Present:
Chair R. Powers
Vice Chair C. Collins
Councillors B. Bratina, L. Ferguson, T. Jackson, S. Merulla, D. Mitchell

Absent with Regrets: Councillor M. McCarthy – Other City Business

Also Present: Mayor F. Eisenberger
Councillors B. Morelli, R. Pasuta; M. Pearson
S. Stewart – General Manager, Public Works
G. Davis – Sr. Director, Capital Planning and Implementation
B. Shynal – Director, Operations and Maintenance
D. Hull – Director, Transit Operations
J. Mater – Director, Energy, Fleet and Facilities
B. Goodger – Director, Waste Management
J. Harnum – Sr. Director, Water and Wastewater
C. Biggs – Legislative Assistant, City Clerk’s

THE FOLLOWING ITEMS WERE REPORTED TO CITY COUNCIL FOR CONSIDERATION:

1. Minutes of the Lake Erie Region Source Protection Committee (Item 5.1)

(Eisenberger/Jackson)
That the following be received:

(a) December 20, 2007
(b) February 7, 2008 CARRIED
2. **Road2Hope Marathon – Sunday, November 2, 2008 (PW08035) (City Wide)**

   *(Eisenberger/Jackson)*

   (a) That the application for intermittent temporary closures of the following roads from 9:00 a.m. to 1:00 p.m. on Sunday, November 2, 2008, be approved:

   (i) Highland Rd. (Saltfleet High School), First Rd. to Henderson Rd;
   (ii) Second/Henderson Rd., Highland Rd. to Golf Club Rd;
   (iii) Golf Club Rd., Henderson Rd. to Trinity Church Rd;
   (iv) Trinity Church Rd., Golf Club Rd. to Dickenson Rd;
   (v) Dickenson Rd., Trinity Church Rd. to Miles Rd;
   (vi) Miles Rd., Dickenson Rd. to Twenty Rd;
   (vii) Twenty Rd., Miles Rd. to Glover Rd;
   (viii) Rymal Rd., Twenty Rd. to Pritchard Rd;
   (ix) Pritchard Rd., Rymal Rd. to Stone Church Rd;
   (x) Stone Church Rd., Pritchard Rd. to Red Hill VP Off Ramp;
   (xi) Red Hill Valley Parkway Northbound, Pritchard Rd. to Barton Off Ramp;
   (xii) Barton St., Red Hill VP to Woodward Ave,
   (xiii) Woodward Av., Barton St. to Beach Blvd;
   (xiv) Manor Av., Beach Blvd. to Waterfront Trail (to Confederation Park);

   (b) That approval of the road closure for the Road2Hope Marathon, Sunday, November, 2008, be subject to the following conditions:

   (i) That the prior approval of the Chief of Police or his designate be received and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained;

   (ii) That the applicant provide proof of $2,000,000 liability insurance, naming the City of Hamilton as an added insured party with a provision for cross liability and holding the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss;

   (iii) That all detour signing, and warning boards be installed in advance by the Public Works Department, on the affected roadways, if deemed necessary by the General Manager of Public Works, at the expense of the applicant;

   (iv) That all barricading be by and at the expense of the applicant subject to the approval of the General Manager of Public Works or designate;

   (v) That the applicant ensures that clean up operations are carried out immediately before the re-opening of the road, to the satisfaction of the City of Hamilton and at the expense of the applicant;
(vi) That no property owner or resident within the closure area be denied access to their property upon request;

(vii) That all property owners and tenants within the closure area be notified by the applicant, prior to the closure, in a form acceptable to the General Manager of Public Works.  CARRIED

3. 2008 Gypsy Moth Infestation (PW08028(a)) (Wards 1, 11, 12, 13 and 15) (Item 7.1(a)

(Mitchell/Jackson)
(a) That staff be directed to implement a control program involving aerial spray of the biological control agent Btk to include both City and privately owned trees within the identified affected urban and rural areas in Wards 11 and 15 to control the larval stage of the European gypsy moth which causes defoliation of trees. Amendment CARRIED

