

Adopted by Council at its meeting held September 21, 2015 [M395-2015]

/AC

Windsor, Ontario September 21, 2015

**REPORT NO. 294 of the
ENVIRONMENT, TRANSPORTATION & PUBLIC SAFETY
STANDING COMMITTEE**
of its meeting held August 26, 2015


Present: Councillor Fred Francis
Councillor Chris Holt
Councillor Hilary Payne (Vice Chair)
Councillor Paul Borrelli

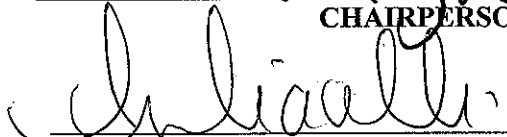
Regrets: Councillor Bill Marra

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

Moved by Councillor Francis, seconded by Councillor Borrelli,
That the minutes of the Essex-Windsor Solid Waste Authority Regular Board Meeting held May 5, 2015 **BE RECEIVED** for information.
Carried.

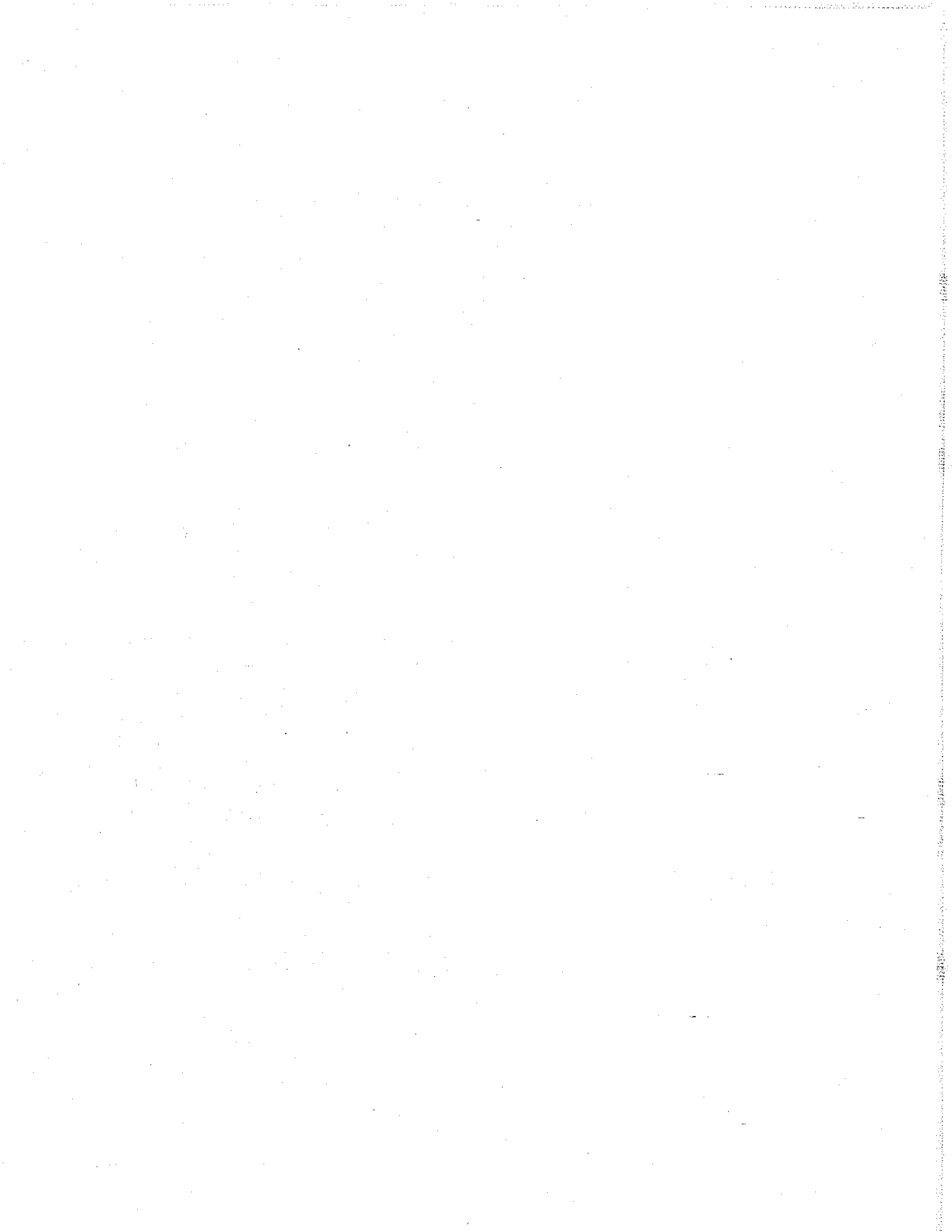
Clerk's Note: The minutes of the Essex-Windsor Solid Waste Authority Regular Board Meeting held May 5, 2015 are attached as background information.



