

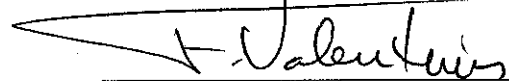
REPORT NO. 129 of the
ENVIRONMENT, TRANSPORTATION & PUBLIC SAFETY
STANDING COMMITTEE
of its meeting held March 20, 2013

Present: **Councillor J. Gignac**
 Councillor A. Halberstadt
 Councillor R. Jones,
 Councillor H. Payne
 Councillor F. Valentinis, Chair

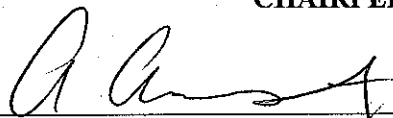
That the following recommendations of the Environment, Transportation and Public Safety Standing Committee **BE APPROVED:**

Moved by Councillor Payne, seconded by Councillor Halberstadt,
THAT the minutes of the Essex-Windsor Solid Waste Authority meeting held December 4, 2012 **BE RECEIVED** for information.
Carried.

Clerk's Note: The minutes of the Essex-Windsor Solid Waste Authority meeting held December 4, 2012 are attached as background information.



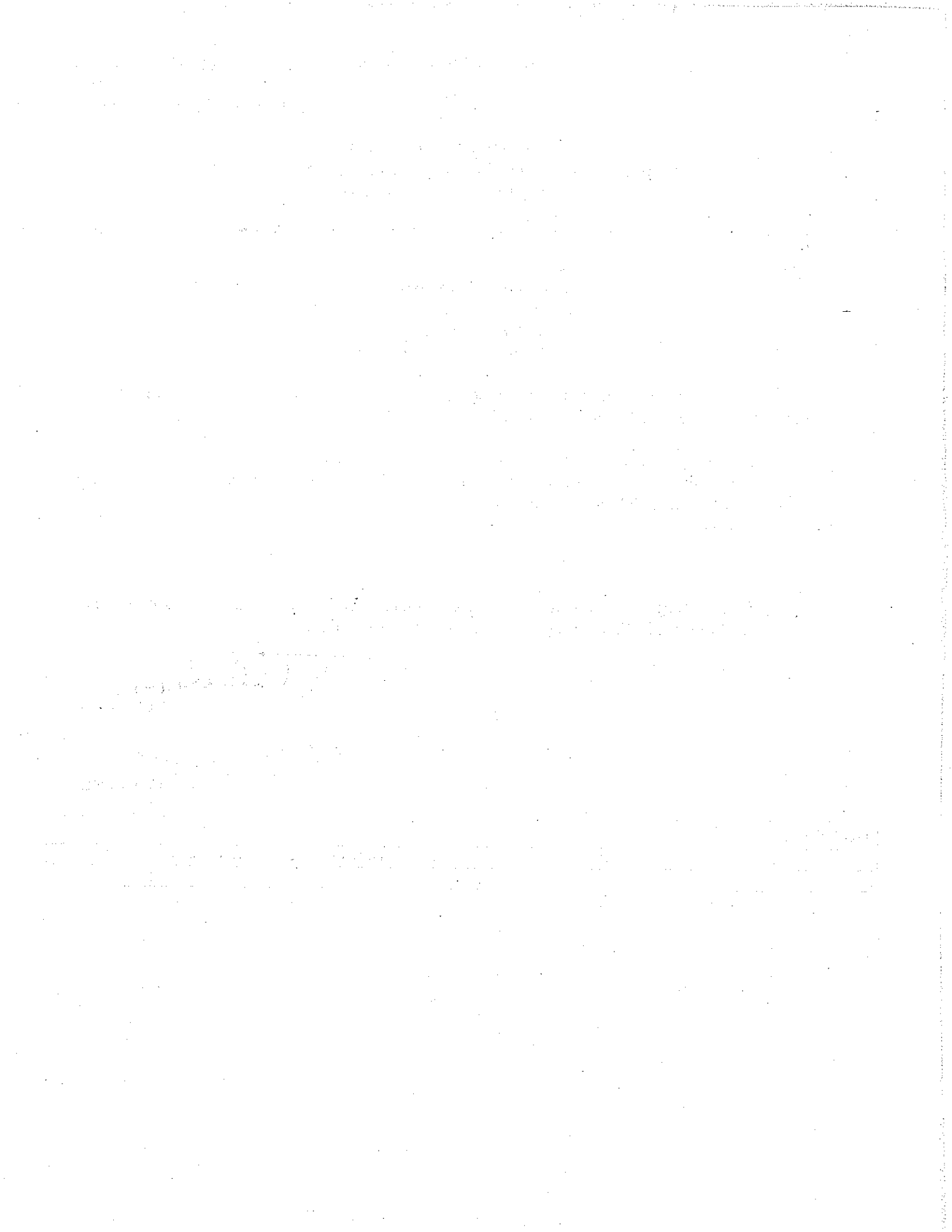
CHAIRPERSON

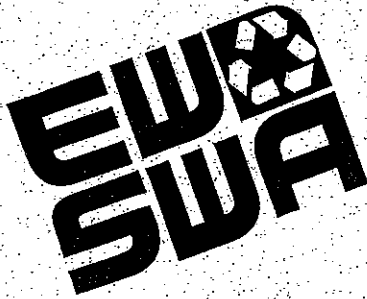


DEPUTY CLERK

NOTIFICATION:

Name	Address	Email Address	Telephone	FAX





ESSEX-WINDSOR SOLID WASTE AUTHORITY
360 Fairview Ave. West, Suite 211 Essex, Ontario N8M 3G4
Tel: (519) 776-6441 Fax: (519) 776-6370 Hotline: 1-800-563-3377
Email: info@ewswa.org Internet: www.ewswa.org

C EG/8335

February 6, 2013

file: EW 2012 - Laserfiche

City of Windsor
Attention: Ms. Valerie Critchley, Clerk
350 City Hall Square West, Room 203,
Windsor ON,
N9A 6S1

Dear Ms. Critchley,

RE: MINUTES OF THE ESSEX-WINDSOR SOLID WASTE AUTHORITY BOARD MEETING

Section 4, paragraph (h) of the Agreement dated May 18, 1994 between the County of Essex and the City of Windsor pertaining to the creation of the Essex-Windsor Solid Waste Authority requires that the minutes of the Authority meetings be circulated in a timely manner to all members of the Authority, and members of City and County Council. In accordance with this provision of the Agreement, please find enclosed a copy of the minutes of the December 4, 2012 meeting for circulation to your Council members.

Please advise us of any action taken by your Council, or questions that might have arisen as a result of the circulation of these minutes.

Sincerely,

Eli Maodus
General Manager

Encl.

CITY OF WINDSOR
COUNCIL SERVICES

FEB 07 2013

RECEIVED



MINUTES
ESSEX-WINDSOR SOLID WASTE AUTHORITY

Essex County Civic and Education Centre
