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THE REGIONAL MUNICIPALITY OF NIAGARA
PUBLIC WORKS AND UTILITIES COMMITTEE

REPORT 18-2003

Minutes of a meeting of the Public Works and Utilities Committee held in Committee Room 4, Regional Municipal Building, Thorold, Ontario, on Tuesday, September 9, 2003 commencing at 1:35 p.m.

ATTENDANCE

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

Staff: Messrs. Trojan, Chief Administrative Officer; Neville, Commissioner, Public Works; Cousins, Director, Transportation Services; Sidawi, Director, Operational Support Services; Payne, Director, Waste Management Services; Brcic, Director, Water & Wastewater Services; Bousfield, Manager, Property and Facilities Management; Ms. Pilon, Legislative Assistant.

Staff (Part-Time): Messrs. Bacchus, Commissioner, Corporate Services; Roach, Manager, Public Works Financial Services; Smith, Waste Management Engineer; Banting, Director, Legal Services; Ms. Ralph, Manager, Waste Policy & Planning, Ms. Williams, Senior Financial Analyst.

CLOSED SESSION

356. Moved by Councillor Harry
Seconded by Councillor Thomson

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

Carried.

Councillor Forster declared an indirect pecuniary interest with respect to the matter of the Regional Wastewater Billing Error in the City of Welland and the Water Billing

Error in the Town of Pelham and City of Welland, as she is the Mayor of Welland, and therefore left the room during the discussion of this matter.

357. Regional Wastewater Billing Error
City of Welland

Moved by Councillor Rigby
Seconded by Regional Chair Zimmerman

That the Chief Administrative Officer be authorized to proceed as directed by the Committee on the issue of the Regional Wastewater Billing Error in the City of Welland.

Carried.

358. Regional Water Billing Error
Town of Pelham & City of Welland

Moved by Councillor McMullan
Seconded by Councillor Harry

That staff be authorized to proceed as directed on the issue of the Regional Water Billing Error in the Town of Pelham and the City of Welland.

Carried.

359. Ambulance Station
City of Port Colborne
PWA 139-2003 CONFIDENTIAL

Moved by Councillor Harry
Seconded by Councillor Eke

That Report PWA 139-2003, (CSD 128-2003/PHD 59-2003), September 9, 2003, respecting the Ambulance Station in the City of Port Colborne, be received and that staff be authorized to negotiate the purchase of the existing facility at a value more in line with the appraisal(s) and provide a further report to Committee for final approval of that value.

Carried.

360. Lease Renewal
P.O.A. Court Location
Cities of Niagara Falls, St. Catharines and Welland
PWA 140-2003 CONFIDENTIAL

Moved by Councillor Rigby
Seconded by Councillor Thomson

That Report PWA 140-2003 (CLK 29-2003), September 9, 2003, respecting the Lease Renewal, P.O.A. Court Location in the Cities of Niagara Falls, St. Catharines and Welland, be received and the recommendations contained therein approved.

Carried.

361. Moved by Councillor McMullan
Seconded by Councillor Trombetta

That this Committee do now rise with report.

Carried.

ADMINISTRATION

For Committee Consideration

The Committee considered the following staff recommendations contained in the PWA Summary and Addendum, September 9, 2003:

362. Final Report – Environmental Assessment
Level Review of Regional Mid-Term
Disposal Alternatives
PWA 141-2003

That Report PWA 141-2003, September 9, 2003, respecting the Final Report – Environmental Assessment Level Review of Regional Mid-term Disposal Alternatives, be received for information.
(Waste Management)

363. Landfill Disposal Strategy
PWA 142-2003

That Report PWA 142-2003, September 9, 2003, respecting the Landfill Disposal Strategy, be received.

That the Region of Niagara undertake an Environmental Assessment (EA) process to address long-term landfill disposal needs, for a period of time that begins when the majority of capacity of the current landfill disposal system is used and that ends at the end of our long-term planning period (2038).

And that this EA process, be undertaken with regard to the results of the Region's Long-term Disposal Planning Study which will determine the amount of waste that will require disposal over the long-term.

And that this EA process, be undertaken with regard to the results of the Regional Mid-term Disposal Alternatives Study.

And that this EA process consider all reasonable alternatives for disposal of residual waste including: expansions and/or changes in use of any of the existing Regional landfill sites; use of private sector facilities; use of public sector facilities outside the Region; establishing a 'Greenfield' landfill site and alternative design and operation of Regional landfills.

