



## Essex-Windsor Solid Waste Authority Regular Board Meeting MINUTES

**Meeting Date:** Wednesday, September 13, 2023

**Time:** 3:00 PM

**Location:** Essex County Civic Centre  
Council Chambers, 2<sup>nd</sup> Floor  
360 Fairview Avenue West  
Essex, Ontario N8M 1Y6

### Attendance

#### Board Members:

Gary McNamara - Chair	County of Essex
Hilda MacDonald	County of Essex
Rob Shepley	County of Essex
Michael Akpata	County of Essex
Kirk Walstedt	County of Essex
Gary Kaschak – Vice Chair	City of Windsor
Jim Morrison	City of Windsor
Kieran McKenzie	City of Windsor
Mark McKenzie	City of Windsor

#### EWSWA Staff:

Michelle Bishop	General Manager
Steffan Brisebois	Manager of Finance & Administration
Cathy Copot-Nepszy	Manager of Waste Diversion
Tom Marentette	Manager of Waste Disposal
Teresa Policella	Executive Assistant

#### City of Windsor Staff:

Anne Marie Albidone	Manager of Environmental Services
Tony Ardovini	Deputy Treasurer Financial Planning
Shawna Boakes	Executive Director of Operations
Mark Spizzirri	Manager of Performance Management and Business Case Development

#### County of Essex Staff:

Mary Birch	Director of Council & Community Services/Clerk
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#### Absent:

Drew Dilkens	City of Windsor (Ex-Officio)
Sandra Zwiers	County CAO

**1. Call to Order**

Chair McNamara called the meeting to order at 3:00 PM.

**2. 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.

**3. Approval of the Minutes**

Moved by Michael Akpata

Seconded by Kieran McKenzie

**THAT** the minutes from the Essex-Windsor Solid Waste Authority Regular Meeting, dated August 9, 2023, be approved and adopted.

**55-2023  
Carried**

**4. Business Arising from the Minutes**

There were no items raised for discussion.

**5. Waste Diversion**

**A. EWSWA Material Recovery Facilities (MRFs) Lease Update**

The Manager of Waste Diversion provided an update on the status of the Materials Recovery Facilities (MRFs) Lease Request for Proposals (RFP).

In March 2023, the Authority Board approved Administration's recommendation to issue an RFP to lease one or both MRFs as this could support the region's transition to Extended Producer Responsibility (EPR) as well as generate revenue for the Authority.

The RFP closed on May 5, 2023. Although there were six plan takers, only one submission was received. The submission was evaluated by a committee established by the Authority which determined that the Proponent met all the requirements of the RFP. The award of the RFP was not issued to the Proponent as it was contingent upon them securing a Post-collection services contract with a Producer Responsibility Organization (PRO) that aligned with the Authority's transition date.

Unfortunately, the successful Proponent was not awarded a Post-collection services contract with a PRO. On June 27, 2023, the Authority received notification that GFL Environmental Inc. was awarded the receiving facility

contract to receive Blue Box materials post transition from the Essex-Windsor catchment area.

A meeting was held on July 7, 2023, with CM and Authority and City of Windsor (City) Administration. CM indicated that they still had not contracted for the processing of Blue Box materials and were in the process of reviewing submissions. The Authority questioned why the collection and processing services were not linked as there may have been financial, logistical and environmental efficiencies in doing so. The Authority advised CM that it needed a decision if CM required the MRFs beyond August 2024. CM indicated that they would advise the Authority by the end of the month if they were interested in the use of our facility.

At the beginning of August, the Authority reached out to CM's VP, National Supply Chain Operations, Sherry Acaro, as no further updates had been provided by them since the July 7<sup>th</sup> meeting. Ms. Acaro explained that CM was reviewing submissions. She did note that they would be going to the CM Board in September on how they will proceed. The Authority should know more details by October.

The Manager of Waste Diversion further explained that it was important that a response be received by CM promptly because of the new organics program. The EXP report that was received by the Board at the July meeting recommended that a receiving site for organics be located in Windsor at the site. This decision from CM would impact the decision on how to proceed.

There are no financial implications at this time.

The Manager of Waste Diversion asked if there were any questions.

Mr. Kieran McKenzie questioned the CM decision making process and stated that the October date sounds a little loose.

The General Manager stated that the Authority needs a decision in short order to determine the best use of the facility and we have a successful Proponent. It is also important for the rollout of the organics program. Per the EXP report, Source Separated Organics (SSO) will be delivered somewhere in the vicinity of Windsor and procurement documents need to be issued. All of this will come together quickly but the Authority must stay on top of CM for a decision.

