

THE REGIONAL MUNICIPALITY OF NIAGARA

PUBLIC WORKS AND UTILITIES COMMITTEE

REPORT 17-2005

Minutes of a meeting of the Public Works and Utilities Committee held in Committee Room 4, Regional Municipal Building, Thorold, Ontario, on Tuesday, November 15, 2005 commencing at 1:35 p.m.

ATTENDANCE

Committee: Councillors Rigby, Chair; Bailey, Bodner, Brock, Burroughs, Eke, Goulbourne, Harry, Hodgson, Leavens, Redekop, Salci, Trombetta.

Staff: Messrs. Trojan, Chief Administrative Officer; Neville, Commissioner, Public Works; Brcic, Director, Water & Wastewater Services; Cousins, Director, Transportation Services; Sidawi, Director, Operation Support Services; Friesen, Director, Waste Management Services; Ms. Pilon, Legislative Assistant.

Staff (Part Time): Messrs. Kyne, Director, Legal Services; Smith, Associate Director, Waste Management Engineering; Christensen, Director, Health Protection & Promotion; Mucciarelli, Associate Director, Waste Disposal Operations; Berketo, Manager, Solid Waste Policy & Planning; Ms. Lambe, Business Partner, Strategic Communications.

DELEGATION

490. Elm Street Landfill Site Public Liaison Committee - Update

Mr. Dan O'Hara, Co-Chair, Elm Street Landfill Site Public Liaison Committee provided the Committee with maps that gave details on some of the most recent odour complaints that are reported in PWP 79-2005, October 25, 2005, respecting the Community Odour Surveys, September 2005, Elm Street Compost Facility and Landfill Site. The maps depicted the Elm Street site, the direction of the wind at different times during the day and the location of the complaint(s) and the notation on that specific complaint in the report.

Mr. O'Hara in conclusion noted that the Elm Street Landfill Site Public Liaison Committee have brought forward their comments with regards to the odour reports to ensure that the Public Works and Utilities Committee and Regional Council are aware of the concerns being raised by the residents and the businesses that are affected by this facility.

The Elm Street Landfill Site Public Liaison Committee noted that this is only an analysis of the September 2005 report, when there have been many others this summer, which they feel have contained misleading information.

Moved by Councillor Burroughs
Seconded by Councillor Eke

That Mr. Dan O'Hara, Co-Chair, Elm Street Landfill Site Public Liaison Committee's presentation respecting the contents of the Community Odour Surveys, be received and referred to Report PWP 79-2005.

Carried.

PRESENTATION

491. Moved by Councillor Redekop
Seconded by Councillor Burroughs

That Mr. Toppazzini, President, Utility Installation Limited, be permitted to provide the Committee with a presentation respecting the pre-qualification documents and the scoring method.

Carried.

492. Pre-Qualification - Scoring System

Mr. Toppazzini, President, Utility Installation Limited advised the Committee that he had completed a pre-qualification application to be considered as a pre-qualified contractor that will be requested to bid on a large project and was denied the opportunity.

Mr. Toppazzini noted that he had filled out the documents as required and that he feels that his company has met all of the requirements and should have scored much higher, he is therefore, objecting to the scoring system used and is requesting that the pre-qualification document and his application be reviewed.

Mr. Brcic advised the Committee that the pre-qualification application was used in this instance, due to the large undertaking involved, it would be a risk the Niagara Region if half way through the project something did not work out and given the nature of the work, staff felt that in this case we should pre-qualify those who will be asked to bid on the project. The process staff followed resulted in three contractors being chosen from the eight submissions.

Staff have met with Mr. Toppazzini and explained the process and the scoring system used.

Moved by Councillor Goulbourne
Seconded by Councillor Eke

That Mr. Toppazzini's presentation respecting the pre-qualification documents and the scoring system, be received.

Carried.

DEFERRED REPORTS

493. Community Odour Surveys - September 2005
Elm Street Compost Facility and Landfill Site

Moved by Councillor Goulbourne
Seconded by Councillor Harry

That Report PWP 79-2005, October 25, 2005, respecting the Community Odour Surveys, September 2005, Elm Street Compost Facility and Landfill Site, be received for information.

Carried.