And that concurrently with this Long-term Landfill Disposal needs EA, the Region would undertake a separate EA for any Alternative Disposal Technology, recommended by the Long-term Disposal Planning Study and approved by Council. (Waste Management)

(Refer to Staff Directions)

364. Tender Award for Contract RN 03-22
Road Improvements on Regional Road 81
(York Road) from Regional Road 90 (Airport Road)
to Townline Road
Town of Niagara-on-the-Lake

PWA 143-2003 (CSD 125-2003)

That Report PWA 143-2003 (CSD 125-2003) September 9, 2003, respecting the Tender Award for Contract RN 03-22, Road Improvements on Regional Road 81 (York Road) from Regional Road 90 (Airport Road) to Townline Road in the Town of Niagara-on-the-Lake, be received.

That previously approved debenture financing (1-10 years) in the amount of \$400,000.00 be transferred from Project ZRC0320, Widening of Regional Road 102 (Stanley Avenue) from Ferry Street to Main Street, to Project ZRC0018;

That development reserve funding in the amount of \$500,000.00 be transferred from Project ZRC0320 to Project ZRC0018;

That Contract RN 03-22, Road Improvements on Regional Road 81 (York Road), from Regional Road 90 (Airport Road) to Townline Road, in the Town of Niagara-on-the-Lake, be awarded to the low tenderer, Rankin Construction Inc., at the bid price of \$2,481,310.00;

That a contingency amount of \$50,000.00 be provided for this contract;

That the engineering agreement with the firm of Delcan Corporation be extended to include additional preliminary engineering, contract administration, and inspection services, with the engineering fees being calculated on a time plus disbursement basis, estimated at \$185,000.00, plus G.S.T.;

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 September 18, 2003;

That the Region enter into an agreement with 2000377 Ontario Inc. (Zeljko Holdings Ltd.) related to site servicing in the Regional Right-of-Way for a proposed hotel to be constructed on the northwest quadrant of Regional Road 81 (York Road) and the northerly extension of Glendale Avenue;

That the Agreement outline responsibilities and secure financial commitments associated with the construction of the required road improvements at this location;

That the Director of Legal Services be requested to prepare the necessary Agreements;

That the Regional Chair and Regional Clerk be authorized to execute those Agreements;

That the Town of Niagara-on-the-Lake be circulated a copy of this report; and,

That all project costs be charged against Capital Works Project ID No. ZRC0018, Widening of RR81 (York Rd) Taylor to Townline. (Transportation Services)

(Please note that Report PWA143-2003 (CSD 125-2003) is attached to the Corporate and Financial Services Committee minutes.)

365. Tender Award for Contract RN 03-10
Niagara Falls Water Treatment Plant
Phase 1 Upgrade – City of Niagara Falls
PWA 144-2003 (CSD 122-2003)

That Report PWA 144-2003 (CSD 122-2003), September 9, 2003, respecting the Tender Award for Contract RN 03-10, Niagara Falls Water Treatment Plant, Phase 1 Upgrade in the City of Niagara Falls, be received.

That financing (Water Capital Reserve) in the gross and net amount of \$3,250,000 be transferred from Project ZCW9622 / CW9719 Water Improvements Shoalts

Drive Reservoir to Project ZCW9504 / CW0128 Niagara Falls WTP Upgrade Phase I.

That Contract RN 03-10, Niagara Falls Water Treatment Plant Phase 1 Upgrade be awarded to Maple Engineering & Construction Canada Ltd at their bid price of \$16,587,299.00, excluding GST.

That a contingency amount of \$600,000.00 be provided for this project.

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 Project ZCW9504 / CW0128.
(Water & Wastewater Services)

(Please note that Report PWA144-2003 (CSD 122-2003) is attached to the Corporate and Financial Services Committee minutes.)

366. Award of Contracts
Contract RN 03-03 – Engineering Procurement
And Construction Materials Recycling Facility
Contract RN 03-25 – Site Development Works
Niagara Enviro-Centre, City of Niagara Falls
PWA 145-2003 (CSD 121-2003)

That Report PWA 145-2003 (CSD 121-2003), September 9, 2003, respecting the Award of Contracts, Contract RN 03-03 – Engineering Procurement and Construction on Materials Recycling Facility; Contract RN 03-25 – Site Development Works, Niagara Enviro-Centre in the City of Niagara Falls, be received.