Meeting Room C
Tuesday December 4, 2012
Regular Meeting Session 3:50 PM
In-Camera Meeting Session 3:00 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
	Hilary Payne (Alternate to Mr. Francis)	City of Windsor
	Ed Sleiman	City of Windsor
	Alan Halberstadt	City of Windsor

Absent:	Ed Francis	City of Windsor
	Bill Marra	City of Windsor
	Drew Dilkens (Chair)	City of Windsor

EWSWA Staff:	Eli Maodus, General Manager
	Michelle Bishop, Manager of Finance and Administration
	Cameron Wright, Manager of Waste Diversion
	Katherine 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
	Mark Spizzirri, Financial Planning Administrator

Others in Attendance:	Christine Riley, Bondy, Riley, Koski
	Andrea Rivest, Ad hoc Committee Resident Rep.
	Dennis Patrick, Ad hoc Committee Resident Rep.
	Gary Peck, Ad hoc Committee Resident Rep.
	Dan Diemer, Ad hoc Committee Town of Lakeshore Rep.

5. IN-CAMERA AGENDA

The Vice Chair called the In-Camera meeting to order at 3:00 PM.

Moved By Ron McDermott

Seconded By Tom Bain

THAT the Board move into Closed Session 3:04 PM

--CARRIED UNANIMOUSLY

93-2012

Moved by Tom Bain

Seconded by Ron McDermott

THAT the Board move out of In-Camera session and resume the regular meeting at 3:50 PM.

--CARRIED UNANIMOUSLY

94-2012

1. CALL TO ORDER

The Vice Chair called the meeting to order at 3:50 PM.

2. BOARD COMPOSITION

The Vice-Chair noted that it is Mr. Payne's last meeting for this term and that Cheryl Hardcastle would once again be joining the Board as the County has the fifth member for 2013. Mr. Payne will continue to receive the agendas and is welcome to attend any Board meeting over the course of the year, however not eligible to vote.

3. DECLARATION OF PECUNIARY INTEREST

There were no declarations of pecuniary interest.

4. APPROVAL OF MINUTES

A) EWSWA Board Meeting – November 6, 2012

Moved by Tom Bain

Seconded by Wayne Hurst

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

--CARRIED UNANIMOUSLY

95-2012

6. BUSINESS ARISING FROM THE MINUTES

A) Report from Ad Hoc Committee RE Exploring the issue of compensation for residents in the vicinity of Landfill #3

The Vice Chair invited the Ad Hoc Committee members forward to address the Board and present the discussion from their meeting on November 29.

