) and Mixed-Use (MU) properties located outside Designated Business Areas (DBAs), as a base service (weekly recycling and organics to continue, and current garbage container (bag/can) limits would double for affected sectors, on an EOW basis); and
 - ii. Status quo – weekly base garbage collection service for all residential, IC&I and MU properties. Current garbage container limits would not change.

- b. Establish a four (4) item limit per residential unit, per collection, for large item collection at Low-Density Residential (LDR) properties, as a base service;
 - c. Obtain pricing to discontinue and continue appliances and scrap metal curbside collection at LDR properties, as a base service;
 - d. Change the weekly garbage container (bag/can) limits for Industrial, Commercial & Institutional (IC&I) and Mixed-Use (MU) properties located inside Designated Business Areas (DBAs) from seven (7) containers to four (4) containers per property, as a base service; and
 - e. Change the weekly garbage container (bag/can) limit for MU properties located outside DBAs from six (6) containers to four (4) containers per property, as a base service.
- 2. That mandatory use of clear garbage bags, with the option of allowing an opaque privacy bag to be placed inside the clear bag, **NOT BE IMPLEMENTED** for all sectors, as a base service, at this time;
 - 3. That the enhanced collection services requested by the LAMs and identified in this report **BE INCLUDED** in Niagara Region's next garbage, recycling and organics collection contract RFP;
 - 4. That a follow-up report **BE SUBMITTED** to Public Works Committee with recommendations for weekly versus EOW garbage collection and continuing versus discontinuing appliances and scrap metal curbside collection following receipt of pricing for these options in next collection contract RFP submissions; and
 - 5. That Report PW 20-2019 and Council's resolutions **BE CIRCULATED** to the LAMs for their information.

Carried

Councillor Information Request(s):

Include in the request for proposal pricing information related to reducing container limits for Industrial, Commercial and Industrial, and Mixed-use properties, as well as to maintain current container limits. Councillor Nicholson.

5.5 PWC-C 9-2019

Recommendations for Consideration from the Linking Niagara Transit Committee meeting held on March 6, 2019

Moved by Councillor Ugulini
Seconded by Councillor Steele

That Correspondence Item PWC-C 9-2019, being a memorandum from A.-M. Norio, Regional Clerk, dated March 19, 2019, respecting Recommendations for Consideration from the Linking Niagara Transit Committee meeting held on March 6, 2019, **BE RECEIVED** and the following recommendations **BE APPROVED**:

That Report LNTC-C 1-2019, dated February 6, 2019, respecting Rationale for Municipal and Regional Provincial Gas Tax Sharing Through Joint Canadian Urban Transit Association (CUTA) Reporting, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **AGREE IN PRINCIPLE** that Niagara Region report transit statistics in consolidation with local area municipalities operating smaller transit systems to maximize provincial gas tax (PGT) funding from MTO; and
2. That staff **BE AUTHORIZED** to develop agreement terms in consultation with local area municipalities outlining the framework for consolidated reporting and the PGT as well as cost distribution between participating municipalities and Niagara Region.

Carried

6. **CONSENT ITEMS FOR INFORMATION**

Moved by Councillor Insinna
Seconded by Councillor Steele

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

PW 23-2019

Niagara Regional Transit (NRT) and Niagara Specialized Transit (NST) 2018 Ridership and Revenue Summary

PWC-C 6-2019

Niagara Water Treatment Plant 2018 Summary Reports

Carried

Councillor Information Request(s):

Provide information respecting inspection of water supply trunk links. Councillor Steele.

7. OTHER BUSINESS

7.1 Supplying Recycling and Compost Bins to Residents

Moved by Councillor Insinna
Seconded by Councillor Junkin

That staff **BE DIRECTED** to provide a report respecting the cost to supply Niagara Region residents with recycling and compost bins.

Carried

7.2 Community Safety Zone - St. David's-Queenston United Church. Town of Niagara-on-the-Lake

Councillor Disero requested information respecting the request from the Town of Niagara-on-the-Lake to implement a community safety zone in the area of St. David's-Queenston United Church on Four Mile Creek Road and York Road. Carolyn Ryall, Director, Transportation Services, advised that she would provide an update at a future meeting.

7.3 Linking Niagara Transit Committee Vacancy

Councillor Disero requested information respecting the vacancy on the Linking Niagara Transit Committee (LNTC). Ann-Marie Norio, Regional Clerk, advised that a memorandum respecting the vacancy would be provided for Council's consideration at the Regional Council meeting being held on March 28, 2019.

7.4 Road Safety on Schisler and Moyer Road, City of Welland

Councillor Chiocchio requested an update regarding the implementation of road safety measures at the intersection of Schisler and Moyer Road in the City of Welland. Carolyn Ryall, Director, Transportation Services, advised that she would provide an update.

