

THE REGIONAL MUNICIPALITY OF NIAGARA

CORPORATE SERVICES COMMITTEE

REPORT 5-2010

Minutes of a meeting of the Corporate Services Committee held in Council Chambers, Regional Municipal Building, 2201 St. David's Rd., Thorold, Ontario, on Wednesday, April 14, 2010 commencing at 9:40 a.m.

ATTENDANCE

Committee: Councillors Augustyn, Co-Chair; Martin, Co-Chair; Partington, Regional Chair; Badawey; Baty; Bentley; Burroughs; Casselman; D'Angela; Greenwood; Heit; Henderson; Lepp; Puttick; Saracino.

Councillors

Others: Councillors Goulbourne; Rigby.

Staff: Mr. Trojan, Chief Administrative Officer; Mr. Bergsma, Commissioner, Corporate Services; Mr. Bain, Regional Clerk; Ms. Reilly, Legislative Assistant.

Staff

Others: Corporate Services: Ms. Elliott, Director, Human Resources; Mr. Hagar, Manager, Employee Relations; Ms. Isajiwi, Legal Counsel; Mr. Lockyer, Treasurer/Director, Financial Management; Mr. Pilon, Associate Director, Service Quality & Improvement; Ms. Rae, Legal Counsel; Mr. Roach, Manager, PW Financial Services; Ms. Stranges, Capital Analyst; Ms. Williams, Senior Financial Analyst.
Administration: Mr. Roberts, Executive Officer to Regional Chair; Mr. Weir, Director, Administration.
Integrated Community Planning: Ms. Lambe, Communications Specialist.
Public Health: Mr. Cunnane, Director, EMS; Mr. McQueen, Operating Officer (PH).
Public Works: Mr. Brothers, Commissioner, P.W.; Ms. Torbicki, Waste Policy & Planning; Mr. Pollock, Director, Waste Management Services.

PRESENTATION

58. Contract Award for Garbage
Recycling and Organics Collection Services

Mr. Andy Pollock, Director, Waste Management Services, provided Committee with a presentation respecting Report CSD 43-2010 (PWA 32-2010), 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 behind the Joint Reports Blue Book Tab)

59. Contract Award for Garbage
Recycling and Organics Collection Services

Ms. Paulina Leung, Emterra Environmental, provided Committee 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 behind the Joint Reports Blue Book Tab)

ITEMS FOR CONSIDERATION

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

Conflict of Interest

Councillor Heit declared a pecuniary interest with respect to Report CSD 43-2010 (PWA 32-2010) respecting Contract Award for Garbage Recycling and Organics Collection, as Modern Landfill is a client of the company for whom he is employed, and he therefore took no part in the discussion of, or voting on, this matter.

Moved by Councillor Martin
Seconded by Councillor Badawey

That Report CSD 43-2010, April 14, 2010 (PWA 32-2010, April 13, 2010) respecting Contract Award for Garbage, Recycling and Organics Collection Services, be received; and

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.

Carried.

Moved by Regional Chair Partington
Seconded by Councillor Baty

That the following option be approved:

- 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 31, 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 D'Angela
Seconded by Councillor Burroughs

That the motion be divided to deal with Option 2; b) & c); grass collection ban; and the remainder of motion separately.

Carried.

Moved by Regional Chair Partington
Seconded by Councillor Baty

That the following recommendation be approved:

d) 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.

Defeated.

Moved by Councillor D'Angela
Seconded by Councillor Burroughs

That the following option be approved:

Option 1 as part of a strategy to achieve waste diversion, provision of Base and Enhanced Services, at a first year contract cost of \$16,550,866 (exclusive of tax) and a seven year total estimated cost of \$122,821,183 (exclusive of tax), consisting of:

- i) Weekly garbage collection for the low density residential sector and other eligible properties, with a one 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 Blue and Grey Box recycling collection for the low density and high density residential sectors, designated business areas and other eligible properties;
- iii) Weekly Green Bin organics collection for the low density residential sector, designated business areas and other eligible properties;
- iv) 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;
- v) Weekly collection of household bulky items and white goods as previously approved for the low density residential sector;
- vi) Once per year Christmas tree collection, special set out service and garbage container (bag/can) exemptions as previously approved for the low density residential sector.

Carried.

Moved by Regional Chair Partington
Seconded by Councillor Baty

That the following recommendations be approved:

- 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.

Carried.

Moved by Councillor Baty
Seconded by Councillor Bentley

That recommendation 3 regarding a grass collection ban be referred for consideration at the Council meeting on Thursday, April 22, 2010.

Carried.

Moved by Regional Chair Partington
Seconded by Councillor Baty

That the following recommendations be approved:

2. 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.
4. The collection contract agreement with Halton Recycling Ltd., doing business as Emterra Environmental, be prepared by the Director of Legal Services.
5. The Regional Chair and Regional Clerk be authorized to execute the collection contract agreement on behalf of the Corporation.
6. The Waste Management Services By-Laws 95-2008 and 117-2008 be amended to reflect the new service levels as approved by Council.
7. Staff be directed to review the current waste diversion target and timelines and report back to Waste Management Planning Steering Committee and Public Works Committee.

Carried.

(A copy of Report CSD 43-2010 (PWA 32-2010) can be found attached to the Regional Council Agenda.)

(Refer to Councillor Information Requests.)

CLOSED SESSION

61. Moved by Councillor Bentley
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.

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

Moved by Councillor Burroughs
Seconded by Councillor Baty

That Report CSD 45-2010, April 14, 2010 (PWA 31-2010, 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.