494. Life Buoys on Regional Bridges
PWA 171-2005

The Committee was advised that the information that was to be provided as supplementary to this report, has been delayed, it was therefore;

Moved by Councillor Burroughs
Seconded by Councillor Trombetta

That Report PWA 171-2005, October 25, 2005, respecting Life Buoys on Regional Bridges, be deferred to the December 6, 2005 Public Works and Utilities Committee meeting.

Carried.

ADMINISTRATION

495. Landfill Operations
Elm Street Landfill Site, Port Colborne and
Station Road Site in Wainfleet
PWA 198-2005

Moved by Councillor Goulbourne
Seconded by Councillor Burroughs

The Report PWA 198-2005, November 15, 2005, respecting the Landfill Operations, Elm Street Landfill Site, Port Colborne and Station Road Site in Wainfleet, be received.

That the tenders received under RN-05-38 for the Waste Disposal Operations of the Elm Street Landfill Site in Port Colborne and the Station Road Landfill Site in Wainfleet not be accepted.

That an eight-month contract for the waste disposal operation of the Elm Street Landfill Site and the Station Road Landfill Site be awarded to F.A.Y Farms Ltd. at the quoted price of \$287,400.00 plus GST, to permit further consideration of the long-term options in light of the updated Landfill Utilization Strategy report currently being circulated for review and comment.

That the Commissioner of Public Works be authorized to execute the contract agreement with F.A.Y. Farms Limited. (Waste Management Services)

Carried.

(Refer to Staff Directions)

496. Niagara to GTA Corridor
Environmental Assessment Terms of Reference
October 2005
PWA 199-2005 (DPD 144-2005)

Moved by Councillor Goulbourne
Seconded by Councillor Burroughs

That Report PWA 199-2005 (DPD 144-2005), November 15, 2005, respecting the Niagara to GTA Corridor, Environmental Assessment Terms of Reference, October 2005, be received.

That Regional Niagara support the Terms of Reference for the Environmental Assessment of the Niagara to GTA Corridor that were submitted to the Minister of the Environment on October 28, 2005.

That this report be submitted to the Environmental Assessment and Approvals Branch of the Ministry of the Environment.

That this report be circulated to the local municipalities in Niagara for information.
(Planning/Transportation)

Carried.

(Please note that Report PWA 199-2005 (DPD 144-2005) can be found behind the JNT RPTS Blue Book Tab)

497. Adverse Water Response at
Niagara Falls Water Treatment Plant
PWA 200-2005 (PHD 70-2005)

The Committee members who were contacted during the event commended staff for their proactive response to the report.

Moved by Councillor Harry
Seconded by Councillor Salci

That Report PWA 200-2005 (PHD 70-2005), November 15, 2005, respecting the Adverse Water Response at Niagara Falls Water Treatment Plant, be received;

That staff prepare a written contingency or action plan for responding to positive findings.

Carried.

(Please note that Report PWA 200-2005 (PHD 70-2005) can be found behind the JNT RPTS Blue Book Tab)

For Committee Consideration

The Committee considered the following staff recommendations contained in the PWA Summary and Addendum, November 15, 2005:

498. Proposed Storage Tank Adjacent to
Regional Road 77 (Welland Avenue)
City of St. Catharines

PWA 190-2005

That Report PWA 190-2005, November 15, 2005, respecting the Proposed Storage Tank Adjacent to Regional Road 77 (Welland Avenue) in the City of St. Catharines, be received.

That the Regional Chair and Clerk be authorized to execute an agreement with the City of St. Catharines for the occupation of a portion of untravelled road allowance for Welland Avenue on the north side of the Twelve Mile Creek with a storage tank for the holding of excess sanitary sewage during high flow periods. (Operational Support Services)

499. Retention of Consulting Services
Monitoring Programs for Humberstone, Elm Street,
Line 5, Centre Street, Caistor Road, Perry Road and
Winger Road Landfill Sites for 2006, 2007 and 2008

PWA 191-2005

That Report PWA 191-2004, November 15, 2005, respecting the Retention of Consulting Services, Monitoring Programs for Humberstone, Elm Street, Line 5, Centre Street, Caistor Road, Perry Road and Winger Road Landfill Sites for 2006, 2007 and 2008, be received.

