

Adopted by Council at its meeting held October 6, 2014 [M373-2014]

/AC

Windsor, Ontario October 6, 2014

**REPORT NO. 225** of the  
**ENVIRONMENT, TRANSPORTATION & PUBLIC SAFETY**  
**STANDING COMMITTEE**  
of its meeting held August 27, 2014

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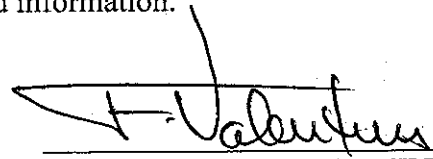
**Present:** Councillor J. Gignac  
Councillor R. Jones  
Councillor H. Payne  
Councillor F. Valentinis, Chair

**Regrets:** Councillor A. Halberstadt

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

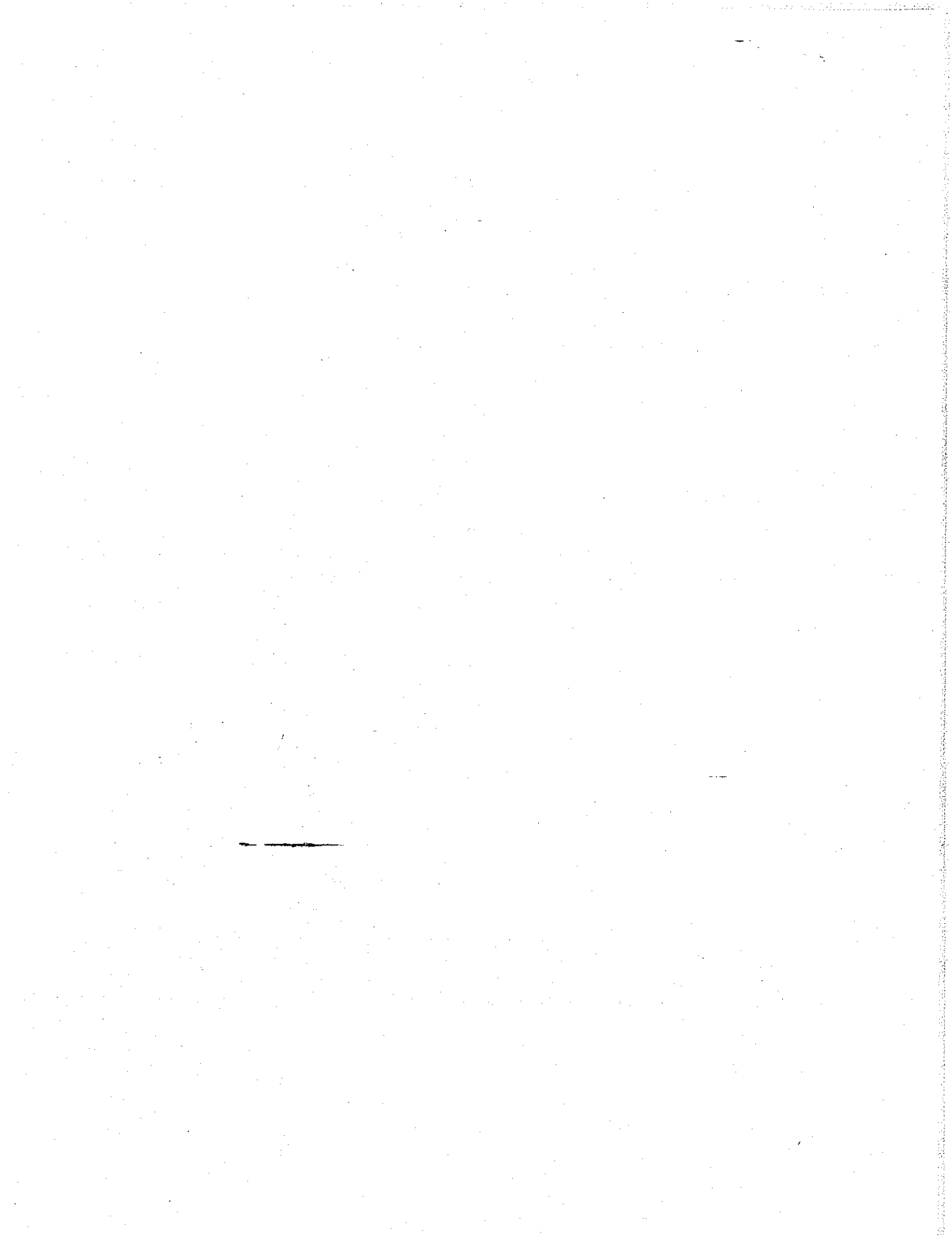
Moved by Councillor Gignac, seconded by Councillor Jones,  
**THAT** the minutes of the Essex-Windsor Solid Waste Authority Board Meeting held May 6, 2014 **BE RECEIVED** for information.  
Carried.

