



**Ashbridges Bay Treatment Plant (ABTP) Neighbourhood
Liaison Committee
Meeting #80**

Mennonite New Life Centre, 1774 Queen St. East
Tuesday, June 12, 2007
7:10 p.m. – 9:15 p.m.

Attendance:

Karen Buck	Citizens for a Safe Environment, Co-chair
Saul Cohen	Resident
Sheila Cohen	Resident
Constance Demb	Beach Resident
Dave Hanna	Resident
John Hopkins	ICMC
Jim Neff	Citizens for a Safe Environment
Michael Rosenberg	Economics and Technology Working Group, ICMC
Hy Schwartz	Resident
Karey Shinn	NLC Co-chair
Aless Terpstra	International Institute for Concern of Public Health

Mark Rupke	Senior Engineer, Toronto Water
Shiri Pasternak	Facilitator, City of Toronto

Jean Yves Urbain Earth Tech

Minutes:

Anne-Marie Anderson

1.0 Welcome and Introductions

Karey Shinn opened the meeting at 7:10 p.m. Hy Schwartz's motion regarding water metering was added to the agenda under 'Other Business'. The revised agenda was approved.

2.0 Action Items

Meeting #79, Action Item #1

- Status unknown: Karen Buck to report on this action item.

Meeting #79, Action Item #2

- Completed. **Shiri Pasternak** reported that the short list has 75 people (including those on email). The long list has 189 people. She then gave a breakdown of both lists.

Breakdown	Short List	Long List
Elected Officials	3	4
Internal city stakeholders	17	4
Public members	63	175
Other government agencies	2	3
Consultants	1	3
Total	75	189

Meeting #79, Action Item #3

- Completed. **Karey Shinn** sent an email to Joanna Kidd requesting that Michael Rosenberg be the NLC representative on the Lake Ontario Park Committee. She also asked Joanna for meeting times and dates. She has not heard back yet. **Karey Shinn** noted that Lake Ontario Park is south of Ashbridges Bay. NLC is asking for a place on their committee since their work impacts our mandate.

Meeting #79, Action Item #4

- Ongoing. **Mark Rupke** will add an introductory cover slide for the presentation and post on web site.

Meeting #79, Action Item #5

- Ongoing. **Mark Rupke** said that negotiations are still ongoing with Veolia. Anecdotally they do have means of selling pellets, but the agreement needs to be finalized before we get that information.

Meeting #79, Action Item #6

- Ongoing. **Mark Rupke** said the NLC motion has been brought forward to the Director and has been discussed with Veolia.

Michael Rosenberg asked if the city staff negotiating this agreement with Veolia believe that the purpose of the pelletizer was to provide the ability to do land applications. He asked whether they take it upon themselves to try to avoid incineration? **Mark Rupke** replied that he cannot speak to other people's beliefs. However, when they built the pelletizer, the primary intention was to produce fertilizer. As far as he knows, that is still the case. Restrictions on Veolia's ability to market the product simply may interfere with their ability to manage that market. Whether they can restrict potential end markets is something Toronto Water is discussing and needs to be part of their overall management strategy.

John Hopkins asked about drying the material so that the residue product is more storable. He said it was easier to store pellets than sludge, which is one reason for

producing a dry product. **Mark Rupke** agreed. **John Hopkins** said that this is something positive.

Connie Demb noted that an article by David Nichol in the Riverdale Mirror appeared on Friday following deputations at Works Committee on May 30th. **Connie Demb** quoted some of Councillor Shelley Carroll's comments, including the statement "and if we do any kind of thermal processing for our sewage waste it's not going to be those incinerators..." **Connie Demb** said that NLC needs to inform (by letter) the Works and Infrastructure Committee members of Council and any other appropriate councillors that we have made a firm recommendation by motion that the pellets not be incinerated or raised to any temperature resulting in combustion.

Action Item #1:

NLC to inform by letter the Works and Infrastructure Committee members of council and any other appropriate councillors that we have made a firm recommendation by motion that the pellets not be incinerated or raised to any temperature resulting in combustion.

