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THE REGIONAL MUNICIPALITY OF NIAGARA

PUBLIC WORKS AND UTILITIES COMMITTEE

REPORT 21-2003

Minutes of a meeting of the Public Works and Utilities Committee held in Committee Room 4, Regional Municipal Building, Thorold, Ontario, on Tuesday, October 28, 2003 commencing at 1:37 p.m.

ATTENDANCE

Committee: Councillors Badawey, Chair; Regional Chair Zimmerman; Davidson, Eke, Harry, Konkle, McMullan, Redekop, Rigby.

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

Staff (Part-Time): Messrs. Bacchus, Commissioner, Corporate Services; Robson, Director of Corporate Strategy; Cherrington, Manager, Engineering Planning & Development; Smith, Waste Management Engineer; Steele, Niagara Water Quality Protection Strategy, Project Manager; Murphy, Manager, Policy & Development; Ms. Barrow, Process Engineer; Ms. Habermehl, Manager, Waste Collection & Diversion Operations; Ms. Sivers, Water Quality Strategy Assistant.

Other: Mr. Burt, General Manager, Niagara Peninsula Conservation Authority.

PRESENTATIONS

424. Niagara Water Quality Protection Strategy
Recommendations and Next Steps

Mr. Ron Scheckenberger of Philips Engineering provided the Committee with a presentation on the Niagara Water Quality Protection Strategy (NWQPS), Final Report.

The Niagara Water Quality Protection Strategy is a watershed-based, multi-jurisdictional framework to guide stakeholders on how to best manage human activities affecting our ground and surface water resources and is intended to build on past successes, current initiatives, and future plans of area stakeholders.

Mr. Scheckenberger advised the Committee that the team identified six themes of the Niagara Water Quality Protection Strategy: Human Health – Clean and abundant drinking water for safe human consumption; Natural Environment – Sufficient water of a satisfactory quality in natural settings to restore and maintain healthy flora, fauna and ecosystem integrity; Agriculture – Sufficient and clean water for sustainable agriculture; Commerce – Sufficient and clean water for economic opportunities; Recreation – Sufficient and clean water to support and sustain recreation and leisure uses and Property Risk and Liability – Protection for residential, public, and commercial land uses from adverse flooding and erosion.

Mr. Scheckenberger provided the Committee with an overview of the work plan and study process as well as a strategy overview, which produced a schedule of actions that established action-oriented responses to each core issue (464 in total), with the actions that are area-wide and local management area specific and developed eleven Action Programs.

The cost estimates were separated into Direct Actions (wherein the responsibility lies with the entity in charge of the Niagara Water Quality Protection Strategy) and Indirect Actions (wherein the responsibility lies with other existing organizations, supported by entity in charge of the Niagara Water Quality Protection Strategy), with the Indirect Actions being separated into Current (existing programs) and Proposed (those actions yet to be initiated).

Mr. Scheckenberger advised the Committee that the estimated impact to the average household would be \$56.00 per year for \$269 million over 30 years. The Committee was also provided with a comparison of the increase to the average household between the Niagara Water Quality Protection Strategy and the Water and Wastewater Master Plan.

The Niagara Water Quality Protection Strategy objectives are to use existing resources efficiently and cost effectively; to remain accountable to the local taxpayers; to consider opportunities for public/private partnering and input in a short term implementation period.

Mr. Scheckenberger provided the Committee with an overview of the 'next steps' in the Niagara Water Quality Protection Strategy. They include the completion of the Integrated Strategy document by December 2003; broadly circulate the final documents; make presentation to all of the watershed Municipalities in early 2004 and to set up the Implementation Committee that is responsible for establishing the Niagara Water Quality Protection Strategy framework and to plan the 2004 activities (Municipal and Regional combined sewer overflow improvements; water and wastewater projects and Environmental Assessments; groundwater and aquifer study; 2nd Annual Children's Water Festival and the distribution of the Green Map).

There being a lack of an ordinary quorum at the meeting, the Committee Chair determined that the ordinary quorum for the meeting be reduced to six members, pursuant to Part II, Section 11.7 of the Procedural By-law 7174-93.

