

THE REGIONAL MUNICIPALITY OF NIAGARA
CORPORATE AND FINANCIAL SERVICES COMMITTEE

REPORT 12-2005

Minutes of a meeting of the Corporate and Financial Services Committee held in Committee Room 4, Regional Municipal Building, Thorold, Ontario, on Wednesday, August 3, 2005, commencing at 10:05 a.m.

ATTENDANCE

Committee: Councillors Martin, Chair; Angelone; Eke; Hildreth; Leavens; Saracino.

Staff: Mr. Trojan, Chief Administrative Officer; Mr. Bacchus, Commissioner, Corporate Services; Ms. Gilroy, Regional Clerk/Associate Director of Corporate Strategy; Mr. Lockyer, Treasurer/Director of Financial Management and Planning; Ms. Reilly, Legislative Assistant.

Staff
(Part-time): Mr. Bowles, Executive Assistant to the Regional Chair; Mr. Cambray, Commissioner, Planning & Development; Mr. Brcic, Director, Water and Wastewater Services; Mr. Murphy, Manager, Policy & Development; Ms. Rossetto, Insurance Claims Analyst; Ms. Williams, Senior Financial Analyst.

PRESENTATION

178. Funk Decision – Assessment of Winery Lands

Mr. John Crossingham, Crossingham, Brady, Barristers and Solicitors, attended to express his concerns over the Region's and Town of Lincoln's respective challenges to the Funk Decision regarding assessment of winery lands. Mr. Crossingham commented that the Funk decision is supported by legislation noting that buildings prescribed under section 44 of the regulation are entitled to be classified in the farm property class since they have been valued under subsection 19(5). Mr. Crossingham asked Committee to pay attention to the public policy reasons for accepting the ruling:

- 1) No other jurisdiction taxes farm wineries as anything but farms. The property tax that you impose is then added to the cost of a bottle and more Provincial and more Federal taxes are tacked on. It is tax on tax on tax and it is unfair.

- 2) Our local wineries, which provide local jobs, must compete on a playing field leveled by GATT and NAFTA. Imports often have lower labour and material costs. Why are we further hindering our local producers? How many local jobs do foreign wineries create?
- 3) Wineries are this Region's best hope to successfully implement Smarter Growth. Preserving farmland does not mean mummifying it. We need a living and viable economic base. Farm wineries do not consume more municipal services than any other farm. Farm wineries should not be subsidizing urban sprawl.
- 4) Agri-tourism is an important part of extending the tourist's stay in Niagara. Wineries are at its core. Your hospitality sector, which is properly taxed as commercial, needs healthy farm wineries as part of its attraction.

Mr. Crossingham claims that many Niagara wineries face significant financial hardship and that the Funk decision represents a competitive advantage.

JOINT REPORTS
**(Joint Reports can be found behind the
Joint Reports Tab in the Blue Book)**

179. Retention of Consulting Engineers for New Trunk
Watermain on Petit Road, Sunset Drive
And Eagle Street in Fort Erie

Moved by Councillor Saracino
Seconded by Councillor Angelone

That Revised Report CSD 100-2005, July 13, 2005 (PWA 126-2005, July 12, 2005) respecting Retention of Consulting Services for the New Trunk Watermain Installation on Pettit Road, Sunset Drive and Eagle Street in the Town of Fort Erie, Project ZCW0514/CW0514, be received and that the financing be approved.

Carried.

180. Supply and Delivery of Impregnated Carbon
Landfill Gas Extraction and Treatment System
Elm Street Landfill Site, City of Port Colborne

Moved by Councillor Saracino
Seconded by Councillor Angelone

That Report CSD 109-2005, August 3, 2005 (PWA 142-2005, August 2, 2005) respecting Supply and Delivery of Impregnated Carbon Landfill Gas Extraction

and Treatment System Elm Street Landfill Site, City of Port Colborne, be received and that the financing be approved.

Carried.

181. Town of Niagara-on-the-Lake
Heritage Restoration and Improvement Incentive Program

Moved by Councillor Saracino
Seconded by Councillor Angelone

That Report CSD 111-2005 (DPD 110-2005), August 13, 2005, respecting Town of Niagara-on-the-Lake, Heritage Restoration and Improvement Incentive Program, be received for information.

Carried.

Councillor Eke wished to be recorded as opposed to the foregoing motion.

182. City of Niagara Falls
Downtown Community Improvement Plan

Moved by Councillor Angelone
Seconded by Councillor Saracino

That Report CSD 110-2005 (DPD 109-2005), August 3, 2005, respecting City of Niagara Falls – Downtown Community Improvement Plan be received; and

That Regional Council acknowledge completion and approval by the Province of the Downtown Community Improvement Plan for the City of Niagara Falls.

Carried.

CORPORATE SERVICES DEPARTMENT

183. Summary of Quotations, Tenders and Authorizations
Second Quarter 2005

Moved by Councillor Leavens
Seconded by Councillor Angelone

That Report CSD 112-2005, August 3, 2005, respecting Summary of Quotations, Tenders and Authorizations Second Quarter 2005, be received for information.

Carried.

184. Indexing of Regional Development Charges

Moved by Councillor Hildreth
Seconded by Councillor Angelone

That Report CSD 118-2005, August 3, 2005, respecting Indexing of Regional Development Charges, be received for information.

Carried.

185. 2005 Claw Back Percentages, Municipal Tax Adjustments
Impact of New Capping Options and Industrial Education Tax Rate

Moved by Councillor Leavens
Seconded by Councillor Hildreth

That Report CSD 119-2005, August 3, 2005, respecting 2005 Claw Back Percentages, Municipal Tax Adjustments, Impact of New Capping Options and Industrial Education Tax Rate, be received.