(Collins/Jackson)
(b) That subject to confirmation of mode of aerial transport for gypsy moth spray application, a one-time cost to an upset limit of $830,000 be funded as follows:

(i) firstly, through any 2008 Public Works Department Operating surplus;
(ii) secondly, through any Corporate surplus;
(iii) lastly, through the Budget Stabilization Reserve. Amendment CARRIED

(Mitchell/Jackson)
(c) That an Implementation and Communication Plan be developed, providing defined treatment areas, measures to mitigate public concern, communication plans and cost recovery plans; CARRIED

(Ferguson/Mitchell)
(d) That the City will share contact information for the City’s service contractor with woodlot owners wishing to arrange private paid gypsy moth aerial spray service to their properties not included within the City of Hamilton Program, at the same price the City is paying, provided there is a minimum of 2 hectares in the individual private woodlots; Amendment CARRIED

(Ferguson/Jackson)
(e) That the appropriate nuisance by-law to declare gypsy moth a nuisance pest be passed and enacted; CARRIED
(Bratina/Collins)
(f) That a follow up survey be performed in the autumn by BioForest Technologies Inc. to provide estimates of the gypsy moth population size in the treated areas as well as in any new areas of the City that have been identified; CARRIED

(Merulla/Ferguson)
(g) That the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto; CARRIED

(Mitchell/Collins)
(h) That correspondence be sent to the Minister of Natural Resources the Honourable Donna Cansfield, requesting financial assistance from the Province in dealing with gypsy moth infestations. CARRIED

(Mitchell/Jackson)
(i) That staff be directed to report back to the Committee on information received with respect to additional (new) areas which require to be sprayed, together with associated costs. CARRIED

(Mitchell/Jackson)
(j) That staff be directed to co-ordinate public meetings in Glanbrook and Flamborough. Motion as amended CARRIED

4. Hamilton Water and Wastewater Operations Contract Annual Report Card (PW08034) (City Wide) (Item 7.2)

(Ferguson/Collins)
That Report PW08034 respecting the Hamilton Water and Wastewater Operations Contract Annual Report Card, be received. CARRIED

5. Purchase of Property at 124 Province Street North, Hamilton (PW08027) (Item 8.1)

(Merulla/Jackson)
(a) That staff of Public Works and Planning and Economic Development be directed to proceed with negotiations for the purchase of the property at 124 Province Street described as PLAN 497 PT LOT 453 RP;62R5773 PARTS 1 & 2 (PIN# 172420092);

(b) That the budget for the purchase of the properties listed in Recommendation (a) totalling $185,652 be funded from the Parkland Dedication Reserve account 104090;
(c) That the Mayor, Clerk and Legal Services be directed to execute all documents related to the purchase of properties identified in Recommendation (a);

(d) That upon the vacant possession of 124 Province Street North, the Director of Energy, Fleet & Facilities be authorized and directed to take all the necessary steps, for the demolition of the subject dwelling and that the cost for the demolition and any ancillary expenses be charged to account number 104090, (Parkland Dedication Reserve), as per Recommendation (b);

(e) That the related maintenance costs for the 124 Province Street North property be expensed within the existing 2008 Operations and Maintenance Budget and noted as an unfunded expenditure for 2008, and further that the full year operating expense of $1,200 be included as an operating pressure to the 2009 Operations and Maintenance budget submission.

CARRIED

6. Specialized Transit Fleet Tender (PW07144(a)) (City Wide) (Item 8.3)

(Jackson/Mitchell)

(a) That staff be authorized and directed to issue a Tender for the supply and delivery of ten High-Floor Lift-Equipped Specialized Transit buses;

(b) That staff report back on the proposed course of action for the future replacement of Specialized Transit fleet prior to the end of the third quarter of 2008.

