

**THE REGIONAL MUNICIPALITY OF NIAGARA**  
**PUBLIC WORKS AND UTILITIES COMMITTEE**

**REPORT 13-2004**

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Minutes of a meeting of the Public Works and Utilities Committee held in Committee Room 4, Regional Municipal Building, Thorold, Ontario, on Tuesday, May 25, 2004 commencing at 1:35 p.m.

**ATTENDANCE**

- Committee: Councillors Rigby, Chair; Regional Chair Partington, Bailey, Bodner, Goulbourne, Harry, Hodgson, Leavens, Redekop, Salci, Trombetta.
- Staff: Messrs. Neville, Commissioner, Public Works; Cousins, Director, Transportation Services; Sidawi, Director, Operational Support Services; Kellendock, Associate Director, Water & Wastewater Operations; Payne, Director, Waste Management Services; Ms. Pilon, Legislative Assistant.
- Staff (Part-Time): Messrs. Bousfield, Manager, Property and Facilities Management; Hughes, Associate Director, Transportation Engineering.

**PRESENTATION**

218. Glendale Avenue Value Engineering

Mr. Dan Romellino, Ministry of Transportation and Mr. Jim Dowell, McCormick Ranking Corporation, provided the Committee with a presentation on the QEW/Glendale Avenue Interchange Value Engineering Study.

Mr. Dowell advised the Committee that the study was undertaken to evaluate the adequacy of the Glendale Avenue crossing of the Queen Elizabeth Way and the related interchange and the ongoing and future development in the vicinity of the interchange as well as the role of the interchange as a 'gateway' to Niagara-on-the-Lake.

The study team consisting of MTO staff, Municipal and Regional staff and the consultants, completed the Value Engineering Study in four stage, a Value Engineering Workshop held in January 2003, a traffic evaluation, a June 12, 2003 Progress Meeting and an October 3, 2003 Program meeting, which resulted in the identification of four Network Alternatives (3.4, 4, 1B and 2B.5).

The Committee was advised that further consideration of the identified Value Engineering Network Alternatives would require further study in a future Class Environmental Assessment, which would include public meetings.

The Committee was also advised that the study team is aware that their suggested alternatives will have impacts, which will be identified during the preliminary design and Environmental Assessment phase of the project.

### **PUBLIC HEARING**

219. Reconstruction of Regional Road 112 (Point Abino Road)  
between Regional Road 1 (Michener Road) and Highway 3  
Town of Fort Erie

The Commissioner of Public Works introduced the above matter for public hearing and advised the Committee that the notice of the proposed by-law was published in the Niagara Falls Review on, May 5, 8, 15 and 22, 2004 and the Fort Erie Times on May 8, 15 and 22, 2004.

The Chair asked whether any person present would like to be heard with respect to the Reconstruction of Regional Road 112 (Point Abino Road) between Regional Road 1 (Michener Road) and Highway 3 in the Town of Fort Erie (there were no responses).

Moved by Councillor Redekop  
Seconded by Councillor Harry

That for the road improvements outlined in the Public Notice of May 5, May 18, May 15 and May 22, 2004 and the Commissioner of Public Works Report PWA 39-2002, February 26, 2002, this Committee authorizes the Reconstruction of Regional Road 112 (Point Abino Road) between Regional Road 1 (Michener Road) and Highway 3 in the Town of Fort Erie and further, recommends that the construction by-law be submitted to Regional Council for that purpose.

Carried.

### **ADMINISTRATION**

220. Moved by Councillor Bodner  
Seconded by Councillor Bailey

That Report PWA 89-2004 (CSD 79-2004), May 25, 2004, respecting the Transfer of Funds for Waste Management Capital Programs, be lifted from PWA Summary - May 25, 2004 and dealt with separately at this time.

Carried.

221. Transfer of Funds for Waste  
Management Capital Programs  
**PWA 89-2004 (CSD 79-2004)**

Moved by Councillor Bodner  
Seconded by Councillor Bailey

That Report PWA 89-2004 (CSD 79-2004), May 25, 2004, respecting the Transfer of Funds for Waste Management Capital Programs, be deferred to the June 8, 2004, Public Works and Utilities Committee meeting, to allow staff the opportunity to correct the errors contained within the report.

Carried.

For Committee Consideration

The Committee considered the following staff recommendations contained in the PWA Summary, May 25, 2004:

222. Dominion Road Sewage Pumping Station  
Emergency Replacement of the Variable Frequency Drives  
**PWA 86-2004 (CSD 76-2004)**

That Report PWA 86-2004 (CSD 76-2004), May 25, 2004, respecting the Dominion Road Sewage Pumping Station, Emergency Replacement of the Variable Frequency Drives, be received.

