

# THE REGIONAL MUNICIPALITY OF NIAGARA

## PUBLIC WORKS COMMITTEE

### REPORT 5-2010

---

Minutes of a meeting of the Public Works Committee held in Council Chamber, Regional Municipal Building, Thorold, Ontario, on Tuesday, April 13, 2010 commencing at 9:35 a.m.

#### ATTENDANCE

Committee: Regional Chair Partington; Councillors Rigby, Chair; Augustyn, Badaway, Baty, Bylsma, D'Angela, Henderson, Hodgson, Marshall, Puttick, Timms, Trombetta.

Staff: Messrs. Trojan, Chief Administrative Officer; Brothers, Commissioner Public Works; Colosimo, Director, Development Services; Pollock, Director, Waste Management Services; Cousins, Transportation Services; Steele, Associate Director, Strategy Business Management; Roberts, Executive Officer to the Regional Chair; Mucciarelli, Associate Director, Waste Disposal Operations; Lockyer, Treasurer/Director, Financial Management; Bain, Regional Clerk; Ms. Matthews-Malone, Director, Water & Wastewater Services; Ms. Habermebl, Associate Director, Waste Collection and Diversion Operations; Ms. Isajiw, Legal Counsel; Ms. Rae, Legal Counsel; Ms. Crawley, Waste Management Services Coordinator; Ms. Pilon, Deputy Regional Clerk.

Others: Councillor Heit

#### CONFLICT OF INTEREST

85. Councillor Heit declared a pecuniary interest with respect to the Contract Award for Garbage, Recycling and Organics Collection Services as Modern Landfill is a client of his company and he therefore took no part in the discussion of, or voting on, these matters.

#### PRESENTATIONS

86. Contract Award for Garbage, Recycling and Organics Collection Services

Mr. Gary Smith, Modern Landfill, presented Committee members with a presentation respecting the Contract Award for Garbage, Recycling and Organics Collection Services.

*(A copy of Mr. Smith's presentation respecting the Contract Award for Garbage, Recycling and Organics Collection Services can be found behind the Joint Reports Blue Book Tab)*

87. Contract Award for Garbage, Recycling and Organics Collection Services

Ms. Paulina Leung, Emterra Environmental presented Committee members with a presentation respecting the Contract Award for Garbage, Recycling and Organics Collection Services.

*(A copy of Ms. Leung's presentation respecting the Contract Award for Garbage, Recycling and Organics Collection Services can be found can be found behind the Joint Reports Blue Book Tab)*

88. Contract Award for Garbage, Recycling and Organics Collection Services

Mr. Andy Pollock, Director, Waste Management Services provided Committee with a presentation respecting an overview of Report PWA 32-2010 (CSD 43-2010) the Contract Award for Garbage, Recycling and Organics Collection Services.

*(A copy of Mr. Pollock's presentation respecting the Contract Award for Garbage, Recycling and Organics Collection Services can be found can be found behind the Joint Reports Blue Book Tab)*

Councillor Badawey assumed the Chair during Councillor Rigby's brief absence.

Councillor Rigby assumed the Chair for the remainder of the meeting.

**CLOSED SESSION**

89. Moved by Councillor Timms  
Seconded by Councillor Puttick

That this Committee do now meet in Closed Session for purposes of receiving information of a confidential nature relating to A Matter of the Security of the Property of the Municipality Proposed Waste Disposal Agreement and a Matter of the Security of the Property of the Municipality respecting the Contract Award for Garbage, Recycling and Organics Collection Services.

Defeated.

**ITEMS FOR CONSIDERATION**

90. Contract Award for Garbage, Recycling and Organics Collection Services  
**PWA 32-2010(CSD 43-2010)**

Moved by Councillor Augustyn  
Seconded by Councillor Baty

That Report PWA 32-2010(CSD 43-2010), April 13, 2010 respecting Contract Award for Garbage, Recycling and Organics Collection Services, be received;

That the seven year contract for 2009-RFP-44 "Collection/Haulage of Garbage, Recyclables, Organic Waste and White Goods", starting March 1, 2011 be awarded to Halton Recycling Ltd., doing business as Emterra Environmental, for the following collection services;