63. Moved by Councillor Burroughs
Seconded by Councillor Henderson

That this Committee do now rise with report.

Carried.

64. Initiation of Capital Project ZPO1004
IT Equipment Replacement
CSD 36-2010

Moved by Councillor Saracino
Seconded by Councillor Henderson

That Report CSD 36-2010, April 14, 2010, respecting Initiation of Capital Project ZPO1004 IT Equipment Replacement, be received;

That the 2010 capital budget allocation for Project ZPO1004 – IT Equipment Replacement be initiated with a gross and net cost of \$800,000;

That financing for the project be provided by the Police Capital Levy;

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

Carried.

65. Authorization for the Issuance of Debentures on
Behalf of the City of Niagara Falls
CSD 42-2010

Moved by Councillor Saracino
Seconded by Councillor Henderson

That Report CSD 42-2010, April 14, 2010, respecting Authorization for the Issuance of Debentures on behalf of the City of Niagara Falls, be received;

That Debenture financing in the amount of \$11,973,550 for the funding of the Garner South Grassy Brook West (\$6,562,189) and Garner Southwest Sanitary Sewer Area (\$5,411,361) be approved;

That Regional Council endorse the City of Niagara Falls application under the Infrastructure Ontario Lending Program for up to \$11,973,550 in long term (20 Year) financing for the South Grassy Brook West (\$6,562,189) and Garner Southwest Sanitary Sewer Area (\$5,411,361) projects;

That the Regional Chair, Commissioner of Corporate Services and Treasurer be authorized to execute a loan agreement with Infrastructure Ontario on behalf of the Regional Municipality of Niagara and the City of Niagara Falls for long term borrowing;

That the relevant details be presented to Regional Council for information upon finalization of the borrowing; and

That the Regional Clerk be directed to ensure that the appropriate by-laws are prepared for submission to Regional Council.

Carried.

66. Initiation of Project ZGG1001
Emergency Capital Levy Program
Emergency Repairs to St. Paul West Culvert
(Structure No. 081325) Which Carries Regional
Road 81 (King Street/St. Paul Street West)
Over Fifteen Mile Creek in the Town of Lincoln and
City of St. Catharines
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CSD 44-2010 (PWA 33-2010)

Moved by Councillor Saracino
Seconded by Councillor Henderson

That Report CSD 44-2010, April 14, 2010 (PWA 33-2010, April 13, 2010) respecting Initiation of Project ZGG100, Emergency Capital Levy Program, Emergency Repairs to St. Paul West Culvert (Structure No. 081325) Which Carries Regional Road 81 (King Street/St. Paul Street West) 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.

(Report CSD 44-2010 (PWA 33-2010) can be found behind the Joint Reports Blue Book Tab.)

ITEMS FOR INFORMATION

67. Summary of Position Authorizations July to December 2009
According to Corporate Delegation of Authority Policy

CAO 2-2010

Moved by Councillor Puttick
Seconded by Councillor Heit

That Report CAO 2-2010, April 14, 2010, respecting Summary of Position Authorizations July to December 2009 According to Corporate Delegation of Authority Policy, be received for information.

Carried.

68. Cash Management Activities for the
Fourth Quarter and Year 2009

CSD 39-2010

Moved by Councillor Puttick
Seconded by Councillor Heit

That Report CSD 39-2010, April 14, 2010, respecting Cash Management Activities for the Fourth Quarter and Year 2009, be received for information.

Carried.

Quorum

There being a lack of ordinary quorum at the meeting, the Committee Chair determined that the ordinary quorum for the meeting be reduced to seven members, pursuant to Section 22.10 of the Procedural By-law 96-2007.

CORRESPONDENCE

69. Moved by Councillor Henderson
Seconded by Councillor Puttick

That the following Communications be received:

CSC 5-2010 Gord Lockyer, Treasurer/Director, Financial Management & Planning, regarding Councillor Information Request – Tax Arrears and Collection Experience of the Area Municipalities for 2008, be received.

CSC 8-2010 Memorandum from Peter Inman, Associate Director, Energy Management, regarding Wind Energy Niagara FIT Application Status

Carried.

MINUTES

70. 2-2010 (JAC)

Moved by Councillor Henderson
Seconded by Councillor Puttick

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

Carried.

(Please note that 2-2010 (JAC) minutes can be found behind the Joint Reports Blue Book Tab.)

CLOSED SESSION MATTERS

71. Moved by Councillor Burroughs
Seconded by Councillor Henderson

That the following Closed Session matters be referred to the Regional Council meeting on Thursday, April 22, 2010 to be dealt with in Closed Session at 6:30 p.m.

- Report CSD 38-2010 – A Matter of the Security of the Property of the Municipality Confidential Police Matters – Initiation of Capital Project ZPO0907
- Oral Report – Chris McQueen, Operating Officer (PH) Re: A Matter of Labour Relations – Emergency Medical Services (EMS) Update
- Oral Report – Deb Elliott, Director, Human Resources Re: A Matter of Labour Relations: ONA Collective Bargaining Update

Carried.

COUNCILLOR INFORMATION REQUESTS

That staff:

- (i) Provide Committee members with a copy of the report on enhanced levels of waste management services to area municipalities. (Report originally went to the Waste Management Steering Committee.) (Saracino) Refer to minute item 58.

ADJOURNMENT

Committee adjourned at 12:55 p.m. to meet again on Wednesday, May 5, 2010, at 9:30 a.m. in Council Chambers, Regional Headquarters.

Dave Augustyn
Co-Chair

Gail Reilly
Legislative Assistant

Doug Martin
Co-Chair

Kevin Bain
Regional Clerk