

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

STAFF REPORT

DATE: September 21, 2021

TO: Committee of the Whole

FROM: Cory Smith, A/Director of Roads and Public Works

SUBJECT: Pakenham Landfill (CLOSED) Lease Agreement - Monitoring Wells

STAFF RECOMMENDATION:

THAT, the Committee of the Whole recommends that Council authorize the Mayor and Acting Clerk to execute a 10-year lease agreement with the current property owners for the purposes of operating and maintaining existing groundwater monitoring wells on Part of Lots 17 and 18 Concession 10, Pakenham.

BACKGROUND

The former Township of Pakenham owned and operated a landfill on the property adjacent to lands on Part of Lots 17 and 18 Concession 10, Pakenham. The Pakenham landfill was subject to the requirements of a Certificate of Approval issued by the Ministry of the Environment which included site operations and requirements pertaining to groundwater monitoring. The groundwater, leaving the landfill site is radial and travels to the northwest, north and northeast in the direction of the landowners property.

As part of the requirements imposed by the Ministry of the Environment, groundwater sampling is required on adjacent properties. In 2003, an attenuation zone was purchased by the municipality to ensure compliance with the environmental regulations. The Ministry of Environment however, continued to require monitoring outside of this attenuation zone to ensure compliance. In 2007, the Municipality entered into a lease agreement with the landowners for operation and maintenance of test wells on their property. The agreement was extended include 2012. The current agreement is set to expire January 13, 2022. Staff has actively engaged in discussions with the landowner regarding lease renewals.

DISCUSSION

Staff has been in discussions with the property owners regarding the need for a lease renewal. All parties have been discussing the lease renewals terms and have subsequently identified conditions that would be mutually agreeable for a subsequent lease renewal. The lease will continue to allow for both wells to be operated on the property along with provision for access to the area from Barr Side Road. The terms of the current lease require the Municipality to pay the landowners \$500 per year. In addition, the Municipality will be required to provide approximately 1 load of gravel per year (value of \$250) as part of “in kind” maintenance for the entrance to the property.

The proposed duration of the new lease agreement would be for a 10-year term, however this would terminate concurrent with any Ministry approval allowing abandonment of the current installations.

FINANCIAL IMPLICATIONS

The terms of the Lease Agreement extension if approved will require the Municipality to pay the landowners \$750 per year (\$250/well). In addition, the Municipality will be required to provide approximately 2 tandem loads of gravel per year (value of \$250) as part of “in kind” maintenance for the entrance to the property.

Staff have and will continue to include these costs in the operational budgets in all future budgets.

SUMMARY

The Municipality of Mississippi Mills presently owns and operates two groundwater monitoring wells on Part of Lots 17 and 18 Concession 10, Pakenham. These wells form part of an MOE mandated monitoring program for post closure activities for the Pakenham landfill. These monitoring wells were governed under a 10-year lease agreement which will expire on January 13, 2022.

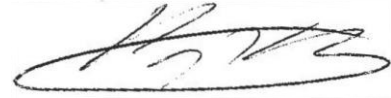
Staff has been in discussions with the landowners regarding arrangements regarding a 10-year lease renewal and both parties have agreed in principle for terms going forward. As part of this agreement, the Municipality will be obliged to provide compensation in the amount of \$750 per year along with previously identified “in kind” works. These costs are quite reasonable considering that no other obvious monitoring options are available.

The Roads and Public Works Department is therefore recommending that the Committee support the terms of the new lease agreement and provide recommendation to Municipality Council for renewal.

Respectfully submitted,

A handwritten signature in black ink that reads "Cory Smith". The signature is written in a cursive style with a large, stylized "S" at the end.

Cory Smith
A/Director of Roads and Public Works

A handwritten signature in black ink that appears to read "Ken Kelly". The signature is written in a cursive style with a large, stylized "K" at the beginning.

Reviewed by
Ken Kelly, CAO