425. Moved by Councillor Redekop
Seconded by Councillor Eke

That Report PWA 173-2003, October 28, 2003 respecting the Niagara Water Quality Protection Strategy (NWQPS) be lifted from PWA Summary - October 28, 2003 and dealt with separately at this time.

Carried.

426. Moved by Councillor Harry
Seconded by Councillor McMullan

That Report PWA 173-2003, October 28, 2003, respecting the Niagara Water Quality Protection Strategy (NWQPS) Final Report, be received.

That a representative Implementation Sub-Committee reporting to the Public Works and Utilities Committee be established to "bridge-the-gap" between the NWQPS and the ultimate Implementation Framework structure, as detailed in the recommendations of the NWQPS Final Report, dated October 2003.

That the Implementation Sub-Committee recommend the most appropriate implementation framework to carry out the NWQPS policies and recommendations. This framework should consider the existing partnership established between the Region of Niagara, the Niagara Peninsula Conservation Authority, the Ministry of the Environment, and municipalities and stakeholders within the Niagara watershed.

That the Implementation Sub-Committee work closely with the Sub-Committee previously established to review recommendations on the implementation process identified in the Water and Wastewater Master Servicing Plan Update (June 2003) and consideration be given to the potential merger of the committees.

That, early in 2004, the Implementation Sub-Committee establish the budget, priorities, scheduling and overall process for implementing Action Programs identified in the recommendations of the NWQPS Final Report.

That representative staff proceed to carry out the following near-term recommendations to advance the Strategy:

- Continue with quarterly NWQPS newsletters to advise leading stakeholders and general public on progress of strategy implementation.
- Take steps to develop a relational database which links actions to programs and their associated attributes.
- Work with the Implementation Sub-Committee to define 'top' priorities for 2004 and establish a mechanism to implement priorities within current Region and NPCA structure.
- Work with watershed agencies and groups to establish a baseline monitoring framework, building upon current activities in accordance with Action Program objectives outlined in the NWQPS Final Report.
- Participate with NPCA and MOE on the Aquifer/Groundwater Study currently underway, with the expected completion 2004.

That copies of the NWQPS Final Report, upon receipt by Council, be distributed to the Area Municipalities, the City of Hamilton and the County of Haldimand. (Water & Wastewater Services)

Carried.

427. Residential Energy Efficiency Project (REEP)

Mr. Lord, Program Director, Elora Centre for Excellence (ECEE) a founding member of the Green Communities Association is a registered charity that specializes in bringing innovative environmental solutions to communities across Ontario.

Mr. Lord provided the Committee with a presentation on a partnership opportunity that would put nearly one million dollars in federal funds into Niagara homeowners' pockets over the next three years and reduce greenhouse gas emissions at the same time.

Mr. Lord noted that the Elora Centre for Environmental Excellence has been successfully delivering EnerGuide for Houses in the Guelph-Waterloo area since 1999, and can assist the residents of Niagara Region, with Regional Council's support.

The Elora Centre for Environmental Excellence can establish the Niagara Residential Energy Efficiency Project (Niagara REEP), if they had endorsements from Regional and Municipal Councils, as well as other partners, which include the utilities; partners to serve on the REEP Steering Committee; in kind marketing and office support; start-up funding to recruit, train and equip four new local energy efficiency advisors as well as three-year core funding for marketing and homeowner price subsidies.

Moved by Councillor Rigby
Seconded by Councillor McMullan

That the proposed Niagara Residential Energy Efficiency Project (Niagara REEP) be referred to staff for report.

Carried.

There being a lack of ordinary quorum at the meeting, the Committee Chair determined that the ordinary quorum for the meeting be reduced to five members, pursuant to Part II, Section 11.7 of the Procedural By-law 7174-93.