- a) Option 2 – 65% Diversion:  
As part of the current strategy to achieve an estimated 65% waste diversion, provision of Base and Enhanced Services, at a first year contract cost of \$16,772,697 (exclusive of tax) and a seven year total estimated cost of \$124,096,316 (exclusive of tax), consisting of:
- i) Every other week garbage collection or the low density residential sector and other eligible properties, with a three container (bag-Can) limit for the low density residential sector (one to six unit residential buildings), and container limits for other sectors as outlined in Appendix IV of this report;
  - ii) Weekly garbage collection for designated business areas;
  - iii) Weekly Blue and Grey Box recycling collection for the low density and high density residential sectors, designated business areas and other eligible properties;
  - iv) Weekly Green Bin organics collection for the low density residential sector, designated business areas and other eligible properties;
  - v) Weekly leaf/yard material collection, with no grass collection, for the low density residential sector, which includes a separate leaf/yard material and brush collection in April and November in urban areas only;
  - vi) Weekly collection of household bulky items and white goods as previously approved for the low density residential sector;
  - vii) Once per year Christmas tree collection, special set out services and garbage container (bag/can) exemptions as previously approved for the low density residential sector.
- b) Enhanced Services as selected by local municipalities for litter bin collection, front end garbage bin collection services and additional curbside collection in designated areas, as outlined in Appendix IV of this report.

- c) Public open space street side collection of recyclables on a per stop basis as a provisional enhanced service, as selected by local municipalities and outlined in this report.

That the award of the provisional item in 2009-RFP-44 for Green Bin organics collection service for multi-residential buildings be deferred pending confirmation of available organics processing capacity and affordability of this service.

That a grass collection ban be implemented effective March 1, 2011 at an estimated annual first year cost savings of \$458,900 per year with weekly garbage collection (\$294,000 in collection cost savings plus \$164,900 in processing cost savings) or \$742,900 with every other week garbage collection (\$578,000 in collection cost savings plus \$164,900 in processing cost savings)

That the collection contract agreement with Halton Recycling Ltd., doing business as Emterra Environmental, be prepared by the Director of Legal Services.

That the Regional Chair and Regional Clerk be authorized to execute the collection contract agreement on behalf of the Corporation.

That the Waste Management Services By-Laws 95-2008 and 117-2008 be amended to reflect the new service levels as approved by Council.

That staff be directed to review the current waste diversion target and timelines and report back to the Waste Management Planning Steering Committee and Public Works Committee.

Moved by Councillor Timms  
Seconded by Councillor Badaway

That the aforementioned motion be divided so that each section is voted on separately.

Carried.

Moved by Councillor Timms  
Seconded by Councillor Marshall

That the award of the contract be deferred pending the receipt of the evaluation details and to provide staff with sufficient time to review the comments noted in Modern's presentation.

Defeated.

Moved by Councillor Augustyn  
Seconded by Councillor Baty

That Report PWA 32-2010(CSD 43-2010), April 13, 2010 respecting Contract Award for Garbage, Recycling and Organics Collection Services, be received;

That the seven year contract for 2009-RFP-44 "Collection/Haulage of Garbage, Recyclables, Organic Waste and White Goods", starting March 1, 2011 be awarded to Halton Recycling Ltd., doing business as Emterra Environmental, for the following collection services.

Carried.

Moved by Councillor D'Angela  
Seconded by Councillor Timms

That the collection of grass clippings be included in Option 2.

Withdrawn.

Moved by Councillor Augustyn  
Seconded by Councillor Baty

That the following option for garbage, recycling, organics and white goods collection, be approved:

**Option 2 – 65% Diversion:**

As part of the current strategy to achieve an estimated 65% waste diversion, provision of Base and Enhanced Services, at a first year contract cost of \$16,772,697 (exclusive of tax) and a seven year total estimated cost of \$124,096,316 (exclusive of tax), consisting of:

- i) Every other week garbage collection or the low density residential sector and other eligible properties, with a three container (bag-Can) limit for the low density residential sector (one to six unit residential buildings), and container limits for other sectors as outlined in Appendix IV of this report;
- ii) Weekly garbage collection for designated business areas;
- iii) Weekly Blue and Grey Box recycling collection for the low density and high density residential sectors, designated business areas and other eligible properties;
- iv) Weekly Green Bin organics collection for the low density residential sector, designated business areas and other eligible properties;
- v) Weekly leaf/yard material collection, with no grass collection, for the low density residential sector, which includes a separate leaf/yard material and brush collection in April and November in urban areas only;
- vi) Weekly collection of household bulky items and white goods as previously approved for the low density residential sector;
- vii) Once per year Christmas tree collection, special set out services and garbage container (bag/can) exemptions as previously approved for the low density residential sector.