That Contract RN. 03-03 Engineering, Procurement and Construction of the Material Recycling Facility at the Niagara Enviro-Centre in the City of Niagara Falls be awarded to Integrated Municipal Services in association with CP Manufacturing, Inc., Timbro Design Build Contractors, and Sandwell Consulting Engineers Ltd. at the negotiated price of \$6,920,246 excluding the Goods and Services Tax;

That Contract RN. 03-25 Site Development Works for the Niagara Enviro-Centre in the City of Niagara Falls be awarded to Centennial Construction & Contracting (Niagara) Inc. at the amended tender price of \$1,999,243 excluding the Goods and Services Tax;

That Gartner Lee Limited be retained to carry out the contract administration and field inspection services for said Contract RN. 03-03 at an estimated cost of \$144,960 excluding the Goods and Services Tax with the fees being calculated on a time-plus disbursement basis;

That Gartner Lee Limited be retained to carry out the contract administration and field inspection services for said Contract RN. 03-25 at an estimated cost of \$130,000 excluding the Goods and Services Tax with the fees being calculated on a time-plus disbursement basis;

That an additional contingency allowance in the amount of \$150,000.00 be provided for said Contract RN 03-25;

That the following transfers to Project ZGL0216/GL0216, Capital Purchases/Upgrades for New Materials Recycling Facility be approved:

- i) Previously approved debenture financing (1-10 years) in the amount of \$750,000 be transferred from Project ZGL9805/GL9805, Long Term Development Plan, Line 5 Landfill Site.
- ii) Previously approved financing (Waste Management Reserve) in the amount of \$416,547 be transferred from Project ZGL0221/GL0221, Repayment of Waste Management Transition Costs
- iii) Previously approved debenture financing (1-10 years) in the amount of \$350,000 be transferred from Project ZGL0004/GL0004, Property Value Protection Plan at Niagara Road 12 Landfill, West Lincoln
- iv) Previously approved debenture financing (1-10 years) in the amount of \$150,000 be transferred from Project ZGL0104/GL0104, Property Value Protection Plan at Niagara Road 12 Landfill, West Lincoln
- v) Previously approved debenture financing (1-10 years) in the amount of \$376,000 be transferred from Project ZGL0130/GL0130, Construction – New Compost Pad – Humberstone Landfill Site

That approval be granted to increase the total gross project budget by the SuperBuild funding amount of \$1,980,000;

That the Clerk be directed to ensure that the appropriate by-laws including the by-law authorizing the Chair and Clerk to execute the contracts on behalf of the Regional Municipality of Niagara are presented to Council on September 18, 2003.

That the project costs be charged against Capital Works Parent Project ZGL0216. (Waste Management)

(Please note that Report PWA145-2003 (CSD 121-2003) is attached to the Corporate and Financial Services Committee minutes.)

367. Proposed Traffic Controls
Intersection of Regional Road 40
(South Service Road) and Third Street Louth
City of St. Catharines

PWA 146-2003

That Report PWA 146-2003, September 9, 2003, respecting the Proposed Traffic Controls, Intersection of Regional Road 40 (South Service Road and Third Street Louth in the City of St. Catharines, be received.

That an all-way stop control be installed at the intersection of Regional Road 40 (South Service Road) and Third Street Louth; and

That the existing speed limit on Regional Road 40 (South Service Road), from 250 metres west to 250 metres east of Third Street Louth be reduced from 80 km/h to 60 km/h; and

That flashing beacons be included on the east/west stop controls; and

That the costs be charged against Capital Works Project RC0335; and

That the Regional Clerk be requested to ensure that the necessary by-law amendment is presented to Council on September 18, 2003.
(Transportation Services)

368. Salt Brine Production Facilities
Implementation of Region of Niagara
Road Salt Management Plan

PWA 147-2003

That Report PWA 147-2003, September 9, 2003, respecting the Salt Brine Production Facilities, Implementation of Region of Niagara Road Salt Management Plan, be received.

That the Transportation Services Division be authorized to retain Brine Solutions to supply and install sodium chloride liquid brine production equipment and storage facilities at the Thorold Patrol Yard,

That the existing Smithville Patrol Yard facility be upgraded to a full brine making facility,

That storage facilities be installed at the Welland Patrol Yard.