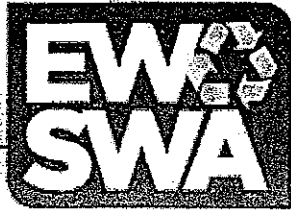
Clerk's Note: The minutes of the Essex-Windsor Solid Waste Authority Board Meeting held May 6, 2014 are attached as background information.

  
\_\_\_\_\_  
CHAIRPERSON

  
\_\_\_\_\_  
SUPERVISOR OF COUNCIL SERVICES (A)

NOTIFICATION:				
Name	Address	Email Address	Phone	FAX





Essex-Windsor Solid Waste Authority  
**Board Meeting Minutes**

**Essex County Civic and Education Centre - Meeting Room C**  
**Tuesday May 6, 2014**  
**Regular Meeting 4:30 PM**

**Attendance**

Board Members:	Tom Bain	County of Essex
Vice Chair	Ron McDermott	County of Essex
	Ken Antaya	County of Essex
	Alan Halberstadt	City of Windsor
Chair	Drew Dilkens	(Alt. to Mayor Francis) City of Windsor
	Hilary Payne	City of Windsor
	Bill Marra	City of Windsor
	Ed Sleiman	City of Windsor
Absent:	Ed Francis	City of Windsor
	Wayne Hurst	County of Essex
EWSWA Staff:	Eli Maodus	General Manager
	Katherine Hebert	Executive Secretary
	Cameron Wright	Manager of Waste Diversion
	Ralph Reiser	Manager of Waste Disposal
County of Essex Staff:	Mary Brennan	Director of Council Services / Clerk
City of Windsor Staff:	Mark Spizzirri	Financial Planning Administrator
	Mario Sonogo	City Engineer
	Anne Marie Albidone	Manager of Environmental Services

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- 1. CALL TO ORDER – 4:30 PM**
- 2. DECLARATION OF PECUNIARY INTEREST**

There were no declarations of pecuniary interest noted.

**3. APPROVAL OF THE MINUTES**

**A) March 13, 2014 EWSWA Board Regular Meeting Minutes**

Moved By Ken Antaya  
Seconded By Tom Bain

THAT the minutes from the Essex-Windsor Solid Waste Authority meeting dated March 13, 2014 be approved and adopted.

**--CARRIED UNANIMOUSLY  
29-2014**

**4. BUSINESS ARISING FROM THE MINUTES**

There was no business arising from the minutes.

**5. CORRESPONDENCE**

There were no correspondence items raised for discussion.

**6. DELEGATION**

There were no delegations present.

**7. WASTE DISPOSAL ISSUES**

**A) Update on Regional Landfill Methane and Electricity**

Mr. Sleiman questioned whether there was a way to 'couple' two energy programs (like solar and landfill gas) at one site to accelerate the approval process for the Authority's Regional Landfill.

The General Manager indicated that the two energy types are proposed for 2 separate Authority locations, namely closed Landfill #3 (solar) and the Regional Landfill (methane gas) and thus could not be 'piggy-backed' due to distance between the two locations.

Moved By Ed Sleiman  
Seconded By Ken Antaya

1. THAT the Board receive the update pertaining to the Regional Landfill Methane and Electricity; and
2. THAT the Authority authorize administration to examine the feasibility and viability of establishing a photovoltaic (solar) system at closed Landfill #3 under Ontario Power Authority's Large Renewable Procurement program.

--CARRIED UNANIMOUSLY  
30-2014

B) Tender Award for Cleaning and Flushing of the Landfill Leachate Collection Systems 2014

Mr. Antaya took note of the great variance in the two price quotes received for the tender. He questioned if this is a typical occurrence.

The Manager of Waste Disposal indicated that historically the bids received by the Authority have been consistent with the spread in prices shown this year. There have been several contracts for this particular job, that the Authority has received bids from these two contractors only. The low bid contractor has been performing the contract for several years at a similar price point. Although the Authority contacts several contractors directly, and uses the internet to solicit bids, the Authority continues to see only a few contractors submitting price quotes.

Moved By Ed Sleiman  
Seconded By Ken Antaya

THAT the tender price of \$74,400 excluding HST, submitted by Benko Sewer Service for the Cleaning and Flushing of the Leachate Collection Systems be accepted by the Authority.

