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THE REGIONAL MUNICIPALITY OF NIAGARA

PUBLIC WORKS AND UTILITIES COMMITTEE

REPORT 1-2003

Minutes of a meeting of the Public Works and Utilities Committee held in Committee Room 4, Regional Municipal Building, Thorold, Ontario, on Tuesday, January 14, 2003 commencing at 1:35 p.m.

ATTENDANCE

Committee: Councillors Badawey, Chair; Regional Chair Zimmerman; Burroughs, Davidson, Eke, Forster, Harry, McMullan, Redekop, Thomson, Trombetta.

Staff: Messrs. Neville, Commissioner of Public Works; Trojan, Chief Administrative Officer; Cousins, Director, Transportation Services Division; Brcic, Director, Water & Wastewater Services Division; Sidawi, Director, Operational Support Services; Payne, Director, Waste Management Services Division; Ms. Gilroy, Deputy Clerk; Ms. Pilon, Legislative Assistant.

Staff (Part-time): Messrs. Bousfield, Manager, Property & Facility Management; Conley, Senior Planner; Christensen, Director, Health Protection & Promotion; Beresh, Manager, Part VIII and Safe Water; Montgomery, Senior Environmental Engineer.

Others: Councillor Hildreth, Chair, Community and Health Services Committee; Alderman Sibbald, Township of Wainfleet.

CLERK'S DEPARTMENT

1. Procedure to Select the Committee Chair and Vice-Chair of each of the Standing Committees

Regional Chair Zimmerman called for nominations for the position of Chair of the Public Works and Utilities Committee.

Moved by Councillor Harry
Seconded by Councillor McMullan

That Councillor Badawey be appointed Chair of the Public Works and Utilities Committee for a one-year term.

There being no further nominations and upon a vote being taken, Regional Chair Zimmerman declared nominations closed.

Councillor Badawey was appointed as Chair of the Public Works and Utilities Committee for a one-year term, by acclamation.

Councillor Badawey assumed the Chair for the balance of the meeting and called for nominations for the position of Vice-Chair of the Public Works and Utilities Committee.

Moved by Councillor Harry
Seconded by Councillor Davidson

That Councillor Redekop be appointed Vice-Chair of the Public Works and Utilities Committee for a one-year term.

There being no further nominations and upon a vote being taken, Councillor Badawey declared nominations closed.

Councillor Redekop was appointed as Vice-Chair of the Public Works and Utilities Committee for a one-year term, by acclamation.

Moved by Councillor Thomson
Seconded by Councillor Burroughs

That the Report CLK 01-2003, January 13, 2003, respecting the Procedure to Select the Committee Chair and Vice-Chair for each of the Standing Committees, be received.

Carried.

(Please note that CLK 01-2003 is attached to the Corporate and Financial Services Committee minutes.)

2. Day and Time of Regular Meetings for
Standing Committees
CLK 02-2003

Moved by Councillor Thomson
Seconded by Councillor Eke

That Report CLK 02-2003, January 13, 2003, respecting the Day of Time of Regular Meetings for Standing Committees, be received.

That regular meetings of the Public Works and Utilities Committee be held on Tuesdays at 1:30 p.m. in accordance with a schedule approved, from time to time, by Regional Council.

That special meetings be held at such times and such places as may be appropriate, pursuant to the provisions of the procedural by-law.

Carried.

(Please note that CLK 02-2003 is attached to the Corporate and Financial Services Committee minutes.)

DEPUTATION

3. Swamp Project for Sewage Treatment

Alderman Tom Braybrook, Town of Niagara-on-the-Lake, provided the Committee with a presentation on the recent advances in constructed wetland technology for treating waste water in Dr. Edgar Lemon's absence.

Alderman Braybrook thanked Regional Council and the Public Works Department for their support.

The system consists of sand or gravel filter beds that are periodically flooded with wastewater and vertically drained in short cycles. The drainage draws oxygen rich fresh air into the continuous operation throughout the year without "resting periods" due to plugging in the summer and freezing in the winter.

The constructed wetland system requires a substantial amount of land with a minimum of funds to operate.