Saul Cohen asked if the Ministry of the Environment has approved the use of the pellets. Is there any downside on their use? **Mark Rupke** said that if it is sold as fertilizer then it becomes a federal jurisdiction and that yes, the pellets do meet the requirement of the Federal Fertilizer Act. **Karey Shinn** added that we have one of the most stringent sewer use by-laws in North America.

Meeting #79, Action Item #7

- Ongoing. As a point of information, **Connie Demb** noted that since Mark Rupke said that staff had received the motion and it had been passed to senior staff of Toronto Water, "we know it exists."

Action Item #2:

Connie Demb/Karey Shinn to find which meeting the Motion regarding the beneficial use program was made and inform **Shiri Pasternak**.

Meeting #79, Action Item #8

- Completed. The number is displayed at the bottom of the meeting agenda.

Meeting #79, Action Item #9

- Completed. Both Peter Tabuns and Michael Prue to be added to the mailing list. **Shiri Pasternak** did not hear back from Jack Layton's office.

Meeting #77, Action Item #2

- Completed. **Mark Rupke** distributed the Fire Marshall Report.

Action Item #3

Mark Rupke to bring a copy of the Fire Marshall Report to the next meeting for **William Sheehan**.

3.0 Mini-Updates

Pelletizer

Mark Rupke explained that the pelletizer was built in 2000/2003 in order to turn biosolids into a dried fertilizer product. A fire broke out during the commissioning period and it was only last year that the City started rebuilding. Currently, the City is in the re-commissioning phase. The pelletizer is fully reconstructed and they are now testing each piece of equipment. They should be producing pellets shortly (up and running by this summer). They need to finalize details with Veolia (who is building the pelletizer) to determine if City staff will operate and market the product or if this will be done by Veolia. This negotiation is ongoing. **Karey Shinn** asked if the pelletizer is currently being commissioned and **Mark Rupke** said yes. Right now they are doing hot testing of individual pieces and they should be in production any day now.

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Karen Buck asked if Veolia has a similar contract in Chicago and **Mark Rupke** said he knew they were bidding on one but was not sure if they were constructing. **Karey Shinn** said that they did have that contract. **Karen Buck** asked if **Mark Rupke** is keeping track of the commissioning of that pelletizer and **Mark Rupke** said he personally was not.

Action Item #4:

Mark Rupke to ask City staff colleagues if they are keeping track of the commissioning of the Chicago pelletizer.

EA

Mark Rupke said that the City is continuing to check with the Ministry of Environment (MOE), who continue to assure them that the EA is moving forward. The MOE anticipate it going to the Minister's desk soon. There has been some delay because the EA went back for more legal review and is now climbing the staff ladder again towards the Minister's desk. **Mark Rupke** spoke to the MOE office about whether the House rising for the summer would delay this process and was told that it shouldn't. The committee that will review the EA will continue to meet on a regular basis so this EA could be approved any time up until the election.

Karen Buck asked what City staff is doing to make sure that the Mediation Agreement (MA) is being adhered to in this EA approval. She said that they know that the Minister has residual powers that the City can ask her to invoke, but the City agreed in the MA to adhere to all MA components. **Mark Rupke** said that the City and the signatories have had this discussion many times. The MOE has said that it is outside of their legal authority to include the entire MA as a condition of approval. The conditions they impose on the EA need to relate to the undertaking seeking approval.

Karen Buck said that the City, in negotiations with the Ministry, shortened the EA to 3 projects. She asked why the City is not addressing the fact that this MA needs to be looked at by somebody neutral (like a mediator) who would go through this with the signatories and revise it to maintain the integrity of the contract that was signed. The

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NLC needs a motion regarding this matter. As soon as the City said to the Ministry that they weren't following the MA anymore, the City should have come back and actually looked at the whole MA in light of what was happening rather than keeping it behind closed doors and not reporting on it. **Mark Rupke** said that none of the changes Karen just described ever happened. The City did not negotiate part of the MA away. The MA itself said the undertaking seeking approval is the UV disinfection, effluent pumping station, outfall and tertiary treatment. The Ministry said that they would not get approval for tertiary treatment. The City has always been committed to the Mediation Agreement.