That the percentage claw back for the affected property classes, under section 330 (1) of the Municipal Act, be established as follows:

Multi-Residential	35.2683%
Commercial	71.6049%
Industrial	25.7526%

That the Region act as a banker, under section 330 (6) of the Municipal Act, on October 14, 2005 for the 2005 Municipal Tax Adjustments.

That the Regional Clerk be instructed to prepare the necessary by-laws to implement the recommendations contained in the report.

Carried.

186. 2005-2006 Insurance Renewal

Moved by Councillor Angelone
Seconded by Councillor Hildreth

That Report CSD 120-2005, August 3, 2005, respecting 2005-2006 Insurance Renewal, be received.

That staff be directed to renew all of the Region's existing insurance policies through the Frank Cowan Company for the premiums set out in Table 1 for the period of August 17, 2005 to August 17, 2006.

That the Property, Electronic Data Processing, and Boiler & Machinery policies be renewed with an increased deductible level of \$1,000,000.

Carried.

CORRESPONDENCE

187. Moved by Councillor Angelone
Seconded by Councillor Eke

That the following communications be received:

- CFS 61-2005 Deb Morton, Executive Director, Regional Municipality of Niagara Police Services Board (July 7, 2005) respecting NRPS Financial Variance Report to May 31, 2005.
- CFS 62-2005 Deb Morton, Executive Director, Regional Municipality of Niagara Police Services Board (July 7, 2005) respecting NRPS Benefits Overview & May Year-to-Date Analysis.
- CFS 63-2005 Deb Morton, Executive Director, Regional Municipality of Niagara Police Services Board (July 12, 2005) respecting NRPS 2004 Annual Report.

Carried.

OTHER BUSINESS

188. Property Tax and Assessment

Councillor Angelone requested that the Regional Chair send a letter to the Municipal Property Assessment Corporation (MPAC) and ask them to consider providing Public Information Sessions related to MPAC's role with respect to property tax assessment.

CLOSED SESSION

189. Moved by Councillor Hildreth
Seconded by Councillor Leavens

That this Committee do now meet in Closed Session for purposes of receiving information of a confidential nature relating to property and personnel matters.

Carried.

190. T. Roy Adams Humanitarian of the Year Award 2005

Moved by Councillor Hildreth
Seconded by Councillor Angelone

That Report CSD 115-2005, August 3, 2005, respecting T. Roy Adams Humanitarian of the Year Award 2005, be received; and

That the award be presented to the selected nominee, as named herein, at the Regional Council meeting of August 11, 2005.

Carried.

191. Silver Anniversary Bursary 2005

Moved by Councillor Hildreth
Seconded by Councillor Angelone

That Report CSD 116-2005, August 3, 2005, respecting Silver Anniversary Bursary 2005, be received; and

That the bursary be awarded to the recipient, and recognition be provided to the finalists, as named herein, at the Regional Council meeting of August 11, 2005.

Carried.

192. Regional Chair's Bursaries 2005

Moved by Councillor Hildreth
Seconded by Councillor Angelone

That Report CSD 117-2005, August 3, 2005, Regional Chair's Bursaries 2005, be received; and

That the bursaries be awarded to the recipients, and recognition be provided to the finalists, as named herein, at the Regional Council meeting of August 11, 2005.

Carried.

CORRESPONDENCE

193. Moved by Councillor Angelone
Seconded by Councillor Leavens

That the following communications be received:

- CFS 64-2005 Deb Morton, Executive Director, Regional Municipality of Niagara Police Services Board (July 7, 2005) respecting Project PO 0509 – 110 James Street, Project Risk Analysis, Quartek Group – Additional Services, FBH Lease Termination Costs.
- CFS 65-2005 Deb Morton, Executive Director, Regional Municipality of Niagara Police Services Board (July 7, 2005) respecting Bi-Weekly Pay.
- CFS 66-2005 Deb Morton, Executive Director, Regional Municipality of Niagara Police Services Board (July 7, 2005) respecting 9-1-1/Police Dispatch Back-up Facility.
- CFS 67-2005 Deb Morton, Executive Director, Regional Municipality of Niagara Police Services Board (July 7, 2005) respecting Purchase – Criminal Information Management System (CRIMS) – Speedtrack, Inc.
- CFS 68-2005 Deb Morton, Executive Director, Regional Municipality of Niagara Police Services Board (July 7, 2005) respecting NRPS Grow Operation Policy, Procedures, Training & Equipment.

Carried.

194. Funk Decision – Assessment of Winery Lands

Moved by Councillor Angelone
Seconded by Councillor Saracino

That Report CSD 113-2005, August 3, 2005, respecting Funk Decision – Assessment of Winery Lands, be received.

Carried.

195. OPG Hydro Generation Project Agreement

Moved by Councillor Angelone
Seconded by Councillor Leavens

That Report CSD 114-2005, August 3, 2005, respecting PGG Hydro Generation Project Agreement, be received and the recommendations contained therein be approved.

Carried.

196. Moved by Councillor Hildreth
Seconded by Councillor Leavens

That this Committee do now rise with report.

Carried.

ADJOURNMENT

Committee adjourned at 10:57 a.m. to meet again on Wednesday, August 24, 2005, at 10:00 a.m. in Committee Room 4, Regional Headquarters.

Doug Martin
Chair

Gail Reilly
Legislative Assistant

Pam Gilroy
Regional Clerk