Mr. Brcic advised the Committee that the Region of Niagara has reviewed the results of constructed wetlands and it does have possibilities but there a large number of land issues involved.

Councillor Badawey, Committee Chair on behalf of the Committee thanked Alderman Braybrook for his presentation.

ADMINISTRATION

4. Water and Wastewater Servicing Issues
Township of Wainfleet
PWA 7-2003 (PHD 7-2003)

Dr. Muin Husain, MacViro Consultants provided the Committee with an overview of the results of MacViro's study and the resulting Water and Wastewater Servicing Issues being experienced by the Township of Wainfleet.

Mr. Husain advised the Committee that the majority of the wells studied have water quality problems indicative of sewage contamination; that a large number of disinfection system are not functioning properly and most of the septic system are over 20 years old, don't comply with the minimum set-back distances and were not maintained regularly.

Mr. Eric MacDonald, MacViro Consultants provided the Committee with the a prospectus of some of the options for solving the Water and Wastewater Servicing Issues in the Township of Wainfleet:

- New treatment plant in the Township of Wainfleet
- Utilize the treatment plant in the City of Port Colborne
- Utilize the treatment plant in the City of Welland
- A combination of all the above

Mr. MacDonald also advised the Committee of the required improvements to the existing treatment plants if they were to accommodate the water and wastewater needs of the Township of Wainfleet.

The Committee agreed that a communication plan should be in place as soon as possible and that all of the residents in the Lakeshore area be advised that they are at risk and if they use well water, the water should be tested regularly.

The Committee suggested that under the development of a protocol for communicating to the owners; the creation of a Public Liaison Committee to assist in the communication process.

The Committee was advised that an Environmental Assessment would have to be done in the shortest possible timeframe.

The results of the Ministry of the Environment study should be available shortly and should be brought forward to the Committee in advance of a decision being made.

The Committee agreed that there should be a shared responsibility between the Ministry of the Environment, the Region of Niagara, the Township of Wainfleet and the residents. The residents with septic systems in need of repair or replacement should be making arrangements for holding tanks, in the interim.

Councillor Badaway, Committee Chair on behalf of the Committee thanked the representatives from MacViro and staff of the Public Works and Public Health Departments for the presentation.

Moved by Councillor Harry
Seconded by Councillor Trombetta

That Report PWA 7-2003 (PHD 7-2003), January 14, 2003, respecting Water and Wastewater Servicing Issues, Township of Wainfleet, be received.

That the final report by MacViro Consultants Inc., Wainfleet Groundwater Impact Assessment, Water Well and Septic System Survey, November 2002, and its findings be received.

That the Ministry of Environment, Niagara Regional Public Health and Public Works Departments review the findings of the noted studies and this report, and in conjunction with the recommended Class Environmental Assessment process, assess further action as appropriate relative to all impacted properties in the study areas.

That the Niagara Regional Public Works Department in collaboration with the Township of Wainfleet, jointly initiate a Class Environmental Assessment to develop servicing solutions and related costs for the Wainfleet Long Beach communities, including but not limited to the communities of Long Beach, Belleview Beach, Morgan's Point and Camelot Beach in the Township of Wainfleet.

That the Niagara Regional Public Health Department in consultation with the Township of Wainfleet, Niagara Regional Public Works Department and Ministry of the Environment, immediately develop a protocol for communicating to owners of each of the Lakeshore residences, advising them that based on the results of the recent survey, well water supplies need to be frequently tested and treatment devices installed and properly maintained where necessary to ensure water is safe for drinking. (Properties through current surveys have already been notified).

That all potential Federal and Provincial funding sources be pursued for this project, including the next round of Niagara's Superbuild applications.

That Local MPs and MPPs be advised of the current situation, and be requested to assist the Region of Niagara and Township of Wainfleet in obtaining Federal and Provincial funding. (Water & Wastewater Services)

Carried.

(Refer to Staff Direction)

For Committee Consideration

The Committee considered the following staff recommendations contained in the PWA Summary, January 14, 2003:

5. Proposed Stopping Up, Closing and Conveying
Part of Regional Road 70 (Mountain Road)
City of Niagara Falls

PWA 3-2003

That Report PWA 3-2003, January 14, 2003, respecting the Proposed Stopping Up, Closing and Conveying, Part of Regional Road 70 (Mountain Road) in the City of Niagara Falls, be received.