CHAIRPERSON


SUPERVISOR OF COUNCIL SERVICES

NOTIFICATION:	
NAME	CONTACT INFORMATION





Essex-Windsor Solid Waste Authority Regular Board Meeting Minutes

Meeting Date: Tuesday, May 05, 2015
Time: 4:30PM
Location: Essex County Civic and Education Centre – Meeting Room C
360 Fairview Avenue West, Essex Ontario

Attendance:

Board Members:	Ken Antaya	County of Essex
Chair	Ron McDermott	County of Essex
	Aldo DiCarlo	County of Essex
	Hilda MacDonald	County of Essex
	Tom Bain	(Ex-Officio) County of Essex
	Rino Bortolin	City of Windsor
	Fred Francis	City of Windsor
	Ed Sleiman	City of Windsor
Vice Chair	Hilary Payne	City of Windsor
Absent:	Drew Dilkens	(Ex-Officio) City of Windsor
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:	Anne Marie Albidone	Manager of Environmental Services
	Natasha Couvillon	Manager of Performance Measurement & Financial Administration
	Michael Dennis	Financial Planning Administrator

1. In-Camera Agenda

Moved By Rino Bortolin

Seconded By Ed Sleiman

THAT the Board move into an In-Camera session as permitted under the Municipal Act 2001 "Section 239(2) (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board,".

-Carried Unanimously
25-2015

Moved By Ed Sleiman
Seconded By Fred Francis

THAT the Board receive the report from the General Manager, as information.

**-Carried Unanimously
26-2015**

Moved By Tom Bain
Seconded By Hilary Payne

THAT the Board move out of the In-Camera session at 4:27 PM.

**-Carried Unanimously
27-2015**

2. Call to Order

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

3. Declaration of Pecuniary Interest

The Chair called for any declarations of pecuniary interest and none were noted. He further expressed that should a conflict of a pecuniary nature or other arise at any time during the course of the meeting that it would be noted at that time.

4. Approval of the Minutes

A) March 3, 2015 Regular Meeting Minutes

Moved By Tom Bain
Seconded By Ed Sleiman

THAT the Minutes from the Essex-Windsor Solid Waste Authority regular meeting, dated March 3, 2015 be approved and adopted.

**-Carried Unanimously
28-2015**

B) March 3, 2015 In-Camera Meeting Minutes

Moved By Hilda MacDonald

Seconded By Ken Antaya

THAT the Minutes from the Essex-Windsor Solid Waste Authority In-Camera meeting, dated March 3, 2015 be approved and adopted.

**-Carried Unanimously
29-2015**

5. Business Arising From the Minutes

There was no business arising from the minutes.

6. Correspondence

A) Letter from AMO President and Town of Tecumseh Mayor, Gary McNamara to the Honourable Glen Murray, Minister of the Environment and Climate Change

The General Manager provided some background to the letter addressing the issue of extended producer responsibility. He noted that with the 2014 election, a bill to amend the Waste Reduction Act died while in committee. This letter is meant as support for the reintroduction of a similar bill in 2015.

Moved By Rino Bortolin

Seconded By Ken Antaya

THAT the Correspondence from the County of Essex relating to the EWSWA Budget Approval be received as information.

**-Carried Unanimously
30-2015**

7. Delegation

There were no delegations present.

8. Finance and Administration

A) Reserve Investment Policy EW-009 Revision

The Manager of Finance and Administration noted that the purpose of the report before the Board was to request approval of the proposed revisions of the existing Policy EW-009 with the goal of making the criteria for investing more comparable with the policies for the City of Windsor and the County of Essex while remaining in compliance with existing legislation. She further noted that the policy was last reviewed in 1999.

Mr. Payne questioned what interest rate the Authority is earning on their accounts.

The Manager of Finance and Administration noted that the rate is 1.5%.

Mr. Payne followed up questioning whether that was the best possible rate obtainable?

The Manager of Finance and Administration noted that it is uncertain at this time whether that is the best rate obtainable, and that is partly the motivation for the revision of the existing policy.