Karen Buck said that the City has undermined the MA and that if you look at Resolution #10, you would see that the purpose of the EA included: planning, processing and projects. She said that the City has totally stripped the EA of all the planning, and left three 3 projects instead of the original four. **Karen Buck** has a letter from the Environmental Assessment and Approvals Branch that says the tertiary treatment was removed by the City, not the MOE. Secondly, she has a letter from James Omara, the director of the Environmental Assessment and Approvals Branch saying that the 2nd amendment of the EA came in the November 28, 2002 letter. **Mark Rupke** asked if they have found anything in that letter that looks like the City is removing something from the EA. **Michael Rosenberg** said yes, even the Ministry has found such things in the letter. The Ministry responded to NLC by saying this was not a technical amendment and that the November 28 letter changed the undertaking.

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Michael Rosenberg said that the City has not actually withdrawn from the MA but they have failed to implement it. In the EA, the City was to request that the MA be a condition of EA approval; the MA did state that the City would request this as a condition of approval, in terms of the inclusion of the 'planning process.' These were part of the preferred undertaking as a whole and so it still appears that especially with biosolids, the city is really not implementing the MA. We had hoped that the Biosolids Beneficial Use Committee would enable those things to be implemented, but that has not happened.

Odour Control Project

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Mark Rupke said that they are continuing to move through the detail design of the odour controls for the pumping station sites and D building. They have reviewed the draft air management strategy looking at how the various odour streams can be combined, including: treatment using a centralized biofilter; treatment using multiple biofilters; how much treatment is needed; use of stacks for dispersion to reduce impact to community, etc. They have also taken a Value Engineering (VE) exercise where experts in odour control have been convened to review it and have suggestions to make the project more functional and less expensive. As a result, the City has a few preferred options and they are rapidly working to finalize these and create a preferred overall air management strategy to inform the rest of the design process. The City is also moving forward with pre-design work on aeration. As part of that conversion they are looking at a new cover system to provide better access to tanks and to visually observe the process in order to more effectively troubleshoot problems. They are working with the

MOE to get the C of A approval. This normally takes 6 months to a year but the City would like the MOE to fast-track the approval process.

Saul Cohen asked how many citizen complaints come in regarding odour at the plant. **Mark Rupke** said that in spite of plant odours, not many complaints are received. Historically there are about a dozen a year and in 2006, the plant office did not receive any complaints at all. Some complaints do go to politicians, which is a different avenue. However, odour complaints aren't a really good indicator of how bad a problem is since people get used to odours and then stop calling. The City recognizes that. The City did an exhaustive study of the plant and they know there is a problem. The goal of the odour control project is to dramatically reduce odours.

Karey Shinn added that there is an odour protocol that this committee is hoping to have as part of the City's 311 system so that there will be a general complaint number. Perhaps part of the problem is that people did not have access to the right numbers. In the meantime, the number to call is listed on the Agenda.

Connie Demb asked for a clarification from Mark Rupke. She noted that in his summary review, he referred to dispersion as an option. Her understanding was that dispersion was only to take place in terms of the treated clean air after the biofilters were installed. Was that wrong? **Mark Rupke** said that in the conceptual design they did have treatment for most sources, but even here some of the smaller sources relied strictly on dispersion. Dispersion is a very useful means of dealing with odour. Odour doesn't stay around forever so once it is dispersed enough you can't smell it and it isn't harmful; it degrades in the environment. So, there does not always have to be treatment. Currently, we have to look at how much improvement there is through treatment or whether dispersion alone can be used. For some odour sources, there is not much to be gained from a treatment process.

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Saul Cohen asked if there was a report from the Medical Officer of Health regarding the percentage of problems in this area vs. other areas. **Mark Rupke** said that the City did studies on this in 2004, in co-operation with Toronto Public Health. The results are posted on the Toronto Public Health website as well as the City website. One study looked at hospital admission rates. **Karey Shinn** said that the studies were done by postal code. There were three studies in total, the first on health status. The second was an emission study that found that the City meets all Ministry requirements. **Jean Yves Urbain said** once the City implements a new odour control system, all treatment processes will meet requirements. The third study examined if there were any opportunities to use biosolid pellets in Toronto, i.e. on golf courses.