Representing the Ad Hoc Committee are Andrea Rivest, Gary Peck and Dennis Patrick.

The General Manager noted that the other representatives of the Ad Hoc Committee are Dan Diemer (Lakeshore), Mario Sonogo (Windsor), Dan Piescic (Tecumseh) and himself, who all agreed that Ms. Rivest could present on their behalf.

Ms. Rivest spoke to the report on the agenda, noting that the report was accurate to what took place at the meeting. The Committee met on November 29, 2012 and during that meeting the Ministry of the Environment Environmental Approval Certificate was received. The ECA is an amendment to the 1990 Certificate of Approval. Ms. Rivest also made reference to a meeting with the Windsor office of the Ministry of the Environment during the morning of December 4 at which Condition #35 was discussed. Questions with regard to the interpretation of this ECA amendment arose and were discussed. Among other things was whether Maidstone Against Dumping could be replaced by Puce Rd. Action Committee. The Ministry expressed that as long as resident representation was determined, it was not relevant what the committee called itself. Discussion took place with regard to the 2 kilometer radius around the site as well as with regard to the fund itself and it being set at \$25,000. PAC members questioned whether there could be indexing on the amount to be more reflective of 2012 value and the Ministry responded that indexing was NOT appropriate in this circumstance.

Ms. Rivest continued noting that also at the November 29th meeting PAC presented their proposal for compensation as a lump sum for the 18 residents on the haul route. The PAC group was also looking for some kind of Property Value Protection Plan similar to that which exists for the Regional Landfill for those residents who are looking to sell their properties over the course of the project. Further the PAC group is requesting that additional funds be set aside for extra paid duty police officers as there exists major traffic issue and it is unfair to other Lakeshore residents that only the regular shift of police officers are able to attend to all calls in addition to the calls generated by the Landfill 3 project.

Mr. Patrick added that if no extra paid police officers are allotted, then some area of Lakeshore will suffer the consequences of too few resources for such an added burden for patrol.

Monte Schooley resident of 1109 Puce Rd. discussed his plan to sell his property and the difficulty he now faces due to the Landfill #3 project.

Mr. Bain questioned whether in fact the Ministry of the Environment endorsed the lump sum payments to only certain residents?

Ms. Rivest clarified that the Ministry noted that they were concerned only that the Environmental Approval Certificate be complied with and that the administration of the Conditions were subject to their scrutiny not the awarding of the funds apart from what is stipulated. They are indifferent or silent to the proposal of lump sum payments.

The General Manager clarified that the specific question was pertaining to the haul route residents and whether lump sum payments were endorsed. The Ministry did not comment on this matter as it was a matter for the Authority to consider.

Mr. Halberstadt questioned where the \$40,000 figure comes into play?

The General Manager noted that the \$40,000 was the amount calculated by PAC as the indexed figure stemming from the \$25,000 fund amount stipulated in the ECA. The Ministry noted that indexing of said amount was not appropriate.

Mr. McDermott expressed that adhering to the ECA and related Conditions therein is what is required and the if the Board follows these regulations it will be in compliance. He supports the MOE mandated Conditions and the setting up of the TRC to administer the \$25,000 fund as it is written.

Moved by Hilary Payne

Seconded by Ron McDermott

THAT the EWSWA Administration be requested to report to the Board on the process to be followed in implementing Condition 35 of the Certificate of Approval for Landfill #3 including setting up the necessary appointments to the Technical Review Committee.

--CARRIED UNANIMOUSLY
96-2012

The General Manager noted that typically there is no January EWSWA Board meeting but considering the time sensitive nature of the matters that are pending we will be attempting to schedule a meeting in the first few weeks of January.

7. CORRESPONDENCE**A) Letter –Dwight Duncan, Ministry of Finance RE Municipal Property Assessment Corporation (MPAC) Assessment of Ontario Landfills**

The General Manager spoke to the letter received regarding MPAC assessments. This will impact the Regional Landfill and the taxes we pay on that property. For the Board's information.

Moved by Alan Halberstadt

Seconded by Hilary Payne

THAT the letter pertaining to the MPAC assessment of landfills be received for information purposes.

--CARRIED UNANIMOUSLY
97-2012

8. WASTE DISPOSAL ISSUES**A) Status Report RE Landfill #3 and Windsor Essex Parkway Project**

The General Manager noted that Administration is still in discussions with Amico with regard to establishing the parameters of an agreement for the receipt and placement of a certain quantity of clay at Landfill #3.