--CARRIED UNANIMOUSLY  
31-2014

C) Tender Award to Acquire Two Front End Loaders

Mr. McDermott asked for clarification on the \$5.69 hourly rate in the table in the table on page 15 of the agenda as it relates to the recommendation to continue to budget for the higher \$9.41/hour amount.

The Manager of Waste Disposal indicated that in maintaining the higher budgeted amount the Authority will be well covered for incidental repair and maintenance not covered by the service contract. This is supported by the historical costs for maintenance. Since the front end loader tends to be a low service machine, it makes sense to exercise the option of a reduced service contract and maintain a contingency.

Mr. Halberstadt suggested that it seems as though the table indicates that Nortrax has the better service contract price. Can we discuss this further?

Discussion took place with regard to the idea behind the service contract levels and durations as they relate to the equipment and contractors. It was noted that the successful contractor will provide both the piece of equipment and the service contract.

Mr. Sleiman questioned whether leasing the equipment was considered.

The General Manager indicated that leasing was not considered as the lease versus buy decision has been considered in previous years. It has not been deemed economical to lease equipment when the option to purchase is available.

Moved By Hilary Payne

Seconded By Ron McDermott

1. That the Board approve the acquisition of a 930K Caterpillar as supplied by Toromont CAT at a cost of \$186,860.48 plus applicable taxes.
2. That the Board approve a mid-range 7 year service contract at a pre-tax cost of \$5.69 per hour for the Caterpillar 930K as supplied by Toromont CAT.
3. That the Board approve maintaining the Repairs and Maintenance budget line item for the 930K at the historical rate of \$9.41 per hour.
4. That the Board approve the acquisition of a 244J Deere as supplied by McGrail Farm Equipment at a cost of \$85,549.30 plus applicable taxes.
5. That the Board approve a Comprehensive 5 year service contract at a pre-tax cost of \$6.00 per hour the 244J Deere as supplied by McGrail Farm Equipment.

--CARRIED UNANIMOUSLY  
32-2014

8. **WASTE DIVERSION ISSUES**

A) Results of the Tender for the Grinding and Hauling of Organics Re-Issue

Mr. Sleiman questioned whether the price was an annual amount or the cost for the entire contract.

The General Manager indicated that the price listed is the annual price, and it is based on historical tonnes. The actual amount annually will differ according to the actual tonnes.

Mr. Marra noted the increased cost was higher than that which was in the budget. How will this be mitigated?

The General Manager indicated that since the actual cost is based on volume of grinding, the Board can be kept abreast of the budget implication as time passes.

Moved By Tom Bain

Seconded By Ron McDermott

THAT the Authority award the tender for the provision of equipment and labour for the term May 12, 2014 to June 2, 2018 with the option for an extension for up to two years at the Authority's discretion for the processing and hauling of organic waste in Essex-Windsor to the Windsor Disposal services in accordance with its tender submitted on April 23, 2014.

—CARRIED UNANIMOUSLY  
33-2014

B) Results of the MHSW Tender Re-Issue

Moved By ~~Bill Marra~~

Seconded By Ken Antaya

THAT the Authority award the MHSW tender to Buckham Transport for the provision of labour and equipment for the operation of the municipal hazardous and special waste program in Essex-Windsor as per the terms and conditions contained in their tender submission dated February 27, 2014 for the period May 12, 2014 to March 31, 2017 with an option at the Authority's discretion for an extension for any period up to two years.

—CARRIED UNANIMOUSLY  
34-2014

C) Municipal Recycling – Report on Resolution

Mr. McDermott questioned whether Administration is following up with the municipalities that have not responded favourably as of yet?

The Manager of Waste Diversion indicated that the municipalities that have not yet dealt with the issue, have indicated that they intend to do so within the next couple of months.

Mr McDermott expressed that the municipalities seem to be responding slowly to a fairly simple request.

Moved By Ed Sleiman  
Seconded By Tom Bain

THAT the Board receive the report pertaining to the Municipal Recycling resolutions as information.

--CARRIED UNANIMOUSLY  
35-2014

D) Notice of June 8, 2014 Open House at Windsor Recycling Centre

Moved By Ken Antaya  
Seconded By Ed Sleiman

THAT the Board receive the report pertaining to the EWSWA Open House scheduled for June 8, 2014 as information.

--CARRIED UNANIMOUSLY  
36-2014

E) 2013 Waste Diversion Report

Discussion took place with regard to the report and the cost of the recycling program in relation to the revenue generated by the sale of materials.