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Connie Demb asked if Mark Rupke was talking about dispersion through a high stack only. **Mark Rupke** said the City has looked at high stacks, smaller stacks, stacks of varying heights; ultimately they have considered over 100 different options. **Connie Demb** said it was their understanding that the tests of the biofilter were quite positive and that at least two of them were going to give us one odour unit level that we would need once the other engineering processes were conducted at the plant. The only thing

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that would go up through the high stack would be cleaned filtered air. This is important to her because when there was incineration years ago, the engineers at the plant told residents that a high stack was going to take care of everything. Of course that was not the case. Until December 2002, residents lived with the impacts of incineration. She does not want to have a solution that becomes “we’ll just disperse it and it won’t bother you anymore”. Dispersion is not necessarily the best solution unless you can prove conclusively that it won’t disperse beyond the immediate plant perimeter.

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Mark Rupke said the City is going through that whole assessment process now and nothing is finalized. They can add this NLC discussion to the decision-making process. A second issue being considered is implementation timelines, as some of these options have different timelines and the City needs to balance off cost, dispersion effectiveness and timelines because the current base timeline stretches to 2017. They are now looking to accelerate some of that by eliminating some biofilter stages (they can hook things up directly to a dispersion stack). **Mark Rupke** agreed that it is not a good strategy to just “hope” that things go up the stack and disperse. Therefore, they do look at the nature of odour and are going above and beyond Ministry requirements in terms of which dispersion models they use.

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Jim Neff asked if they have given consideration to thermodynamics or local geography (i.e. bodies of water). **Mark Rupke** said all of this was captured in the models they are using, which look at lake water temperature, local topography etc. **Jim Neff** asked if the model takes into consideration all the inputs within that geographical area. **Mark Rupke** said that the model looks at all the sources from the treatment plant.

Karen Buck said that it is one thing to smell an odour and know it exists, but there are a lot of chemicals that have no odours and we don’t know what their impact is on health. What odours emitted through volatile organic compounds going through the sewage process would be a concern for health? **Mark Rupke** said that at a simplistic level, none of them are a concern for health, The study with Toronto Public Health demonstrated that there were no measureable chemicals at levels high enough to be health concerns. In general, you can almost always smell an organic chemical at concentrations lower than it would have a health effect. In response to a question from **Karen Buck**, **Mark Rupke** explained that hydrogen sulphide is an inorganic chemical produced by bacteria in wastewater. In the southern U.S. it thrives at higher temperatures, but here in our moderate climate, it is not a big problem.

Karen Buck said she thought the pumping station had recognized a concern about hydrogen sulphide. **Mark Rupke** said that there is some at the station but not excessive levels. **Karen Buck** asked if they looked at this in terms of health outcomes or just the regulations with the Ministry because they are two different things. **Mark Rupke** said that when they went through the emission report with Toronto Public Health, the City looked at existing Ministry regulations, which are mostly health based. Furthermore, in some areas, Public Health recommended even stricter standards which were also evaluated.

Connie Demb said that the province has made a lot of the air pollution regulations more stringent, especially with regard to health impact. Past studies for the plant may not have taken into account the revisions that were implemented by the province over a 3 year period. **Jean Yves Urbain** noted he was the author for that particular report (Toronto Public Health Emissions Study) and that the new regulations would not have changed the conclusions of the report. The report is available on the website. **Connie Demb** said that the Toronto Public Health Emissions Study was published in 2004 and at that time, the new provincial regulations had just come into effect. **Jean Yves Urbain** said that since that time period, new numbers have been coming out every month and they have not changed the conclusions of the report.

Landscaping

Mark Rupke said that back in 2002 the City finalized a master plan for landscaping for Ashbridges Bay (essentially the park north of Lake Shore and the periphery of Ashbridges Bay). They have hired a consultant to do the detailed design work for the pumping station site and actually had a kick off meeting with them today. The consulting team is called ENVision, in partnership with EarthTech. The lead architect from ENVision is Ian Dance. Suzanne Barrett is leading the public consultation component. Nancy Martins from the City of Toronto Consultation Unit is also working on this project. **Karey Shinn** asked when the consultants will come talk to NLC and **Mark Rupke** said they are planning to report at the NLC meeting in September.

