

PRESCOTT

EST 1784

THE FORT TOWN

SPECIAL COUNCIL

October 12, 2017, 6:00 pm

Council Chambers

360 Dibble St. W.

Prescott, Ontario

	Pages
1. Call to Order	
2. Approval of Agenda	
Suggested Motion	
<i>"THAT the agenda for the Special Council Meeting of October 12, 2017, be approved as presented."</i>	
3. Declarations of Interest	
4. Staff	
4.1 Staff Report 54-2017 - Leo Boivin Community Centre - Environmental Remediation	1
Suggested Motion	
<i>"THAT Council direct staff to proceed with Phase 1 of the remediation process, with an understanding that there is no guarantee of a successful outcome, in order to try and salvage the 2017 – 2018 season and to provide time to develop a long term strategy based on refined technical and financial information."</i>	
5. Period for Media Questions	
6. Confirming By-Law – 38-2017	7
Suggested Motion	
<i>"THAT By-Law 38-2017, being a by-law to confirm the proceedings of the Special Council meeting held on October 12, 2017, be read a first and second time."</i>	

Suggested Motion

“THAT By-Law 38-2017, being a by-law to confirm the proceedings of the Special Council meeting held on October 12, 2017, be read a third time, passed and signed by the Mayor and Clerk.”

7. Adjournment



		Date Req'd
Information Purposes		
Policy / Action Req'd	X	Oct 12 '17
Strategic Plan		

STAFF REPORT TO COUNCIL

Report No. 54-2017

Date: October 12, 2017

From: Pierre Mercier, CAO & Dan Beattie, Director of Public Works and Infrastructure

RE: Leo Boivin Community Centre – Environmental Remediation

Recommendation:

That Council direct staff to proceed with Phase 1 of the remediation process, with an understanding that there is no guarantee of a successful outcome, in order to try and salvage the 2017 – 2018 season and to provide time to develop a long term strategy based on refined technical and financial information.

Background / Analysis:

Upon receiving OCIF funding dedicated to asset management, staff initiated a series of complete Building Condition Assessments in accordance with our Asset Management Plan (AMP). These assessments involve a review of all building systems (structural, HVAC, environmental, mechanical etc.) in order to inform our AMP as well as allowing for the development of Preventative Maintenance Plans.

The first building selected in the process was the Leo Boivin Community Centre. Starting with this facility was deemed appropriate as it is one of the Town’s biggest assets and we had reached the 5 year review period since the last building inspection in 2012. In addition, these types of building reviews require that the facility be fully operational which it was starting in September. Waiting until the off season to do the work was not an option given the need to have the ice plant and related mechanical systems on line for inspection.

Building Condition Assessment

On September 27, 2017 EVB Engineering completed a structural condition assessment on the Leo Boivin Community Centre. The full structural review report is being finalized and will be available in the very near future. During the structural assessment EVB Engineering observed potential environmental issues in the form of what appeared to be



		Date Req'd
Information Purposes		
Policy / Action Req'd	X	Oct 12 '17
Strategic Plan		

black mould in certain parts of the building as well as potential asbestos in the compressor room. The recommendation from EVB Engineering was to proceed with a Designated Substance Survey on the basis of the possible presence of asbestos.

On October 4, 2017, the Designated Substance Survey was completed by an Industrial Hygienist. The Industrial Hygienist gathered samples from various areas of the Leo Boivin Community Centre to be sent to a lab for analysis. On October 10, 2017, the results from the lab were received by EVB Engineering and forwarded to Staff.

The report identified that what was initially thought to be asbestos was in fact a type of fiberglass which posed no health risk. The results however identified airborne mould spores in various parts of the facility. Upon receipt of the report, the decision was made to temporarily suspend activity at the arena while various steps forward were being developed.

Airborne mould is recognized by the Ministry of Labour as a workplace hazard and as such the Ministry enforces worker protection under the General Duty Clause 25(2) (h) of the Ontario Health and Safety Act. Clause 25(2) (h) states that the employers are required to “take every precaution reasonable in the circumstances for the protection of a worker”. In such cases the MOL will refer to industry standards and guidelines for the safe handling and management of such materials.