8. CLOSED SESSION

Moved by Councillor Insinna
Seconded by Councillor Steele

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

A matter respecting litigation or potential litigation – Niagara-on-the-Lake Wastewater Treatment Plant; and

A matter respecting commercial information supplied in confidence to the municipality which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of an organization – In-House Waste Collection Services.

Carried

Committee resolved into closed session at 11:54 a.m.

9. BUSINESS ARISING FROM CLOSED SESSION ITEMS

Committee reconvened in open session at 12:07 p.m. with the following individuals in attendance:

Committee: Bradley (Regional Chair), Chiocchio, Disero, Edgar (Committee Vice-Chair), Fertich, Foster, Insinna, Junkin, Nicholson, Rigby (Committee Chair), Steele, Ugulini, Zalepa

Absent/Regrets: Diodati, Gale, Heit, Sendzik, Witteveen

Staff: D. Gibbs, Director, Legal & Court Services, J. Gilston, Legislative Coordinator, C. Habermebl, Acting Commissioner, Public Works, T. Harrison, Acting Chief Administrative Officer, A.-M. Norio, Regional Clerk, C. Ryall, Director, Transportation Services, S. Wood, Legal Counsel

9.1 Confidential Verbal Update

A Matter Respecting Litigation or Potential Litigation - Niagara-on-the-Lake Wastewater Treatment Plant

Moved by Councillor Foster

Seconded by Councillor Nicholson

That the Confidential Verbal Update regarding a Matter Respecting Litigation or Potential Litigation – Niagara-on-the-Lake Wastewater Treatment Plant, **BE RECEIVED** for information.

Carried

9.2 Confidential Memorandum PWC-C 8-2019

Commercial information supplied in confidence to the municipality - In-House Waste Collection Services

Moved by Councillor Disero
Seconded by Councillor Edgar

That Correspondence Item PWC-C 8-2019, being a confidential memorandum from S. Tait, Acting Associate Director, Waste Collection and Diversion, dated March 19, 2019, respecting Commercial information supplied in confidence to the municipality which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of an organization – In-House Waste Collection Services, **BE RECEIVED** for information.

Carried

5. ITEMS FOR CONSIDERATION

5.1 PW 5-2019

Gross Budget Adjustment and Status Update for Contract 2014-T-114 (RN14-14) Niagara-on-the-Lake Wastewater Treatment Plant

Moved by Councillor Disero
Seconded by Councillor Foster

That Report PW 5-2019, dated February 19, 2019, respecting Gross Budget Adjustment and Status Update for Contract 2014-T-114 (RN14-14) Niagara-on-the-Lake Wastewater Treatment Plant, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the gross budget for the Niagara-on-the-Lake Wastewater Treatment Plant Project **BE INCREASED** by \$763,200 and that the increase **BE FUNDED** as follows:

Capital Variance – Wastewater Project	\$419,760
Development Charges – Sewer	\$343,440;

2. That Council **AUTHORIZE** the Regional Chair and the Regional Clerk to sign the required amending agreements with: Her Majesty the Queen in Right of Canada as represented by the Minister of Infrastructure and Communities; and, Her Majesty the Queen in Right of Ontario as represented by the Minister of Economic Development, Employment and Infrastructure and the Minister of Agriculture, Food and Rural Affairs, in order to extend the term of the existing Provincial and Federal funding agreements; and
3. That the necessary by-law **BE PRESENTED** to Council for approval on March 28, 2019.

Carried

5.4 PW 22-2019

Managed Competition and Fair Wage Considerations for Waste Collection Contract

Moved by Councillor Steele
Seconded by Councillor Ugolini

That Report PW 22-2019, dated March 19, 2019, respecting Managed Competition and Fair Wage Considerations for Waste Collection Contract, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **NOT APPROVE** Waste Management staff proceeding with the request for a managed competition bid process (i.e. in-house bid) for Niagara Region's next garbage, recycling and organics collection contract (Collection Contract) primarily due to timing constraints;
2. That Regional Council **ENDORSE** inclusion of a living wage clause in the Collection Contract Request for Proposal (RFP); and
3. That Report PW 22-2019 and Council's resolutions **BE CIRCULATED** to the Local Area Municipalities (LAMs), for their information.

Carried

10. **NEXT MEETING**

The next meeting will be held on Tuesday, April 16, 2019, at 9:30 a.m. in the Council Chamber, Regional Headquarters.

11. ADJOURNMENT

There being no further business, the meeting adjourned at 12:11 p.m.

Councillor Rigby
Committee Chair

Jonathan Gilston
Legislative Coordinator

Ann-Marie Norio
Regional Clerk