CARRIED

7. Report 08-003 of the City Hall Renovations Steering Committee (Item 8.4)

(a) Temporary Meeting Space (CL08002) (City Wide)

(Ferguson/Bratina)

That Report CL08002 respecting Temporary Meeting Space (attached hereto Appendix "A"), be received and no further action taken. CARRIED
FOR THE INFORMATION OF COUNCIL:

CHEQUE PRESENTATIONS

A. Horizon Utilities

Brian Smith, Manager of Conservation and Demand Management, Horizon Utilities, presented a cheque in the amount of $85,000 to Councillors Russ Powers and Chad Collins, Chair and Vice Chair of the Public Works Committee, and Geoff Lupton, Manager of Energy Initiatives, which represents the incentive cheque toward the retrofit project of LED traffic signals in the City of Hamilton.

B. Newalta

Harry Wells, Vice President, Eastern Division, Michael Jovanovic, Regional Manager, and Greg Jones, Director of Communications, of Newalta, presented a cheque to Mayor Fred Eisenberger in the amount of $688,099.65, which represents the royalties under the City Compensation Agreement resulting from the landfill operation in Hamilton. These funds support numerous infrastructure programs in the City.

(a) CHANGES TO THE AGENDA (Item 1)

The Clerk advised of the following changes:

Added Delegation Requests from:

(i) Barbara and Dan Arbuckle respecting Gypsy Moths

(ii) Allan Buist, Solicitor on behalf of DiCenzo Construction Company, with respect to Item 8.2 of the agenda – Hannon Creek Subwatershed – North Glanbrook Industrial Business Park Master Drainage Plan

(Mitchell/Jackson)
That the agenda be approved, as amended. CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

None.

(c) APPROVAL OF MINUTES (Item 3)

(Eisenberger/Ferguson)
That the Minutes of the March 17, 2008 meeting of the Public Works Committee be received and adopted, as presented. CARRIED
(d) DELEGATION REQUESTS (Item 4)

(i) Request from Mark Mindorff, Executive Director, DARTS, to appear before the Committee respecting the Accessible Transportation Study (ATS) Report

(Mitchell/Jackson)
Be approved and invited to attend the appropriate meeting. CARRIED

(ii) Request from the Advisory Committee for Persons with Disabilities to appear before the Committee respecting the Accessible Transportation Study (ATS) Report

(Mitchell/Jackson)
Be approved and invited to attend the appropriate meeting. CARRIED

(iii) Request from Barbara and Dan Arbuckle respecting Gypsy Moths

(Mitchell/Jackson)
Be approved and added as Item 6.1(c) CARRIED

(iv) Request from Allan Buist, Solicitor on behalf of DiCenzo Construction Company, with respect to Item 8.2 of the agenda – Hannon Creek Subwatershed – North Glanbrook Industrial Business Park Master Drainage Plan

(Mitchell/Jackson)
Be approved and given the opportunity to address the Committee at today’s meeting. CARRIED

(e) DELEGATIONS/PUBLIC HEARINGS

(i) Delegations respecting Gypsy Moths (Item 6.1(a))

Gary Birch, resident of Binbrook and former Glanbrook Councillor, stated that he finds it rather “ridiculous” not to carry out gypsy moth spraying in the rural areas. Where the gypsy moth is seen as the “enemy”, and indicated that he expresses the sentiment of many rural residents who were unable to attend the meeting.

Anne Dunham, resident of Binbrook for 20 years, spoke to the Committee of the problem and challenges that she and her family have experienced over the past number of years as a result of the gypsy moth infestation on their tree farm and the damage they have caused, and urged the Committee to consider spraying their area.

A copy of Ms. Dunham’s written comments were submitted to the Clerk.
Barbara Arbuckle spoke on behalf of herself and her husband, Dan. Ms. Arbuckle also outlined their experiences and difficulties with the gypsy moth over the past number of years, and the various steps which they have taken, including remedial steps to resolve the gypsy moth problem to organizing public meetings with their neighbourhood to educate residents. Despite all of their efforts, the problem is not going away, and therefore, Ms. Arbuckle advised that the spraying program is needed in the rural areas just as much as anywhere else.