The initial recommendations from the Industrial Hygienist were received on the 10th of October by email. The recommendations reflect industry standards and guidelines for the management of mould as required by the Ministry of Labour and they are as follows:

Immediate Recommendations:

WSP recommends that the Leo Boivin Community Centre be shut down effective immediately for cleaning due to mould. WSP recommends the following:

1. *Surface cleaning the canvas wrap with a biocide solution to remove the visible mould growth. It should be noted EACO and CCA mould guidelines recommends complete removal of mould impacted materials; however, it is expected that a biocide solution will remove the mould growth on the canvas insulation. WSP will return to Site after the surface cleaning is conducted to ensure that the surface cleaning successfully remediated the mould growth on the canvas insulation. If visible mould growth or staining is observed on the canvas or the fiberglass insulation at the time of WSP's site investigation, complete removal of the canvas*

		Date Req'd
Information Purposes		
Policy / Action Req'd	X	Oct 12 '17
Strategic Plan		

and associated fiberglass insulation is recommended as per EACO Mould Abatement Guidelines;

2. *Surface cleaning of all offices, dressing rooms, meeting rooms, kitchen, washrooms, storage areas, and ductwork with a biocide solution to decontaminate surfaces. WSP will return to Site after the surface cleaning is conducted to ensure that the surface cleaning successfully remediated the mould growth within the building WSP will complete air sampling to determine the effectiveness of the cleaning;*
3. *Upon completion of cleaning, areas around the remediated area should be HEPA vacuumed and wet wiped utilizing a biocide solution.*

Notes:

- *Appropriate PPE must be worn within the work area to protect workers from the hazards of mould.*
- *NIOSH-approved Half-face Filtering Facepiece Respirator (N95 minimum)*
- *Compressed air must not be used to clean surfaces or to remove debris. If possible wet sweeping or flushing with low pressure water should be used, otherwise low intensity sweeping / brushing should be used, to minimize creation of airborne dusts;*
- *Quarterly air sampling should be conducted to monitor the mould levels within the Community Centre.*

Long Term Recommendation/Options:

1. *Remove and replace the canvas wrap and fiberglass insulation within the building following the Mould Abatement procedures as outlined in the EACO Mould Abatement Guidelines and the Canadian Construction Association document CCA 82-2004;*
2. *Further investigate the source of water infiltration. Please note without determining and repairing the source of water intrusion / moisture build-up within the building, mould growth is expected to return;*
3. *Retain a contractor to repair the source of water infiltration; and*
4. *Complete additional air testing to determine the effectiveness of the cleaning.*



		Date Req'd
Information Purposes		
Policy / Action Req'd	X	Oct 12 '17
Strategic Plan		

Remediation Process and Alternatives

Our review of the initial recommendations from the engineers in this case has led us to the preliminary conclusion that the Town could proceed with the recommended clean up on a phased basis in order to try and salvage as much of the 2017 – 2018 season as possible. The process to clean the mould would be broken into 2 phases.

Phase 1 would implement items number 2 and 3 of the recommendations for immediate action. This is the least costly phase with an estimated cost of \$90,000. Phase 2 would be implementing item 1 of the recommendations for immediate action. This item is much costlier given the complexity of cleaning the canvas wrap ceiling. The estimated cost of this component is \$660,000.

A phased clean-up would mean proceeding with the necessary steps to try and restore air quality in order to consider our options for the long term. There is optimism that this approach will lead to the ability to reopen the arena within 2 weeks of start-up. Proceeding with the full recommended clean-up process would require a minimum of 2 to 3 months and would likely lead to the loss of the season.

It is important to note however, that proceeding with a phased approach to remediation is not a guarantee that the season can be salvaged. The issue is that the work required to provide restoration of air quality does not address the removal of the source problem, i.e. the presence of black mould in the building's insulation and elsewhere. It is possible that the presence of the mould in areas away from the newly cleaned surfaces could again become airborne. Accordingly, there will be a need to re-test the air after phase 1. If the testing comes up negative for airborne spores, and it is safe to do so, then the arena could be re-opened. If not then the arena would remain closed until it is safe to re-open.

Other Structural Considerations

As noted earlier, the building review assessment also involved looking at other systems. Preliminary information indicates that there are a number of structural and safety issues which must be addressed in the short and long term. Our current understanding is that those issues could require an additional \$600,000 investment in order to maximize the buildings lifespan. There is some flexibility here in that Council could judiciously select which projects to undertake based on the number of years required to undertake the planning and construction of a new arena. This issue will require more detailed analysis



		Date Req'd
Information Purposes		
Policy / Action Req'd	X	Oct 12 '17
Strategic Plan		

by staff and a detailed staff report will be prepared for Council's review in the coming weeks.

