

REPORT NO. 104 of the
ENVIRONMENT, TRANSPORTATION & PUBLIC SAFETY
STANDING COMMITTEE
of its meeting held January 23, 2013

Present: **Councillor J. Gignac**
 Councillor A. Halberstadt
 Councillor R. Jones, Vice-Chair
 Councillor H. Payne

Regrets: **Councillor F. Valentinis**

That the following recommendations of the Environment, Transportation and Public Safety Standing Committee **BE APPROVED:**

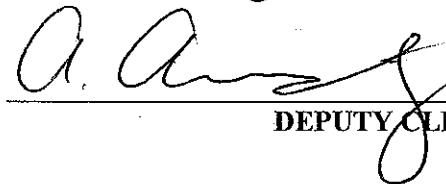
Moved by Councillor Gignac, seconded by Councillor Payne,
THAT the minutes of the Essex-Windsor Solid Waste Authority meetings held May 1, 2012; August 8, 2012; October 2, 2012 and November 6, 2012 **BE RECEIVED** for information.

Carried.

Clerk's Note: The minutes of the Essex-Windsor Solid Waste Authority meetings held May 1, 2012; August 8, 2012; October 2, 2012 and November 6, 2012 are attached as background information.



VICE CHAIRPERSON



DEPUTY CLERK

NOTIFICATION:				
Name	Address	Email Address	Telephone	FAX

MINUTES
ESSEX-WINDSOR SOLID WASTE AUTHORITY

Essex County Civic and Education Centre
Committee Room C
Tuesday, May 1, 2012
4:30 PM

Attendance:

EWSWA Board Members:	Tom Bain	County of Essex
	Ron McDermott	County of Essex
	Ken Antaya (Vice-Chair)	County of Essex
	Wayne Hurst	County of Essex
	Alan Halberstadt	City of Windsor
	Ed Sleiman	City of Windsor
	Drew Dilkens (Chair)	City of Windsor
	Hilary Payne (Alternate to Mr. Francis)	City of Windsor

Absent:	Ed Francis	City of Windsor
	Al Maghnieh	City of Windsor

EWSWA Staff:	Eli Maodus, General Manager
	Michelle Bishop, Manager of Finance and Administration
	Cameron Wright, Manager of Waste Diversion
	Dan Van Horn, Supervisor of Waste Disposal
	Kate George, Executive Secretary

County of Essex Staff:	Mary Brennan, Clerk / Director of Council Services
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City of Windsor Staff:	Mario Sonogo, City Engineer
	Mark Spizzirri, Financial Planning Administrator
	Onorio Colucci, Treasurer

Others in Attendance:	Cheryl Hardcastle, Deputy Mayor, Town of Tecumseh
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1. CALL TO ORDER

The Chair called the meeting to order at 4:30 PM.

2. DECLARATION OF PECUNIARY INTEREST

There were no declarations of pecuniary interest.

3. APPROVAL OF MINUTES

A) EWSWA Board Meeting – March 6, 2012

Moved by Hilary Payne
Seconded by Ed Sleiman

THAT the minutes of the EWSWA Board Meeting of March 6, 2012
be adopted.

--CARRIED UNANIMOUSLY
32-2012

4. BUSINESS ARISING FROM THE MINUTES

There was no business arising from the minutes

5. CORRESPONDENCE

There were no correspondence items for discussion.

6. FINANCE AND ADMINISTRATION

A) Property Value Protection Plan RE 7880 Concession 7, Colchester North Township

Moved by Wayne Hurst
Seconded by Tom Bain

THAT the report pertaining to the Property Value Protection Plan as
it relates to 7880 Concession 7 in Colchester North be received for
information purposes.

--CARRIED UNANIMOUSLY
33-2012

B) Waste Management of Canada Corporation Assigning Refuse Hauling Contract to BFI Canda Inc., a 'Progressive Waste Solutions' Company, Effective April 16, 2012

Moved by Ron McDermott
Seconded by Ken Anataya

THAT the report pertaining to Waste Management of Canada
Corporation assigning the refuse hauling contract to BFI Canada
Inc. be received for information purposes.

--CARRIED UNANIMOUSLY
34-2012

C) Association of Municipalities of Ontario (AMO) Appointment to the Municipal Industry Partnership Committee (MIPC) – Ilija Maodus for Board Approval

Moved by Ed Sleiman

Seconded by Ken Anataya

THAT the Authority approve the appointment of the Authority's General Manager to the Municipal Industry Partnership Committee (MIPC) effective immediately and for a term of at least two years.

--CARRIED UNANIMOUSLY
35-2012

7. **WASTE DISPOSAL ISSUES**

A) Award of the Contract for the Cleaning and Flushing of Leachate Collection System

The General Manager noted that administration published the tender in the Windsor Star, with the Windsor Construction Association as well as the Kent Construction Association, with the www.biddingo.com and www.ewswa.org websites as well as emailed several companies directly. As in the past, there were only 2 submissions for the contract. The very large price difference from the high to low bid is also usual. We do not know why the price is so varied, but that is how it seems to come in with each tender. Benko has bid a similar price in the past few contracts.

Moved by Tom Bain

Seconded by Ken Anataya

THAT the Authority approve the tender price of \$55,775.67 including HST, submitted by Benko Sewer Services for the Cleaning and Flushing of the Leachate Collection Systems, and that the General Manager and Chair enter into an agreement with Benko for this purpose.

--CARRIED UNANIMOUSLY
36-2012

B) Closed Landfill 3 and Surplus Clay From Windsor-Essex Parkway Project

The General Manager noted that this report was originally slated to be a verbal, however a report has been written and it was circulated as a supplementary to this agenda.

The Chair suggested that the Board consider deferring this item until later in the meeting when representatives from Amico Infrastructures Inc. (Amico) will be here to answer any questions that may arise.

The Board members were in agreement. The item was taken up at 4:58 PM, upon the arrival of the Amico representatives, Dominic Amicone and Cindy Prince.

The General Manager noted that on Page 2 of 5 of the report, there are items listed as A-F, which are capital works that need consideration as part of the optimal use of the Parkway Project clay at the 247 acre closed Landfill 3 site. These are not the only items, but provide an idea of things to consider during the negotiation process.

Mr. Bain indicated that recommendation number 4 should have a County of Essex representative included in the language (as part of the ad hoc committee).

The Chair duly noted Mr. Bain's concern and agreed that County representation is required.

Mr. Antaya spoke to the costs that are listed in the report, noting that these would have existed anyway at some point in the future, and that with this opportunity of acquiring the clay at the present, we are simply fast tracking the process and expenses. He noted that there could be cost savings for the management of the site over the coming years.

Mr. Sleiman questioned whether we were going to have to contract out the equipment operators and equipment needed for the moving of the clay and grading of the site.

The General Manager noted that one of the recommendations of his report is to sole source the work to Amico due to efficiencies that would be realized by having the same contractor supply and deliver the clay and manage the on-site capital works.

Mr. Halberstadt raised the concern that the 2012 City budget was not reflective of the large portion of the cost that the City of Windsor would be bearing of the total costs of this item. Where would Windsor come up with this money?

Onorio Colucci noted that although this item was not included in the 2012 budget, there were estimations that the bulk of the costs would not begin until 2013 and there would also be some cost savings with the leachate hauling and treatment. Staff would have to meet to discuss this issue.

Mr. Payne questioned whether there were costs per unit for all of the expenses.

The General Manager indicated that indeed there is a schedule of costs per item, for example, there are 52 manholes so an estimate of the cost per manhole could be calculated and vouched.

Mr. Hurst questioned that if the Authority received the full estimated 1-2 million cubic meters of clay would that meet what is necessary to have a sufficient and acceptable cap to finally close the site?

The General Manager indicated that the estimate to add 1 meter of cap on the site it would take approximately 800,000 cubic meters of clay. The current cap on the site is at 1 meter. 3 meters of clay on the whole site would be optimal. Quantities that will be potentially available through Amico are still not 100% certain, and as the Parkway project progresses quantities will be more certain. The Authority is in a position to accept all the clay that could come from the Parkway project, and this would be beneficial for the Authority.

Moved by Alan Halberstadt

Seconded by Ed Sleiman

THAT the Authority approve the following:

1. the concept of accepting clay at closed Landfill #3 from the Windsor-Essex Parkway.
2. varying from Authority Policy EW-008 to allow for negotiations to take place solely with Amico Infrastructures Inc.
3. negotiations with Amico related to capital works required at Landfill #3.
4. the creation of an ad hoc staff committee made up of representatives from the Authority, City of Windsor, The County of Essex, Town of Lakeshore and the Town of Tecumseh for the purpose of negotiating with Amico.
5. the expenditure of engineering consulting fees related to the approval submission to the MOE and design specifications for the proposed capital works, subject to the result of the negotiations with Amico.
6. That administration report back to the Board on the progress of negotiations.