Mr. Kaschak asked if any information was provided at the recent Association of Municipalities of Ontario (AMO) conference.

The General Manager stated that she attended the Circular Economy workshop. Presentations were given by two municipalities that have already transitioned. One opted in with CM and the other opted out. They both had a good experience with transition stating that it was fairly seamless. Both of these municipalities stayed with the same collector. As for the County, there will be a

new collector because the City will no longer be the collector. As it relates to the MRFs, of these two municipalities that have transitioned, one leased out their MRF and the other did not have one. She noted that this is a good opportunity for the Authority to watch as other municipalities transition before us.

Moved by Kieran McKenzie  
Seconded by Gary Kaschak

**THAT** the Board receive the report as information.

**56-2023  
Carried**

## **6. Waste Disposal**

### **A. Hydro Service Upgrades at the Regional Landfill**

The Manager of Waste Disposal stated that the purpose of the report is to recommend the award for Hydro Service Upgrades at the Regional Landfill (RL) to Sterling Motors Technology Inc. at the submitted price of \$139,900 plus HST. As presented at the previous Board meeting, the RL does not have the appropriate electrical services to support the new Reverse Osmosis (RO) system. At this same meeting, the Board approved a one-time contribution from the Rate Stabilization Reserve to fund the hydro service upgrades.

Initial estimates for the completion of the upgrades were approximately \$90,000. After discussions with Hydro One and the electrical contractors, it was identified that modifications to the scope of work were required to accommodate the power demand, the requirements of Hydro One and the Electrical Safety Authority. Due to these modifications, the cost of the work exceeded \$100,000 which requires approval by the Board per the Authority's Procurement Policy (EW-008).

A Request for Quote (RFQ) was issued for the upgrades and two bid submissions were received. Both Proponents passed the Compliance Stage and proceeded to the Pricing Stage. The resulting bids are outlined on page 11 of the agenda package. Sterling Motor Technology Inc. was the successful Proponent.

The cost of the Hydro Service Upgrades will be funded by a one-time contribution from the Rate Stabilization Reserve.

The Manager of Waste Disposal asked if there were any questions.

Mr. Morrison commented that there was a vast difference in the quotes submitted.

Mrs. MacDonald noted that the increase is not a surprise as costs have gone up.

Mr. Kieran McKenzie asked if there had been any thought on how the methane gas that the RL generates could be captured.

The Manager of Waste Disposal stated that the Authority is in the process of issuing an Expression of Interest to companies that handle gas management

Mr. Kieran McKenzie noted that it will be interesting to see the results when it comes forward.

No further questions were asked.

Moved by Jim Morrison

Seconded by Hilda MacDonald

1. **THAT** the Board award the Request for Quote to Sterling Motor Technology Inc. for the Hydro Service Upgrades at the Regional Landfill in the amount of \$139,900 plus HST
2. **THAT** the Board approve the increase in the one-time contribution from the Rate Stabilization Reserve to fund the Hydro Service Upgrades at the Regional Landfill from \$90,000 to \$139,900 plus HST.

**57-2023  
Carried**

B. Design, Engineering and Construction of a New Scale House Building – Result and Award

The Manager of Waste Disposal stated that the purpose of the report is to recommend the award of the RFP for the Design, Engineering and Construction of a new scale house building at Transfer Station #2, located in the Town of Kingsville to Greenlight General Contracting Inc. who has been identified as the Preferred Proponent and submitted a total bid price of \$224,000, excluding taxes. He explained that the new scale house will replace the original 18-year-old pre-fabricated scale house building which no longer suits this very busy site.

The Authority issued an RFP on May 16, 2023, and three (3) submissions were received. The evaluations of the submissions consisted of a four-stage process. All proposals achieved the minimum Technical Score and proceeded to the Financial Stage. Greenlight General Contracting Inc. achieved the highest overall score and was identified as the Preferred Proponent.

The cost of the new scale house was included in the 2023 capital budget. The budget of \$130,000 for this project was based on an estimate received at the time the budget was formed. After completing the competitive procurement

process, the cost of this project exceeded the 2023 budget. The project will be financed through the Equipment Replacement Reserve.

The Manager of Waste Disposal asked if there were any questions. No questions were asked.