That Conestoga Rovers & Associates be retained to carry out the necessary monitoring services at the Humberstone, Elm Street, Line 5, Centre Street, Caistor Road, Perry Road and Winger Road Landfill Sites for a three (3) year term from 2006 to 2008, including the completion of the final 2008 Annual Monitoring Reports in 2009, at an estimated cost of \$658,992.00;

That the Regional Clerk be directed to ensure that the appropriate by-law is prepared for submission to Regional Council authorizing the Regional Chair and Regional Clerk to execute the engineering agreement on behalf of the Regional Municipality of Niagara;

That the costs be charged against the following Operating Budget Cost Centres: 5946, 5949, 5950, 5953, 5954, 5956 and 5957. (Waste Management)

500. Retention of Consulting Services
Monitoring Programs for Bridge Street, Mountain Road
Niagara Road 12, Park Road, Station Road and
Quarry Road Landfill Sites for 2006, 2007 and 2008

PWA 192-2005

That Report PWA 192-2005, November 15, 2005, respecting the Retention of Consulting Services, Monitoring Programs for Bridge Street, Mountain Road, Niagara Road 12, Park Road, Station Road and Quarry Road Landfill Sites for 2006, 2007 and 2008, be received.

That Jagger Hims Limited be retained to carry out the necessary monitoring services at the Bridge Street, Mountain Road, Niagara Road 12, Park Road, Station Road and Quarry Road Landfill Sites for a three (3) year term from 2006 to 2008, including the completion of the final 2008 Annual Monitoring Reports in 2009, at an estimated cost of \$854,850.00;

That the Regional Clerk be directed to ensure that the appropriate by-law is prepared for submission to Regional Council authorizing the Regional Chair and Regional Clerk to execute the engineering agreement on behalf of the Regional Municipality of Niagara;

That the costs be charged against the following Operating Budget Cost Centres: 5945, 5950, 5951, 5952, 5955 and 5958. (Waste Management)

501. Ridgeway Ambulance Station
Contract RN 05-41
Town of Fort Erie

PWA 193-2005 (PHD 69-2005 / CSD 156-2005)

That Report PWA 193-2005 (PHD 69-2005 / CSD 156-2005), November 14, 2005, respecting the Ridgeway Ambulance Station, Contract RN 05-41 in the Town of Fort Erie, be received.

That Contract RN 05-41 for the construction of the Ridgeway Ambulance Station be awarded to the lowest bidder, Aldor Builders Ltd., at their bid price of \$537,900.00.

That \$100,000.00 be approved and initiated from ZGR0101/GR0303, Ridgeway Land Ambulance Building with Capital Levy Reserve financing as included in the 2004 Public Health Capital Budget.

That \$34,500.00 of long-term financing be transferred from ZGR0503/GR0504, Smithville Ambulance Stations to ZGR0101/GR0303, Ridgeway Land Ambulance Building.

That all project costs be charged to ZGR0101/GR0303, Ridgeway Land Ambulance Building.

That the Regional Chair and the Clerk be authorized to execute the Site Plan Agreement with the Town of Fort Erie.

Carried.

(Please note that Report PWA 193-2005 (PHD 69-2005 / CSD 156-2005) can be found behind the JNT RPTS Blue Book Tab)

502. Moved by Councillor Burroughs
Seconded by Councillor Leavens

That the PWA Summary and Addendum, dated November 15, 2005, and the foregoing recommendations of Reports PWA 190-2005 to PWA 193-2005 (PHD 69-2005 / CSD 156-2005) inclusive, be received and accepted.

Carried.

CORRESPONDENCE

503. Moved by Councillor Bodner
Seconded by Councillor Goulbourne

That Correspondence item PWC 63-2005, be lifted from the PWC Correspondence Summary and be dealt with separately at this time.

Carried.

504. Moved by Councillor Bodner
Seconded by Councillor Goulbourne

That Correspondence Item PWC 63-2005 dated October 24, 2005 from Mayor Ron Bodner, City of Port Colborne to the Minister of Transportation, on the Cities of Port Colborne's and Welland's preferred route for Highway 406, to continue to Highway 140 and down to Highway 3, be received and endorsed.

Carried.