That financing in the gross and net amount of \$793,000 be approved for Project ZSW0008 Infrastructure Improvement Program included in the 2004 Wastewater Capital Budget.

That financing for the project include debentures (1-10 years) in the amount of \$393,000 and Development Charge Reserve Fund financing of \$400,000.

That the Regional Clerk be directed to ensure that the appropriate bylaw(s) are prepared for presentation to Regional Council.

*(Please note that Report PWA 86-2004 (CSD 76-2004) is attached to the Corporate and Financial Services Committee minutes)*

223. Tender Award for Contract RN 04-03  
Niagara Falls Wastewater Treatment Plant Dewatering Facility  
**PWA 87-2004 (CSD 74-2004)**

That Report PWA 87-2004 (CSD 74-2004), May 25, 2004, respecting the Tender Award for Contract RN 04-03, Niagara Falls Wastewater Treatment Plant Dewatering Facility, be received.

That Contract RN 04-03, Niagara Falls Wastewater Treatment Plant Dewatering Facility be awarded to T.R. Hinan Contractors Inc. at their bid price of \$5,649,000.00 excluding GST.

That a contingency amount of \$540,000.00 be provided for this project.

That approval be given to increase the gross budget for Project ZSW0302 / SW0327 Niagara Falls Wastewater Treatment Plant Dewatering Facility for the equivalent of the Provincial SuperBuild Contribution of \$2.5 million.

That the Regional Clerk be directed to ensure that the appropriate by-laws are prepared for submission to Regional Council, including authorizing the Regional Chair and Regional Clerk to execute the contract on behalf of the Regional Municipality of Niagara.

That all project costs be charged against Capital Works Project SW0327 Niagara Falls Wastewater Treatment Plant Dewatering Facility.

*(Please note that Report PWA 87-2004 (CSD 74-2004) is attached to the Corporate and Financial Services Committee minutes)*

224. Retention of Consulting Services  
Oxford Atlas Wellington Sanitary Sewer  
City of Welland

**PWA 88-2004 (CSD 75-2004)**

That Report PWA 88-2004 (CSD 75-2004), May 25, 2004, respecting the Retention of Consulting Services, Oxford Atlas Wellington Sanitary Sewer in the City of Welland, be received.

That the consulting firm of Associated Engineering Limited be retained to provide engineering services for the new Oxford Atlas Wellington Sanitary Sewer in the City of Welland.

That the engineering fee be calculated on a time plus expenses basis estimated to an upset limit of \$579,729.00 exclusive of GST. The cost of the engineering fees is to be shared between the Region and the City of Welland as estimated in Table 1. The Region's share of the engineering fee will be \$318,850.95 (55%) and the City's share will be \$260,878.05 (45%).

That approval be given to increase the gross budget by \$269,000.00 including net GST to reflect the cost sharing with the City of Welland.

Total estimated project costs, including construction costs and applicable SuperBuild funding, are shown on Table 1 for informational purposes only. The construction phase of this project is not expected to be tendered until early 2005, at which time a separate PWA Report regarding award of tender will be prepared. The basis of the cost sharing arrangement between the Region and City, including the application of SuperBuild funding, is shown on Table 1. The City has agreed to this cost sharing formula as per the attached letter from the City. The Regional Chair and Clerk have executed the SuperBuild Funding agreement under the Millennium Partnerships Initiatives Program and forwarded it to the Ministry of Municipal Affairs and Housing. It is expected that the Region will receive the executed agreement back from the Province by June, 2004.

That the costs associated with this project be charged against Capital Project SW0416. This reports requests authorization to retain consulting services for the new Oxford Atlas Wellington Sanitary Sewer in the City of Welland.

*(Please note that Report PWA 88-2004 (CSD 75-2004) is attached to the Corporate and Financial Services Committee minutes)*

225. Signing Authority for Operator Certification Experience  
Ontario Environmental Training Consortium (OETC)  
Operator Licensing Policy

**PWA 90-2004**

That Report PWA 90-2004, May 25, 2004, respecting the Signing Authority for Operator Certification Experience, Ontario Environmental Training Consortium (OETC), Operator Licensing Policy, be approved.

That the attached Public Works Policy be implemented, effective as of Council's approval in principle on June 3, 2004.