--CARRIED UNANIMOUSLY

37-2012

8. WASTE DIVERSION ISSUES**A) 2011 Waste Diversion Report with Cover Report**

Moved by Hilary Payne

Seconded by Ron McDermott

THAT the Authority receive the report pertaining to the 2011 Waste Diversion Annual Report for information purposes. The 2011 waste diversion rate was 35.1%.

--CARRIED UNANIMOUSLY
38-2012

B) Timeline for Reviewing the 2011 Solid Waste Management Master Plan Recommendations

Mr. Payne asked for clarification on the specifics of the recommendation pertaining to garbage bag set out limits.

The General Manager explained that this report was simply to provide an outline of the implementation, not to approve the schedule for any recommendation in particular.

The Chair indicated that ultimately the decision to implement bag limits rests with the municipalities themselves. The Authority can make a recommendation to the municipal councils, however the Authority Board itself cannot impose or implement a bag limit. He further noted that in the interest of putting our best foot forward and following through with the recommendations, this Board should be considering sending the recommendation to the municipalities for their considerations.

The Manager of Waste Diversion indicated that Administration intends on reporting back to the Board as early as July on the feasibility of the recommendations. At that time, the recommendations that the Board sees fit for implementation can be passed by resolution and forwarded to the municipal councils.

Mr. Sleiman expressed concern over implementing any bag limits. He noted an increase in participation in the recycling program and believes that further limits on waste could be discouraging for residents.

Mr. Halberstadt questioned whether the reversal of the weekly garbage and bi-weekly recycling collection could be implemented prior to 2016. That is, could weekly recycling and bi-weekly garbage collection be implemented before the current recycling collection contracts expire in 2016?

The Manager of Waste Diversion indicated that administration could examine the cost variants with the reversal of collection schedules, but certainly this would be an issue for the contractors currently holding these contracts.

Mr. Halberstadt questioned the status of the proposed tours to organics processing facilities in Ontario.

The Manager of Waste Diversion noted that the first two weeks of June would be ideal for Authority Board members to attend facilities in London, Guelph, Hamilton and Peel.

Mr. Hurst noted that the conference for the Federation of Canadian Municipalities is being held during the first week of June and would be in conflict for some Board members.

The Manager of Waste Diversion will take this conflict into consideration.

Moved by Ed Sleiman

Seconded by Ken Anataya

THAT the Board approve the Master Plan implementation study timeline proposed in the report.

--CARRIED UNANIMOUSLY
39-2012

C) Residential Rate Structure for Grass Disposal

Mr. Antaya questioned why there's a proposal to change the rate structure.

The Manager of Waste Diversion indicated that currently there is a somewhat complicated fee schedule in place. This schedule is made complicated by the fact that there are many types of vehicles coming in to the site and it is left to the staff members on site to interpret the size and type of vehicle then determine the charge associated with the associated vehicle. The flat rate will render the process less complicated.

Mr. Halberstadt raised the concern that there would be an influx of grass to the site, since some of the rates are being reduced.

The Manager of Waste Diversion noted that Administration does not anticipate any dramatic increase in traffic for grass because of the reduction in rates.

Moved by Wayne Hurst

Seconded by Ken Anataya

That the Authority standardize the rate for large grass loads delivered to the Authority's public drop-off locations to \$15 per vehicle (truck, trailer, or combination).

--CARRIED UNANIMOUSLY
40-2012

D) Award of the Contract for the Delivery and Distribution of the New 22 Gallon Blue Boxes in Windsor and Essex County.

Mr. Hurst questioned the large difference between the bids that were received from the 2 contractors. The lower of the two bids is clearly a better deal for the Authority, but how do we know that this is value for dollar?

The General Manager noted that the last time a contract like this one was issued, it was for the delivery of red boxes. At that time bids were received that were in the area of this figure. In this case WDS has a strong sense of how to proceed with the delivery as they also were awarded the contract and performed the work last time.

The Manager of Waste Diversion further indicated that the price quote we received in Windsor Essex is reflective of the costs received in other municipalities across the province, and even comes in on the low end of the those prices.

Moved by Tom Bain

Seconded by Ron McDermott

That the low tender price of \$63,596.40, including HST, submitted by Windsor Disposal Services Inc. for the delivery of new 22 gallon blue boxes in Windsor and Essex County be accepted by the Authority.

--CARRIED UNANIMOUSLY
41-2012

9. **ANY OTHER BUSINESS**

Mr. Halberstadt brought forth an article that appeared in the April 26, 2012 edition of the 'Windsor This Week' newspaper regarding a professor at the University of Windsor that is investigating ethanol from waste. He gave the article to the General Manager for review and follow-up with the professor Dr. Subba Rao Chaganti.

10. DELEGATION

There were no delegations present.

11. IN-CAMERA AGENDA

There was no In-Camera session.

12. BY-LAWS

A) 4-2012 - Confirmatory By-Law

Moved by Tom Bain

Seconded by Wayne Hurst

THAT By-Law 04-2012 - Being a By-Law to confirm the proceedings of the Board of the Essex-Windsor Solid Waste Authority be given three readings and be adopted this 1st day of May, 2012

--CARRIED UNANIMOUSLY
42-2012

B) 5-2012 – By-Law to Authorize an Agreement between Benko Sewer Services and the Essex-Windsor Solid Waste Authority for the Cleaning and Flushing of the Leachate Collection System

Moved by Tom Bain

Seconded by Wayne Hurst

THAT By-Law 05-2012 - Being a By-Law to Authorize the execution of an agreement between: the Essex-Windsor Solid Waste Authority and Benko Sewer Services for the Cleaning and Flushing of the Leachate Collection System and that this by-law be given three readings and be adopted this 1st day of May 2012.

--CARRIED UNANIMOUSLY
43-2012

- C) 6-2012 - By-Law to Authorize an Agreement between WDS and the Essex-Windsor Solid Waste Authority for the Delivery of New 22 Gallon Blue Boxes in Windsor and Essex County

Moved by Tom Bain

Seconded by Wayne Hurst

THAT By-Law 06-2012 - Being a By-Law to Authorize the execution of an agreement between: the Essex-Windsor Solid Waste Authority and WDS for the Delivery of New 22 Gallon Blue Boxes in Windsor and Essex County and that this by-law be given three readings and be adopted this 1st day of May 2012.

--CARRIED UNANIMOUSLY
44-2012

13. **NEXT MEETING**

The next meeting of the Authority was scheduled for June 5, 2012 – this meeting is in conflict with the FCM conference. A new date will be selected for the next meeting.

14. **ADJOURNMENT**

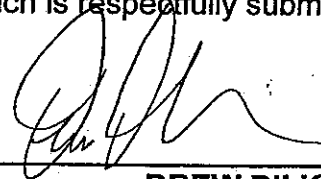
Moved by Ed Sleiman

Seconded by Ken Anataya

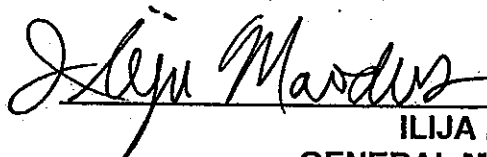
THAT the meeting be adjourned at 5:45 PM.

--CARRIED UNANIMOUSLY
45-2012

All of which is respectfully submitted.



DREW DILKENS
CHAIR



ILIJA MAODUS
GENERAL MANAGER

MINUTES
ESSEX-WINDSOR SOLID WASTE AUTHORITY

Essex County Civic and Education Centre
Committee Room C
Wednesday August 8, 2012
4:30 PM

Attendance:

EWSWA Board Members:	Tom Bain	County of Essex
	Ron McDermott	County of Essex
	Ken Antaya (Vice-Chair)	County of Essex
	Wayne Hurst	County of Essex
	Alan Halberstadt	City of Windsor
	Ed Sleiman	City of Windsor
	Drew Dilkens (Chair)	City of Windsor
	Hilary Payne (Alternate to Mr. Francis)	City of Windsor

Absent:	Ed Francis	City of Windsor
	Bill Marra (Replacing Al Maghnieh)	City of Windsor

EWSWA Staff:	Eli Maodus, General Manager
	Michelle Bishop, Manager of Finance and Administration
	Cameron Wright, Manager of Waste Diversion
	Ralph Reiser, Manager of Waste Disposal
	Kate George, Executive Secretary

County of Essex Staff:	Mary Brennan, Clerk / Director of Council Services
	Rob Maisonville, Treasurer / Director of Corporate Services

City of Windsor Staff:	Mario Sonego, City Engineer
	Natasha Couvillon, Financial Planning Administrator
	Onorio Colucci, Treasurer
	Tim Tidridge, Contracts and Operations Administrator

Others in Attendance:	Cindy Prince, Amico Infrastructures Inc.
	Dominic Amicone, Amico Infrastructures Inc.

1. CALL TO ORDER

The Chair called the meeting to order at 4:30 PM.

2. DECLARATION OF PECUNIARY INTEREST

There were no declarations of pecuniary interest.

3. APPROVAL OF MINUTES

A) EWSWA Board Meeting – May 1, 2012

Moved by Tom Bain

Seconded by Wayne Hurst

THAT the minutes of the EWSWA Board Meeting of May 1, 2012 be adopted.