AWARD ANNOUNCEMENTS

428. 2003 Outstanding Planning Project - Parks and Public Lands
End Use Plan for the Glenridge Quarry Naturalization Site
The American Planning Association - New York Upstate Chapter

Councillor Badawey, Committee Chair and Regional Chair Zimmerman on behalf of the Public Works and Utilities Committee awarded the 2003 Outstanding Planning Project – Current Topic: Parks and Public Lands Award for the End Use Plan for the Glenridge Quarry Naturalization Site in the City of St. Catharines from the American Planning Association - New York Upstate Chapter to Mr. David Smith, Waste Management Engineer.

The Committee was advised that the Glenridge Quarry Naturalization Site has been in development for approximately eight years, which began with the City of St. Catharines and is now being completed by the Regional Municipality of Niagara.

During the fifteen year time period, the Glenridge Landfill Liaison Committee played a critical role in providing the necessary community input into all aspects of the landfill site including the end use of the site, by attending over one hundred meetings with the City and Regional Niagara staff.

The Glenridge Quarry Naturalization Site will be Regional Niagara's largest park, a significant eco-tourism destination and one of Ontario's first "Green Sites", which will officially open in June 2004.

The Committee responded warmly with congratulations being extended to the Waste Management Services Division, specifically Mr. David Smith, the Glenridge Landfill Citizen's Committee and its President Lynne Matthews, as well as the project's landscape architect, peter j. smith & company, inc.

Councillor Rigby on behalf of the City of St. Catharines extended his appreciation to Mr. Smith's for his positive approach and dedication to both the City of St. Catharines and the Glenridge Landfill Citizen's Committee.

429. Most Improved Municipality Award and Silver Award
Recycling Council of Ontario (RCO)

Councillor Badawey, Committee Chair and Regional Chair Zimmerman on behalf of the Public Works and Utilities Committee awarded the Most Improved Municipality Award in recognition of Niagara's efforts to minimize waste from 1999 to 2002 and the Silver Award in recognition of Niagara's waste minimization efforts in 2002 from the Recycling Council of Ontario (RCO) to Mr. David Payne, Director, Waste Management Services and Ms. Catherine Habermebl, Manager, Waste Collection & Diversion Operations.

The Committee responded warmly with congratulations being extended to the Waste Management Services Division, specifically Mr. David Payne and Ms. Habermebl.

ADMINISTRATION

430. Moved by Councillor Harry
Seconded by Councillor Rigby

That Report PWA 171-2003, October 28, 2003 respecting the City of Hamilton and Regional Niagara, Disposal Planning Partnership, be lifted from PWA Summary - October 28, 2003 and dealt with separately at this time.

Carried.

431. City of Hamilton and Regional Niagara
Disposal Planning Partnership
PWA 171-2003

Moved by Councillor Harry
Seconded by Councillor Rigby

That the Statement of Intent be amended to reflect that the membership of the Joint Working Group is subject to the results of the 2003 Municipal Election; and

That the Statement of Intent, Joint Working Group list, be amended by removing the titles.

Carried.

Moved by Councillor Rigby
Seconded by Councillor Harry

That Report PWA 171-2003, October 28, 2003, respecting the City of Hamilton and Regional Niagara, Disposal Planning Partnership, be received.

That the City of Hamilton & Regional Municipality of Niagara Waste Disposal Planning Partnership, Statement of Intent be approved, ***as amended***.

And that the Hamilton – Niagara Waste Disposal Planning Partnership, Joint Working Group, Terms of Reference be approved. (Waste Management Services)

Carried.

432. Moved by Councillor Eke
Seconded by Regional Chair Zimmerman

That Report PWA 175-2003 (CSD 154-2003), October 28, 2003 respecting the Alternative Biosolids Management Service Contract Approval, be lifted from PWA Summary - October 28, 2003 and dealt with separately at this time.

Carried.