Moved by Gary Kaschak

Seconded by Michael Akpata

**THAT** the Board award the Request for Proposal (RFP) to Greenlight General Contracting Inc. for the Design, Engineering and Construction of a new scale house building at Transfer Station #2 in the amount of \$224,000 plus HST.

**58-2023  
Carried**

## **7. Finance & Administration**

### **A. January to June 2023 – Six Month Operations Financial Review**

The Manager of Finance and Administration stated that the purpose of the report is to present the six-month financial review of the operating costs and revenue comparing estimated results to the 2023 Operational Plan and Budget figures. The tables on pages 16 and 17 of the agenda package summarized the estimated operating revenues and expenditures for the period of January 1 to June 30, 2023 and compares them to the budget figures.

The estimated January to June 2023 revenue is approximately \$442,800 more than the budget. This favourable revenue variance is primarily attributed to the following:

- An increase in waste tonnages from Institutional/Industrial/Commercial (ICI) customers;
- An increase in the amount of contaminated soil received at the RL;
- An increase in non-landfilled ICI material which primarily consists of daily cover material such as auto shredder fluff and organic material;
- An increase in revenues from the sale of recyclable goods. This increase is attributable to the commodity prices remaining higher on average than budget in the first six months of 2023. The actual commodity prices versus the 2023 budgeted prices are illustrated in the tables on pages 19 and 20 of the agenda package.

There has been an unfavourable variance in revenues related to Municipal refuse for the first six months of 2023. This unfavourable variance is expected to decrease due to the recent influx of refuse material which resulted from the recent flooding event in the Essex-Windsor region.

The Manager of Finance stated that expenditures for the six months of 2023 are approximately \$280,000 less than budget. This favourable variance is primarily attributed to the decrease in the amount of leachate hauled from the Regional Landfill to the Lou Romano Water Reclamation Plant (LRWRP). This favourable variance is expected to decrease in the last six months of 2023 due to the costs of launching the RO treatment plant and the expected increase of leachate loads hauled and treated.

He also noted that the following impacted the expenditure variance:

- An increase in costs associated with operating the County Blue Box recycling collection which is operated by the City;
- An increase in the Host Compensation due to the higher than budgeted tonnes of landfilled material received at the RL. The overall landfilled tonnes were 5,391 tonnes higher than budgeted.

In regards to the Operating Summary, the approved 2023 budget included a deficit of (\$3,757,380) of which (\$1,570,200) was expected to be incurred in the first six months of 2023 and the remaining from July to December 2023. The first six-month financial review indicates an estimated deficit of (\$847,200) for the January to June 2023 period which results in an estimated favourable variance of \$723,000.

The full 2023 fiscal year will form part of the 2024 Operating Plan and Budget document that will be presented at the November 2023 Board meeting.

The Manager of Finance asked if there were any questions. No questions were asked.

Moved by Rob Shepley

Seconded by Gary Kaschak

**THAT** the Board receive the report as information.

**59-2023  
Carried**

**B. Update – County of Essex Council Motion Re: Regional Waste Collection**

The General Manager provided an update related to the Motions passed by the last term of Essex County Council with regard to exploring regional waste collection services within the seven (7) County municipalities.

On April 19, 2023, Essex County Council reconfirmed its commitment to a regional approach to waste management. At this meeting, they also directed County of Essex Administration to report back with further feedback from the local municipalities and the necessary By-Law to upload the collection of waste to the County.

The Authority General Manager, Authority and County Solicitor, David Sundin and County CAO/Director of Finance/Treasurer, Sandra Zwiers, have attended all seven (7) County municipalities to provide a presentation regarding the resolutions passed at County Council. They also attended County Council meetings on July 19, 2023, and August 16, 2023, to present reports that included the recommendations in the EXP document that was presented to the Authority Board on July 12, 2023. At the August 16, 2023 meeting, County Council passed the By-law to upload the collection and delivery of waste from the local municipalities to the County.

The General Manager noted that although County Council has passed the By-Law, each local municipality will have to vote at each of their respective Council meetings. A triple majority from the local municipalities will be required. This means that it will be up to at least four (4) of the Councils of the local municipalities, comprising of at least 50% of the available electors within the County, to pass the County's By-law. The General Manager noted that as of last night, the Town of Kingsville voted against the motion, whereas, the Municipality of Leamington and the Town of Tecumseh voted in favour of the motion. Any final resolution will be brought forward to the Board.

The General Manager asked if there were any questions.