--CARRIED UNANIMOUSLY
46-2012

4. BUSINESS ARISING FROM THE MINUTES

There was no business arising from the minutes

5. CORRESPONDENCE

The Chair noted that the article regarding Seacliff Energy highlights one of the facilities that was on the June Organics tour.

The General Manager noted that the presentation regarding the organics tour is later in the agenda, and if there were any comments they could be addressed following the presentation.

Moved by Ed Sleiman

Seconded by Wayne Hurst

THAT the article pertaining to Seacliff Energy be received for information purposes.

--CARRIED UNANIMOUSLY
47-2012

The Chair noted that representatives from Amico Infrastructures Inc. Ms. Cindy Prince and Mr. Dominic Amicone were present asked that Item 7A be discussed as soon as possible as they have a conflicting commitment elsewhere.

Moved by Tom Bain

Seconded by Wayne Hurst

THAT the order of business be amended so that item 7C be discussed first.

--CARRIED UNANIMOUSLY
48-2012

7. WASTE DISPOSAL ISSUES

C) Essex-Windsor Parkway Project Surplus Clay and Landfill 3

The General Manager reviewed the Board's instruction from the May meeting to continue negotiations with Amico Infrastructures Inc. for the placement of Parkway clay at the closed Landfill 3 site in Lakeshore. He noted that the cost of the capital works required once the clay is received at the site is \$1,380,825. Before the project can commence with certainty three conditions must be satisfied.

Condition 1 – Ministry of the Environment approval.

Condition 2 – Review of the final drawings by Amico to confirm the project cost.

Condition 3 – That the quantity of clay be finalized in order to make the work at Landfill 3 viable in relation to the cost.

The General Manager spoke to the mutual benefit of the clay placement at the Landfill 3 location for the Windsor Essex region and for Amico. He noted that contingencies are necessary with this project as with any municipal project, the first being in the amount of 10% of the contract (\$140,000), and another for \$150,000 for internal site road repairs should they be needed once the heavy truck traffic is over. These will come from the current year's budget. The project could start in 2013.

With regard to the financing of the project costs the General Manager noted that Administration is proposing that the funds come from current cash reserves, which will then be repaid by Windsor, Tecumseh and Lakeshore in addition to carrying costs.

The General Manager indicated that there will be an open house scheduled with regard to the project, at which time any questions may be addressed.

Mr. Payne questioned site supervision and who will be on site to manage the project.

The Manager of Waste Disposal indicated that those details are not fully arranged at this time, but it would likely be a full time individual from Amico as well as a representative from the Authority's engineering consulting firm.

The Manager of Waste Disposal explained what the process would be for sampling and placing the clay on site. He noted that favourable loads of clay would be placed in areas where a 12 inch layer of topsoil had been

removed. Once the clay is in place and graded, the topsoil will be replaced and seeded as required.

Mr. Sleiman questioned if the quantities of clay were known.

Mr. Maodus noted that exact figures are not yet known.

Mr. Bain commented favourably with regard to acquiring the Parkway clay for Landfill 3, but noted that some fine details are needed before the contract is signed. He noted in particular that residents in close proximity to the Landfill 3 location are experiencing very unpleasant effects from the heavy traffic which can be in the area of 200 trucks per day currently. These trucks generate a lot of dust and damage the road. In speaking with the County of Essex Transportation Services Department it is thought that County Rd. 25 has in the area of 12 years of life left, but because of the increased traffic that will be reduced by at least half. Mr. Bain suggested addressing the road repair issue and the dust issue for the homes on the haul route.

Mr. Hurst noted that although the finer details are important, they are not nearly as important as securing the 1 million cubic metres of clay to remediate the Landfill 3 location. We should focus on getting the necessary approvals from the Ministry of the Environment, setting the budget and then addressing the other issues such as traffic and the road.

The General Manager indicated that the application to the Ministry of the Environment was submitted two weeks ago. This application has been placed on the fast track with the Ministry, however they cannot provide a certain timeframe for approval as due process must still be followed.

Mr. Antaya noted that there is a mutual agreement that the Landfill 3 site would benefit from receiving the clay from the Parkway.

Mr. Halberstadt question how long the portion of County Rd. 25 is, and the approximate cost for road repairs should that take place.

The General Manager indicated that the approximate cost would be \$250,000-\$300,000 for the 2 kilometre stretch.

Mr. Payne addressed Mr. Dominic Amicone and asked what the timeframe for the start of the heavy hauling of clay would be?

Mr. Amicone noted that a specific date is not available, but he noted that the timeframe is within 30 days from after the receipt of approval from the Ministry of the Environment.

Moved by Ron McDermott
Seconded by Alan Halberstadt

1. Conditional upon (a) the MOE approval of the project; (b) there being no change in the agreed upon price once Amico reviews the contract drawings and (c) the delivery of at least 1,000,000 cubic metres of clay

THAT the Authority approve entering into an agreement with Amico Infrastructures Inc. in the amount of \$1,380,825 plus HST for capital works required at closed Landfill #3.

2. THAT the Authority approve \$140,000 as a contingency in the event of MOE required site works.
3. THAT the Authority approve \$150,000 as a contingency in the event that internal roads are degraded to a degree as to render them unusable for access required for site maintenance and leachate hauling.
4. THAT the Authority approve the financing of the project costs by borrowing internally from one of its reserves. The interest income the reserve would have otherwise earned will be charged to the Landfill #3 budget and borne solely by Windsor, Lakeshore and Tecumseh.

--CARRIED UNANIMOUSLY
49-2012

6. **FINANCE AND ADMINISTRATION**

A) Insurance Policy Premium Report – May 1, 2012 – April 30, 2013

Mr. Payne questioned what the deductible amount was for the policy.

The Manager of Finance and Administration indicated that the deductible amount is \$5,000. She further noted that the premium amount for the current period is \$242,028 versus last year's premium of \$241,878.

Moved by Wayne Hurst
Seconded by Ken Antaya

THAT the report pertaining to the Insurance Policy Premium be received for information purposes.

--CARRIED UNANIMOUSLY
50-2012

B) January to June Six Month Financial Report

Mr. Payne questioned how the sale price is calculated for recyclable materials that are marketed by the Authority.

The Manager of Finance and Administration explained that the sale of recycle materials is based on the market value. The blue box materials are considered commodities and as such their values are linked to supply and demand. There can be large fluctuations on prices depending on the market at the time of sale. Also considered at budget time are market trends.

Moved by Wayne Hurst

Seconded by Tom Bain

THAT the January to June Six Month Report be received for information purposes.

--CARRIED UNANIMOUSLY

51-2012

C) 2011 Financial Statements

Mr. Payne noted that the details for the reserve funds explained the purpose very well. He then questioned the \$68 million long term liability.

The Manager of Finance and Administration indicated that the \$68 million represents the Sun Life debenture, which is the long term debt of the Authority for the Regional Landfill.

Mr. Payne questioned into which reserve the budget surplus gets added.

The Manager of Finance and Administration indicated that any surplus would get added to the Rate Stabilization Reserve.

Mr. Payne questioned whether there had ever been a withdrawal from the Rate Stabilization Reserve.

The Manager of Finance and Administration indicated that there have been withdrawals from that reserve, for example the last time being in 2009 when the City of Windsor labour disruption created the shortfall in the budget, funds were removed from the Rate Stabilization Reserve.

Mr. Sleiman questioned whether payments to the long term liability are on the principal or the interest.

The Manager of Finance and Administration indicated that the first principal payments to the debt will be in 2013.

Moved by Ed Sleiman
Seconded by Tom Bain
THAT the 2011 Financial Statements and Report be received for information purposes.

--CARRIED UNANIMOUSLY
52-2012

7. WASTE DISPOSAL ISSUES

A) Tender Award – Hauling of Waste and Public Drop Off Bin Hauling

Moved by Tom Bain
Seconded by Ken Anataya
THAT That the Authority accept the Option "D" tender submission from BFI Canada Inc. and authorize the Chair and General Manager to enter into an agreement with BFI Canada Inc. to provide services and equipment for Refuse Hauling and Public Drop Off Area Bin Shuttling at Essex-Windsor Solid Waste Authority Facilities for the period of January 1, 2013 to December 31, 2019. and that the General Manager and Chair enter into an agreement with BFI Canada Inc. for this purpose.

--CARRIED UNANIMOUSLY
53-2012

B) Windsor Disposal Services Contract Extension

Mr. Antaya questioned whether there has been any other contract requests?

The General Manager indicated that there had been no other requests.

Moved by Ken Antaya
Seconded by Ed Sleiman
THAT the Board grant WDS's request for a contract extension for the period of September 1, 2012 to December 31, 2012 for a minimum amount of 7,400 tonnes at a tipping fee of \$28/tonne for refuse delivered directly to the Regional Landfill.