505. Communications listed in the PWC Summary and Addendum, dated November 15, 2005, were received and dealt with as follows:

PWC 62-2005 – (October 20, 2005) – **Ms Barbara Volzke**, Manager of Community Outreach Program, expressing appreciation to Waste Management staff for permitting the use of the Bridge Street Landfill Site in Fort Erie at no cost.

-- Received.

PWC 64-2005 –(October 26, 2005) – **Andj Dominski**, Director of Waste Management Policy Branch, Ministry of the Environment, to Cheryl Crawley of Niagara's Waste Management Services, being a response to Niagara's concerns regarding clarification of procedures in the event that Michigan closes its border to Canadian waste.

-- Received.

PWC 65-2005 – (November 3, 2005) – **Press Release** – *Peace Bridge Design Selection Jury Excludes Twin and Segmental Bridge Concepts.*

-- Received.

PWC 66-2005 – (November 4, 2005) – **John-Paul Danko**, Ellis Engineering, outlining the completion of emergency repairs of O'Reilly's Bridge over the Welland River, recently undertaken by Rankin Construction.

-- Received.

PWC 67-2005 – (November 3, 2005) – **Doug Hoffman**, Morrison Hershfield, to Eric Flora, Transportation Engineer, being a notice of a public information centre, QEW Widening from Highway 406 to Garden City Skyway, St. Catharines, which will be held on November 16, 2005 at the Parkway Convention Centre, Ontario Street, St. Catharines, from 4:00 to 8:00 p.m.

-- Received.

PWC 68-2005 – (November 2005) – **Niagara Parks**, being an outline of landscaping work undertaken along Roberts Street between Stanley Avenue and Victoria Street in the City of Niagara Falls.

-- Received.

506. Moved by Councillor Harry
Seconded by Councillor Salci

That the contents of the PWC Summary and Addendum, dated November 15, 2005, be received and dealt with as directed by this Committee and as noted in these minutes.

Carried.

PROGRESS REPORTS

507. Ministry of the Environment Inspection Report
September 22, 2005 – Elm Street Compost Facility and Landfill Site

Moved by Councillor Goulbourne
Seconded by Councillor Trombetta

That Report PWP 85-2005, November 15, 2005, respecting the Ministry of the Environment Inspection Report, September 22, 2005 – Elm Street Compost Facility and Landfill Site, be received for information and copies be circulated to the Elm Street Public Liaison Committ, City of Port Colborne and Compost Management Associates.

Carried.

(Refer to Staff Directions)

508. Construction Progress Report
Waste Management Services Capital Projects

Moved by Councillor Bailey
Seconded by Councillor Redekop

That Report PWP 82-2005, November 15, 2005, respecting the Construction Progress Report, Waste Management Services Capital Projects, be received.

Carried.

509. Construction Progress Report
Water & Wastewater Services Division Projects

Moved by Councillor Bailey
Seconded by Councillor Redekop

That Report PWP 83-2005, November 15, 2005, respecting the Construction Progress Report, Water & Wastewater Services Division Projects, be received for information.

Carried.

510. 2005 Environment Days

Moved by Councillor Bailey
Seconded by Councillor Redekop

That Report PWP 84-2005, November 15, 2005, respecting the 2005 Environment Days, be received for information.

Carried.

511. Construction Progress Report
Transportation Services

Moved by Councillor Bailey
Seconded by Councillor Redekop

That Report PWP 86-2005, November 15, 2005, respecting the Construction Progress Report, Transportation Services, be received for information.

Carried.

MINUTES

512. Glenridge Quarry Naturalization Site Committee
Tuesday, June 7, 2005

Moved by Councillor Burroughs
Seconded by Councillor Trombetta

That the minutes of the Glenridge Quarry Naturalization Site Committee meeting of Tuesday, June 7, 2005, be received.

Carried.

513. Regional Niagara Bicycling Committee
Thursday, August 25, 2005

Moved by Councillor Burroughs
Seconded by Councillor Trombetta

That the minutes of the Regional Niagara Bicycling Committee meeting of Thursday, August 25, 2005, be received and the recommendations therein referred back to staff for comment.

Carried.

514. Waste Management Planning Steering Committee
Tuesday, October 25, 2005

Moved by Councillor Burroughs
Seconded by Councillor Trombetta

That the minutes of the Waste Management Planning Steering Committee meeting of Tuesday, October 25, 2005, be received and the recommendations contained therein be approved.