A copy of Ms. Dunham’s written comments were submitted to the Clerk.

Councillor Mitchell thanked all of the speakers for all of the work that they have done and stated that this is not just a municipality issue, but is an issue for all of southern Ontario. He requested staff to contact other areas i.e., Mississauga, Haldimand-Norfolk, to find out what actions they are undertaking.

Chair Powers asked if there was anyone else present who wished to addressed the Committee on this matter. There were no further presenters.

(Merulla/Mitchell)
(a) That the verbal presentations be received;

(b) That the written presentations received from the following with respect to gypsy moths, be received:

(i) Correspondence from Tim Hudak, MPP, Niagara West-Glanbrook, to the Honourable Donna Cansfield, Minister of Natural Resources respecting funding assistance for municipalities required to carry out an aerial gypsy moth spraying program
(ii) Bev Groombridge, Glanbrook
(iii) Helen Szabo and John Antikian, Hamilton
(iv) Frank and Martha Juhasz, Waterdown
(v) Gary and Beverly Reid, Dundas
(vi) Martin Levy, Dundas
(vii) Larry Button, Dundas
(viii) D. Arbuckle
(ix) Gord Baker, Freelton

CARRIED
Staff Presentation/Consultant Presentation – Joe Meating, BioForest Technologies Inc. (Items 7.1(a) and 7.1(b))

Mike McNamara, Manager of Forestry and Horticulture, gave a power point presentation outlining the Urban Forest Health Program and the Gypsy Moth Partnership Working Group, which includes representation from the Cities of Burlington, Brantford and Toronto, Town of Oakville, Norfolk County, Royal Botanical Gardens, Halton Region, the Halton, Hamilton and Grand River Conservation Authorities, Ministry of Natural Resources, Canadian Food Inspection Agency and BioForest Technologies Inc.

Joe Meating of BioForest Technologies Inc. continued with a power point presentation showing the gypsy moth distribution in Canada in CFIA regulated areas; the history of defoliation; the growth and larval feeding of the gypsy moth and its favoured host trees, results of the Hamilton egg mas survey 2008, action thresholds; Hamilton 2008 forecasts, results and management options: Integrated Plant Management (IPM); options, including “do nothing” and the impacts, aerial spray. The presentation also outlined an explanation of the insecticide which is used to spray, its composition, effects, locations of prior use over residential areas, expectations/results; stakeholders and the project planning and co-ordination.

Mike McNamara then concluded the presentation by speaking to the survey results of the urban and rural areas, with the conclusion from the public input that:

(i) there was significant support from the urban area residents to expand the spray program;
(ii) there was overwhelming support from the rural area residents to expand the program to include the rural areas;
(iii) there were no comments received with regard to health issues.

2008 Gypsy Moth Infestation (PW08028(a))
(Wards 1, 11, 12, 13 and 15)

(Mitchell/Jackson)
That sub-section (a) be amended by adding the words, “and rural areas in Wards 11 and 15” following the word, “urban”. Amendment CARRIED

(Collins/Jackson)
That sub-section (b) be deleted in its entirety and replaced with the following in lieu thereof:
(b) That subject to confirmation of mode of aerial transport for gypsy moth spray application, a one-time cost to an upset limit of $830,000 be funded as follows:

(i) firstly, through any 2008 Public Works Department Operating surplus;
(ii) secondly, through any Corporate surplus;
(iii) lastly, through the Budget Stabilization Reserve.  

Amendment CARRIED

(Ferguson/Mitchell)
That sub-section (d) be deleted in its entirety and replaced with the following in lieu thereof:

(d) That the City will share contact information for the City's service contractor with woodlot owners wishing to arrange private paid gypsy moth aerial spray service to their properties not included within the City of Hamilton Program, at the same price the City is paying, provided there is a minimum of 2 hectares in the individual private woodlots.  

