

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

**PWC 1-2020
Tuesday, January 14, 2020
Council Chamber
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

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

Absent/Regrets: Chiocchio, Junkin, Witteveen

Staff: D. Ane, Manager, Program Financial Support, M. Evelyn, Legislative Coordinator, W. Foebel, Program Manager, Biosolids, D. Gibbs, Director, Legal & Court Services, C. Habermehl, Director, Waste Management Services, T. Harrison, Commissioner/Treasurer, Corporate Services, D. Johnson, Associate Director, Wastewater Operations Maintenance & Lab Services, P. Lambert, Director, Infrastructure Planning & Development Engineering, B. Menage, Director, Procurement & Strategic Acquisition, R. Mostacci, Commissioner, Planning & Development Services, A.-M. Norio, Regional Clerk, M. Robinson, Director, GO Implementation Office, C. Ryall, Director, Transportation Services, J. Tonellato, Director, Water & Wastewater Services, S. Wood, 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

Moved by Councillor Gale
Seconded by Councillor Nicholson

That Larry Di Ianni, Doug Legge, and Mario Piro, Terrapure Environmental Solutions, **BE PERMITTED** to appear before the Public Works Committee as delegates respecting Report PW 3-2020, Niagara Region Liquid Biosolids Management Program Renewal of Contract Agreement with Thomas Nutrient Solutions (Agenda Item 5.3.)

Carried

4.1.1 Larry Di Ianni, Doug Legge, and Maria Piro, Terrapure Environmental Solutions

Larry Di Ianni, Doug Legge, and Maria Piro, Terrapure Environmental Solutions, appeared before Committee respecting Report PW 3-2020, Niagara Region Liquid Biosolids Management Program Renewal of Contract Agreement with Thomas Nutrient Solutions (Agenda Item 5.3) to express concern with the contract renewal process for the liquid biosolids and residual solids management program.

The delegation submission is attached to these minutes as PWC-C 5-2020.

5. ITEMS FOR CONSIDERATION

5.1 PW 1-2020

Award of Contract 2019-T-231 Grimsby Water Storage System in the Town of Grimsby

Moved by Councillor Ip
Seconded by Councillor Foster

That Report PW 1-2020, dated January 14, 2020, respecting Award of Contract 2019-T-231 Grimsby Water Storage System in the Town of Grimsby, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That Contract 2019-T-231 Grimsby Water Storage System in the Town of Grimsby **BE AWARDED** to ROMAG Contracting Ltd. at their bid price of \$20,110,610.00 (including 13% HST).

Carried

Councillor Information Request(s):

Provide information respecting possible federal or provincial funding opportunities to support the Grimsby Water Storage System project. Councillor Sendzik.

5.2 PWC-C 2-2020

Recommendations from the Niagara Road 12 Landfill Site Citizens Liaison Committee (NR12 CLC)

Moved by Councillor Steele
Seconded by Councillor Insinna

That Correspondence Item PWC-C 2-2020, being a memorandum from A.-M. Norio, Regional Clerk, dated January 14, 2020, respecting Recommendations from the Niagara Road 12 Landfill Site Citizens Liaison Committee (NR12 CLC), **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That Victor Dirksen **BE APPOINTED** to the Niagara Road 12 Landfill Site Citizens Liaison Committee, for a term ending on November 14, 2022.

Carried

There being no objection the consent items for information were dealt with at this time.

6. **CONSENT ITEMS FOR INFORMATION**

Moved by Councillor Sendzik
Seconded by Councillor Edgar

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

PW 6-2020

Metrolinx Initial Business Case Update - Niagara Falls Rail Service Extension

PWC-C 1-2020

Transportation Infrastructure Means Protection Update 2

Carried

5. **ITEMS FOR CONSIDERATION**

5.3 **PW 3-2020**

Niagara Region Liquid Biosolids Management Program Renewal of Contract Agreement with Thomas Nutrient Solutions

The Committee Chair advised that the presentation respecting Niagara Region Liquid Biosolids Management Program would be provided at a later date.

Moved by Councillor Sendzik
Seconded by Councillor Foster

That Report PW 3-2020, dated January 14, 2020, respecting Niagara Region Liquid Biosolids Management Program Renewal of Contract Agreement with Thomas Nutrient Solutions, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Chair and Regional Clerk **BE AUTHORIZED** to execute a three (3) year contract renewal agreement with 2386246 ONTARIO INC. cob as THOMAS NUTRIENT SOLUTIONS to provide loading, haulage/transportation, lagoon management and land application of liquid biosolids and residual solids generated from Niagara Region water and wastewater treatment facilities on the same terms and conditions as in the existing agreement; and
2. That the three (3) year contract renewal agreement **BE PREPARED** in a form satisfactory to the Director of Legal and Court Services.

Moved by Councillor Gale
Seconded by Councillor Ugolini

That Report PW 3-2020, respecting Niagara Region Liquid Biosolids Management Program Renewal of Contract Agreement with Thomas Nutrient Solutions, **BE REFERRED** to staff to engage in discussions with Terrapure Environmental Solutions and Thomas Nutrient Solutions to ensure a fair contract process and provide information to Committee respecting these discussions.