226. Retention of Consulting Services  
DeCew Raw Water Supply Improvement Plan  
City of Thorold

**PWA 91-2004**

That Report PWA 91-2004, May 25, 2004, respecting the Retention of Consulting Services, DeCew Raw Water Supply Improvement Plan in the City of Thorold, be received.

That the consulting engineering firm of MacViro Consultants Inc. be retained to provide engineering services for the DeCew Falls WTP Raw Water Supply Improvement Plan in the City of St. Catharines.

That the engineering fee be calculated on a time plus expenses basis estimated to an upset limit of \$261,165.00 exclusive of GST.

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 contract on behalf of the Regional Municipality of Niagara.

That the costs associated with this project be charged against Project CW9807.

227. Niagara's Water Treatment Plants  
2003 Compliance Reports  
**PWA 92-2004**

That Report PWA 92-2004, May 25, 2004, respecting Niagara's Water Treatment Plants, 2003 Compliance Reports, be received.

That the 2003 Compliance Reports for Niagara's six water treatment plants be received in accordance with Section 52 of the Ontario Water Resources Act.

That Regional Council designates the Director of Water and Wastewater Services Division as the signing authority on behalf of the corporation, who takes full responsibility for the information provided in the Compliance Reports.

That the Regional Clerk be directed to ensure that the appropriate resolutions are prepared for submission to Regional Council, including authorizing the Regional Chair and Regional Clerk to confirm that the 2003 Compliance Reports and summaries have been presented and approved by Council.

228. Tender Award for Contract RN 04-14  
2004 Hot Mix Resurfacing Program – Part 1  
**PWA 93-2004**

That Report PWA 93-2004, May 25, 2004, respecting the Tender Award for Contract RN 04-14, 2004 Hot Mix Resurfacing Program – Part 1, be received.

That Contract RN 04-14, 2004 Hot Mix Resurfacing Program - Part 1, be awarded to the low tenderer, Rankin Construction Inc., at its bid price of \$3,487,304.19, excluding G.S.T.;

That a contingency allowance in the amount of \$100,000.00 be provided for this contract;

That the Regional Clerk be directed to ensure that the necessary by-laws, including the by-law authorizing the Regional Chair and Regional Clerk to execute the contract on behalf of the Regional Municipality of Niagara, are presented to Regional Council on June 3, 2004;

That all project costs be charged against Parent Project ZRC0401/RC0401.

229. Moved by Councillor Salci  
Seconded by Councillor Goulbourne

That the PWA Summary, dated May 25, 2004, and the foregoing recommendations of Reports PWA 86-2004 (CSD 76-2004) to PWA 88-2004 (CSD 75-2004) and PWA 90-2004 to PWA 93-2004, inclusive, be received and accepted.

Carried.

### **CORRESPONDENCE**

230. Communications listed in Report PWC Summary and Addendum, dated May 25, 2004, were received and dealt with as follows:

PWC 24-2004 - (May 7, 2004) – **Brian Hughes**, Associate Director, Transportation Engineering, to Max Gross of the Town of Fort Erie, summarizing discussions at a meeting held on April 26th regarding the condition of Regional Road 19 (Gilmore Road) between Thompson Road and Niagara Boulevard and the Town's wish to replace a sanitary sewer on this road.

-- Received.

PWC 25-2004 – (May 17, 2004) – **Susan Morin**, Best Western Rose City Suites in Welland, to David Kellendonk, Associate Director, Water & Wastewater Operations, expressing appreciation to staff member, Joe Nicosia, for his excellent customer service in resolving a problem with water pressure.

-- Received.

231. Moved by Councillor Trombetta  
Seconded by Councillor Redekop

That the contents of the PWC Summary and Addendum, May 25, 2004, be received and dealt with as directed by this Committee and as noted in these minutes.

Carried.

**PROGRESS REPORTS**

232. DeCew Falls Water Treatment Raw  
Water Supply Improvement Plan  
City of St. Catharines

Moved by Councillor Leavens  
Seconded by Councillor Bailey

That Report PWP 30-2004, May 25, 2004, respecting DeCew Falls Water Treatment Raw Water Supply Improvement Plan in the City of St. Catharines, be received for information.

Carried.

233. Construction Progress Report  
Transportation Services

Moved by Councillor Trombetta  
Seconded by Councillor Bodner

That Report PWP 31-2004, May 25, 2004, respecting Construction Progress Report, Transportation Services, be received for information.

Carried.

**MINUTES**

234. Transportation Strategy Steering Committee  
Meeting of Tuesday, May 11, 2004

Moved by Councillor Redekop  
Seconded by Councillor Harry

That the minutes of the Transportation Strategy Steering Committee meeting of Tuesday, May 11, 2004, be received and the recommendations contained therein be approved.