That the Region stop up and close part of Regional Road No. 70 (Mountain Road) in the City of Niagara Falls, designated as Part 1 on Plan 59R-8225.

That a by-law be submitted to Regional Council for this purpose.

That the subject lands be conveyed to the adjoining property owner, Walker Brothers Quarries Limited, pursuant to an agreement dated June 19, 2002.

That easements be provided to Enbridge Gas and Bell for the continued operation and maintenance of their respective utilities. (Operational Support Services)

6. Proposed Stopping Up and Closing
Part of a Former Public Highway
Adjoining Glendale Avenue
City of St. Catharines

PWA 4-2003

That Report PWA 4-2003, January 14, 2003, respecting the Proposed Stopping Up and Closing, Part of Former Public Highway Adjoining Glendale Avenue in the City of St. Catharines, be received.

That the City of St. Catharines be advised that the Region of Niagara has no objections to the stopping up and closing of part of a former public highway adjoining Glendale Avenue, designated as Part 1 on Plan 59R-10542. (Operational Support Services)

7. Tender 2002-T-45
Supply and Delivery of Ferric
Chloride and Ferrous Chloride
PWA 5-2003

That Report PWA 5-2003, January 14, 2003, respecting the Tender 2002-T-45, Supply and Delivery of Ferric Chloride and Ferrous Chloride, be received.

That a three (3) year contract (January 1, 2003 to December 31, 2005) be awarded to the low bidder, Eaglebrook Inc. of Canada, Concord, Ontario, for the supply and delivery of Ferric Chloride and Ferrous Chloride, at a total cost, including tax, of \$2,070,665.08. (Water & Wastewater Services)

8. Tender Award for Contract RN. 02-44
500 mm Diameter Watermain Relocation
at QEW and Glendale Avenue
Town of Niagara-on-the-Lake
PWA 6-2003 (CSD 6-2003)

That Report PWA 6-2003 (CSD 6-2003), January 14, 2003, respecting the Tender Award for Contract RN. 02-44, 500 mm Diameter Watermain Relocation at QEW and Glendale Avenue in the Town of Niagara-on-the-Lake, be received.

That Contract RN 02-44 500 mm Diameter Watermain Relocation at QEW and Glendale Avenue be awarded to Duffin Contracting Inc. at their bid price of \$588,254.46 plus GST, subject to Ministry of Transportation of Ontario written confirmation of project cost sharing, schedule and related impacts.

That approval be given to increase the gross budget allocation in the amount of \$250,000 for Project ZCW0117 Infrastructure Improvement Program to the gross amount of \$750,000 to reflect the estimated funding contribution from the Ministry of Transportation in the amount of \$560,000.

That the 2003 Water Capital Budget be revised to eliminate the gross and net budget amount of \$200,000 for Project ZCW0117.

That the reserve financing previously approved in the 2001 Water Capital Budget in the gross and net amount of \$500,000 be revised to \$190,000 and the balance be transferred to the Water Capital Reserve.

That the Regional Clerk be directed to ensure that the appropriate by-laws 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 ZCW0117/CW0132. (Water & Wastewater Services)

(Please note that PWA 6-2003 (CSD 6-2003) is attached to the Corporate and Financial Services Committee minutes.)

9. Retention of Consulting Services
for Update of Regional Water Treatment
Plant Operations Manuals
PWA 8-2003

That Report PWA 8-2003, January 14, 2003, respecting the Retention of Consulting Services for Update of Regional Water Treatment Plant Operations Manuals, be received.

That the consulting firm of KMK Consultants Limited be retained to provide engineering services to update the Water Treatment Plant Operations Manuals for the Decew Falls, Grimsby, Port Colborne, Welland and Niagara Falls Water Treatment Plants.