--CARRIED UNANIMOUSLY
54-2012

8. WASTE DIVERSION ISSUES

A) Organics Tour Presentation

The Manager of Waste Diversion presented a slide show related to a June 19 and June 20, 2012 tour of four facilities in South Western Ontario.

Discussion took place to the end product (ie. Compost and residual), what is done with those products and is it cost efficient for operations in comparison to what we are currently doing.

The Manager of Waste Diversion indicated that some of the facilities market their product as a soil amendment or fertilizer.

Mr. Antaya questioned how other municipalities are rolling out these programs?

The Manager of Waste Diversion noted that there are mixed philosophies with regard to implementation. Some municipalities are going with the "take now – sort later" method, and others who are more results driven have a sort program for a more usable end product. There is much to consider before any decision is made.

The General Manager spoke to the cost of constructing a facility. He noted that the cost of the Guelph cost in the area of \$30 million. There is also the additional expense of implementation, collection and processing. He noted that any new waste diversion initiatives will add to the Authority's current \$21 million annual budget. Where it pays to divert waste is that the landfill will last longer.

Mr. Payne added that the environmental impact of diversion is positive as well, and that diversion is simply the right thing to do environmentally. He further noted that the tour of the facilities was very well organized and was informative, and an overall positive experience.

Moved by Hilary Payne

Seconded by Wayne Hurst

THAT the report in the form of the slideshow outlining the Organics processing options in Ontario be received for information purposes.

--CARRIED UNANIMOUSLY

55-2012

9. ANY OTHER BUSINESS

10. DELEGATION

There were no delegations present.

11. IN-CAMERA AGENDA

There was no In-Camera session.

12. BY-LAWS

A) 07-2012 – By-Law to Authorize an Agreement with BFI Canada Inc. for the Hauling of Refuse and Public Drop Off Area Bin Hauling at EWSWA Facilities

Moved by Ed Sleiman

Seconded by Wayne Hurst

THAT By-Law 07-2012 - Being a By-Law to Authorize the execution of an agreement between: the Essex-Windsor Solid Waste Authority and BFI Canada Inc. for the Hauling of Refuse and Public Drop Off Area Bin Hauling, and that this by-law be given three readings and be adopted this 8th day of August 2012.

--CARRIED UNANIMOUSLY
56-2012

B) 08-2012 - Confirmatory By-Law

Moved by Ed Sleiman

Seconded by Wayne Hurst

THAT By-Law 08-2012 - Being a By-Law to confirm the proceedings of the Board of the Essex-Windsor Solid Waste Authority be given three readings and be adopted this 8th day of August, 2012

--CARRIED UNANIMOUSLY
57-2012

13. NEXT MEETING

WEDNESDAY SEPTEMBER 12, 2012 - 4:30 PM - COMMITTEE ROOM C

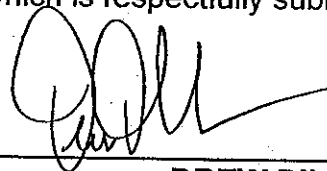
The General Manager noted that he would discuss the September meeting date and agenda items with the Chair and Vice Chair prior to calling the meeting.

14. ADJOURNMENT

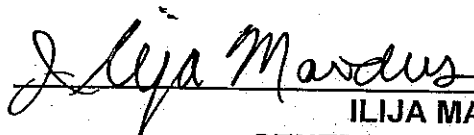
Moved by Ed Sleiman
Seconded by Ken Antaya
THAT the meeting be adjourned at 5:55 PM.

--CARRIED UNANIMOUSLY
58-2012

All of which is respectfully submitted.



DREW DILKENS
CHAIR



ILIJMA MAODUS
GENERAL MANAGER

MINUTES
ESSEX-WINDSOR SOLID WASTE AUTHORITY

Essex County Civic and Education Centre
Meeting Room C
Tuesday October 2, 2012
Regular Meeting Session 4:30 PM
In-Camera Session 4:15 PM

Attendance:

EWSWA Board Members:	Tom Bain	County of Essex
	Ron McDermott	County of Essex
	Ken Antaya (Vice-Chair)	County of Essex
	Alan Halberstadt	City of Windsor
	Ed Sleiman	City of Windsor
	Drew Dilkens (Chair)	City of Windsor
	Hilary Payne (Alternate to Mr. Francis)	City of Windsor
	Bill Marra (Replacing Al Maghnieh)	City of Windsor

Absent:	Ed Francis	City of Windsor
	Wayne Hurst	County of Essex

EWSWA Staff:	Eli Maodus, General Manager
	Michelle Bishop, Manager of Finance and Administration
	Cameron Wright, Manager of Waste Diversion
	Ralph Reiser, Manager of Waste Disposal
	Kate Hebert, Executive Secretary

County of Essex Staff:	Mary Brennan, Clerk / Director of Council Services
	Rob Maisonville, Treasurer / Director of Corporate Services
	Jane Mustac, Manager of Transportation Planning

City of Windsor Staff:	Anne Marie Albidone, Manager of Environmental Services
	Mario Sonogo, City Engineer

Others in Attendance:	Cheryl Hardcastle, Deputy Mayor, Town of Tecumseh
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1. CALL TO ORDER

The Chair called the meeting to order at 4:15 PM.

2. DECLARATION OF PECUNIARY INTEREST

There were no declarations of pecuniary interest.

The Chair noted that City of Windsor Councillor Bill Marra is in attendance today as a new, but returning member of the EWSWA Board. He is replacing Al Maghnieh. He welcomed Mr. Marra back to the Board.

3. IN-CAMERA AGENDA

Moved by Ed Sleiman

Seconded by Ron McDermott

THAT the Authority move into In-Camera Committee of the Whole to discuss a property matter at 4:15 PM.

--CARRIED UNANIMOUSLY
59-2012

Moved by Ron McDermott

Seconded by Bill Marra

THAT the Board move out of the In-Camera session at 4:35 PM

--CARRIED UNANIMOUSLY
62-2012

4. APPROVAL OF MINUTES

A) EWSWA Board Meeting – August 8, 2012

Moved by Ken Antaya

Seconded by Ed Sleiman

THAT the minutes of the EWSWA Board Meeting of August 8, 2012 be adopted.

--CARRIED UNANIMOUSLY
63-2012

The Chair noted that since there were many people in attendance with interest in Item 7C and 8A that the order of business should be changed to address these items first.

7. WASTE DISPOSAL ISSUES

C) Landfill 3 and Parkway Clay Status Update

The General Manager provided timelines for Phase 1 and Phase 2 of the Parkway Clay Project at Landfill 3. He noted that among other benefits the primary benefit for receiving the Parkway Clay is a significant cost savings over time for Windsor, Tecumseh and Lakeshore related to leachate management. Cost savings could amount to \$200,000 annually. Another

significant benefit is the transformation of the closed landfill site into a passive recreation site.

The General Manager noted that Phase 1 of the project is expected to be complete within the next couple of months if not by the end of the year. Upon Ministry of the Environment (MOE) approval, Phase 2, which is approximately 1 million cubic meters of clay, would be carried out from January 2013 to Mid 2014. In August the Board approved administration to enter into an agreement with Amico Infrastructures Inc. to perform the work, conditional upon MOE approval and being able to attain a specific number of cubic meters of clay.

The General Manager proceeded to outline some recent activity with regard to the project.

September 11, 2012 - Town of Lakeshore resolution

During the town's September 11, 2012 council meeting it was resolved as follows: *"That the Ministry of the Environment be requested to not approve future certificates of approval for the disposal of dirt at Landfill site #3 in the Town of Lakeshore, County of Essex until the neighbouring residents' concerns have been addressed."*

September 14, 2012 – Meeting with County Road 25 (Puce Road) residents

A meeting was held at the Essex Civic Centre where Authority administration, Lakeshore administration and Amico representatives met with six County Road 25 residents to hear and discuss their concerns. It should be noted that the meeting was arranged at the request of the residents before the town's September 11 resolution.

September 18, 2012 – Letter from EWSWA General Manager to Town of Lakeshore

A September 18 letter and fact sheet from the Authority General Manager to the Town of Lakeshore responding to the Lakeshore resolution and addressing the concerns raised by the residents at the September 14 meeting.

September 24, 2012 – Received a Letter/Petition, from County Road 25 (Puce Road) residents, dated September 17, 2012

The residents are asking the Authority the following:

- a. That the Authority support Lakeshore's resolution requesting the MOE not to approve the Authority's application to make use of the Parkway clay until the residents' concerns have been addressed.
- b. A moratorium on property taxes.
- c. Compensation for "severe diminishment of quality of life..."

- d. That a committee be struck to negotiate and formalize an agreement to address resident compensation and other related matters.

The General Manager noted that along with the approval procedure through the Ministry of the Environment there is a need for a public information session and open house, at which residents can acquire information and share feedback directly to staff, the contractor and MOE representatives.

Board member Sleiman questioned whether all the complaints were pertaining to dust?

