

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

**CL 17-2019**

**Thursday, October 17, 2019**

**Council Chamber**

**Niagara Region Headquarters, Campbell West  
1815 Sir Isaac Brock Way, Thorold, ON**

Council: Bradley (Regional Chair), Bellows, Butters, Bylsma, Campion, Chiocchio, Darte, Diodati, Disero, Easton, Fertich, Foster, Gale, Gibson, Greenwood, Heit, Huson, Insinna, Ip, Junkin, Nicholson, Redekop, Rigby, Sendzik, Steele, Ugulini, Villella, Whalen, Witteveen, Zalepa

Absent/Regrets: Edgar, Jordan

Staff: D. Barnhart, Executive Officer to the Regional Chair, H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, D. Gibbs, Director, Legal & Court Services, C. Habermehl, Director, Waste Management Services, T. Harrison, Commissioner/Treasurer, Corporate Services, A. Jugley, Commissioner, Community Services, B. Menage, Director, Procurement & Strategic Acquisitions, R. Mostacci, Commissioner, Planning & Development Services, A.-M. Norio, Regional Clerk, S. Tait, Acting Manager, Collection and Diversion, R. Tripp, Commissioner, Public Works/Acting Chief Administrative Officer, S. Wood, Legal Counsel

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**1. CALL TO ORDER**

Regional Chair Bradley called the meeting to order at 4:03 p.m.

**2. ADOPTION OF AGENDA**

**2.1 Changes in Order of Items**

The Regional Chair suggested that the order of the agenda be changed to hear the presentation respecting Report PW 61-2019 first, consider Confidential Report PW 62-2019 and then consider Report PW 61-2019. Therefore, it was:

Moved by Councillor Bellows  
Seconded by Councillor Greenwood

That Council Agenda CL 17-2019, **BE ADOPTED** as amended.

**Carried**

**3. DISCLOSURES OF PECUNIARY INTEREST**

There were no disclosures of pecuniary interest.

**4. CHIEF ADMINISTRATIVE OFFICER'S REPORT(S)**

**4.1 PW 61-2019**

Catherine Habermehl, Director, Waste Management Services, and Sherri Tait, Acting Manager, Collection and Diversion, provided information respecting Base Level Service for Waste Management Collection Contract. Topics of the presentation included:

- Stakeholder Consultation and Results
- Key Dates in the Request for Proposal Process
- Recommendation
- Collection Areas
- Financial Considerations
- Base Services
- Enhanced Services
- Optional Services
- Contract Costs
- A Shift to Extended Producer Responsibility
- Every-other-Week Benefits
- Cost Benefits to Niagara Region
- Comparator Municipalities
- Service Impact
- Alternatives Reviewed

**Councillor Information Request(s):**

Investigate options to accommodate weekly disposal of diapers, i.e. identifying drop off areas. Councillor Disero.

**5. CLOSED SESSION**

Moved by Councillor Bylsma  
Seconded by Councillor Steele

That this Council **DO NOW MOVE** into closed session for the purposes of receiving information of a confidential nature respecting A Matter of Commercial and Financial 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 a person, group of persons, or organization - Financial Information Supporting Waste Management Collection Contract Procurement Process.

**Carried**

Council resolved into closed session at 6:02 p.m.

Council reconvened in open session at 6:19 p.m. with the following individuals in attendance:

|                 |   |
|-----------------|---|
| Council:        | Bradley (Regional Chair), Butters, Bylsma, Campion, Chiocchio, Darte, Diodati, Disero, Easton, Fertich, Foster, Gale, Gibson, Greenwood, Heit, Huson, Insinna, Ip, Junkin, Nicholson, Redekop, Rigby, Sendzik, Steele, Ugulini, Villella, Whalen, Witteveen, Zalepa   |
| Absent/Regrets: | Bellows, Edgar, Jordan  |
| Staff:          | H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, D. Gibbs, Director, Legal & Court Services, C. Habermehl, Director, Waste Management Services, T. Harrison, Commissioner/Treasurer, Corporate Services, B. Menage, Director, Procurement & Strategic Acquisitions, R. Mostacci, Commissioner, Planning & Development Services, A.-M. Norio, Regional Clerk, S. Tait, Acting Manager, Collection and Diversion, R. Tripp, Commissioner, Public Works/Acting Chief Administrative Officer, S. Wood, Legal Counsel |

Being that it was almost time to commence the Regular Regional Council meeting; the Regional Chair recessed the Special Regional Council meeting at 6:20 p.m.