That the engineering fee be calculated on a time plus expenses basis estimated to an upset limit of \$150,000.00, 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 Commissioner of Public Works to execute the contract on behalf of the Regional Municipality of Niagara. (Water & Wastewater Services)

10. Tender Award for Contract RN. 02-59
Reconstruction of Regional Road 102
(Stanley Avenue) between Marineland
Parkway and Main Street
City of Niagara Falls
PWA 9-2003 (CSD 7-2003)

That Report PWA 9-2003 (CSD 7-2003), January 14, 2003, respecting the Tender Award for Contract RN. 02-59, Reconstruction of Regional Road 102 (Stanley Avenue) between Marineland Parkway and Main Street in the City of Niagara Falls, be received.

That financing in the amount of \$4,000,000 gross and \$1,975,000 net be approved from the proposed 2003 Roads Capital Budget for Parent Project ID ZRC9922, Rehabilitation of Regional Road 102 (Stanley Avenue) Murray Hill to McLeod Road;

That debenture financing (not exceeding 10 years) in the amount of \$975,000 be approved for Parent Project ID ZRC9922;

That approval be given to increase the gross budget for Project ZRC 9922, Rehabilitation of Regional Road 102 (Stanley Avenue) from Murray Hill to McLeod Road by \$1,425,000 for total cost of \$9,685,000 to allow for increased cost sharing with the City of Niagara Falls;

That project financing be revised to reflect increased cost sharing with a contribution from the City of Niagara Falls in the amount of \$1,677,000;

That subject to confirmation of cost sharing by the City of Niagara Falls, Contract RN 02-59, Reconstruction of Regional Road 102 (Stanley Avenue) between Marineland Parkway and Main Street, in the City of Niagara Falls, including provisional items, be awarded to the low tenderer, Norjohn Limited, at its bid price in the amount of \$4,823,774.45, plus G.S.T;

That a contingency allowance in the amount of \$315,000 be provided for this contract;

That a bonus of \$3,000 per day, to a maximum of \$15,000 be paid to the Contractor upon successful completion of Stage 1 of the Contract on or before June 13, 2003.

That the engineering agreement with the consulting firm of Totten Sims Hubicki Associates be extended to include additional design and contract administration and inspection services, with the engineering fees being calculated on a time plus disbursements basis, estimated at \$284,656 excluding GST. (Transportation)

(Please note that PWA 9-2003 (CSD 7-2003) is attached to the Corporate and Financial Services Committee minutes.)

11. Moved by Councillor Eke
Seconded by Councillor Burroughs

That the PWA Summary, dated January 14, 2003, and the foregoing recommendations of Reports PWA 3-2003 to PWA 6-2003 (CSD 6-2003) inclusive, PWA 8-2003 and PWA 9-2002 (CSD 7-2003), be received and accepted.

Carried.

CORRESPONDENCE

12. Communications listed in Report PWC Summary, dated January 14, 2003, were received and dealt with as follows:

PWC 1-2003 – (December 6, 2002) – **John D. Maloney, MP**, Erie-Lincoln, to Ken Zurby, CAO, Town of Fort Erie, being a response to Mr. Zurby's letter of December 3rd concerning the Border Infrastructure Fund.

-- Received.

13. Moved by Councillor Forster
Seconded by Councillor Trombetta

That the PWC Summary, dated January 14, 2003, be received and dealt with as directed by this Committee and as noted in these minutes.

Carried.

PROGRESS REPORTS

14. Water and Sewage Billing Quantities
By Municipality – Report for 3rd Quarter 2002

Moved by Councillor Burroughs
Seconded by Councillor Eke

That Report PWP 1-2003, January 14, 2003, respecting the Water and Sewage Billing Quantities By Municipality – Report for 3rd Quarter 2002, be received for information.

Carried.

15. Public Works Staff Comments on
Development and Related Proposals

Moved by Councillor Burroughs
Seconded by Councillor Eke

That Report PWP 2-2003, January 14, 2003, respecting the Public Works Staff Comments on Development and Related Proposals, be received for information.

Carried.

16. Public Works Staff Comments on
Municipal Servicing Applications

Moved by Councillor Burroughs
Seconded by Councillor Eke

That Report PWP 3-2003, January 14, 2003, respecting the Public Works Staff Comments on Municipal Servicing Applications, be received for information.