Jim Neff said that historically, one of the principles put into this landscaping plan was integration with surrounding communities, i.e. lighting should be consistent. How is that being worked in? **Mark Rupke** said there are many planning initiatives going on in that area, including the Leslie Street greening and Lake Ontario Park that are already pulling in people to serve as part of a project team to provide those linkages. This will result in a design that fits into the broader planning initiatives and into the community.

Dave Hanna asked for details about the schedule as laid out by ENVision and EarthTech as part of their contract. How often will they meet? Secondly, he noted that other features of the waterfront that Jim Neff was talking about, especially Coatsworth Cut, have been radically changed. How will connections be made to this group relative to Ashbridges Bay? **Mark Rupke** said that they all meet with each other fairly regularly. For example, Mark sits on the Lake Ontario Park committee and the Waterfront Secretariat attended the Lake Ontario Park kick-off meeting today. Minutes are always taken of these meetings, as well. With regards to Dave's first question, the whole consultation program and the need to consult with various stakeholders was laid out in the RFP, specifying the number of meetings and number of hours needed. Typically, project management will meet once a month (internally) and they may have additional technical meetings on an as needed basis.

Dave Hanna said that the RFP was not specific on meeting schedules and **Mark Rupke** agreed that schedules and details will still need to be worked out. One of the first things the consultants will do is focus on developing a consultation strategy. **Dave Hanna** asked how NLC gets included in these 'internal' lakefront meetings. How do we get

linked more directly? **Mark Rupke** replied that this is part of the whole consultation public strategy they're developing. **Karey Shinn** explained that the consultants do have to report back to NLC at certain points throughout the process. She suggested that when the consultants come to the meeting in September, they bring their schedule.

Dave Hanna asked if Coatsworth Cut, as it was being planned before, is totally thrown out the window. **Mark Rupke** said no, the EA process is still ongoing. **Dave Hanna** asked if what was originally proposed is thrown out. **Mark Rupke** said that only the location of the wetland might change; the EA process is proposing to put it south of the treatment plant, since Lake Ontario Park may relocate boat clubs and thus free up the bay so that the wetland could be moved into the bay. Other than where it is located, it is the same idea. **Dave Hanna** asked if there will be a size or cost difference. **Mark Rupke** said that it is cheaper to put the wetland inside the bay; it will be the same size. **Dave Hanna** asked if Mark was in agreement with the proposal by Lake Ontario Park. **Mark Rupke** said that if Lake Ontario Parks is looking to relocate boat clubs for various reasons and it frees up the bay then this will be a potential home for the wetland. **Jim Neff** noted that there is an Open House regarding the lakefront process next Thursday, June 21, 2007 at 45 Esplanade from 6-9 p.m.

Karey Shinn asked Mark Rupke to report back to NLC after his next Lake Ontario Park meeting. Right now, NLC does not know how they are organizing all these design groups. **Mark Rupke** agreed to report back. He noted that the two year delay they suffered trying to tender this job may not have been that bad because all these other initiatives (Coatsworth Cut, Lake Ontario Park) have matured in the meantime.

Hy Schwartz explained that carbon monoxide does not smell and so it is a very dangerous material. It does not even irritate the throat so people should always keep car doors open in closed garages.

Michael Rosenberg said that it appears that the Waterfront Corporation, through its design firm, is going to decide what is going to happen to Coatsworth Cut. Consequently, the Coatsworth Cut plan under the EA will be done in accordance with their wishes. **Mark Rupke** noted that the Coatsworth Cut EA can't move the boat clubs out but Lake Ontario Park may. **Michael Rosenberg** said that the landscaping plan had a reasonable level of public support and consultation. The Waterfront Corporation, however, is really bad at that, so he's not sure we have gained something positive from having to amend this plan in accordance with whatever they decide. As a process, the public isn't being served by the Waterfront Corporation going first, followed by the EA (Coatsworth Cut has a fairly bad public consultation process) and then finally the landscaping plan. **Mark Rupke** explained that the three initiatives are going forward in parallel. **Michael Rosenberg** disagreed; in terms of decisions, the Waterfront Corporation is going first and the EA decision will be based on the Waterfront Corporation. If all three initiatives had equally valid public consultation processes (i.e. 2 way public consultation in which public comments influence the outcome) then yes, they could work in parallel. However, the Waterfront Corporation does not listen to the public and the EA process has not been that great, so they are not three equal processes.