Enhanced Services as selected by local municipalities for litter bin collection, front end garbage bin collection services and additional curbside collection in designated areas, as outlined in Appendix IV of this report.

Public open space street side collection of recyclables on a per stop basis as a provisional enhanced service, as selected by local municipalities and outlined in this report.

Carried.

Councillors D'Angela; Timms and Trombetta requested that they be recorded as opposed to the aforementioned motion.

Moved by Councillor Augustyn  
Seconded by Councillor Baty

That the award of the provisional item in 2009-RFP-44 for Green Bin organics collection service for multi-residential buildings be deferred pending confirmation of available organics processing capacity and affordability of this service.

Carried.

Moved by Councillor Augustyn  
Seconded by Councillor Baty

That a grass collection ban be implemented effective March 1, 2011 at an estimated annual first year cost savings of \$458,900 per year with weekly garbage collection (\$294,000 in collection cost savings plus \$164,900 in processing cost savings) or \$742,900 with every other week garbage collection (\$578,000 in collection cost savings plus \$164,900 in processing cost savings)

Carried.

Moved by Councillor Augustyn  
Seconded by Councillor Baty

That the collection contract agreement with Halton Recycling Ltd., doing business as Emterra Environmental, be prepared by the Director of Legal Services.

That the Regional Chair and Regional Clerk be authorized to execute the collection contract agreement on behalf of the Corporation.

That the Waste Management Services By-Laws 95-2008 and 117-2008 be amended to reflect the new service levels as approved by Council.

That staff be directed to review the current waste diversion target and timelines and report back to the Waste Management Planning Steering Committee and Public Works Committee.

Carried.

*(Please note that Report PWA 32-2010(CSD 43-2010) can be found attached to the Council Agenda)*

91. Amendment to Bylaw to Appoint Bylaw Enforcement Officers for Purposes of Bylaw 47-2008 (Sewer Use Bylaw)  
**PWA 26-2010**

Moved by Councillor Baty  
Seconded by Councillor Timms

That Report PWA 26-2010, April 13, 2010, respecting Amendment to Bylaw to Appoint Bylaw Enforcement Officers for Purposes of Bylaw 47-2008 (Sewer Use Bylaw), be received;

That for the purposes of administration and enforcement of Niagara Region By-law #47-2008, Regional staff, as listed in this report, be authorized and appointed as by-law enforcement officers and designated as Provincial Offences Officers; and

That the Regional Clerk be directed to ensure that the necessary By-law be prepared.

Carried.

92. Proposed 2010 Traffic Signal Rehabilitation Program  
**PWA 28-2010**

Moved by Councillor Baty  
Seconded by Councillor Timms

That Report PWA 28-2010, April 13, 2010, respecting Proposed 2010 Traffic Signal Rehabilitation Program, be received;

That staff be authorized to proceed with the proposed 2010 Traffic Signal Program as outlined in this report;

That Council authorizes staff to continue with the standardization of Traffic Signal equipment, as per the "Design and Operation of Traffic Signal Standards and Specifications" manual, as permitted in the Sole Source Purchases section of the Corporate Purchasing Policy:

That all costs to the program be charged to ZRT1002 New Traffic Signals and ZRT1001 Traffic Signal Rehabilitation Program.

Carried.

93. Project Initiation  
Cost Sharing on Bike Paths of non-Regional Roads Funding  
City of Thorold, Township of Wainfleet and  
Town of Niagara-on-the-Lake  

---

**PWA 30-2010**

Moved by Councillor Baty  
Seconded by Councillor Timms

That Report PWA 30-2010, April 13, 2010, respecting Project Initiation Cost Sharing on Bike Paths of non-Regional Roads Funding City of Thorold, Township of Wainfleet and Town of Niagara-on-the-Lake, be received;

That approval be given to initiate Capital Levy Financing in the amount of \$200,000 for Project ZRC1015 'Cost Sharing on Bike Paths on non-Regional roads';

That approval be given to fund the aforesaid costs of providing bikeway facilities contained within this report, to the amount of \$182,345, and that the project costs be charged to Project ZRC1015, Cost Sharing on Bike Paths on non-Regional roads; and

That the Regional Clerk's Department forward a copy of this report to the City of Thorold, Township of Wainfleet, Town of Niagara-on-the-Lake and the Regional Niagara Bicycling Committee for their information.

Carried.