The meeting resumed at 8:08 p.m.

Moved by Councillor Bylsma  
Seconded by Councillor Whalen

That this Council **DO NOW MOVE** into closed session for the purposes of receiving information of a confidential nature respecting A Matter of Commercial and Financial 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 a person, group of persons, or organization - Financial Information Supporting Waste Management Collection Contract Procurement Process.

**Carried**

Council resolved into closed session at 8:09 p.m.

**6. REPORT FROM CLOSED SESSION**

Council reconvened in open session at 8:35 p.m. with the following individuals in attendance:

|                 |   |
|-----------------|---|
| Council:        | Bradley (Regional Chair), Butters, Bylsma, Campion, Chiocchio, Darte, Diodati, Disero, Easton, Fertich, Foster, Gale, Gibson, Greenwood, Heit, Huson, Insinna, Ip, Junkin, Nicholson, Redekop, Rigby, Sendzik, Steele, Ugulini, Villella, Whalen, Witteveen, Zalepa   |
| Absent/Regrets: | Bellows, Edgar, Jordan  |
| Staff:          | H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, D. Gibbs, Director, Legal & Court Services, C. Habermehl, Director, Waste Management Services, T. Harrison, Commissioner/Treasurer, Corporate Services, B. Menage, Director, Procurement & Strategic Acquisitions, R. Mostacci, Commissioner, Planning & Development Services, A.-M. Norio, Regional Clerk, S. Tait, Acting Manager, Collection and Diversion, R. Tripp, Commissioner, Public Works/Acting Chief Administrative Officer, S. Wood, Legal Counsel |

6.1 Confidential Report PW 62-2019

A Matter of Commercial and Financial 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 a person, group of persons, or organization - Financial Information Supporting Waste Management Collection Contract Procurement Process

Moved by Councillor Zalepa  
Seconded by Councillor Huson

That Confidential Report PW 62-2019, dated October 17, 2019, respecting A Matter of Commercial and Financial 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 a person, group of persons, or organization - Financial Information Supporting Waste Management Collection Contract Procurement Process, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

**Carried**

4. **CHIEF ADMINISTRATIVE OFFICER'S REPORT(S)**

4.1 PW 61-2019

4.1.1 Report PW 61-2019

Base Level Service for Waste Management Collection Contract

Moved by Councillor Sendzik  
Seconded by Councillor Witteveen

That Report PW 61-2019, dated October 17, 2019, respecting Base Level Service for Waste Management Collection Contract, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That as part of the 2019-RFP-156 Request for Proposal for Niagara Region Curbside Collection, Haulage of Garbage, Recycling, and Organics process, based on the economic and environmental benefits and extending existing landfill capacity, Regional Council **APPROVE** the Every-Other-Week (EOW) collection scenario for 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; and

2. That Report PW 61-2019 and Council's resolutions **BE CIRCULATED** to the Local Area Municipalities (LAMs) for their information.

Recorded Vote:

Yes (19): Butters, Bylsma, Campion, Dart, Disero, Easton, Fertich, Foster, Gibson, Greenwood, Huson, Ip, Junkin, Redekop, Rigby, Sendzik, Ugulini, Witteveen, Zalepa.

No (8): Chiocchio, Diodati, Gale, Heit, Insinna, Nicholson, Villella, Whalen.

**Carried**

**Councillor Information Request(s):**

Consider providing recycling and organics containers to any residents that request them. Councillor Insinna.

**7. BY-LAWS**

**7.1 Bill 2019-75**

Moved by Councillor Nicholson  
Seconded by Councillor Dart

That Bill 2019-75 being a by-law to adopt, ratify and confirm the actions of Regional Council at its special meeting held on October 17, 2019, **BE NOW READ** and **DO PASS**.

**Carried**

**8. ADJOURNMENT**

There being no further business, the meeting adjourned at 9:32 p.m.

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Jim Bradley  
Regional Chair

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Ann-Marie Norio  
Regional Clerk