Amendment CARRIED

(Mitchell/Jackson)
That the following be added as sub-sections (i) and (j):

(i) That staff be directed to report back to the Committee on information received with respect to additional (new) areas which require to be sprayed, together with associated costs.

(j) That staff be directed to co-ordinate public meetings in Glanbrook and Flamborough.  

Amendment CARRIED

Motion as amended CARRIED

(ii) Anthony DiCenzo, respecting the Hannon Creek Subwatershed – North Glanbrook Industrial Business Park Master Drainage Plan (PW08031)

Anthony DiCenzo appeared before the Committee on behalf of DiCenzo Construction, owner of property known as Sandrina Gardens. He spoke to the recommended SWM Facility locations and specifically location HC04 and the impacts that this would be on the subdivision. Mr. DiCenzo requested the Committee’s consideration to table the report to allow an opportunity for discussions with staff on alternatives.
Hannon Creek Subwatershed – North Glanbrook Industrial Business Park Master Drainage Plan (PW08031) (Wards 6, 7, 9 and 11) (Item 8.2)

(Jackson/Ferguson)
That Report PW08031 respecting the Hannon Creek Subwatershed – North Glanbrook Industrial Business Park Master Drainage Plan be tabled for no more than one month to allow staff to explore other alternatives with the owner of Sandrina Gardens Subdivision. CARRIED

(f) STAFF PRESENTATIONS

(i) Hamilton Water and Wastewater Operations Contract Annual Report Card (PW08034) (City Wide) (Item 7.2)

Jim Harnum, Senior Director of Water/Wastewater, provided the Committee with a power point presentation on the Annual Report Card for the Water and Wastewater Division. The presentation included:

- Background
- Draft Service Agreement (DSA) – Compliance Criteria, Performance Criteria
- Three major categories of the DSA: General Operations and Maintenance, Water Quality, Wastewater Treatment – Requirements and Achievements
- Incentive Payments
- Financials
- Summary

(g) GENERAL INFORMATION/OTHER BUSINESS (Item 11)

(i) Outstanding Business Items:

(aa) Report respecting Controlling Volume of Cars accessing Garth Street (Due Date: March 31, 2008)

Staff advised that this issue is still under review and requested that the due date be revised to June 16, 2008.

(bb) Traffic Control, Woodhill Road, Flamborough (Due Date: March 31, 2008)

Staff advised that through delegated authority, a by-law for this intersection was approved by Council on March 26, 2008; therefore, this item may be removed from the Outstanding Business List.
(Ferguson/Jackson) 
That the Outstanding Business List of the Public Works Committee be amended accordingly. CARRIED

(ii) VIA Rail and Go Transit Service in Hamilton 
Councillor Bratina advised the Committee that contrary to recent reports in the media, he has been advised by VIA Rail that they are interested in cooperating with GO Transit and the City with respect to transit services, and will take the appropriate steps to rectify the inaccuracies being reported.

(iii) Fill By-law to Stop Flooding 
Councillor Mitchell requested the status of a report with respect to the Fill By-law to stop flooding. Staff will follow up with the Planning and Economic Development Department with respect to this by-law and provide an update to the Committee accordingly.

(h) PRIVATE AND CONFIDENTIAL

Approval of Minutes of Closed Session Meeting held on March 17, 2008

(Bratina/Ferguson) 
(a) That the Minutes of the Closed Session of the Public Works Committee meeting of March 17, 2008 be received:

(b) That the Minutes remain confidential and restricted from public disclosure in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act. CARRIED

There being no further business, the Committee adjourned at 12:35 p.m.

Respectfully submitted

Councillor R. Powers 
Chair 
Public Works Committee

Carolyn Biggs 
Legislative Assistant 
March 31, 2008