Carried.

515. Niagara-Hamilton WastePlan, Joint Working Group
Thursday, September 15, 2005

Moved by Councillor Burroughs
Seconded by Councillor Trombetta

That the minutes of the Niagara-Hamilton WastePlan, Joint Working Group meeting of Thursday, September 15, 2005, be received.

Carried.

516. Niagara-Hamilton WastePlan, Joint Working Group
Tuesday, October 11, 2005 Pre-Meeting

Moved by Councillor Burroughs
Seconded by Councillor Trombetta

That the minutes of the Niagara-Hamilton WastePlan, Joint Working Group Pre-Meeting of Tuesday, October 11, 2005, be received.

Carried.

517. Niagara-Hamilton WastePlan, Joint Working Group
Tuesday, October 11, 2005 Public Meeting

Moved by Councillor Burroughs
Seconded by Councillor Trombetta

That the minutes of the Niagara-Hamilton WastePlan, Joint Working Group Public Meeting of Thursday, September 15, 2005, be received.

Carried.

518. Niagara-Hamilton WastePlan, Joint Working Group
Thursday, October 13, 2005 Public Meeting

Moved by Councillor Burroughs
Seconded by Councillor Trombetta

That the minutes of the Niagara-Hamilton WastePlan, Joint Working Group Public Meeting of Thursday, October 13, 2005, be received.

Carried.

519. Niagara-Hamilton WastePlan, Joint Working Group
Thursday, October 20, 2005

Moved by Councillor Burroughs
Seconded by Councillor Trombetta

That the minutes of the Niagara-Hamilton WastePlan, Joint Working Group meeting of Thursday, October 20, 2005, be received.

Carried.

520. Inter-Municipal Specialized Transit Advisory Committee
Monday, October 17, 2005

Moved by Councillor Burroughs
Seconded by Councillor Trombetta

That the minutes of the Inter-Municipal Specialized Transit Advisory Committee meeting of Monday, October 17, 2005, be received.

Carried.

OTHER BUSINESS

521. Frenchman's Creek – Trunk Main - Update

The Committee was advised that progress continues to be made on this project, city and regional staff are working together to move the project forward.

522. Smithville Pumping Station

Mr. Brcic advised the Committee that the Smithville Pumping Station project is a unique facility and staff is experiencing challenges with some of the equipment.

(Refer to Staff Directions)

523. Smithville's Water Outage – November 3, 2005

Mr. Brcic advised the Committee that he was not aware of the event that took place in Smithville on November 3, 2005, when there was no water for approximately forty-five minutes.

524. Glenridge Naturalization Site

Councillor Rigby advised the Committee that the Glenridge Naturalization Site won first place at the LIVCOM 2005 awards in Spain.

The Glenridge Naturalization Site was one out of two hundred and eighty submissions, which was short listed among the fifteen submission that were chosen to make a presentation at the event.

Councillor Rigby thanked everyone involved for the admirable job, in specific Mr. David Smith who championed this project from the beginning, congratulations!

525. Niagara-Hamilton WastePlan Update

Mr. Berketo provided the Committee with an update on the Niagara-Hamilton WastePlan.

The Committee was advised that the Joint Working Group will receive the report and will be announcing the preferred option at their meeting in Stoney Creek on December 8, 2005, the public will then have the opportunity to comment from December 9, 2005 to the end of January 2006. A final report will be distributed to the respecting Public Works Committees and Council in February/March 2006. Staff will also be developing a Facility Impact Management Strategy in 2006, which is required prior to choosing a site in 2007.

526. Niagara to GTA Corridor – Preferred Area

The Committee requested that a report be prepared that states the most appropriate opportunity for Niagara Region to state their preference as to where the Niagara to GTA Corridor should be built; the resources required to substantiate the choice Niagara Region makes and the budgeted amount required to access the resources required.

527. Waste Management Communication Items

The Committee commended the Waste Management Department for their communication items that are distributed Region wide, they provide the residents with the information they need on Waste Management issues and staff should be commended.

528. Champlain Road
City of Welland

The Committee was advised that the residents in the area of Champlain Road in the City of Welland, would like the Niagara Region to consider installing a pedestrian controlled crossing.