Mr. Payne questioned in relation to other municipalities where does the EWSWA rank with regard to cost of operations and sale of goods.

The General Manager indicated that according to Waste Diversion Ontario (WDO) EWSWA is typically among the lowest cost program in the province. Comparatively, the basket of goods that is offered by the EWSWA fetches some of the highest prices in the province.



Mr. Payne questioned whether there was something that the Authority could do to decrease the gap between cost and revenue.

The General Manager indicated that there are a few things to consider in reducing costs or increasing revenue. Reducing costs can be done by privatization of services, which has already taken place. Revenue is earned on the sale of the recyclable materials. Marketing the materials for the best price and keeping the streams clean are ways to get the best price for the goods. This comes from public education, and marketing to participants. Additionally there is a province wide request for more funding from the stewards. An arbitration process is underway at this time. The Stewards have committed to pay for 50% of the net cost of the program, but actually are paying less than that. The Provincial Government tabled legislation suggesting that industry funds 100% of the net cost of the recycling programs.

Mr. Payne questioned how the Authority is dealing with the issue of contamination in the recycling stream.

The Manager of Waste Diversion indicated that there are three lines of defence: The Resident - (Public education, advertising, desire and will to participate optimally etc.) The Driver (Productivity schedule can deter attention to detail as it relates to cross contamination or co-mingled boxes.) The Facility (Sorters, separating and segregating contaminants out of the stream, second chance pass of the residual to capture more material.) He further noted that the challenge currently facing the sorters is with plastic bags. People attempting to sort or neatly and easily store their recycling are using bags, and this causes increased labour or increase residual and the possibility of bags getting caught up in machinery and causing breakdowns.

The Manager of Waste Diversion noted that in order to maintain the good reputation that the Authority has with buyers, it must maintain a quality end product. Domestic buyers have high standards for quality.

Mr. Halberstadt questioned whether the 2012 and 2013 trend of decreased diversion rates can be reversed. Is there a way to better our position without increasing the cost to the program?

The Manager of Waste Diversion indicated that the diversion percentage is calculated on tonnage versus volume. Industry has been responding to environmental concerns by lightweighting products and packaging. Unfortunately the method for calculating the diversion rate is by using the tonnage figures. This is not accurate to portray the increased participation by piece or volume. Also materials continue to change, and become more difficult to recycle. All of these factors combine to create a difficult situation for municipalities.

Moved By Tom Bain

Seconded By Ed Sleiman

THAT the Board receive the cover report pertaining to the Waste Diversion report as information.

--CARRIED UNANIMOUSLY  
37-2014

F) January to March 2014 Recycling Revenue

Moved By Bill Marra

Seconded By Ed Sleiman

THAT the Board receive the report pertaining to the January to March 2014 Recycling Revenue as information.

--CARRIED UNANIMOUSLY  
38-2014

9. **FINANCE AND ADMINISTRATION**

A) Update on Soliciting Industrial Commercial Institutional Refuse and Related Revenue

Mr. Halberstadt questioned the responses thus far and the realistic analysis of whether there will be any increased revenue from these sources.

The General Manager discussed the probability of the 47 letters sent to local businesses amounting to any increased revenue. The amounts hauled by the remaining former customers is so small in relation to the large amount of revenue the Authority is seeking from them. It is not really a realistic undertaking. In general there is simply less waste being generated in the region. Some is being exported, some is going to private landfills, but mostly as a society we are simply producing less waste. This can be attributed in part to a decline in the economy, closures of businesses and industry etc. The next step is advertising, and seeking to acquire new customers. It is anticipated the prognosis will not be favourable regardless of efforts unless there is a sudden change in legislation or a random windfall of waste.

Discussion took place with regard to the Rate Stabilization Reserve and the impact that the budgetary decisions of 2014 will have on the tipping fee should this revenue undertaking fall short.

Mr. Antaya expressed that he is not confident of getting any contracts, by the looks of things the chances are very remote. The \$300,000 lacking in revenue that was added to the budget in order to freeze the tipping fee, in addition to the

deficit in certain recent contracts are going to seriously impact future budgets. The Authority members have a responsibility to the ratepayers and this would be a misuse of the Rate Stabilization Reserve. Budget deficits are not supposed to be funded through reserves. This cannot continue to be downloaded into the future.

Moved By Ed Sleiman  
Seconded By Tom Bain

THAT the Board receive the report pertaining to the ICI Waste update as information.