433. Alternative Biosolids Management Service Contract Approval
PWA 175-2003 (CSD 154-2003)

Moved by Councillor Eke
Seconded by Regional Chair Zimmerman

That Report PWA 175-2003 (CSD 154-2003), October 28, 2003, respecting the Alternative Biosolids Management Service Contract Approval, be received by Committee and Council and that the recommendations, as outlined below, be approved;

That a Memorandum of Understanding developed by the Negotiating Committee and summarized in this report be entered;

That Staff be directed to negotiate a contract for Alternative Biosolids Management by N-Viro Systems Canada/Integrated Municipal Services (IMS) involving the processing of 50% of the Region's annual biosolids production at the negotiated price of \$422.91/dry tonne with the Region providing financing for the Alternative Biosolids Management capital investment in terms which shall be negotiated by the Commissioners of Public Works and Corporate Services and reported back to Committee and Council;

That the financing required for the Alternative Biosolids Management capital investment be funded from Capital Account ZSW0302 (Alternative Biosolids Management Program);

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 Memorandum of Understanding on behalf of the Region. (Water & Wastewater Services and Corporate Services Department)

Carried.

(Please note that Report PWA 175-2003 (CSD 154-2003) is attached to the Corporate and Financial Services Committee minutes)

For Committee Consideration

The Committee considered the following staff recommendations contained in the PWA Summary and Addendum, October 28, 2003:

434. Tender Award for Contract RN 02-25
Peel Street Sewage Pumping Station and Storage Facility
City of Thorold

PWA 167-2003 (CSD 148-2003)

That Report PWA 167-2003 (CSD 148-2003), October 28, 2003, respecting the Tender Award for Contract RN 02-25, Peel Street Sewage Pumping Station and Storage Facility in the City of Thorold, be received.

That financing (Wastewater Capital Reserve) in the gross and net amount of \$500,000.00 be transferred from Project ID ZSW9305 / SW9305 Improvements to Pumping Stations & Forcemains to Project ID ZSW9306 / SW0249 Peel Street Pumping Station & Storage Facility Upgrade.

That Contract RN 02-25 Peel Street Sewage Pumping Station and Storage Facility, be awarded to the low tenderer, Rankin Construction Inc., at its bid price of \$4,083,723.00, plus G.S.T., subject to confirmation of funding by the City of Thorold for its portion of the total cost.

That approval be given to increase the gross budget by \$2,312,000.00 including GST to reflect the cost sharing with the City of Thorold.

That a contingency amount of \$250,000.00 be provided for this project.

That the engineering assignment with R.V. Anderson Associates Limited be extended to provide for the related engineering services in the amount of \$170,950.00, plus G.S.T.

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 I.D. SW0249. (Water & Wastewater Services and Corporate Services Department)

(Please note that Report PWA 167-2003 (CSD 148-2003) is attached to the Corporate and Financial Services Committee minutes)

435. Retention of Consulting Services for the New
Central Sewage Pumping Station and Combined
Sewer Overflow High Rate Treatment Facility
In the City of Niagara Falls

PWA 168-2003 (CSD 150-2003)

That the consulting firm of Associated Engineering Limited be retained to provide engineering services for the new Central Sewage Pumping Station and Combined Sewer Overflow (CSO) High Rate Treatment Facility in the City of Niagara Falls.

That the engineering fee be calculated on a time plus expenses basis estimated to an upset limit of \$ 1,091,799.00 exclusive of GST. The cost of this project is to be shared between the Region (63%) and the City of Niagara Falls (37%) as estimated on Table 1. The final cost sharing arrangement will be based on actual engineering and construction costs. At this time, it is estimated that the Region's share of the engineering fee will be \$687,833.37 (63%) and the City's share will be \$403,965.63 (37%). Award of this assignment is contingent upon City of Niagara Falls approval of their share of the engineering costs.

That approval be given to increase the gross budget by \$416,100 including net GST to reflect the cost sharing with the City of Niagara Falls.

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 Capital Project SW0230. (Water & Wastewater Services and Corporate Services Department)

(Please note that Report PWA 168-2003 (CSD 150-2003) is attached to the Corporate and Financial Services Committee minutes)

436. Proposed Property Disposal
Former Northland Manor Long Term Care Facility
City of Port Colborne
-

PWA 169-2003 (COM 55-2003)

That Report PWA 169-2003 (COM 55-2003), October 28, 2003, respecting the Proposed Property Disposal, Former Northland Manor Long Term Care Facility in the City of Port Colborne, be received.