That the cost of the Brine Production Facilities, totaling \$236,000, be charged to Capital Account GD0306, ARWIS/Brine Manufacturing Strategies, which contains funding in the amount of \$500,000. (Transportation Services)

369. Revised Level of Service for Winter Operations

PWA 148-2003

That Report PWA 148-2003, September 9, 2003, respecting the Revised Level of Service for Winter Operations, be received.

That the revised Level of Service, attached to PWA 148-2003, for Winter Operations, be approved and that staff be authorized to conduct future winter operations in accordance with the Level of Service for Winter Operations as described. (Transportation Services)

370. Agreement for Road Works

Proposed Hotel

Owner: 2000377 Ontario Inc. (Zeljko Holdings Ltd.)

Regional Road 81 (York Road)

and the Northerly Extension of Glendale Avenue

In the Town of Niagara-on-the-Lake

PWA 149-2003

That Report PWA 149-2003, September 9, 2003, respecting the Agreement for Road Works, Proposed Hotel, Owner: 2000377 Ontario Inc. (Zeljko Holdings Ltd.), Regional Road 81 (York Road) and Northerly Extension of Glendale Avenue in the Town of Niagara-on-the-Lake, be received.

That the Region enter into an agreement with 2000377 Ontario Inc. (Zeljko Holdings Ltd.) to address a condition(s) of site plan approval with respect to a proposed hotel to be constructed on the north-west quadrant of Regional Road 81 (York Road) and the northerly extension of Glendale Avenue;

That the Agreement outline responsibilities and secure financial commitments associated with the construction of the required road improvements at this location;

That the Director Legal Services be requested to prepare the necessary Agreements;

That the Regional Chair and Regional Clerk be authorized to execute those Agreements; and

That the Town of Niagara-on-the-Lake be circulated a copy of this report.

371. Moved by Councillor Burroughs

Seconded by Councillor Trombetta

That the PWA Summary and Addendum, dated September 9, 2003, and the foregoing recommendations of Reports PWA 141-2003 to PWA 149-2003 inclusive, be received and accepted.

Carried.

CORRESPONDENCE

372. Communications listed in Report PWC Summary, dated September 9, 2003, were received and dealt with as follows:

PWC 51-2003 - (August 1, 2003) – **James O'Mara**, Director Environmental Assessment & Approvals Branch, Ministry of the Environment, to Mr. Gerry Repple, Royal Steter Ltd., with reference to Mr. Repple's withdrawal of Part II Order request dated May 28, 2003 permitting the Region to proceed through the Class EA process for reconstruction of Regional Road 41 (Woodlawn Road) in the City of Welland.

-- Received.

PWC 52-2003 – (August 14, 2003) – **Mayor Robert Wade**, City of Hamilton, advising of City Council's approval of Item 13 of the Hamilton-Niagara Waste Management Facility Partnership Discussions and outlining the recommendations contained therein.

-- Received for confirmation.

PWC 53-2003 – (August 7, 2003) – **Pat Vanini**, Executive Director, Association of Municipalities of Ontario (AMO) to Environment Canada, being comments on the proposed "Notice Requiring the Preparation and Implementation of Pollution Prevention Plans in Respect of Ammonia Dissolved in Water, Inorganic Chloramines and Chlorinated Wastewater Effluents".

-- Received.

373. Moved by Councillor Trombetta
Seconded by Councillor McMullan

That the contents of the PWC Summary, September 9, 2003, be received and dealt with as directed by this Committee and as noted in these minutes.

Carried.

PROGRESS REPORTS

374. Potential Infestation of Ash Trees
by the Emerald Ash Borer - Update

Moved by Councillor Thomson
Seconded by Councillor Rigby

That Report PWP 64-2003, August 12, 2003, respecting the Potential Infestation of Ash Trees by the Emerald Ash Borer - Update, be received for information purposes.

Carried.

375. Collection Contractors
2003 Second Quarter Performance

Moved by Councillor Thomson
Seconded by Councillor Rigby

That Report PWP 65-2003, August 12, 2003, respecting the Collection Contractors – 2003 Second Quarter Performance, be received for information.

Carried.

376. Construction Progress Report
Waste Management Services Capital Projects

Moved by Councillor Thomson
Seconded by Councillor Rigby

That Report PWP 67-2003, September 9, 2003, respecting the Construction Progress Report, Waste Management Services Capital Projects, be received.