Michael Rosenberg said that now that we can go to meetings, he would like to know whether NLC members like the idea of filling in or making Coatsworth Cut itself part of the wetlands or if they want a water bay area and that the wetland be somewhere around that. **Shiri Pasternak** noted that there is a very good chance that the next round of public consultation for Coatsworth Cut will take place on June 23rd. NLC members could bring their opinions to that consultation. Indeed, the weighting for the last round of consultation affected the final design, so the process is legitimate. NLC will get an email about this consultation when it is confirmed. **Dave Hanna** noted that Coatsworth Cut may not even come up at the waterfront meeting so the sooner Shiri can get them the details, the better.

Action Item # 5

NLC members to come to next NLC meeting prepared to pass on comments about Coatsworth Cut to Michael Rosenberg.

John Hopkins noted as a point of information that he went to 'Through the Garden Gate' as a member of Toronto Botanical Gardens and saw a place called Shore House with 6 residents. It was terrible; weeds everywhere. This year they are putting soil over the lawn to get it level with the help of a botanist. Shore House is located opposite the bridge going to Algonquin Island.

Karen Buck said there was a section in the MA that said we didn't support lake filling. When Michael Rosenberg goes to Lake Ontario Park, does he try to get the least amount of lake filling? Or does he say that we're opposed to it? **Karey Shinn** asked **Karen Buck** to bring up these points at the next meeting.

Connie Demb asked Michael Rosenberg what the park planning schedule was and **Karey Shinn** said that Michael has not been invited yet (NLC has just sent in the letter requesting admission as a member). **Mark Rupke** said that at this point they had put field operations on a bit of a holding pattern and were awaiting further study work, so there isn't a fixed schedule for ongoing consultation or ongoing design work. Field operations will meet with Toronto Waterfront to work out the schedule soon.

Biosolids

Mark Rupke said the City is continuing to manage the program. He hasn't been able to get recent data on how much the City is taking to land application versus landfill. They are targeting September-October for a major update.

4.0 Other Business

MOTION #1 by Hy Schwartz

Hy Schwartz introduced a motion regarding water metering. **Michael Rosenberg** said the motion contains too many 'whereas' statements. **Hy Schwartz** said they are all part of the motion but if NLC members want to strike some out, they can. **Karey Shinn** said that she tried to get a copy of the water meter by-law and it does not apply to apartment

buildings or condos. If people in the old part of the City want water meters, they can call to get them on request.

John Hopkins noted that Hy Schwartz does not want water metering done 'on demand' – he wants everyone to be able to get meters. Councillors promise this all the time but never do it. **Karey Shinn** explained that in condos, water meters are measured at the pipe that joins to the city system and it is up to condo owners if they will do individual water meters; this would require a by-law. **Connie Demb** asked if this meant that the building has a meter, but the individual units do not, and **Karey Shinn** said, yes. **Karey Shinn** noted that the whole building has a meter. **Connie Demb** asked if the cost is divided within units and **Karey Shinn** said, yes. **Karey Shinn** explained that apartment buildings have the same kind of system. Regarding water rates, a recent proposal (that she read about in the Star) was made since people who are on meters pay higher rates to compensate for unmetered buildings. **Connie Demb** noted that the criticism is therefore that the block system rate goes down the more you use. **Karey Shinn** agreed and said that people on meters would pay more than those on bulk rates.

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Jim Neff suggested the phrase "all unmetered premises" as a friendly amendment to the motion. **Mark Rupke** said he can take the motion to Alex Marich. **Connie Demb** said that given the clarification that condos and other apartment buildings have building-wide meters, it would be impossible for the City to require individual metered units (given the legal aspects of a condo corporation bylaws). The phrase 'residential buildings' is more appropriate than 'residential units'.

Saul Cohen asked what is happening at the City with respect to this problem and **Mark Rupke** said there is a design underway for a universal metering system.

Moved by: **Hy Schwartz**

Whereas

The flat rate is a tax created some 50 to 100 years ago and is unfair to senior citizens living in a house or apartments etc. On the other hand when the house is rented out to Roomers then the City may be losing money because excess water is being used

Whereas

In the case of urgency the Fire Department draws water from city owned 'Fire' hydrants and this flow of water is not measured/not metered until the fire is extinguished and people and children are saved.