That the tender in the amount of \$ 575,000.00 as received from Michael Venneri, In Trust for the purchase of surplus property described as "Parcel A" in Contract RN 03-47 (Sale of Surplus Property, Former Northland Manor Long Term Care Facility, in the City of Port Colborne) be accepted; and

That the Offers to Purchase received from five owners, and possibly to be received from a sixth owner, abutting the Region's surplus property described as "Parcel B" in Contract RN 03-47 be accepted; and

That the Regional Solicitor be authorized to prepare and the Regional Chair and Clerk be authorized to execute the documentation required to effect the above-described transactions. (Operational Support Services and Community Services Department)

(Please note that Report PWA 169-2003 (COM 55-2003) is attached to the Community and Health Services Committee minutes)

437. Disposal of Surplus Property
Former North End Auxiliary Water Plant
Town of Fort Erie
-

PWA 170-2003

That Report PWA 170-2003, October 28, 2003, respecting the Disposal of Surplus Property, Former North End Auxiliary Water Plant in the Town of Fort Erie, be received.

That the parcel of Regional property, known as the North End Auxiliary Water Plant site, in the Town of Fort Erie, be declared surplus to the requirements of the Regional Municipality of Niagara and that the Regional Chair and Regional Clerk be authorized to execute a transfer document, wherein the Region conveys the subject property to the Town of Fort Erie, or to the Town's designated Assignee, for the sum of \$1.00. (Operational Support Services)

438. Building Encroachment
Regional Road No. 36 (Pelham Street)
Town of Pelham

PWA 172-2003

That Report PWA 172-2003, October 28, 2003, respecting the Building Encroachment, Regional Road No. 36 (Pelham Street) in the Town of Pelham, be received.

That the Region enter into an agreement to permit the encroachment of a building at 1475 Pelham Street onto Regional Road No. 36, in the Town of Pelham. (Operational Support Services)

439. River Trail (Douglastown) Sewage Pump Station
Winger Road (Stevensville) Sewage Pumping Station
Request for Assumption
Town of Fort Erie

PWA 174-2003

That Report PWA 174-2003, October 28, 2003, respecting the River Trail (Douglastown) Sewage Pump Station, Winger Road (Stevensville) Sewage Pumping Station, Request for Assumption in the Town of Fort Erie, be received.

That the Regional Municipality of Niagara assume from the Town of Fort Erie the ownership of both the River Trail (Douglastown) Sewage Pump Station and the Winger Road (Stevensville) Sewage Pump Station;

That the Region's solicitor be authorized to prepare and the Regional Chair and Clerk be authorized to execute those documents necessary to facilitate the Region's assumption of the aforementioned facilities. (Operational Support Services)

440. Microbiology Laboratory Services
Request for Proposal #2000-RFP-04

PWA 176-2003

That Report PWA 176-2003, October 28, 2003, respecting the Microbiology Laboratory Services, Request for Proposal #2000-RFP-04, be received.

That the Public Works & Utilities Committee recommend to Council that our current agreement with E3 Laboratories, Niagara-on-the-Lake, Ontario be extended for an additional (3) years to provide Microbiology Laboratory Services at an estimated total cost, including tax, of: \$249,466.59. (Water & Wastewater Services)

441. Moved by Councillor Rigby
Seconded by Regional Chair Zimmerman

That the PWA Summary and Addendum, dated October 28, 2003, and the foregoing recommendations of Reports PWA 167-2003 (CSD 148-2003) to PWA 170-2003 inclusive; PWA 172-2003; PWA 174-2003 and PWA 176-2003, be received and accepted.

Carried.

CORRESPONDENCE

442. Communications listed in Report PWC Summary, dated October 28, 2003, were received and dealt with as follows:

PWC 67-2003 - (October 3, 2003) – **Natalie Boyd**, Drinking Water Inspector, MOE Niagara District Office, to Chado Brcic, Director of Water & Wastewater Services Division, advising that Niagara's protocols/procedures for safe drinking water, established to ensure continual compliance with a section of the Ontario Regulation 170/03, are acceptable.

-- Received.