Moved By Tom Bain

Seconded By Aldo Dicarlo

THAT the Board approve the revised Reserve Investment Policy EW-009 as presented.

**-Carried Unanimously
31-2015**

B) Status Report RE EWSWA Budget Approval

The Manager of Finance and Administration noted that all the necessary approvals have been received for the 2015 EWSWA Budget.

Moved By Fred Francis

Seconded By Hilda MacDonald

THAT the Board receive the Report pertaining to the status of the 2015 EWSWA Budget approval as information.

**-Carried Unanimously
32-2015**

C) 2014 Financial Statement and Auditors' Report

The Manager of Finance and Administration discussed the detail of the 2014 Auditors' audit report noting in particular that the Authority was issued a 'clear' or 'unmodified' opinion, meaning the statements present fairly the financial position of the Authority as at December 31, 2014.

The Manager of Finance and Administration highlighted some notable items from the report including the summary of reserve funds totalling \$47 Million. Included in the figure is the Rate Stabilization Reserve balance of \$11.5 Million. This is the reserve that the Authority is using in the ten year forecast to moderate large annual increases to the City of Windsor and the seven County municipalities. The Accumulated Deficit (which is comparable to the term Net Worth) of the Authority is calculated by taking the total of the net capital and reserves and subtracting the long term debt and Regional Landfill post closure costs. The Authority has an accumulated deficit of (\$4.3M) due to the long term debt of \$67 million, but should move into a positive position in future years as principal payments are made.

The Manager of Finance and Administration further noted a positive figure in the 2014 operating numbers. The Authority's 2014 Budget included a \$1 million dollar deficit that was to be funded through the Rate Stabilization Reserve. This figure was revised to (\$377,000) during the 2015 budget process primarily due to a large increase in Stewardship Ontario Blue Box funding and additional waste from the ICI sector. In the fourth quarter, additional revenue as well as lower than projected expenditures, resulted in an additional \$565,000 savings for the Authority. A total operating surplus of \$187,000 was achieved in 2014. This surplus has been transferred to the Rate Stabilization Reserve to be used for future needs.

Mr. Sleiman questioned the \$67 million debenture balance. He wanted clarification on the payments.

The Manager of Finance and Administration noted that the Authority makes Principal and Interest payments regularly on the balance of the debenture. It is scheduled that the final payment to this loan will be made in 2031 bringing the balance to zero.

Mr. Payne questioned what the financial position of the Authority would be if it dissolved as of today?

The Manager of Finance and Administration noted that the Authority's partners (being the City of Windsor and County of Essex) would assume the liability balance which would be calculated as Assets less Liabilities (debentures, reserves, equipment, etc.) plus the ongoing perpetual care costs of the Regional Landfill. At this point in time, without providing a figure, it is certainly a deficit position for the Authority.

The General Manager indicated that it should be noted that in addition to the deficit position that would exist if the Authority dissolved, there would also still be the need to administer the area's waste in some way at some cost.

Moved By Fred Francis
Seconded By Ken Antaya

THAT the Board approve the report pertaining to the 2014 financial statements and associated auditors' report.

**-Carried Unanimously
33-2015**

D) Summary of Legal Accounts

Moved By Tom Bain
Seconded By Fred Francis

THAT the Board approve the payment of all outstanding legal invoices on the statement presented.

**-Carried Unanimously
34-2015**

9. Waste Disposal Issues

A) Regional Landfill Saturday Operating Hours

The Manager of Waste Disposal provided some background and rationale on making the reduction to the operating hours for Saturdays at the Regional Landfill site. As noted in the report the Authority is reducing the Saturday hours by 2 hours (to 9AM-1PM) by opening an hour later and closing an hour early. The new hours will take effect July 4, 2015. A reduction in operational costs associated with the reduced hours will result in approximately \$15,000 savings for the Authority over one year. There will be little or no expected impact for customers. The change in the site hours will also impact the hours at the public drop off on site located at the Regional Landfill.

Moved By Ed Sleiman
Seconded By Rino Bortolin

THAT the Board receive the information presented in the report regarding the Regional Landfill Saturday Operating Hours.