Whereas

The city street cleaning department draws water from 'Fire' hydrants to fill the water truck tanks. Although the quantity of water required to fill each tank is known, the city cleaning department doesn't report to the water department how much water is used, without paying any money to the water services.

Whereas

For fairness in the market place the supply of electricity to homes, apartment buildings, businesses, all have kilowatt hour meters.

Whereas

For fairness in the market place the supply of (fuel) gas and oil to homes, apartment buildings, business, hotel, restaurants is by meters

Whereas

Water meters manufactured by several companies since 2001 produce water meters which are very accurate, reliable, and rarely need repairs for fifteen years of service meters are low cost items.

Whereas

Water meters manufactured since 2003 are available with short length of flexible hose making it easy quick, and labour costs low to install such water meters. The investment will pay off in two or three years.

Whereas

The concept to fit water meters with electronic (or land wire) telemetering system so that reading of the meters are all set to some centralized billing station, is still a concept not a proven, not available, users will still have to report the meter reading by post or 24 hour voice message

Whereas

The engineering staff and the business staff of the Department of Water are all aware of the advantages of metering, which can predict minor leaks transforming into burst mains, the staff hold plans for meters to be installed in the next twenty years.

Whereas

The concept to install water meter fitted with electronic and/or hand wiring to send signal to central billing office, thus eliminating the need for human inspections is in design and development. Such devices are not yet proven and such meter may require 20 years of development and be costly.

BE IT RESOLVED THAT: Toronto Water take the immediate steps to install water meters in all unmetered residential buildings which now use/take/receive water and pay by 'Flat Rate'.

The motion was passed unanimously.

Hy Schwartz said that he and John Hopkins were invited to Neptune Meter Company to see their meters which handle varying types of pipes to great accuracy of water going into a 12 inch main pipe. They are looking for contracts to develop these remote metering systems.

MOTION #2 by Karen Buck

Karen Buck introduced a motion regarding a process to settle dispute(s) around ABTP EA approval and MA compliance “disputes” between the City of Toronto represented by Toronto Water and the ABTP NLC, ICMC and the Signatories.

Mark Rupke noted that the 2nd whereas deals with ICMC and asked if this should be a motion from ICMC since it is their place to request that mediation. **Karen Buck** said both NLC and ICMC are mentioned with respect to changes in the MA. **Karey Shinn** suggested passing the motion this evening and adding that it be forwarded to ICMC. **Mark Rupke** said that NLC should clearly recognize that passing a motion to open up the Mediation Agreement will likely bring the entire EA to a halt. “If we do not get EA approval, the outfall will not get built.” The MOE will likely see this as something else they have to go back and look at again. If that happens, at a minimum, it would be another 3-5 years before the City could start on the outfall again. **Mark Rupke** encourages the committee to work with the City to get the outfall built, so that together they can improve the environment. **Karen Buck** said that Mark was underestimating the commitment of the community to have these projects done well and the community does not like it when there is this huge slip sliding of the legal contract and commitment by the City (who did not come to the community and resolve the dispute).

Connie Demb said her understanding was that the MA took 3 months so she does not feel that a 3-5 year delay is realistic. **Mark Rupke** said that it took the MOE 2 years to review the EA and then another 4 years to slowly work towards approval. If you remediate this, then you go back to where we were in 1999. **Connie Demb** said that the MA would not be changed by re-remediation; it would just be re-enforced. **Mark Rupke** said that he is not averse to mediation but this is a poor time to change the Agreement. **Karen Buck** said that if we were all to write letters that showed our agreement about moving forward, the EA would be completed immediately. **Mark Rupke** said that every letter the City writes notes that they stand by their commitment to the MA.

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Moved by: **Karen Buck**
Seconded by: **Connie Demb**

WHEREAS the City’s Mediation Agreement states the following:

“The City agrees that it will not seek to amend this EA approval or any of the conditions of approval, including any terms of this Mediation Agreement, without the consent of the ICMC and the NLC and, if reasonably available, the signatories to this Mediation Agreement, unless all of the foregoing have been fully consulted and any dispute has been mediated in good faith with the assistance of an independent mediator, but without success.”; and,

WHEREAS the City’s Mediation Agreement states the following:

“The City and the other participants agree that if any dispute arises between the City and the ICMC regarding compliance with this Mediation Agreement that they will work in good faith to attempt to resolve the dispute through discussions,

including if necessary, an independent mediator prior to pursuing any other course of action.”

