



**PUBLIC COUNCIL SESSION
AGENDA PACKAGE**

Monday, November 15, 2021

4:30 p.m.

Zoom Meeting

1. CALL TO ORDER

1.1. Territorial Acknowledgement

We acknowledge that we are in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq people

1.2. Roll Call

2. ADMINISTRATIVE AND PROCEDURAL ISSUES

2.1. Approval of Agenda

Recommended Motion:

THAT to approve the agenda as presented.

3. STRATEGIC PRIORITIES ISSUES

3.1. Apple River Fire Truck

The Advocate and District Volunteer Fire Brigade (the department) maintains a sub-station in Apple River. The current vehicle located in the Apple River Sub-Station is a 1987 Ford Pumper on loan from the Parrsboro Fire Department. This vehicle has a standard transmission that the membership of the department does not have the training to reliably operate. The department discussed with staff that the existing pumper is not the correct equipment to place at the sub-station, a pumper/tanker would provide better and more flexible response when arriving to a fire from the sub-station and when offering mutual aid to other departments.

Recommended Motion:

That Council approve the purchase of a 2003 Freightliner Maxi Metal firetruck from Eastcan Fire Trucks for \$75,000.00 + HST with the funds coming from reserves and further that Council approve the expenditure of further funds up to \$10,000 for the installation of a modified dump valve for the truck, with funding also coming from reserves.

4. MAJOR ORGANIZATIONAL ITEMS

4.1. Divestiture of Cumberland Central Landfill

Over the past fifteen months the councils of the Municipality of the County of Cumberland and the Towns of Oxford and Amherst have been considering options for the provision of solid waste management for the citizens and businesses of the region in the long term.

After many months of discussions, due diligence reviews, discussion with regulators, meetings, analysis and negotiations, the councils approved the agreements necessary to give effect to the sale of the assets of the CJSMA and the septage assets of the Municipality of Cumberland County to GFL Environmental Inc. on June 29, 2021.

Pursuant to the agreements to sell the assets of the CJSMA to GFL Environmental Inc., the Municipality of Cumberland County is required to acquire an additional property owned by Rothesay Paper Holdings Ltd., who has agreed to exchange the additional property in return for portions of land currently owned by the Municipality of Cumberland County in trust for the Towns of Oxford and Amherst as well as an equalization payment from the Municipality of Cumberland County to Rothesay Paper Holdings Ltd.

Our CAO will discuss this matter with Council and answer questions.

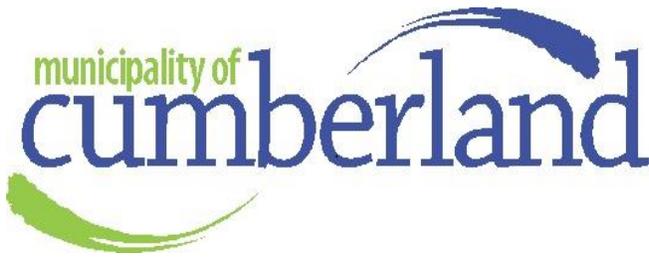
Recommended :

It is the unanimous recommendation of the Steering Committee that the Councils approve the legal agreements necessary to give effect to the land exchange agreement with Rothesay Paper Holdings Ltd. and the indemnity agreement with GFL Environmental Inc. pursuant to the terms of the agreement for the sale of the Cumberland Central Landfill to GFL Environmental Inc.

Recommended Motion:

That council approve the subdivision, granting of right of ways over and exchange of lands owned by the Municipality of Cumberland County in Trust for the Towns of Oxford and Amherst by approving the land exchange agreement with Rothesay Paper Holdings Ltd. and the indemnity agreement with GFL Environmental Inc., and that the Mayor and CAO be authorized to execute the agreements with such amendments as the Mayor and CAO deem necessary or advisable and implement same.

5. ADJOURNMENT



COMMITTEE OF THE WHOLE

CDR#

Date:

TO: Mayor Scott and Members of Council

SUBMITTED BY: Justin Waugh-Cress

DATE: November 4, 2021

SUBJECT: Apple River Sub-Station Truck Replacement

ORIGIN: The Advocate and District Volunteer Fire Brigade (the department) maintains a sub-station in Apple River. A fire truck is located at the Apple River Sub-Station, currently a 1987 Ford Pumper on loan from the Parrsboro Fire Department is located in Apple River.