Mr. Cousins advised the Committee that staff would revisit the warrants at this location and assess whether a pedestrian controlled crossing is warranted at this time.

529. Inter-Regional Commuter Transit

Moved by Councillor Goulbourne
Seconded by Councillor Salci

That the Regional Chair take the lead and call a meeting of officials from the St. Catharines Transit, the Welland Transit, the Niagara Falls Transit, the Hamilton Street Railway and staff to discuss Inter Regional Commuter Transit.

Carried.

530. Snow Clearing on Bridges

Moved by Councillor Goulbourne
Seconded by Councillor Salci

That the offer extended by the Niagara Region respecting the clearing of snow off the bridges, be extended to April 15, 2006.

Carried.

531. Wilhelm Road
City of Port Colborne

The Committee was advised of the numerous accidents that take place in the jog of Wilhelm Road in the City of Port Colborne and staff was asked to consider whether chevrons at this location would be acceptable.

Mr. Cousins advised the Committee that staff will review the warrants at that location to determine whether chevrons at the location are warranted.

532. Pre-Qualification Documentation – Review

The Committee member were in agreement with Councillor Redekop's request to review the pre-qualification documentation that Mr. Toppazzini made reference to early in the meeting.

Mr. Brcic offered his participation with his staff and noted that the scores are to be kept confidential.

CLOSED SESSION

533. Moved by Councillor Bailey
Seconded by Councillor Salci

That this Committee do now meet in Closed Session for the purpose of receiving information of a confidential nature relating to legal and property matters.

Carried.

534. Compost Management Associates Ltd. – Cost Recovery
PWA 169-2005 / PWA 196-2005 CONFIDENTIAL

Moved by Councillor Goulbourne
Seconded by Councillor Salci

That Confidential Reports PWA 169-2005, October 4, 2005 and PWA 196-2005, November 15, 2005 respecting Compost Management Associates Ltd. – Cost Recovery, be received; and

That staff provide the Committee with the additional information requested.

Carried.

535. Per Diem License Agreement with Her Majesty the Queen
P.O.A. Court – 4635 Queen Street
City of Niagara Falls
PWA 194-2005 / CSD 157-2005 CONFIDENTIAL

Moved by Councillor Salci
Seconded by Councillor Bailey

That Confidential Report PWA 194-2005 (CSD 157-2005), November 15, 2005, be received and the recommendations therein be approved.

Carried.

536. Claims Against Niagara Region – Status Report
PWA 195-2005 (CSD 161-2005) CONFIDENTIAL

Moved by Councillor Harry
Seconded by Councillor Salci

That Confidential Report PWA 195-2005 (CSD 161-2005), November 15 2005, respecting the Claims Against Niagara Region – Status Report, be received and the recommendations therein be approved.

Carried.

537. Central Pumping Station and High Rate
Treatment Project – Tender Award
PWA 197-2005 CONFIDENTIAL

Moved by Councillor Salci
Seconded by Councillor Bailey

That Confidential Report PWA 197-2005, November 15, 2005, respecting the Central Pumping Station and High Rate Treatment Project – Tender Award, be received.

That staff proceed in accordance with Option 1.

Carried.

538. Moved by Councillor Goulbourne
Seconded by Councillor Hodgson

That this Committee do now rise with report.

Carried.

STAFF DIRECTIONS

Staff was requested to:

- forward a copy of the presentation on the Niagara Region Landfill Utilization Strategy to all Councillors by e-mail. (Refer to Minute Item # 494)
- inquire as to whether the Ministry of the Environment reports on other composting facilities within the province as public documents and if so, distribute them to the Committee members.(Refers to Minute Item # 506)
- prepare a report on the Smithville Pumping Station for the Committee's information. (Refers to Minute Item # 521)
- forward a letter or prepare a report that details the events that lead to Smithville's lack of water on November 7, 2005, including the reasons why officials were not notified of the problem in advance (Refers to Minute Item # 522)

ADJOURNMENT

The Committee adjourned at 4:50 p.m., to meet again in Committee Room 4, December 6, 2005 at 1:30 p.m.

Tim Rigby
Chair

Janet Pilon
Legislative Assistant

Pam Gilroy
Regional Clerk