Carried.

377. 2003 Winter Control Expenditures

Moved by Councillor Thomson
Seconded by Councillor Rigby

That Report PWP 69-2003 (CSD 127-2003), September 9, 2003, respecting the 2003 Winter Control Expenditures, be received for information.

Carried.

(Please note that Report PWA145-2003 (CSD 121-2003) is attached to the Corporate and Financial Services Committee minutes.)

378. Construction Progress Report
Transportation Services

Moved by Councillor Thomson
Seconded by Councillor Rigby

That Report PWP 70-2003, September 9, 2003, respecting the Construction Progress Report, Transportation Services, be received for information.

Carried.

MINUTES

379. Regional Niagara Bicycling Committee
Meeting of Thursday, July 10, 2003

Moved by Councillor Trombetta
Seconded by Councillor Harry

That the minutes of the Regional Niagara Bicycling Committee meeting held Thursday, July 10, 2003, be received and the recommendations contained therein referred back to staff for comment.

Carried.

380. Transportation Strategy Steering Committee
Meeting of Tuesday, August 12, 2003

Moved by Councillor Harry
Seconded by Councillor Forster

That the minutes of the Transportation Strategy Steering Committee meeting, of Tuesday, August 12, 2003, be received and the recommendations therein approved.

Carried.

381. Waste Management Planning Steering Committee
Meeting of Tuesday, August 26, 2003

Moved by Councillor Trombetta
Seconded by Councillor Davidson

That the minutes of the Waste Management Planning Steering Committee meeting, of Tuesday, August 26, 2003, be received and the recommendations therein approved.

Carried.

382. Public Works and Utilities Committee
Meeting of Tuesday, September 2, 2003

Moved by Councillor Rigby
Seconded by Councillor Thomson

That the minutes of the Public Works and Utilities Committee meeting of Tuesday, September 2, 2003, be received for information.

Carried.

OTHER BUSINESS

383. Hamilton's Waste Diversion Strategy

The Committee discussed Hamilton's Waste Diversion Strategy, which was reported on in the Hamilton Spectator (distributed to the Committee) and the motion that was approved at their Council meeting on September 4, 2003 (distributed to the Committee).

The Committee was advised that Niagara and Hamilton's Waste Management Committees have met jointly on several occasions and that Niagara has been instrumental in assisting Hamilton, through the sharing of information.

384. Glendale Avenue

Mr. Cousins advised the Committee that the Region is in process of performing an operational review of Glendale Avenue. Staff will be reviewing the possibility of realigning the intersection, which would require the acquisition of a significant amount of property. The Operational Support Services Department is in the process of reviewing the acquisition of the required property at the present time.

Councillor Rigby advised the Committee that there have been a number of projects reviewed in addition to the alignment of the intersection. The smart growth and infilling processes are working very well and there is a great deal of interest in the redevelopment of the properties in the area.

385. Mid-Peninsula Transportation Corridor - Update

Regional Chair Zimmerman advised the Committee that the meeting with the Transportation Minister Frank Klees and representatives from Niagara, Hamilton, Halton and Burlington achieved some consensus. The establishment of an advisory group, reporting directly to the Minister of Transportation, will assist the Ministry of Transportation in guiding the project through completion of the Environmental Assessment Terms of Reference.

Regional Chair Zimmerman noted that the Niagara is committed to ensuring that the special features of the Niagara Escarpment and the tender fruit lands are recognized throughout the environmental assessment process.

STAFF DIRECTIONS

Staff was requested to:

- consider the hiring of a professional facilitator for the public meetings regarding the Environmental Assessment (EA) process to address long-term landfill disposal needs. **Waste Management Services** (Refers to Minute Item # 363)
- consider restructuring the Public Liaison/Advisory/Steering Committees, to ensure that input is obtained from all concerned parties. **Waste Management Services** (Refers to Minute Item # 363)
- provide Councillor Burroughs with a list of the properties owned and leased by the Region, as well as the property that has been acquired for road improvements, etc. **Operational Support Services**

ADJOURNMENT

The Committee adjourned at 2:50 p.m., to meet again in Committee Room 4 on September 23, 2003 at 1:30 p.m.

Wayne Redekop
Vice Chair

Janet Pilon
Legislative Assistant

Thomas R. Hollick
Regional Clerk