Moved by Wayne Hurst

Seconded by Tom Bain

THAT the status report pertaining to Landfill #3 and the Parkway project be received for information purposes.

--CARRIED UNANIMOUSLY
98-2012

B) Regional Landfill Cell 3 North Construction and Cost Status

Mr. Halberstadt noted that the final cost was lower than that which was expected. He questioned how a savings of \$100,000 transpired.

The Manager of Waste Disposal noted that there was a variance in the projected cost for excavation and placement of the infrastructure and what the actual cost was.

Mr. Payne questioned how long Cell 3 North was expected to last.

The Manager of Waste Disposal noted that Cell 3 North is estimated to last approximately 2 years, but when Cell 3 South is developed the life of that half of the cell will be approximately 7 years.

Moved by Ed Sleiman
Seconded by Ron McDermott
THAT the report pertaining to Cell 3 North construction be received
for information purposes.

--CARRIED UNANIMOUSLY
99-2012

9. DELEGATION

- A) Puce Rd. Action Committee (PAC) – Group of Residents who reside in the vicinity of Landfill #3

Delegation Monte Schooley spoke under item 6A.

10. WASTE DIVERSION ISSUES

- A) Follow Up Report – Goodwill Enterprises Inc. – Reuse Centre

Moved by Alan Halberstadt
Seconded by Ed Sleiman
THAT the report pertaining to Goodwill Enterprises Inc. Reuse
Centre be received for information purposes.

--CARRIED UNANIMOUSLY
100-2012

11. FINANCE AND ADMINISTRATION

- A) 2013 Budget Update

The Manager of Finance and Administration noted that the EWSWA budget was presented and approved at County Council on November 21, 2012 and was presented to the City of Windsor Council on December 3, 2012 where it was deferred to December 17, 2012.

Mr. Halberstadt noted that the issue with the City of Windsor Council approval of the EWSWA budget is sustainability of the business model. This issue may arise at the December 17th meeting.

Moved by Hilary Payne
Seconded by Ron McDermott
That the status report pertaining to the 2013 EWSWA Budget be
received for information purposes.

--CARRIED UNANIMOUSLY
101-2012

B) Large Volume Waste Haulers Tipping Fee Brackets

The General Manager spoke to the Large Volume Waste Haulers Tipping Fee Brackets. He noted that discussion with Windsor Disposal Services resulted in a proposal of a 3 year term at the noted rate of \$29/tonne with an optional 4th year at the rate of \$ 30/tonne. It was noted that Recommendation #2 contained a typographical error and that it should read \$29/tonne not \$29/year.

Mr. Halberstadt questioned if this long term agreement was hinging on the rate stipulated?

Moved by Ed Sleiman

Seconded by Hilary Payne

THAT the Board approve amending the amount of tonnes, from 40,001 per year to 35,001 per year, that a large volume waste hauler would have to deliver in order to be eligible for the lowest tipping fee rate.

THAT the Board authorize the Chair and General Manager to sign contract documents with Windsor Disposal Services for the period January 1, 2013 – December 31, 2015 at a tipping fee rate of \$29/tonne for 35,001 tonnes per year with an option for a fourth year at \$30/tonne for 35,001 tonnes.

--CARRIED UNANIMOUSLY

102-2012

12. ANY OTHER BUSINESS

Discussion took place with regard to the budget and the sustainability of a deficit budget. The Board currently approved a 1.5% budget increase but we are currently using the Rate Stabilization Reserve to level out increases to the municipalities. The General Manager noted that this is not a reflection of the actual cost of the program and increases in operational costs exist.

13. BY-LAWS

A) 12-2012 - Confirmatory By-Law

Moved by Hilary Payne

Seconded by Tom Bain

THAT By-Law 12-2012 - 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 4th day of December, 2012

--CARRIED UNANIMOUSLY
103-2012

14. NEXT MEETING

JANUARY 2013- DATE TO BE DETERMINED IN THE NEW YEAR OR AT THE CALL OF THE CHAIR (Election of New Chair and Vice Chair for 2013)

14. ADJOURNMENT

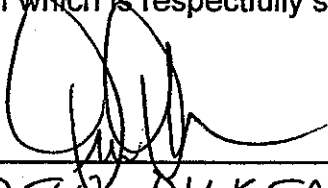
Moved by Tom Bain

Seconded by Ron McDermott

THAT the meeting be adjourned at 4:45 PM.

--CARRIED UNANIMOUSLY
104-2012

All of which is respectfully submitted.



DREW DILKENS
VICE CHAIR



ILJA MAODUS
GENERAL MANAGER