--CARRIED UNANIMOUSLY  
39-2014

B) Summary of Legal Accounts

Moved By Bill Marra  
Seconded By Ron McDermott

THAT the legal invoices be paid for the period up to May 6, 2014.

--CARRIED UNANIMOUSLY  
40-2014

10. ANY OTHER BUSINESS

Landfill #3

Mr. Bain questioned the existence of the Closure and End Use Plan for Landfill #3. He noted that passive uses were discussed and the Lakeshore council is asking for consideration of placement of the clay with some regard to the future recreation project.

The General Manager indicated that Administration can bring a report forth to this regard, but noted that the current clay capping undertaking must be completed without consideration of a recreation site at this time. The short answer is that time is needed for settling and stabilization of the capped site. Unfortunately, this cannot be a concurrent project.

### Regional Landfill Lifespan

Mr. Sleiman questioned the current anticipated lifespan of the Regional Landfill.

The General Manager noted that the life of the landfill is calculated with the consideration of airspace available. The original design plan contemplated 244,000 tonnes of waste per year. Anticipated tonnage for 2014 is 160,000-170,000 tonnes. The site originally was intended for 25 years, but may carry on for 40 years or so from the 1997 opening date.

### Landfill #3 Technical Review Committee

Mr. Halberstadt questioned the status of the TRC and the claims for compensation.

The General Manager noted that the TRC set a May 15, 2014 cutoff date for the submission of any claims pertaining to 2012 or 2013. The Committee has not yet reviewed all the claims, as they are still trickling in from time to time. There are now a total of 63 claims to date pertaining to 2012 and 2013, some of these being multiple claims per household and per person. The amount that is available to address these claims is up to \$25,000 for 2012 and \$25,000 for 2013.

## 11. BY-LAWS

### A) By-Law 5-2014 Being a By-Law to Confirm the Proceedings of the Board of the Essex-Windsor Solid Waste Authority

Moved By Ed Sleiman

Seconded By Alan Halberstadt

THAT By-Law 5-2014 - 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 6<sup>th</sup> day of May 2014.

--CARRIED UNANIMOUSLY  
41-2014

B) By-Law 6-2014 Being a By-Law to Authorize the Execution of an Agreement with Windsor Disposal Services For the Grinding and Hauling of Organics

Moved By Ed Sleiman

Seconded By Alan Halberstadt

THAT By-Law 6-2014 - Being a By-Law to Authorize the Execution of an Agreement with Windsor Disposal Services For the Grinding and Hauling of Organics be given three readings and be adopted this 6<sup>th</sup> day of May 2014.

--CARRIED UNANIMOUSLY  
42-2014

C) By-Law 7-2014 Being a By-Law to Authorize the Execution of an Agreement with Benko Sewer Services for the Cleaning and Flushing of the Leachate Collection System

Moved By Ed Sleiman

Seconded By Alan Halberstadt

THAT By-Law 7-2014 - Being a By-Law to Authorize the Execution of an Agreement with Benko Sewer Services for the Cleaning and Flushing of the Leachate Collection System be given three readings and be adopted this 6<sup>th</sup> day of May 2014.

--CARRIED UNANIMOUSLY  
43-2014

D) By-Law 8-2014 Being a By-Law to Authorize the Execution of an Agreement with Buckham Transport for the Provision of Labour and Equipment for the Disposal of MHSW at EWSWA Facilities

Moved By Ed Sleiman

Seconded By Alan Halberstadt

THAT By-Law 8-2014 - Being a By-Law to Authorize the Execution of an Agreement with Buckham Transport for the Provision of Labour and Equipment for the Disposal of MHSW at EWSWA Facilities be given three readings and be adopted this 6<sup>th</sup> day of May 2014.

--CARRIED UNANIMOUSLY  
44-2014

12. NEXT MEETING

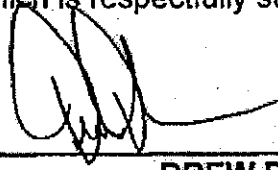
*NEXT MEETING: JUNE 3, 2014*

13. ADJOURNMENT

Moved By Ken Antaya  
Seconded By Alan Halberstadt  
THAT the Board stand adjourned at 5:45 PM.

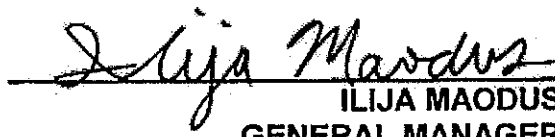
--CARRIED UNANIMOUSLY  
45-2014

All of which is respectfully submitted.



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DREW DILKENS  
CHAIR



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ILIJMAODUS  
GENERAL MANAGER