LEGISLATIVE AUTHORITY: Nova Scotia Municipal Government Act Part X Fire and Emergency Services

Municipality of Cumberland Procurement Policy (Policy 17-05)

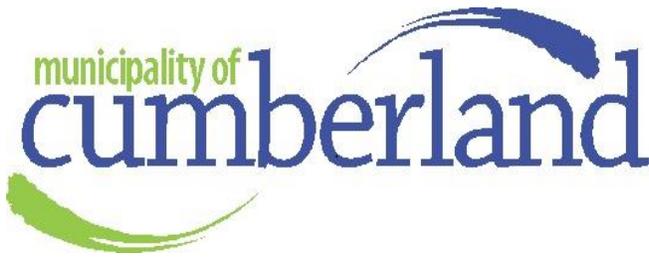
RECOMMENDATION: That Council approve the purchase of a 2003 Freightliner Maxi Metal firetruck from Eastcan Fire Trucks for \$75,000.00 + HST with the funds coming from reserves and further that Council approve the expenditure of further funds up to \$10,000 for the installation of a modified dump valve for the truck, with funding also coming from reserves.

BACKGROUND: The current vehicle located in the Apple River Sub-Station is a 1987 Ford Pumper on loan from the Parrsboro Fire Department. This vehicle has a standard transmission that the membership of the department does not have the training to reliably operate. The department discussed with staff that the existing pumper is not the correct equipment to place at the sub-station, a pumper/tanker would provide better and more flexible response when arriving to a fire from the sub-station and when offering mutual aid to other departments.

DISCUSSION: Conversations were had with the Fire Chief in Advocate to determine why the existing vehicle at the Apple River Sub-Station did not meet the needs of the department and what requirements the department felt were necessary for a replacement vehicle.

The following requirements were identified by the department:

- 1) The vehicle was a pumper/tanker
- 2) The vehicle had an automatic transmission
- 3) The vehicle had a diesel engine
- 4) The model year was 2000 or newer



COMMITTEE OF THE WHOLE

CDR#

Date:

Based on the above requirements and the dimensions of the sub-station staff conducted research to determine what was available to purchase as a replacement vehicle. One of the challenges in procuring a replacement vehicle was the depth of the sub-station. Many modern pumper/tankers will not fit in the space available.

Staff located a suitable vehicle in stock at Eastcan Fire Trucks in Notre Dame, NB. This vehicle meets the requirements of the department and will fit in the sub-station building.

Given the service provision implications of the availability of appropriate fire apparatus, this issue is determined to be urgent and should be addressed without delay

FINANCIAL IMPLICATIONS:

The cost of the Eastcan “2003 Freightliner Maxi Metal” fire truck is \$75,000.00 + HST.

The purchase of a new vehicle for the Apple River Sub-Station is not in the 2021/22 Capital budget. The purchase of a Tanker for the department was considered in Year 4 (2024/25) of our Capital Investment Plan. The staff recommendation is to advance the expenditure of the funds. With the funds coming from reserves there is no current year financial impact

ENVIRONMENTAL IMPLICATIONS: None identified at this time

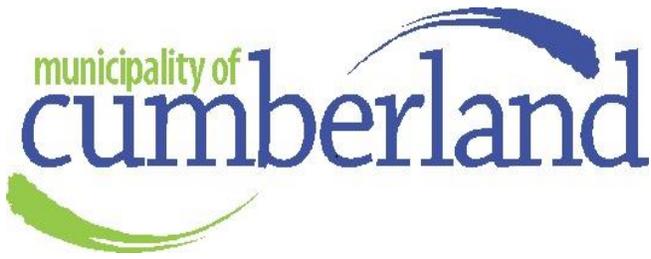
HOW WILL IT BE COMMUNICATED? This will be communicated directly to the department if a decision is made to purchase the vehicle. Public communication will be coordinated with the department at the time of delivery.