Mr. Morrison asked what would happen if some of the municipalities did not approve.

The General Manager stated that if this does not move forward, the Authority still has the motion to proceed with an organics program that was approved by County Council and garbage collection would remain at the municipal level. The Authority will issue an RFP in the fall of 2023 for the collection of the organics program. Seacliff Energy has been awarded the RFP to process organics. If the By-Law does pass, the Authority will work with the Municipal Working Group on how to proceed with both organics and garbage collection.

Mr. Kieran McKenzie asked if the General Manager could share some of the arguments of the municipalities opting out or expressing concerns.

The General Manager stated that each municipality has their reasons for opting in or opting out. All the municipalities have listened to the presentation given by the Authority and County of Essex staff explaining the advantages of regionalization. Some municipalities have entered into new contracts at higher costs. Regionalizing would provide economies of scale. Per the EXP document, there is an opportunity to get economies of scale and allows contractors to optimize routes. Also, as noted in the EXP document, there is an opportunity to standardize services. The EXP document recommends rolling out a program that is consistent throughout the entire community, the environmental impacts of the landfill, utilizing the organics program and Blue Box program and achieving waste diversion. A concern with the municipalities is the unknown cost. She noted that we do not know what the cost will be for a regional



program until an RFP is issued. This applies to the organics program as well. Another concern is that municipalities want to maintain their level of service. The General Manager stated that from an Authority and County perspective, we want to be open and transparent about what the minimum service levels will be. As presented at County Council, the minimum service levels will be weekly organics collection, Every Other Week (EOW) garbage collection, weekly yard waste collection from April through November and monthly bulk items collection.

Mr. Kieran McKenzie asked if the Authority has other tools to encourage a broader perspective for diversion assuming that there isn't a complete regional buy-in.

The General Manager stated that the EXP document was very clear about having standardized promotion and education (P&E) and outreach. It will be difficult to reach all residents and educate them about how the programs are utilized if there are municipalities with different levels of service. For example, P&E in schools with students who live in different boundaries. She noted that when you have varying service levels, residents become confused and will not participate in the programs. This also causes cross contamination. The Authority will continue with P&E. The best practice is to move to EOW garbage collection and weekly organics collection. It will be challenge if there are different service levels but the Authority will develop P&E as appropriate.

Mr. Kieran McKenzie noted that he appreciates the outreach and reports and the work done by Authority administration.

The Chair asked if there were any further questions. There were no further questions.

Moved by Kieran McKenzie  
Seconded by Kirk Walstedt

**THAT** the Board receive the report as information.

**60-2023**  
**Carried**

## **8. Other Items**

No other items were raised for discussion.

## 9. By-Laws

### A. By-Law 9-2023

Moved by Hilda MacDonald  
Seconded by Rob Shepley

**THAT** By-Law 9-2023, being a By-law to Authorize the execution of an agreement between the Essex-Windsor Solid Waste Authority and Sterling Motor Technology Inc. for the Hydro Service Upgrades at the Regional Landfill.

**61-2023  
Carried**

### B. By-Law 10-2023

Moved by Hilda MacDonald  
Seconded by Rob Shepley

**THAT** By-Law 10-2023, being a By-law to Authorize the execution of an agreement between the Essex-Windsor Solid Waste Authority and Greenlight General Contracting Inc. for the Design, Engineering and Construction of a New Scale House Building at Transfer Station #2, located in the Town of Kingsville.

**62-2023  
Carried**

### C. By-Law 11-2023

Moved by Hilda MacDonald  
Seconded by Rob Shepley

**THAT** By-Law 11-2023, 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 13<sup>th</sup> day of September, 2023.

**63-2023  
Carried**

## 10. Next Meeting Dates

Thursday, October 5, 2023  
Tuesday, November 7, 2023 – 2024 Budget Deliberation  
Tuesday, December 5, 2023

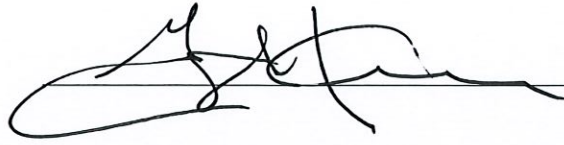
## 11. Adjournment

Moved by Mark McKenzie  
Seconded by Jim Morrison

**THAT** the Board stand adjourned at 3:48PM.

**64-2023  
Carried**

All of which is respectfully submitted.



**Gary McNamara**  
**Chair**



**Michelle Bishop**  
**General Manager**