443. Moved by Councillor Rigby
Seconded by Councillor Eke

That the contents of the PWC Summary, October 28, 2003, be received and dealt with as directed by this Committee and as noted in these minutes.

Carried.

PROGRESS REPORTS

444. Public Works Staff Comments on
Development and Related Proposals

Moved by Councillor Rigby
Seconded by Regional Chair Zimmerman

That Report PWP 76-2003, October 28, 2003, respecting the Public Works Staff Comments on Development and Related Proposals, be received for information.

Carried.

445. Public Works Staff Comments on
Municipal Servicing Applications

Moved by Councillor Rigby
Seconded by Regional Chair Zimmerman

That Report PWP 77-2003, October 28, 2003, respecting the Public Works Staff Comments on Municipal Servicing Applications, be received for information.

Carried.

ACCOUNTS

446. Moved by Councillor Harry
Seconded by Councillor Eke

That the accounts list for the period ending September 30, 2003 in the amount of \$4,385,763.47, be approved for payment.

Carried.

MINUTES

447. Transportation Strategy Steering Committee
Meeting of Tuesday, October 7, 2003

Moved by Councillor Rigby
Seconded by Regional Chair Zimmerman

That the minutes of the Transportation Strategy Steering Committee meeting, of Tuesday, October 7, 2003, be received and the recommendations therein approved.

Carried.

448. Regional Niagara Bicycling Committee
Meeting of Thursday, September 11, 2003

Moved by Councillor Rigby
Seconded by Regional Chair Zimmerman

That the minutes of the Regional Niagara Bicycling Committee meeting, of Thursday, September 11, 2003, be received and the recommendations contained therein referred to staff for comment.

Carried.

449. Smarter Niagara Steering Committee
Meeting of Wednesday, October 8, 2003

Moved by Councillor Rigby
Seconded by Regional Chair Zimmerman

That the minutes of the Smarter Niagara Steering Committee meeting, of Wednesday, October 8, 2003, be received and the recommendations therein approved.

Carried.

CLOSED SESSION

450. Moved by Councillor Rigby
Seconded by Councillor Eke

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

Carried.

451. Property Acquisition for the
Roberts Street Gateway Project
City of Niagara Falls
PWP 165-2003 CONFIDENTIAL

Moved by Councillor Rigby
Seconded by Councillor Harry

That Report PWP 165-2003, October 28, 2003, respecting the Property Acquisition for the Roberts Street Gateway Project in the City of Niagara Falls, be received.

That to facilitate the proposed Roberts Street Gateway Project the Region undertake the purchase of that property known municipally as 5110 Roberts Street for the purchase price as contained within Report PWA 165-2003; and

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 Clerk to execute the necessary documents.

Carried.

452. Ambulance Station
City of Port Colborne
PWA 166-2003 (PHD 72-2003/CSD 151-2003)

Moved by Councillor Harry
Seconded by Councillor Rigby

That Report PWA 166-2003 (PHD 72-2003/CSD 151-2003), October 28, 2003, respecting the Ambulance Station in the City of Port Colborne, be received and the recommendations contained therein be approved.

Carried.

(Refer to Staff Directions)

453. Bicycling Friendly Awards 2003
Regional Niagara Bicycling Committee

Moved by Regional Chair Zimmerman
Seconded by Councillor Rigby

That the Bicycling Friendly Awards 2003, as nominated by the Regional Niagara Bicycling Committee, be approved for awarding at the November 6, 2003 Regional Council meeting.

Carried.

454. Moved by Councillor Rigby
Seconded by Councillor Harry

That this Committee do now rise with report.

Carried.

STAFF DIRECTIONS

Staff was requested to:

- Provide Councillor Badawey with the comparison figures between the original offer and the offer approved by Committee. (Refers to Minute Item # 449) **Operational Support Services**

ADJOURNMENT

The Committee adjourned at 3:35 p.m., to meet again in Council Chambers as Committee of the Whole on November 20, 2003 at 4:00 p.m.

Vance Badawey
Chair

Janet Pilon
Legislative Assistant

Thomas R. Hollick
Regional Clerk