The Manager of Waste Disposal indicated that prior to the project's commencement there were discussions with regard to dust control with the contractor. Since the project has been underway, feedback from residents and municipal staff has indicated that increased dust control may be needed. Dust control involves scraping and sweeping the roads as well as brining. Some other complaints as noted have been related to the conduct of those operating the dump trucks as well as traffic related. The truck drivers have been asked to refrain from unnecessary noise, jake braking and horn honking etc.. The Authority has placed gravel and asphalt at the temporary entrance to reduce the dust. It is not possible to eliminate 100% of the dust at all times.

Board Member Payne questioned if a date was known for the completion of the MOE review.

The General Manager indicated that the preliminary indication from the MOE was that their review could potentially be completed by the end of October.

Board member Payne further questioned whether Phase 2 approval would be postponed until after a public open house has taken place?

The General Manager confirmed.

Board member Halberstadt questioned what the cost savings could be for the municipalities once this clay capping project is complete?

The General Manager indicated that the 3 municipalities who are responsible for the perpetual care of Landfill 3, Windsor, Tecumseh and Lakeshore would see reductions in the cost of hauling and treatment of leachate, which is an ongoing cost of approximately \$400,000 annually. Without the clay that we are considering now, these costs would continue annually until such a time that the full cap has been achieved.

Board member Halberstadt questioned who will pay for the capital works being performed on the site?

The General Manager indicated that the 3 municipalities, Windsor Tecumseh and Lakeshore would be responsible for those expenses.

Board member Marra questioned whether the issues outlined in the report, which resulted from residents feedback would be included in the application to the Ministry of the Environment and if they would be considered when the MOE assesses the application.

The General Manager indicated that all comments received would be submitted to the MOE and that in addition to considering these, they also consider the technical aspects of the project.

Mr. Marra questioned whether the approval would contain conditions.

The General Manager indicated that there could be some conditions, as there are with any certificate of approval.

Board member Antaya raised the issue of quantity of trucks versus trips. He asked for clarification on this issue.

The Manager of Waste Disposal indicated that there are currently between 60 and 80 trucks running the loads of clay every day and those trucks could take up to 8 trips each per 10 hour day, resulting in 640 dump trucks entering Landfill 3 on a daily basis.

Board member Sleiman questioned whether County Rd. 25 was designed to handle the increased traffic.

County of Essex Manager of Transportation Planning, Jane Mustac indicated that County Road 25 (Puce Rd) is designed to manage the increased traffic. The planning capacity is 1000 vehicles per lane per hour, 20% of which are trucks. The addition of the dump truck traffic to the existing traffic levels will not exceed the planning capacity for this road.

Board member Payne expressed concern with having redundant feedback for the Ministry if all the complaints from every venue are submitted. It will appear that there are more complaints than there are actually. If we get the same people submitting the same complaints in 3 or more venues, it could be redundant.

The Chair noted that more forums for residents to express their concerns would only yield peace of mind for them. The Authority will hear and attempt to address any issue that arises.

Board member McDermott questioned if alternate haul routes were considered?

The General Manager indicated that an alternate route has been suggested by some residents.

Board member Bain expressed that alternate routes along other highways and county roads would certainly affect many more properties.

Board member McDermott questioned whether it's an issue of taxation cessation on the matter of residents complaints.

The General Manager indicated that the Authority does not assess nor levy taxes.

Moved by Alan Halberstadt

Seconded by Bill Marra

1. That the Board receive the report pertaining to the Windsor Essex Parkway Project Clay Status Update for information purposes.
2. That any Board decision related to residents' concerns pertaining to compensation be deferred until such time as a Public Open House is held regarding Phase 2 of the project which is contingent on MOE approval.

Board member Halberstadt expressed that this project is the right way to go for the municipalities and the Authority, as long as due diligence is performed and cost analysis is performed prior to making any final decisions.

Board member Bain moved to defer the motion until the delegations have had the opportunity to address the Board.

The Chair noted and followed procedure.

NO VOTE TAKEN

See resolution at the end of the discussion related to Agenda Item 8 (A)

8. DELEGATION

Moved by Tom Bain

Seconded by Ken Antaya

THAT Gary Peck and Dennis Patrick be permitted to address the Board as a delegation.

—CARRIED UNANIMOUSLY

64-2012

A) Puce Rd. (County Rd. 25) Residents RE Landfill 3

The Chair questioned those in attendance if there was anyone else that wanted to address the Board. There were no others in attendance who indicated that they wished to speak to the issue.

The Chair requested that the delegation state his name for the minutes.

Gary Peck, resident of Puce Rd. introduced himself and thanked the Board for allowing his presentation. He further recognised the efforts thus far by the Authority and Amico to mediate some of the issues already discussed at previous meetings but noted there was more to do in order to make the next 2 years of this project tolerable for the people who are most affected by the project, the residents nearest the landfill site.

Mr. Peck indicated that there is a thorough understanding on the part of most if not all of the residents as to why the project is underway and being considered for Phase 2. He noted that the concept is understood well, but the method of undertaking the project was not acceptable. He noted that he received a letter on April 2, 2012 advising of the upcoming work at Landfill #3, however the letter was placed in an unused mailbox and was received without enough notice for residents to prepare for the current Phase 1 being undertaken. Mr. Peck noted that when the Town of Tecumseh was being considered for the Parkway Clay, much notice was provided for residents and there was a meeting prior to any decision on the matter so that they could discuss it as a group. The Town respected the wishes of the residents and turned down the proposed receipt of Parkway Clay. In contrast to that, the residents near Landfill 3 were never given the opportunity to even discuss the matter until the project was already underway. We as a group of residents are not opposed to the project, but we feel that our concerns are not being considered seriously enough. Mr. Peck went on to state that the residents have never said "Not in my back yard".

Mr. Peck raised some issues including the temporary entrance which is directly across the street from his driveway and that of another home. He questioned why the temporary entrance was even needed, as the original entrance was more out of the way of residences and would be a better spot. He noted that if the original entrance, further down the road, was inadequate for the large turning trucks then that entrance should be upgraded. He noted that tanker trucks that haul leachate out of the site use the original entrance without any issue.

Mr. Peck discussed the unsafe driving practices not only of the dump trucks hauling the clay but of the regular traffic as well. The delays created by the trucks are frustrating drivers and they are making unsafe driving decisions. Speeding, no seat belts, cell phone use, unsafe passing are among some of the most serious offences. The reduced speed area is too

small and ineffective. There is a real risk of someone getting seriously injured or killed.

Mr. Peck acknowledged that the project will result in cost savings over time for the municipalities, so surely making sure that the area is safe and tolerable for residents while the project is underway, even if there is a cost to the method, will be worthwhile in the long run and it is the right thing to do. He further noted that a 2 year project is too long to not consider the effects on adjacent properties and residents.

Mr. Peck also raised the issue of the dust control. The gravel and recycled asphalt at the temporary entrance is not a long term solution. The current form(s) of remedy do not last more than a few days then the dusty conditions resume. Another solution will need to be undertaken for this issue.

Other issues are:

- 1) The start and stop times for the truck traffic. It is somewhat better now, but as days go by, trucks are seen and heard still going to and coming from the site well after the 5:00pm stop time as promised.
- 2) Cease using the temporary entrance located across the street from his property.
- 3) No Passing signs are needed.
- 4) The speed limit reduction from 80km/hr to 60/km/hr should extend another 1.5km to the 401, not only for the 1 km stretch of road in the vicinity of the landfill (500 metres in either direction from the landfill).
- 5) Residents should be compensated for the additional expenses they are enduring because of the increased traffic and heavy trucks. The cleaning of their vehicles, driveways and houses is necessary and costs money.
- 6) A moratorium on taxes for the duration of the project. A park that may not be ready or open for several years is not compensation enough for the inconvenience and disruption caused by the project.
- 7) That a committee be formed comprised of resident representatives as well as administration from both EWSWA and Lakeshore. The purpose of the committee would be to address resident compensation.

Mr. Peck thanked the Board for hearing the presentation and asked that they consider these issues before making any further decisions on project.

The Chair requested that the next delegation state his name for the minutes.

Dennis Patrick, resident of Puce Rd. spoke to some issues that he has with the project.

Mr. Patrick informed the Board that he purchased his property for its rural and quiet setting, as his wife has a health issue that is aggravated by excessive noise. When the truck traffic started, it shocked their household as no notice had been received nor had they been consulted about the project like the Town of Tecumseh residents had been. He would have much preferred to see a registered letter and an opportunity to speak to the matter prior to the start.

Mr. Patrick noted that he was in attendance at the September 14 meeting that resulted in the memo from the EWSWA outlining the 7 issues of the residents in attendance. He noted that these notes do not portray a realistic account of what was discussed at that meeting. Among his concerns not noted in the 7 items are:

- 1) Existing truck traffic is worsened by adding the dump truck traffic. Transport trucks looking to dodge the MTO scales route themselves down Puce Rd. creating a compound problem with the dump trucks.
- 2) Some area residents had intended on listing their homes/properties for sale at this time, and now are worried that the traffic situation may hinder the sale process.
- 3) Lack of communication between residents, the municipality, the EWSWA and Amico. The fact that there was no consultation or notice prior to the Phase 1 portion of the project commencing has created an unsettling feeling and lack of trust in the local government.
- 4) Residents' concerns are being ignored selectively. What is being done is the minimum in order to say that something is being done to remediate the concerns. More needs to happen and concerns need to be heard and addressed with real solutions.