ALTERNATIVES:

- 1) Decline to purchase the identified truck

ATTACHMENTS:

Report prepared by:



COMMITTEE OF THE WHOLE

CDR#

Date:

Report and Financial approved by:

MEMORANDUM

TO: Councils of the Municipality of the County of Cumberland and the Towns of Oxford and Amherst

FROM: Landfill Divestiture Steering Committee

DATE: November 12, 2021

SUBJECT: Divestiture of Cumberland Central Landfill

Background

Over the past fifteen months the councils of the Municipality of the County of Cumberland and the Towns of Oxford and Amherst have been considering options for the provision of solid waste management for the citizens and businesses of the region in the long term.

In June of 2020 the Councils collectively called for proposals for the sale of the Cumberland Central Landfill. The councils had concluded that an in-depth examination of the provision of the service by a private sector provider who would buy the assets of the facility and enter into a long-term agreement with predictable and manageable tip fees was appropriate. To guide the process, the councils agreed upon a set of guiding principles which defined the problem they were trying to solve and the issues that had to be addressed in solving it. Those guiding principles are attached to this memo.

The councils also formed a steering committee of the Mayors, CAO's and the general manager of the Cumberland Central Landfill to oversee the process.

Three proposals were received and two were judged to be compliant with the RFP. GFL Environmental, Inc. was identified as the preferred proponent and the negotiating team, under the direction of the steering committee, set out to negotiate an agreement for the sale. It was, however, not a sale at any cost – the team was mindful at every turn of the guiding principles set out by the Councils in bringing the matter to a successful outcome.

After many months of discussions, due diligence reviews, discussion with regulators, meetings, analysis and negotiations, the councils approved the agreements necessary to give effect to the sale of the assets of the CJSMA and the septage assets of the Municipality of Cumberland County to GFL Environmental Inc. on June 29, 2021.

Pursuant to the agreements to sell the assets of the CJSMA to GFL Environmental Inc., the Municipality of Cumberland County is required to acquire an additional property owned by Rothesay Paper Holdings Ltd., who has agreed to exchange the additional property in return for portions of land currently owned by the Municipality of Cumberland County in trust for the Towns of Oxford and Amherst, two right of ways to access adjacent property owned by Rothesay Paper Holdings Ltd., and an equalization payment from the Municipality of Cumberland County to Rothesay Paper Holdings Ltd.

The land exchange agreement reached with Rothesay Paper Holdings Ltd. reflects the transfer of subdivided lands owned by the Municipality of Cumberland County in trust for the Towns of Oxford and Amherst in exchange for the additional property subdivided from lands owned by Rothesay Paper

Holdings Ltd., two right of ways across further lands owned by the Municipality of Cumberland County and the subdivided land acquired by the Municipality of Cumberland County in favour of Rothesay Paper Holdings Ltd., and payment by the Municipality of Cumberland County to Rothesay Paper Holdings Ltd. for the additional property, of which the Municipality of Cumberland County shall be reimbursed from the funds received from GFL Environmental Inc. on the close of the agreement for the sale of the Cumberland Central Landfill. As part of the sale of the assets of the CJSMA to GFL Environmental Inc., the Municipality of Cumberland County will also provide an indemnity to GFL Environmental Inc., covering any defects in the disposition of the lands by Rothesay Paper Holdings Ltd. to the Municipality of Cumberland County. The aforesaid indemnity shall exist for twelve months from the closing of the transaction, and, in the event of a defect, the Municipality of Cumberland County would seek to recover from Rothesay Paper Holdings Ltd. based on its representations and warranties given under the land exchange agreement.

RECOMMENDATION:

It is the unanimous recommendation of the Steering Committee that the Councils approve the legal agreements necessary to give effect to the land exchange agreement with Rothesay Paper Holdings Ltd. and the indemnity agreement with GFL Environmental Inc. pursuant to the terms of the agreement for the sale of the Cumberland Central Landfill to GFL Environmental Inc.

MOTION FOR CONSIDERATION:

That council approve the subdivision, granting of right of ways over and exchange of lands owned by the Municipality of Cumberland County in Trust for the Towns of Oxford and Amherst by approving the land exchange agreement with Rothesay Paper Holdings Ltd. and the indemnity agreement with GFL Environmental Inc., and that the Mayor and CAO be authorized to execute the agreements with such amendments as the Mayor and CAO deem necessary or advisable and implement same.