Carried.

17. Construction Progress Report
Waste Management Services Capital Projects

Moved by Councillor Burroughs
Seconded by Councillor Eke

That Report PWP 4-2003, January 14, 2003, respecting the Construction Progress Report, Waste Management Services Capital Projects, be received.

Carried.

MINUTES

18. Minutes of the Transportation Strategy Steering Committee
Meeting of Tuesday, December 10, 2002

Moved by Regional Chair Zimmerman
Seconded by Councillor Trombetta

That the minutes of the Transportation Strategy Steering Committee meeting held on Tuesday, December 10, 2002, be received and the recommendations contained herein be approved.

Carried.

19. Minutes of the Regional Niagara Bicycling Committee
Meeting of Thursday, November 14, 2002

Moved by Councillor McMullan
Seconded by Councillor Forster

That the minutes of the Regional Niagara Bicycling Committee meeting held on Thursday, November 14, 2002, be received and the recommendations contained therein referred back to staff for comment.

Carried.

ACCOUNTS

20. Moved by Councillor Forster
Seconded by Councillor Trombetta

That the accounts list for the period ending December 31, 2002, in the amount of \$2,885,472.45, be approved for payment.

Carried.

OTHER BUSINESS

21. Driveway opposite the New Wal-Mart
Garrison Road
Town of Fort Erie

Councillor Redekop received a request from the resident whose driveway is opposite the entrance for the new Wal-Mart, for an advance green or an arrow to allow them the opportunity to turn into and out of their driveway.

Mr. Cousins advised the Committee that staff have accommodated the residents with most of their requests, however, the request for an advance green or an arrow at this location would give motorists an impression that there was a side street at this location. Therefore, staff could not support their request for an advance green or an arrow.

22. Specialized Inter-Municipal Transit Service

Councillor Badawey advised the Committee of the direction the Transportation Strategy Steering Committee agreed upon at the meeting earlier today, through he following motion:

“That staff begin investigating options of obtaining funding for a Specialized Inter-Municipal Transit Service for Niagara’s residents from the provincial and federal levels of government.

That staff prepare a subsidized program that would provide specialized transit to the various Centers of Excellence throughout Niagara, for the Ministry of Health’s funding and support. “

The Transportation Strategy Steering Committee put forward the above motion so that the funding for the Specialized Inter-Municipal Transit Service could be obtained through means other than Regional funds.

CLOSED SESSION

23. Moved by Councillor Eke
Seconded by Councillor Burroughs

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

Carried.

24. Proposed Lease of Office Space
from Port Cares
Ontario Works Program
City of Port Colborne
PWA 1-2003 (COM 1-2003)CONFIDENTIAL

Moved by Regional Chair Zimmerman
Seconded by Councillor Harry

That Report PWA 1-2003 (COM 1-2003), January 14, 2003, respecting the Proposed Lease of Office Space from Port Cares, Ontario Works Program in the City of Port Colborne, be received and the recommendations therein approved.

Carried.

25. Reconstruction of Regional Road No. 18 (Ontario Street)
Property Purchase from 867851 Ontario Inc.
Town of Lincoln

Moved by Councillor Harry
Seconded by Councillor McMullan

That Report PWA 2-2003, January 14, 2003, respecting the Reconstruction of Regional Road No. 18 (Ontario Street), Property Purchase from 867851 Ontario Inc., in the Town of Lincoln, be received and the recommendations therein approved.

Carried.

26. Moved by Councillor Eke
Seconded by Councillor McMullan

That this Committee do now rise with report.

Carried.

STAFF DIRECTION

Staff was requested to:

- Provide the Committee members with the full Consultant's report on the Water and Wastewater Servicing Issues in the Township of Wainfleet. (Refers to Minute Item 4).

ADJOURNMENT

The Committee adjourned at 3:35 p.m., to meet again in Committee Room 4 on January 28, 2003 at 1:30 p.m.

Vance Badawey
Chair

Janet Pilon
Legislative Assistant

Thomas R. Hollick
Regional Clerk