Mr. Marra questioned both Mr. Peck and Mr. Patrick as to their thoughts on having a public open house meeting for future proposed Phase 2 and their thoughts on tonight's presentation process as delegations. Are these forums appropriate to address the concerns or what else would you like to see?

Mr. Peck noted that not enough concerns were adequately addressed since the last meeting in September, he hopes that tonight's presentation

before the Board will ensure that concerns are addressed and feels that the open house will be another opportunity to involve the maximum number of people who are affected. He noted that the fact that Phase 2 will not go forward before the Ministry of the Environment acquires the residents feedback is comforting. He restated that the residents aren't opposed to the project as a whole, just asking for courtesy.

Mr. Patrick concurred with Mr. Peck's statements and added that he was pleased with the Board's decision not to vote on the matter until the delegations were heard. He further expressed that he no longer feels that he can trust the municipal government to have the best interest of the residents in mind.

Mr. Bain spoke to the speed issue, saying that the OPP were out doing radar and issued many tickets. He noted that in speaking with the Chief, he will have more patrol cars in that area and on a more consistent basis.

Mr. Patrick expressed concern about the tanker trucks travelling down Puce Rd. in order to by-pass the MTO's scale on 401.

The Chair noted that the Authority would have no power to enforce any traffic violations and that if there is any concern with the trucks safety that the Ministry of Transportation should be advised.

Mr. Halbertstadt suggested that the delegations provide their concerns to the Authority in writing so that they can be accurately documented.

Mr. McDermott noted that the OPP can also be called with regard to any traffic concern. If enough calls are made then surely action will be taken.

Mr. Payne raised the issue of including the residents presented concerns as well as the open house feedback. Will both sets of complaints and feedback be sent to the MOE or will these be consolidated as a single report? Either way they will need to be provided to the MOE.

The General Manager noted that all concerns expressed will be presented to the MOE and they will consider all comments when conducting their review of the Authority's application. There will also be a questionnaire/comment sheet for residents to complete relating to the open house. The information received will be part of what will be sent to the MOE.

The Chair noted that hopefully some of the issues presented today will be addressed before the Public Open House on the matter.

Moved by Bill Marra

Seconded by Alan Halberstadt

THAT the information presented by the delegation be received for information purposes.

--CARRIED UNANIMOUSLY
65-2012

Moved by Bill Marra

Seconded by Ken Antaya

THAT EWSWA Administration communicate with the Town of Lakeshore and request that they send a letter to the Ontario Provincial Police with regard to the dangerous traffic conditions and driver behaviours taking place on County Rd. 25 (Puce Rd.) in the vicinity of Landfill 3.

--CARRIED UNANIMOUSLY
66-2012

Moved by Alan Halberstadt

Seconded by Bill Marra

1. THAT the Board receive the report pertaining to the Windsor Essex Parkway Project Clay Status Update for information purposes.
2. That any Board decision related to residents' concerns pertaining to compensation be deferred until such time as a Public Open House is held regarding Phase 2 of the project which is contingent on MOE approval.

--CARRIED UNANIMOUSLY
67-2012

Bill Marra left the meeting at 5:33PM.

5. BUSINESS ARISING FROM THE MINUTES

- A) Presentation by Dr. Subba Rao Chaganti – University of Windsor – RE: Board Member Alan Halberstadt request for information regarding refuse and ethanol

The Chair called upon Dr. Jerald Lalman, Dr. SubbaRao Chaganti and Dr. Daniel Heath from the Great Lakes Institute for Environmental Research – University of Windsor to speak to their research project and make a presentation with regard to the use of refuse in the production of ethanol.

Dr. Lalman went through the presentation and outlined the research project and grant programs. He also provided an outline of the science behind the production of ethanol from waste. He noted that many countries are using this or similar technology as part of their waste

disposal solution, however their end product is generally another type of gas, not ethanol.

Dr. Lalman further noted that technology exists already in the waste water treatment facility in Windsor. The difference is in the end product.

Board member Halberstadt questioned whether the technology could be applied to the Authority on a pilot scale.

Dr. Lalman noted that there is a potential for a CRD Grant (Collaborative Research and Development Grant) The grants are available for this type of project and an application would have to be made. If approved, the project could look at source separated waste that can be easily fed into the reactor.

Board member Halberstadt questioned what scale that the lab tests have been successful.

Dr. Lalman indicated that the lab has been using a simulated solid waste in small quantities.

Board member Sleiman noted that when he visited the lab at the University of Windsor it was a small operation in comparison to what would be needed for a pilot project. We are talking about a much large scale operation, would it be worth the cost?

Dr. Lalman noted that because the technology is in its infancy and not widespread in North America the cost is definitely greater than the cost of landfilling. It is not certain what the cost would be for a pilot initiative, but certainly the scale would have to accommodate thousands of tonnes of waste to be cost effective.

The Manager of Waste Diversion questioned whether the Seacliff Energy Facility in Leamington was the same science.

Dr. Lalman indicated that the technology is the same, but the end product is different. They are producing hydrogen, the University's technology would produce ethanol.

Board member Halberstadt expressed interest in exploring opportunities for grants.

The General Manager questioned whether a grant had already been awarded to the University of Windsor for this purpose, as noted in the original article on the research team.

Dr. Lalman noted that the reactor that would be required would be much larger than the one that is at the lab. The University is using single component, low value waste that can be converted to ethanol.

The General Manager questioned whether the concept could be applied to the approximately 200,000 tonnes of waste currently being landfilled, in a practical fashion.

Dr. Heath expressed that since landfilling is considered an undesirable method of disposing of waste for the future, the cost of the technology is relative. Technology cost will come down in time as research, such as this research opportunity continues. It is probably not practical financially at this moment in time, but as the cost of land increases in time, the two methods will eventually level out in cost.

Moved by Alan Halberstadt

Seconded by Ed Sleiman

THAT the information presented by Dr. Subba Rao Chaganti be received for information purposes; and

THAT Authority Administration pursue dialogue with regard to the technology and its application to the scale required for a pilot project.

--CARRIED UNANIMOUSLY

68-2012

The Chair thanked Doctors Lalman, Chaganti and Heath for their presentation.

6. CORRESPONDENCE

A) Seacliff Energy Newspaper Article

Moved by Ed Sleiman

Seconded by Ron McDermott

THAT the article pertaining to Seacliff Energy be received for information purposes.

--CARRIED UNANIMOUSLY

69-2012

B) Orgaworld, London Ontario – Report from Blackburn News

Moved by Ed Sleiman

Seconded by Ron McDermott

THAT the article pertaining to Orgaworld be received for information purposes.

--CARRIED UNANIMOUSLY

70-2012

7. WASTE DISPOSAL ISSUES

A) Agreement With Town of Kingsville Fire Department For Use of Landfill 2 Property

Moved by Ed Sleiman

Seconded by Alan Halberstadt

1. THAT the Board authorize the Chair and General Manager to sign an agreement for the period October 1, 2012 – September 30, 2017 with the Town of Kingsville regarding the use, by the Kingsville Fire Department, of the Union Water Supply System water tower which is located on closed Landfill #2 property located in the Town of Kingsville.
2. THAT the Board recommend that the County of Essex enter into the same agreement as a licensor.

**–CARRIED UNANIMOUSLY
71-2012**

B) Regional Landfill Tour – September 13, 2012

Board member Payne expressed that the tour was very informative and provided a thorough overview of operations at the Regional Landfill site. He further expressed that the site seemed to be very well run.

Moved by Ed Sleiman

Seconded by Alan Halberstadt

THAT the report pertaining to the Regional Landfill Tour be received for information purposes.

**–CARRIED UNANIMOUSLY
72-2012**

9. WASTE DIVERSION ISSUES**A) Master Plan Review Recommendation #10 - Reuse Centre Partnerships**

Moved by Alan Halberstadt

Seconded by Tom Bain

1. That the Authority enter into a one year agreement with Goodwill Industries allowing them to establish a Attended Depot Centre at the Essex Windsor Material Recovery Facility located at 3560 North Service Rd.
2. That the Authority pay \$6,495 for the establishment of electricity to the Goodwill Industries Inc. Attended Donation Centre.
3. That all other costs associated with the pilot project be paid by Goodwill Industries Inc.

--CARRIED UNANIMOUSLY

73-2012

B) Master Plan Review Recommendation #2 - Food and Kitchen Waste Composting

Moved by Tom Bain

Seconded by Ken Antaya

THAT the report pertaining to the Master Plan Review Recommendation #2 - Food and Kitchen Waste Composting, be received for information purposes.