(From the Mediator’s Report, page 104, commitments 2.6 and 2.7)

THEREFORE BE IT RESOLVED that the City implement a process to resolve the dispute(s) that now exist with regard to the approval of the City’s ABTP EA and compliance with the City’s Mediation Agreement around the following:

1. inclusion of the City’s Mediation Agreement as agreed specifically in commitments 7. and 7.1.

(From the Mediator’s Report, page 22, commitments 7. and 7.1)

2. adherence to a 100% Biosolids Beneficial Use Program as agreed to in commitments 2.1, 2.2, 2.3, 2.4, 2.5, 2.6, 3.1, 3.2, 3.3, and 4.1. of Resolution #5 and the Biosolids Addendum, 10.0 Future Activities and 11.0 Summary.

(From the Mediator’s Report, Resolution #5, pages 58 and 59, commitments 2.1, 2.2, 2.3, 2.4, 2.5, 2.6, 3.1, 3.2, 3.3, and 4.1 and the Biosolids Addendum, 10.0 Future Activities and 11.0 Summary, pages 68 and 69)

3. adherence of the draft Biosolids and Residuals Master Plan to the commitments of the City’s Mediation Agreement to a 100% Biosolids Beneficial Use Program as agreed to in commitments 5.8, 5.9, 5.9.1, 5.9.2, 5.9.3, 5.10.2, 5.10.4, 5.11, 5.11.1, 5.11.2, and 5.11.3 as found in Resolution #5 and the Biosolids Addendum, 10.0 Future Activities and 11.0 Summary.

(From the Mediator’s Report, Resolution #5, pages 61 and 62, commitments 5.8, 5.9, 5.9.1, 5.9.2, 5.9.3, 5.10.2, 5.10.4, 5.11, 5.11.1, 5.11.2, and 5.11.3 and the Biosolids Addendum, 10.0 Future Activities and 11.0 Summary, pages 68 and 69.)

4. inclusion of any other commitments within the City’s Mediation Agreement that are deemed to be “in dispute” between the City of Toronto represented by Toronto Water and the ABTP NLC, ICMC and the Signatories.

5. adherence to a 100% biosolids beneficial use program as agreed in commitments 2.2

The motion was passed with 9 in favour and 3 abstentions.

The Motion is to be sent to Lou Di Gironimo, General Manager Toronto Water and Frank Quarisa, Manager Wastewater. It will be sent to ICMC for information and cc’d to:

Richard Butts, Deputy City Manager
Mayor David Miller

Council Speaker, Councillor Sandra Bussin
Councillor Paula Fletcher
Chair of the Public Works and Infrastructure Committee, Councillor Glenn de Baeremaeker
Co-chair of the Public Works and Infrastructure Committee, Councillor Adam Giambrone
Members of the Public Works and Infrastructure Committee,
Councillor Shelley Carroll,
Councillor Mark Grimes,
Councillor Chin Lee and
Councillor John Parker

Karey Shinn asked that revisions to the Minutes #79 be put further up on next meeting's agenda. She asked NLC members to bring their revisions to the Minutes to the next meeting. **Connie Demb** said that consultants such as Jean Yves Urbain be listed separately in the Attendance list, either before or after City staff.

MOTION #3 by Michael Rosenberg

Moved by: **Michael Rosenberg**

Seconded by: **Jim Neff**

THAT: The NLC recommends that the 100% Biosolids Beneficial Use Committee be restarted as soon as possible.

The Motion was passed with 9 in favour and 3 abstentions.

Michael Rosenberg noted that this motion should be sent to Lou Di Gironimo and brought up at the next Public Works and Infrastructure Committee meeting.

5.0 Next Meeting Date

The next NLC meeting is scheduled for: Tuesday, July 31st, 2007.
(There will be no meeting in August.)

The meeting was adjourned at 9:15 p.m.