94. Initiation of Project ZGG1001  
Emergency Capital Levy Program  
Emergency Repairs to St. Paul Street West Culvert  
(Structure No. 081325), Which Carries over Fifteen Mile Creek  
In the Town of Lincoln and City of St. Catharines  

---

**PWA 33-2010(CSD 44-2010)**

Moved by Councillor Baty  
Seconded by Councillor Timms

That Report PWA 33-2010(CSD 44-2010), April 13, 2010, respecting Initiation of Project ZGG1001 Emergency Capital Levy Program Emergency Repairs to St. Paul Street West Culvert (Structure No. 081325), Which Carries over Fifteen Mile Creek In the Town of Lincoln and City of St. Catharines, be received;

That Capital Levy financing in the amount of \$250,000, gross and net, be approved for Project ZGG1001 Emergency Capital Levy Program included in the 2010 Capital Budget, and that this amount be initiated to complete the emergency repairs to St. Paul West Culvert (Structure No. 081325);

That Rankin Construction Inc. be retained to complete the necessary emergency repairs to St. Paul West Culvert (Structure No. 081325), on a time plus material basis, estimated at \$200,000;

That the consulting firm of ELLIS Engineering Inc. be retained to provide the necessary engineering and inspection services, with the engineering fees being calculated on a time plus disbursements basis, estimated at \$20,000;

That a contingency allowance in the amount of \$30,000 be provided for this emergency repair work;

That Regional Road 81 (King Street/St. Paul Street West) remains closed between Seventh Street and Ninth Street until the emergency repairs are complete;

That the Regional Clerk be directed to ensure that the appropriate by-law(s) are prepared for presentation to Regional Council on April 22, 2010;

That all project costs be charged against Emergency Repairs to St. Paul West Culvert (Structure No. 081325).

Carried.

*(Please note that Report PWA 33-2010(CSD 44-2010) can be found behind the Joint Reports Blue Book Tab)*

95. Waste Management Planning Steering Committee  
**March 23, 2010**

Moved by Councillor Henderson  
Seconded by Councillor D'Angela

That Report 2-2010 being the minutes of the Waste Management Planning Steering Committee meeting of March 23, 2010, be received and the following recommendation be approved:

That WMPSC 12-2010 respecting WMAC Letter to Minister Gerretsen Mandating Recycling and Garbage Collection Frequency.doc, be received **as amended**; and

***That Staff provide a report clarifying the Advisory Committee's mandate, specifically the processes surrounding the approval of minutes for Council consideration (recommendations contained therein) and the authority process required prior to Advisory Committee's submitting opinion based correspondence to higher levels of government and others.***

That Mr. Symington's correspondence entitled Cost Comparisons for Various Program Profiles, be referred to the Waste Management Advisory Committee for review.

That Staff provide a Report outlining the deterrents which contributed to the minimal 1% increase in 2004 (year: Original Green Bin Program Launch) and the minimal 1% increase in 2008 (year: Re-launch Green Bin Program) to the Niagara Diversion Rate; and

That Staff provide this Report to the April 13, 2010 meeting of the Public Works Committee.

Carried.

96. Transportation Strategy Steering Committee  
**March 2, 2010**

Moved by Councillor Henderson  
Seconded by Councillor D'Angela

That Report 2-2010 being the minutes of the Transportation Strategy Steering Committee meeting of March 2, 2010, be received and the following recommendation be approved:

That the Minutes of the Inter-Municipal Specialized Transit Advisory Committee, January 10, 2010, be received and the following recommendation be approved:

That the revisions to the definition of medical appointment be made to include alternative therapy provider or institution providing medical or therapeutic services.

Carried.

97. Regional Niagara Bicycling Committee  
**March 2, 2010**

Moved by Councillor Henderson  
Seconded by Councillor D'Angela

That Report 2-2010 being the minutes of the Regional Niagara Bicycling Committee meeting of March 2, 2010, be received and the following recommendation be approved:

That this committee strongly supports the provision of bicycling facilities on Woodlawn Road.

Carried

**ITEMS FOR INFORMATION**

98. Wainfleet Water and Sewer Project Phase 2 –  
Natural Heritage Impact Assessment  
**PWP 10-2010**

Moved by Councillor Augustyn  
Seconded by Councillor Henderson

That Report PWP 10-2010, April 13, 2010, respecting Wainfleet Water and Sewer Project Phase 2 – Natural Heritage Impact Assessment, be received for information.

Carried.