--CARRIED UNANIMOUSLY

74-2012

10. FINANCE AND ADMINISTRATION**A) New Collective Agreement CUPE 2974.1 - April 1, 2012 - March 31, 2016**

The General Manager noted that there are 20 union employees working for the Essex-Windsor Solid Waste Authority. He noted that an agreement was reached between the union and their employer, the County of Essex and was presented to County Council at its last meeting. He further noted that the City of Windsor contract expires at the end of 2012 and that there are some City employees that work at the Public Drop Off Depot in Windsor.

Moved by Ed Sleiman
Seconded by Ken Antaya
THAT the report pertaining to the New Collective Agreement for
CUPE 2974.1 be received for information purposes.

-- CARRIED UNANIMOUSLY
75-2012

B) Statement of Legal Accounts

Moved by Ken Antaya
Seconded by Ed Sleiman
THAT the Board approve payment of the outstanding accounts up
to September 12, 2012.

--CARRIED UNANIMOUSLY
76-2012

11. **ANY OTHER BUSINESS**

A) Canadian Waste Sector Conference, Toronto November 12th-14th

The General Manager noted that there is a budgeted \$5,000 for any Board member who wishes to attend conferences. Please read the material and consider if there is interest in attending and we will make the arrangements for you.

Board member Halberstadt noted that since this conference falls during budget time, there probably would not be any staff from administration attending. Is this correct?

The General Manager confirmed.

Moved by Tom Bain
Seconded by Ron McDermott
THAT the information pertaining to the Canadian Waste Sector
Conference be received for information purposes.

--CARRIED UNANIMOUSLY
77-2012

12. BY-LAWS

- A) 09-2012 – By-Law to Authorize the Chair and the General Manager to enter into an agreement with the Town of Kingsville Fire Department

Moved by Tom Bain

Seconded by Ken Antaya

THAT By-Law 09-2012 - Being a By-Law to Authorize the execution of an agreement between: the Essex-Windsor Solid Waste Authority Union Water, The County of Essex and the Town of Kingsville for the use of the property located at the Landfill 2 Water Tower by the Kingsville Fire Department, and that this by-law be given three readings and be adopted this 2nd day of October 2012.

–CARRIED UNANIMOUSLY
78-2012

- B) 10-2012 - Confirmatory By-Law

Moved by Tom Bain

Seconded by Ken Anataya

THAT By-Law 10-2012 - Being a By-Law to confirm the proceedings of the Board of the Essex-Windsor Solid Waste Authority be given three readings and be adopted this 2nd day of October, 2012

–CARRIED UNANIMOUSLY
79-2012

13. NEXT MEETING

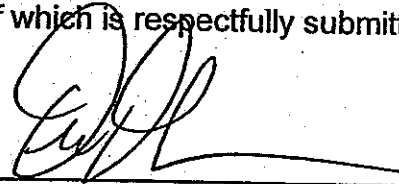
**TUESDAY NOVEMBER 6, 2012 - 4:30 PM - COMMITTEE ROOM C – 2013
BUDGET DELIBERATIONS MEETING**

14. ADJOURNMENT

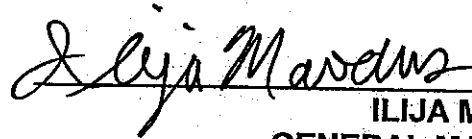
Moved by Alan Halberstadt
Seconded by Ron McDermott
THAT the meeting be adjourned at 6:15 PM.

**-CARRIED UNANIMOUSLY
80-2012**

All of which is respectfully submitted.



**DREW DILKENS
CHAIR**



**ILIJA MAODUS
GENERAL MANAGER**

MINUTES
ESSEX-WINDSOR SOLID WASTE AUTHORITY

Essex County Civic and Education Centre
Meeting Room C
Tuesday November 6, 2012
Regular Meeting Session 4:30 PM

Attendance:

EWSWA Board Members:	Tom Bain	County of Essex
	Ron McDermott	County of Essex
	Ken Antaya (Vice-Chair)	County of Essex
	Wayne Hurst	County of Essex
	Drew Dilkens (Chair)	City of Windsor
	Hilary Payne (Alternate to Mr. Francis)	City of Windsor

By Phone Call:	Bill Marra	City of Windsor
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Absent:	Ed Francis	City of Windsor
	Alan Halberstadt	City of Windsor
	Ed Sleiman	City of Windsor

EWSWA Staff:	Eli Maodus, General Manager
	Michelle Bishop, Manager of Finance and Administration
	Cameron Wright, Manager of Waste Diversion
	Dan Van Horn, Waste Disposal Supervisor
	Kate Hebert, Executive Secretary

County of Essex Staff:	Mary Brennan, Clerk / Director of Council Services
	Rob Maisonville, Treasurer / Director of Corporate Services

City of Windsor Staff:	Anne Marie Albidone, Manager of Environmental Services
	Tony Ardovini, Deputy Treasurer - Financial Planning
	Natasha Couvillon, Manager of Operating Budget and Financial Administration
	Mark Spizzirri, Financial Planning Administrator

Others in Attendance:	Christine Riley, Bondy, Riley, Koski
	Cindy Prince, Amico

1. CALL TO ORDER

The Vice Chair called the meeting to order at 4:35 PM. He noted that the Chair would be in attendance in a few minutes.

2. DECLARATION OF PECUNIARY INTEREST

There were no declarations of pecuniary interest.

The Vice Chair noted that Board member Bill Marra is attending to a personal matter but has joined the meeting via conference call.

3. APPROVAL OF MINUTES**A) EWSWA Board Meeting – October 2, 2012**

Moved by Tom Bain

Seconded by Ron McDermott

THAT the minutes of the EWSWA Board Meeting of October 2, 2012 be adopted.

—CARRIED UNANIMOUSLY
81-2012

Moved by Hilary Payne

Seconded by Wayne Hurst

THAT the In-Camera minutes of the EWSWA Board Meeting of October 2, 2012 be adopted.

—CARRIED UNANIMOUSLY
82-2012

Drew Dilkens arrived at 4:40 PM and assumed the Chair.

4. IN-CAMERA AGENDA

Minutes from October 2, 2012 Meeting were approved under 3(A) above.

5. BUSINESS ARISING FROM THE MINUTES

Moved by Tom Bain

Seconded by Wayne Hurst

THAT the order of business be altered so that the delegations in relation to the Landfill #3 project be permitted to address the Board before the rest of the reports are discussed.

—CARRIED UNANIMOUSLY
83-2012

E) Delegations – Puce Rd. (County Rd. 25) Residents RE Landfill #3 - (The written script from the delegation is attached to the minutes separately)

A group of 4 resident representatives who live in close proximity to Landfill #3, Dennis Patrick, Andrea Rivest, Isabel Chouinard and Gary Peck addressed the Board in relation to their concerns about the Landfill #3 Clay Capping project. Considerable time was taken to provide opinion and interpretation of what they have read in regulatory documents from the time that Landfill #3 was open to the receipt of waste. They further expressed concern for the traffic conditions, noise and dust related to the project. They noted in particular the negative impact on the quality of life that they feel these issues are having on some of the residents of the households on the haul route.

The delegations also noted that they feel ignored by the Board members, municipal representatives and the Authority administration. They are unhappy with the communication process, with the fact that Comment Forms were accepted from people outside of the residents on the Puce Rd. between Hwy. 401 and the Landfill #3 entrance, unhappy with the summary that was provided in addition to the completed Comment Forms and have a general negative view for the project's impact on their existence and day to day activities. They are also concerned with the number of dump trucks that will be involved.

The delegations quoted from the Certificate of Approval that was rescinded when Landfill #3 was closed in 1997. They noted Conditions 29, 35 and 40 which related to the operation conditions of the landfill when it was open to the receipt of waste. These conditions related to berms, line of sight, safety hazards, hours of operation and compensation funds for nuisances.

Matt Reaume a resident of the Town of Lakeshore addressed the Board in relation to his support for the capping project and to encourage the uninterrupted progress of converting the closed landfill site into an asset for the municipality and region as a passive recreation site. He noted that the region has a need for recreation sites, and this huge site is an asset that the municipal government already owns and can transform into something positive for its residents. Not only is it the right thing to do as stewards of the environment, to properly cap and grade the closed landfill site to remediate the years of waste disposal, but the capping of the site would in itself be a means of reducing perpetual care cost with the leachate management from the site. He further cited the benefits of outdoor activity on personal wellness, physical fitness and mental health and noted that this site would be an asset to the community in this respect, once it is developed. He looks forward to a day when he can use the site with friends and family. He further expressed the importance of the opportunity to receive the clay from the Parkway Project at the site at such a reduced span of time compared with the potentially decades of delays

and possibly need to even purchase capping clay if this opportunity had not come forth. He expressed his support for this once in a lifetime opportunity for the area in turning a once desolate site into something useful and positive despite the temporary nuisance to the nearby residents. The conversion of the site into a park would without a doubt add value to nearby properties. Mr. Reaume suggested the need to leverage this asset back into our favour, back into a usable and positive green space for all to enjoy.