**-Carried Unanimously
35-2015**

B) Tender for the Construction of Cell 4 North of the Regional Landfill – Award of the Contract

The Manager of Waste Disposal discussed the report and the procedure that was undertaken in acquiring bids. The tender was advertised in the Windsor Star, distributed to a list of potential contractors, listed on the websites Merx, Biddingo and the EWSWA website as well as advertised with the Windsor Construction Association and the London and District Construction Association. A total of 5 companies submitted bids for the construction of Cell 4 North. Based on the review of the unit rates provided by the contractors, the wide range in the submitted tenders total tender costs is mainly associated with the variable rates for the larger tasks of the tender, (i.e. earth excavation for the cell and pond, sand management, geotextile, drainage gravel, pump station, forcemain and litter fence). SLR Contracting Group Inc. provided lower bid rates for these larger tasks of the project and as such presented the lowest bid for the entire tender.

It should be noted that SLR Contracting Group Inc. is familiar with the site and had previously completed the construction of Cell 3 North in 2012. The project will be funded from the Authority's 2015 Capital Budget estimated a cost of \$6,100,000 for the construction and development of Cell 4 North.

Mr. Antaya questioned whether the Authority was pleased with the work previously performed by SLR?

The Manager of Waste Disposal indicated that the Authority was satisfied with their previous work.

Mr. Payne questioned whether there were concerns that the lowest bid was so much lower than the other bids received?

The Manager of Waste Disposal indicated that the contractor's bid was verified and having previously performed the construction of Cell 3 North they had a good feel as to what was required and what their costs would be.

Moved By Ken Antaya

Seconded By Aldo Dicarlo

THAT the Board accept the low tender price in the amount of \$6,022,157 including HST, which was submitted by SLR Contracting Group Inc. and;
THAT the Chair and General Manager be authorized to enter into an agreement with SLR Contracting Group Inc. for the construction of Cell 4 North at the Essex-Windsor Regional Landfill in accordance with the tender documents.

**-Carried Unanimously
36-2015**

10. Waste Diversion Issues

A) 2014 Waste Diversion Report

The General Manager noted that the Manager of Waste Diversion would speak to the report.

The Manager of Waste Diversion provided a synopsis of the report. He noted that overall, the Essex-Windsor region's diversion rate is improved by a percentage point over the previous year. This is attributed to better participation in programs. He pointed out that the recycling residual levels are increasing as well, as noted on page 3 of the report. This indicates a need for increased education/advertising so that participants in the program can place accepted materials into the correct boxes while eliminating items that are not recyclable, but sometimes added to the boxes in error. Reducing contamination will be a focus for the Authority moving forward.

The Manager of Waste Diversion noted that there was a particularly strong market for aluminum in 2014 as well as better than expected prices for mixed plastics. He further noted that when comparing 2014 to 2013 figures, the increased market value of aluminum accounts for increased revenue for the Authority. Overall the sale of recyclable materials has seen a modest increasing trend over the reporting period.

The Manager of Waste Diversion discussed the increased use of the Reuse Centre noting that there has been more materials such as paints, solvents, stains and other chemicals diverted from landfill, recycled or reused that in the past would have been thrown in the garbage. He further discussed the increase in yard waste tonnes. These increases could mean greater participation in the programs but could also be tied to higher than normal precipitation. Greater precipitation generally equates to more vegetation and more yard waste. The materials also increase in weight when exposed to rain.

The Manager of Waste Diversion discussed the Public Education and Outreach programs offered by the Authority. He noted that there are several publications that are available to the public, the Authority website, community presentations, school presentations, EWSWA presence at local festivals and events that all influence and increase public awareness of the Authority programs. There is a dedicated staff member who travels to schools and other groups for presentations geared to the respective group. There has also been increased demand for recycling at special events and festivals throughout the Windsor-Essex region.

The Manager of Waste Diversion indicated that the Authority had an overall successful year. He further noted that if the Board members had any questions he could respond at this time.

Ms. MacDonald questioned the residual problem that was noted. She questioned whether other waste authorities or municipalities had the same issue?

The Manager of Waste Diversion indicated that the residual issue cannot really be compared to other programs because each program runs with its own intricacies and differences. Essex-Windsor has a two stream program where it separates the containers from the fibre items, resulting in a basket of goods that is highly marketable and free of contamination. When the streams are cross contaminated (Container items mixed in with the Fibre items) this creates an issue for sorting since items are dropped in two separate buildings. When the streams are contaminated with items that are not recyclable in Essex-Windsor or are too small to capture that creates a residual amount that is increasing. Some other municipalities have single stream programs where all items end up in the same container/truck/sort facility which is not easily comparable to the issues sustained locally. When participants in the program put items in their boxes that they think might be recycled or if there is some doubt, they throw it in anyway increasing the contamination (Example: plastic bags, plastic cutlery, pots and pans, broken dishes, Styrofoam). He noted that audits performed on the residual materials indicate some potential opportunities for future, but for the present time end up creating issues in the sort facilities.