99. Association of Ontario Road Supervisors  
**PWP 11-2010**

Moved by Councillor Augustyn  
Seconded by Councillor Henderson

That Report PWP 11-2010, April 13, 2010, respecting Association of Ontario Road Supervisors, be received for information.

Carried.

100. Project Activity Report  
Transportation Services  
**PWP 12-2010**

Moved by Councillor Augustyn  
Seconded by Councillor Henderson

That Report PWP 12-2010, April 13, 2010, respecting Project Activity Report - Transportation Services, be received for information.

Carried.

101. Final Recommendation Report  
Regional Policy Plan Amendment 5-2009  
Planning for Sustainable Active Transportation,  
Revised Bicycle Transportation Policies and Mapping  
**PWC 10-2010**

Moved by Councillor Augustyn  
Seconded by Councillor Henderson

That Correspondence Item PWC 10-2010, a memorandum from Kevin Bain, Regional Clerk (April 13, 2010) respecting the Final Recommendation Report, Regional Policy Plan Amendment 5-2009, Planning for Sustainable Active Transportation, Revised Bicycle Transportation Policies and Mapping, be received for information.

Carried.

102. Inter-Municipal Transit Service Enhancements  
Public Information Centre (PIC)  
**PWC 12-2010**

Moved by Councillor Augustyn  
Seconded by Councillor Henderson

That Correspondence Item PWC 12-2010, a Notice of Public of a Public Information Centre (PIC) respecting the Inter-Municipal Transit Service Enhancements, be received for information.

Carried.

103. Public Works Week, May 16-22, 2010  
**PWC 11-2010**

Moved by Councillor Augustyn  
Seconded by Councillor Henderson

That Correspondence Item PWC 11-2010, a memorandum from Gary Atack, Co-ordinator of Records and Information and Project Management (April 13, 2010) respecting Public Works Week, May 16-22, 2010, be received for information.

Carried.

104. Waste Diversion Program Data  
**PWP 13-2010**

Moved by Councillor Augustyn  
Seconded by Councillor Henderson

That Report PWP 13-2010, April 13, 2010, respecting Waste Diversion Program Data, be received for information.

Carried.

105. Policy Plan Amendment 5-2009; Bicycling  
Provision of Bicycle Facilities Along Woodlawn Road  
City of Welland  

---

**ICP-C 11-2010**

Moved by Councillor Timms  
Seconded by Councillor Henderson

That Correspondence Item ICP-C 11-2010 dated March 29, 2010, from Mr. Patrick Robson, Commissioner Integrated Community Planning to Mr. Mal Woodhouse, Director of Facilities Management Services respecting the Policy Plan Amendment 5-2009; Bicycling Provision of Bicycle Facilities Along Woodlawn Road City of Welland, be received for information.

Carried.

106. JAC Wainfleet Water & Wastewater Servicing Project (1-2010)  
**March 22, 2010**

Moved by Councillor Timms  
Seconded by Councillor Henderson

That Report 2-2010 (JAC) being the minutes of the Joint Advisory Committee Wainfleet Water & Wastewater Servicing Project meeting of March 22, 2010, be received for information.

Carried.

*(Please note that the Minutes of the Joint Advisory Committee Wainfleet Water & Wastewater Servicing Project meeting of January 28, 2010 can be found behind the Joint Reports Blue Book Tab)*

**CLOSED SESSION**

107. Moved by Councillor Augustyn  
Seconded by Councillor Henderson

That this Committee do now meet in Closed Session for purposes of receiving information of a confidential nature relating to A Matter of the Security of the Property of the Municipality Proposed Waste Disposal Agreement.

Carried.

108. A Matter of the Security of the Property of the Municipality  
Proposed Waste Disposal Agreement  
**Confidential – PWA 31-2010(CSD 45-2010)**

Moved by Councillor Timms  
Seconded by Regional Chair Partington

That Confidential Report PWA 31-2010(CSD 45-2010), April 13, 2010, respecting A Matter of the Security of the Property of the Municipality Proposed Waste Disposal Agreement, be received and the recommendations contained therein be approved.

Carried.

109. Moved by Councillor Timms  
Seconded by Councillor Baty

That this Committee do now rise with report.

Carried.

### **ADJOURNMENT**

The Committee adjourned at 12:36 p.m. to meet again at 9:30 a.m. on Tuesday, May 4, 2010 in Committee Room #4, Regional Headquarters.

Tim Rigby  
Chair

Vance Badawey  
Vice Chair

Janet Pilon  
Deputy Regional Clerk

Kevin Bain  
Regional Clerk