The Chair thanked the delegations for their presentations and asked the Board members for questions or comments in relation to their presentations.

Mr. McDermott expressed irritation with the comments made by the delegations that their concerns are being ignored or falling on deaf ears. This is infuriating and offensive as it simply is not true. Administration is making recommendations in their report on this agenda for a committee to be formed and have made efforts to hear and address the concerns of those who have complained. The Board is ensuring due diligence in this area. He further expressed that considering compensation for residents in the vicinity of a construction project would be detrimental to all future municipal projects and would be unfavorable in many ways. He noted that more thorough investigation into the references to a \$25,000 claims fund brought forth by the delegations was necessary as well.

The General Manager noted that the conditions referenced by the delegations were part of the original Certificate of Approval for the active Landfill #3 site. When the site closed to the receipt of waste, those conditions were revoked and new conditions were implemented, in relation to perpetual care, closure and end use plan and monitoring.

Mr. Hurst asked for clarification, noting that when the site closed, the Ministry of the Environment imposed conditions on the Authority for various things. Are we currently in compliance with those conditions at this time?

The General Manager noted that indeed the Authority is in compliance with the conditions of the Certificate of Approval for closed Landfill #3. Among the conditions is a requirement for a biennial report with regard to monitoring and leachate and general compliance with the Certificate of Approval.

Mr. Bain expressed concern for the complaints coming from the residents and noted that their request for some form of compensation should be further investigated prior to making any decision to this matter. He further noted that despite the recommendations and information in the coming reports he is prepared to make a motion at this time with regard to striking a committee to discuss the compensation issue more thoroughly.

Mr. Antaya noted that he cannot support compensation without further investigation and clarification on who would be responsible for the financial components to the compensation. Would it be the Essex-Windsor Solid Waste Authority as we are today or would it be the 3 municipalities that put waste into that site and who are responsible for its perpetual care now. When was the Authority formed?

The General Manager noted that the Essex-Windsor Solid Waste Authority was created in 1994. He suggested that he would recommend that it would be the 3 municipalities, Lakeshore, Tecumseh and Windsor who would be responsible for the perpetual care of the site including any additional expenses if there are any that would arise if compensation amounts were to be payable.

Mr. Antaya questioned Mr. Bain as to whether the Town of Lakeshore has explored the request pertaining to the suspension of taxes?

Mr. Bain noted that the Municipal Act does not allow that type of action with regard to taxes.

Mr. Payne confirmed the statement from Mr. Bain with regard to the Municipal Act in relation to taxation. He noted that municipalities cannot make ad hoc decisions with regard to the tax levy. If a committee is formed to discuss the idea of compensation we will have to ensure that any recommendation is in compliance with legislation and government regulations. Any recommendations should be reviewed thoroughly by the Board and legal council.

Mr. Bain agreed and noted that any recommendations derived from the committee discussions would be brought back to the Board for consideration.

Moved by Tom Bain

Seconded by Ken Antaya

THAT a committee be formed with the goal to **address** the concerns of the residents of Puce Rd. related to the issue of compensation and;

THAT the committee be comprised of 3 resident representatives, Authority representatives and 1 representative from each of the three municipalities responsible for the perpetual care of the site, Town of Tecumseh, Town of Lakeshore and City of Windsor ; and

THAT any recommendation of the committee be brought back to the board for consideration.

NO VOTE TAKEN

Mr. Antaya wanted clarification that we are not committing to nor are we recommending compensation of any kind, and that this committee is simply to have a forum to discuss compensation, is this correct?

The General Manager asked that Mr. Bain could clarify the desired outcome from the proposed motion.

Mr. Bain noted that the committee is going to discuss the concerns relating to compensation. No decisions will be made at the committee level.

The General Manager noted that Report 5(D) on this agenda speaks to the issue of compensation. Administrative contributors to the report, if part of the suggested committee, will most likely be presenting the same position suggesting that compensation not be considered.

Mr. Antaya noted that the committee would at least provide another platform for the residents to express their concerns.

Mr. McDermott noted that the report is written in consultation with municipal administration who already concur that no compensation be considered. Is this just a delay tactic?

Ms. Riley noted that the wording of the motion is misleading, and offered an alternate suggestion for the motion.

Mr. Bain agreed to alter the motion to remove the word "address" and replace it with the word "explore" as long as it was agreed to by the seconder.

Mr. Antaya confirmed that he agreed to the change in wording as long as it was clear that this was a committee to simply allow a platform for residents to discuss compensation in a meeting setting with administration.

Moved by Tom Bain

Seconded by Ken Antaya

THAT a committee be formed with the goal to **explore** the concerns of the residents of Puce Rd. related to the issue of compensation and;

THAT the committee be comprised of 3 resident representatives, Authority representatives and 1 representative from each of the three municipalities responsible for the perpetual care of the site, Town of Tecumseh, Town of Lakeshore and City of Windsor ; and

THAT any recommendation of the committee be brought back to the board for consideration.

—CARRIED UNANIMOUSLY
84-2012

A) Letter – Town of Lakeshore RE Traffic Conditions on County Rd. 25

Moved by Wayne Hurst

Seconded by Ron McDermott

THAT the letter from the Town of Lakeshore RE Traffic Conditions on County Rd. 25 be received for information purposes.

–CARRIED UNANIMOUSLY
85-2012

C) Landfill #3 Public Open House

Moved by Ken Antaya

Seconded by Wayne Hurst

THAT the report pertaining to the Landfill #3 Public Open House be received for information purposes.

–CARRIED UNANIMOUSLY
86-2012

D) Puce Rd. Residents Petition RE Landfill #3 Grading Project and Resolution from Town of Lakeshore

The subject of this report was addressed by the resolution found under agenda item 5(E)

B) Property Value Protection Plan McBeth – 8803 Concession 8 Colchester North

Moved by Wayne Hurst

Seconded by Ron McDermott

THAT the report pertaining to the property located at 8803 Concession 8 in former Colchester North be received for information purposes; and

THAT Administration proceed with the acquisition of the property per EWSWA Board In-Camera Resolution #61-2012 dated October 2, 2012.

–CARRIED UNANIMOUSLY
87-2012

6. CORRESPONDENCE

No Items

7. WASTE DISPOSAL ISSUES

A) Landfill #3 End Use and Letter from Town of Lakeshore

Moved by Tom Bain

Seconded by Wayne Hurst

1. THAT the Authority receive the report pertaining to the Landfill #3 End Use Plan for information purposes.
2. THAT the Authority approve this report being forwarded to the Town of Lakeshore as a response to their letter.

**—CARRIED UNANIMOUSLY
88-2012**

8. DELEGATION

Delegations were heard as part of Agenda Item 5(E).

9. WASTE DIVERSION ISSUES

No Items

10. FINANCE AND ADMINISTRATION**A) 2013 Budget**

Moved by Ken Antaya
Seconded by Wayne Hurst

1. That the Board approve the 2013 budget.
2. That the 2013 budget be recommended to the City of Windsor and the County of Essex for approval by their respective councils.
3. That the City of Windsor and the 7 County of Essex municipalities be allocated \$7,045,000, for the Authorities fixed costs, based on population in accordance with the 2011 census.
4. That the City of Windsor and the 7 County of Essex municipalities be assessed a Total Waste Management Fee of \$32.42 for each tonne of refuse delivered for disposal.
5. That the 2012 and 2013 deficits be funded by the Rate Stabilization reserve.
6. That the attached fee schedule be approved for 2013 and that this fee schedule be recommended to both the City of Windsor and the County of Essex for approval by their councils.

--CARRIED UNANIMOUSLY
89-2012

11. ANY OTHER BUSINESS**A) Letter**

Moved by Tom Bain
Seconded by Ron McDermott

THAT the correspondence received from Taras Natyshak MPP be received for information purposes.

--CARRIED UNANIMOUSLY
90-2012

12. BY-LAWS

A) 11-2012 - Confirmatory By-Law

Moved by Ken Antaya

Seconded by Wayne Hurst

THAT By-Law 11-2012 - Being a By-Law to confirm the proceedings of the Board of the Essex-Windsor Solid Waste Authority be given three readings and be adopted this 6th day of November, 2012

--CARRIED UNANIMOUSLY
91-2012

13. NEXT MEETING

TUESDAY DECEMBER 4, 2012 - 4:30 PM - COMMITTEE ROOM C

14. ADJOURNMENT

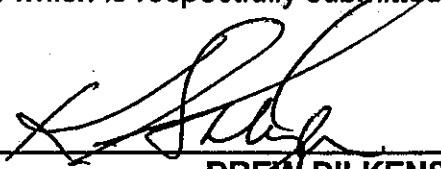
Moved by Wayne Hurst

Seconded by Hilary Payne

THAT the meeting be adjourned at 5:45 PM.

--CARRIED UNANIMOUSLY
92-2012

All of which is respectfully submitted.


KEN ANTAYA
VICE-CHAIR


DREW DILKENS
CHAIR


ILIJA MAODUS
GENERAL MANAGER