Mr. Sleiman questioned what is the provincially mandated diversion rate and what can be done to achieve that rate?

The Manager of Waste Diversion noted that the provincial rate is 60%. In order to achieve notable increases in the diversion rate locally, the Authority and local municipalities would require changes to the manner that garbage is handled as well as organics. Changes would have to take place to encourage residents to produce less garbage. Some examples as noted in the Master Plan are implementing an organics collection program, implementing bag limits for garbage, implementing a bag-tag system or user pay system for garbage collection, reduced garbage collection dates and increased recycling collection dates etc. Without the implementation of these garbage incentives (or dis-incentives), it would be difficult to achieve any significant increase to the local diversion rate. Essex-Windsor still could increase the accepted materials, but these would have little impact on the diversion rate as a whole.

Mr. Sleiman asked what the role of the municipalities would be?

The Manager of Waste Diversion noted that in addition to the above noted changes and municipal buy-in, there would have to be a change to the current voluntary recycling program that exists. Municipalities would have to make recycling mandatory and refuse garbage collection to those who do not comply.

Mr. Sleiman questioned how the data is collected for participation and capture rates.

The Manager of Waste Diversion indicated that the Participation data is easy to gauge, if there are boxes out on collection day, there is participation. Capture rates are calculated by performing waste audits to determine what percentage of garbage put out for collection is actually recyclable, compostable or divertible at our facilities.

Mr. Payne requested an update on the status of the Master Plan recommendations.

The General Manager indicated that the recommendations approved for implementation by the Board have been implemented.

Moved By Hilary Payne

Seconded By Ken Antaya

THAT Administration bring forward a report outlining the Master Plan recommendations and the status of the implementation of same.

**-Carried Unanimously
37-2015**

Mr. Antaya questioned whether there are any initiatives underway for 2015?

The Manager of Waste Diversion indicated that Public Education continues to focus on cleaning up the streams, less contamination as well as to increase the participation in organics diversion by the use of backyard composters and digesters.

Ms. MacDonald noted that although in general there has been a reduction in circulation of all printed newspapers, the Authority has experienced a marginal increase in that recyclable material. That is a positive thing to do in this circumstance.

The Manager of Waste Diversion discussed participation in recycling as it relates to the lightweighting of materials by producers. It is difficult to measure with certainty participation over time, as the trend of lightweighting of materials continues to increase over the same period.

Moved By Aldo Dicarlo

Seconded By Hilda MacDonald

THAT the report pertaining to the 2014 Residential Waste Diversion Annual Report be received as information.

**-Carried Unanimously
38-2015**

B) Sale of Recyclable Materials – First Quarter of 2015 (January, February & March)

The General Manager noted that any questions pertaining to the report could be directed to the Manager of Waste Diversion.

Moved By Fred Francis

Seconded By Ken Antaya

THAT the Board receive the report pertaining to the sale of recyclable materials for the first quarter of 2015 as information.

**-Carried Unanimously
39-2015**

11. Any Other Business

There was no other business raised.

12. By-Laws

A) 03-2015 Being a By-Law to Authorize the Execution of an Agreement Between the Essex-Windsor Solid Waste Authority and SLR Contracting Group for the Construction of Cell 4 North of the Essex-Windsor Regional Landfill.

Moved By Tom Bain

Seconded By Rino Bortolin

THAT By-Law 03-2015, Being a By-Law to Authorize the Execution of an Agreement Between the Essex-Windsor Solid Waste Authority and SLR Contracting Group for the Construction of Cell 4 North of the Essex-Windsor Regional Landfill be given three readings and be adopted this 5th day of May 2015.

**-Carried Unanimously
40-2015**

B) 04-2015 Being a By-Law to Confirm the Proceedings of the EWSWA Board Meeting of May 5, 2015

Moved By Tom Bain

Seconded By Rino Bortolin

THAT By-Law 04-2015, 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 5th day of May 2015.

**-Carried Unanimously
41-2015**

13. Next Meeting


The next Authority meeting is scheduled to take place on Tuesday June 2, 2015.

14. **Adjournment**

Moved By Fred Francis
Seconded By Aldo DiCarlo
THAT the Board stand adjourned at 5:15 PM.

**-Carried Unanimously
42-2015**

All of which is respectfully submitted.



**Ron McDermott
Chair**



**Ilija Maodus
General Manager**