CITY OF HAMILTON

MOTION

Council Date: October 25, 2006

MOVED BY COUNCILLOR BRUCKLER………………………………………………
SECONDED BY COUNCILLOR………………………………………………………

That a letter be forwarded to the Ontario Ministry of the Environment (“MOE”),
the Taro Neighbourhood Liaison Committee (“TNLC”) and the owner and
operator (“Company”) of the Taro East Landfill Site (“Site”) indicating the
following City of Hamilton Council comments regarding the Terms of Reference
provided to the MOE for the TNLC, which Terms of Reference are attached as
Schedule “A” to Report LS06013/PW06129:

(a) Consistent with the position previously advanced by the Residents Group
during Environmental Review Tribunal Case No. 02-132, the Terms of
Reference for the TNLC should reflect the mandate of a community liaison
committee for the Site, including the TNLC, which is to:

(i) Facilitate communication between the Company and the
community about the operation of the Site;
(ii) Facilitate the resolution of community concerns about the operation
of the Site; and
(iii) Monitor the operations of the Site.

The mandate of the community liaison committee may be fulfilled by way
of the following:

(i) Review, comment and make recommendations on the required
operating and monitoring reports;
(ii) Review, comment and make recommendations on applications for
new or revised approvals submitted to the Director;
(iii) Review, comment and make recommendations on complaints and
the resolution of complaints submitted through the Company’s
complaints procedure;
(iv) Comment and make recommendations on the structure and operation of the Company’s complaints procedure; and
(v) Providing a focal point for the dissemination and exchange of information relevant to the operation of the Site.

(b) There should be two voting representatives of the City of Hamilton on the TNLC appointed by the City of Hamilton, which representatives are not staff members. The term of the City of Hamilton representatives should be for a four year term to align with the term of Council of the City of Hamilton. Consideration should be given to the term of the community representatives on the TNLC being the same length as for the City of Hamilton representatives.

(c) The Terms of Reference should contain a procedure for the selection of the community representatives on the TNLC which consists of advertising for interested applicants in both a daily newspaper and a local community newspaper by the Company. Selection of the community representatives should be conducted by the entire TNLC.

(d) There should be no less than four community representatives from the resident population of the City of Hamilton, with preference given to those resident within 1500 metres of the Site.

(e) There should be one non-voting representative of the MOE on the TNLC.

(f) TNLC meetings should be bi-monthly instead of quarterly.

(g) There should be greater public input into the TNLC meeting process. In particular, meeting dates, meeting agendas and meeting minutes should be publicly accessible and TNLC meetings should be open to the public.

(h) There should be formal meetings and minutes of the TNLC, as well as voting by quorum rather than by consensus.

(i) There should be proper funding of the TNLC by the Company in order for the TNLC to be an effective group which fulfills its mandate as described above.

(j) In addition to any further comments that the City of Hamilton may provide, the above comments are also to be considered by the MOE when reviewing the March 3, 2004 application by the former owner of the Site to amend the Certificate of Approval for the Site as it relates to the community liaison committee, and/or when reviewing any subsequent application or amended application by the current owner of the Site with respect to the community liaison committee.