Defeated

The Committee Chair called the vote on the motion as follows:

That Report PW 3-2020, dated January 14, 2020, respecting Niagara Region Liquid Biosolids Management Program Renewal of Contract Agreement with Thomas Nutrient Solutions, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Chair and Regional Clerk **BE AUTHORIZED** to execute a three (3) year contract renewal agreement with 2386246 ONTARIO INC. cob as THOMAS NUTRIENT SOLUTIONS to provide loading, haulage/transportation, lagoon management and land application of liquid biosolids and residual solids generated from Niagara Region water and wastewater treatment facilities on the same terms and conditions as in the existing agreement; and
2. That the three (3) year contract renewal agreement **BE PREPARED** in a form satisfactory to the Director of Legal and Court Services.

Defeated

Committee requested advice respecting the contract. Staff advised that the advice would need to be discussed in closed session as it was subject to solicitor-client privilege. Therefore it was:

Moved by Councillor Steele
Seconded by Councillor Ip

That this Committee **DO NOW MOVE** into closed session for the purposes of receiving information of confidential nature respecting:

A Matter of Advice that is Subject to Solicitor-Client Privilege - Niagara Region Liquid Biosolids Management Program Renewal of Contract Agreement with Thomas Nutrient Solutions

Carried

Committee resolved into closed session at 10:37 a.m.

9. **BUSINESS ARISING FROM CLOSED SESSION ITEMS**

Committee reconvened in open session at 11:01 a.m. with the following individuals in attendance:

Committee: Bradley (Regional Chair), Diodati, Disero, Edgar (Committee Vice-Chair), Fertich, Foster, Gale, Heit, Insinna, Ip, Nicholson, Rigby (Committee Chair), Sendzik, Steele, Ugulini, Zalepa

Absent/Regrets: Chiocchio, Junkin, Witteveen

Staff: D. Ane, Manager, Program Financial Support, M. Evelyn, Legislative Coordinator, W. Foebel, Program Manager, Biosolids, D. Gibbs, Director, Legal & Court Services, C. Habermebl, Director, Waste Management Services, T. Harrison, Commissioner/Treasurer, Corporate Services, D. Johnson, Associate Director, Wastewater Operations Maintenance & Lab Services, P. Lambert, Director, Infrastructure Planning & Development Engineering, B. Menage, Director, Procurement & Strategic Acquisition, R. Mostacci, Commissioner, Planning & Development Services, A.-M. Norio, Regional Clerk, M. Robinson, Director, GO Implementation Office, C. Ryall, Director, Transportation Services, J. Tonellato, Director, Water & Wastewater Services, S. Wood, Legal Counsel

9.1 **Renewal of Contract Agreement with Thomas Nutrient Solutions**

Moved by Councillor Sendzik
Seconded by Councillor Ip

That staff **BE DIRECTED** to initiate a Request for Proposal (RFP) process respecting the loading, haulage/transportation, lagoon management and land application of liquid biosolids and residual solids generated from Niagara Region water and wastewater treatment facilities; and

That staff **BE DIRECTED** to extend the agreement with Thomas Nutrient Solutions for biosolids management services (within the existing contract scope) for up to nine months; and

That staff **BE DIRECTED** to provide a report to the Public Works Committee at the meeting being held on Tuesday, February 11, 2020 respecting the contract with Thomas Nutrient Solutions and the RFP process.

Carried

Councillor Information Request(s):

Consider including copies of contracts with reports. Councillor Sendzik.

7. OTHER BUSINESS

7.1 Lighting at Regional Road 84 (Miller Road) and Highway 3

Councillor Steele requested that staff, in consultation with the Ministry of Transportation, review the lighting at this intersection.

7.2 On-Demand Transit Initiative

Councillor Zalepa requested information respecting the On-Demand Transit Initiative.

7.3 Regional Road 25 (Netherby Road) Traffic Signal Installation

Councillor Insinna thanked staff for initiating the installation of a traffic signal on Regional Road 25 (Netherby Road) and requested information as to when the project would be completed. Carolyn Ryall, Director, Transportation Services, advised that she would verify with staff and advise the Councillor.

7.4 Traffic Concerns on Regional Road 21 (Bowen Road)

Councillor Insinna requested staff review the speed limit on Regional Road 21 (Bowen Road) at the QEW overpass.

7.5 Snow Clearing Operations

Councillor Gale requested information respecting any potential cost savings from snow clearing operations due to the mild winter we have had so far. He also inquired about the duties of plow operators when there is no snow clearing being done. Carolyn Ryall, Director, Transportation Services, advised that the drivers perform other road maintenance duties including road side clean up, ditching, and shouldering.

7.6 Public Works Capital Projects

Councillor Foster requested that staff provide a report summarizing the approved capital projects by municipality for Transportation Services including timelines for each project.

7.7 QEW and Regional Road 89 (Glendale Avenue) Exit

Councillor Heit requested an update respecting the Ministry of Transportation project at Regional Road 89 and the QEW.

7.8 City of St. Catharines Pilot Project

Councillor Sendzik requested staff allow Regional Road 87 (Main Street) in Port Dalhousie to be included as part of the City of St. Catharines pilot project to reduce the speed to 30km/h in that area as a Vision Zero concept in consideration of the two schools that are located there.

10. **NEXT MEETING**

The next meeting will be held on Tuesday, February 11, 2020 at 9:30 a.m. in the Council Chamber, Regional Headquarters.

11. **ADJOURNMENT**

There being no further business, the meeting adjourned at 11:14 a.m.

Councillor Rigby
Committee Chair

Mark Evely
Legislative Coordinator

Ann-Marie Norio
Regional Clerk