Carried.

**ACCOUNTS**

235. Moved by Councillor Bailey  
Seconded by Councillor Bodner

That the accounts list for the period ending April 30, 2004 in the amount of \$5,644,187.12, be approved for payment.

Carried.

**OTHER BUSINESS**

236. Federation of Canadian Municipalities  
Contingent - Sweden Conference  
August 22 – 28, 2004

The Committee was advised that Hamilton will also be sending two representatives and that the costs associated with the trip have been budgeted for within the Joint Working Group, WastePlan budget.

Moved by Councillor Redekop  
Seconded by Regional Chair Partington

That Councillor Burroughs and Mr. Payne, be appointed as Niagara Region's representatives of Federation of Canadian Municipalities contingent to Sweden, August 22 – 28, 2004.

Carried.

The Committee was also advised that new technologies will continue to be included in the process until the Environmental Assessment begins.

237. Pumping Station Capacities

Mr. Kellendonk advised the Committee that the Pumping Stations are being equipped with the technology required to handle the overflows, as a proactive step to accommodate the overflows during significant rainfalls, as we experience during this past weekend.

(Refer to Staff Directions)

238. Thank You!

Councillor Goulbourne and Salci thanked Mr. Neville and Mr. Trojan for publishing the letter of apology and explanation for the residents of the City of Welland and the City of Niagara Falls.

**CLOSED SESSION**

239. Moved by Councillor Bodner  
Seconded by Councillor Harry

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

Carried.

240. Property Lease of Office Space  
3550 Schmon Parkway  
Corporate Centre  
City of Thorold  

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**PWA 94-2004**

Moved by Regional Chair Partington  
Seconded by Councillor Bailey

That Report PWA 94-2004, May 25, 2004, respecting the Property Lease of Office Space, 3550 Schmon Parkway, Corporate Centre in the City of Thorold, be received and the recommendations therein approved.

Carried.

(Refer to Staff Directions)

241. Lease Renewal with Niagara Health System  
Ambulance Stations  
Fort Erie, Niagara Falls,  
Niagara-on-the-Lake, Welland  

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**PWA 95-2004 (PHD 38-2004)**

Moved by Councillor Redekop  
Seconded by Councillor Trombetta

That Report PWA 95-2004 (PHD 38-2004), May 25, 2004, respecting the Lease Renewal with Niagara Health System, Ambulance Stations in Fort Erie, Niagara Falls, Niagara-on-the-Lake and Welland, be received.

That the Regional Chair and Clerk be authorized to execute a Lease Renewal Agreement with Niagara Health Systems for each of Fort Erie, Niagara Falls, Niagara-on-the-Lake and Welland ambulance stations subject to the terms and conditions reported.

Carried.

242. Amendment to License of Office Space –  
250 Thorold Road West for  
Human Resources Development Canada  
Her Majesty the Queen in the Right of Canada as  
Represented by Public Works and  
Government Services Canada  
City of Welland  

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**PWA 96-2004**

Moved by Councillor Redekop  
Seconded by Councillor Harry

That Report PWA 96-2004, May 25, 2004, respecting the Amendment to License of Office Space – 250 Thorold Road West for Human Resources Development Canada, Her Majesty the Queen in the Right of Canada as Represented by Public Works and Government Services Canada in the City of Welland, be received.

That the Regional Chair and Clerk be authorized to execute an amendment to the existing License Agreement with Her Majesty the Queen in Right of Canada as represented by Public Works and Government Services Canada to reduce the space allocation for Human Resources Canada to the square metres reported, at the reported increase to the rental rate, resulting in the reported monthly payments and exercise the provision in the License for extension to the term as reported.

Carried.

243. Moved by Councillor Goulbourne  
Seconded by Councillor Bodner

That this Committee do now rise with report.

Carried.

### **STAFF DIRECTIONS**

Staff was directed to:

- provide Councillor Goulbourne with information on the status of the Welland pumping stations during the past weekend. (Refers to Minute Item # 237)
- provide Councillor Redekop with a copy of the original report PWA 159-2003 (HR 39-2003), October 7, 2003, respecting the Water & Wastewater Services, Divisional Reorganization. (Refers to Minute Item # 240)

**ADJOURNMENT**

The Committee adjourned at 2:45 p.m., to meet again in Committee Room 4, June 8, 2004 at 1:30 p.m.

Tim Rigby  
Chair

Janet Pilon  
Legislative Assistant

Pam Gilroy  
Acting Regional Clerk