Financial Impacts:

In order to keep the facility open the mould issue must be resolved. This type of remediation requires specific skills, materials and equipment and the cost for completing the work is substantial. At this stage, we have asked for the submission of "not to exceed" cost estimates based on carrying out the work in 2 phases being 1) air quality remediation and 2) mould removal, clean up and disposal.

- The estimated up set cost for phase 1 is estimated at no more than \$90,000.
- The estimated up set cost for phase 2 is estimated at no more than \$660,000.
- Total cost would be no more than \$750,000

These costs do not include additional costs for the remediation of other building defects and repairs which could amount to as much as \$600,000

The Town will have \$214,936 in a reserve dedicated to arena improvements by the end of this year. The fund is sufficient to cover the phase 1 work however additional funds would be required to move through to the phase 2.

To fund phase 2 (\$660,000) and potential building condition issues (\$600,000) the Town would have four options.

1. Draw down reserves
 - a. Community Centre Reserve $\$214,936 - \$90,000 = \$124,936 + \text{Additional 2018 Contribution of } \$107,500 = \$232,436$
 - b. Infrastructure Reserve \$465,000
 - c. Will not be enough to also address building condition issues
2. Borrow from Reserves
 - a. \$6,000,000 in Water and Wastewater Reserves
 - b. Would require yearly contributions back into the fund
 - c. Likely require tax increase given the useful life left on the building
3. Take on Debt
 - a. Would require yearly contributions to pay back the loan
 - b. Likely require a tax increase given the useful life left on the building

		Date Req'd
Information Purposes		
Policy / Action Req'd	X	Oct 12 '17
Strategic Plan		

4. Increase taxes to address arena deficiencies
 - a. 1% increase in property taxes equates to approximately \$50,000.

Conclusion

The municipality is faced with an unanticipated and significant issue respecting one of Prescott's most important assets. In staff's view the phased approach could result in the mitigation of air quality issues. Should phase 1 not result in a successful outcome, staff would return to Council with a full analysis of a preferred way forward based on refined technical and financial information.



Pierre Mercier
Chief Administrative Officer

Original signed by

Dan Beattie
Director of Public Works & Infrastructure

**THE CORPORATION OF THE
TOWN OF PRESCOTT**

BY-LAW NO. 38-2017

**A BY-LAW TO ADOPT THE PROCEEDINGS OF THE SPECIAL COUNCIL
MEETING HELD ON OCTOBER 12, 2017**

WHEREAS, Section 5(3) of *the Municipal Act, 2001 S.O. 2001, c.25, as amended*, provides that Council's powers shall be exercised by by-law;

AND WHEREAS certain actions of Council do not require the enactment of a specific by-law;

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of the Town of Prescott enacts as follows:

1. Subject to Paragraph 3 of this by-law, the proceedings of the above-referenced Council meeting, including all Resolutions, By-laws, Recommendations, Adoptions of Committee Reports, and all other motions and matters decided in the said Council Meeting are hereby adopted and confirmed, and shall have the same force and effect, as if such proceedings were expressly embodied in this by-law.
2. The Mayor and Clerk are hereby authorized to execute all such documents, and to direct other officials of the Town to take all other action, that may be required to give effect to the proceedings of the Council Meeting referred to in Paragraph 1 of this by-law.
3. Nothing in this by-law has the effect of conferring the status of a by-law upon any of the proceedings of the Council Meeting referred to in Paragraph 1 of this by-law where any legal prerequisite to the enactment of a specific by-law has not been satisfied.
4. Any member of Council who complied with the provisions of Section 5 of the Municipal Conflict of Interest Act, R.S.O. 1990, Chapter M.50 respecting the proceedings of the Council Meeting referred to in Paragraph 1 of this by-law shall be deemed to have complied with said provisions in respect of this by-law.

READ A FIRST AND SECOND TIME THIS 12th DAY OF OCTOBER, 2017.

Mayor

Clerk

**READ A THIRD AND FINAL TIME AND PASSED THIS 12th DAY OF
OCTOBER, 2017.**

Mayor

Clerk