

**THE REGIONAL MUNICIPALITY OF NIAGARA**

**CORPORATE SERVICES COMMITTEE**

**REPORT 10-2007**

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Minutes of a meeting of the Corporate Services Committee held in Committee Room 4, Regional Municipal Building, Thorold, Ontario, on Wednesday, July 18, 2007, commencing at 9:05 a.m.

**ATTENDANCE**

Committee: Councillors Martin, Co-Chair; Collins, Co-Chair; Partington, Regional Chair; Augustyn; Badawey; Bentley; Burroughs; Bylsma; Casselman; D'Angela; Greenwood; Heit; Puttick; Saracino.

Staff: Messrs. Bergsma, Commissioner, Corporate Services; Nicol, Commissioner, Human Resources; Ms. Gilroy, Regional Clerk; Ms. Pilon, Deputy Clerk.

Staff

Part-Time: Messrs. Kyne, Director, Legal Services; Roach, Manager, Financial Services; Friesen, Director, Waste Management Services; Bousfield, Manager, Property Management; Bernard, Manager, Court Services; Roberts, Executive Assistant to the Regional Chair; Jones, Director, Administrative Services, Public Health; Ms. Williams, Senior Financial Analyst; Ms. Rae, Legal Counsel.

Others: Councillors Rigby; Timms.

**Conflict of Interest**

Councillor Bentley declared an indirect pecuniary interest respecting Confidential Report CSD 108-2007/PWA 116-2007, A Proposed Acquisition of Land by the Municipality in the Town of Grimsby as the acquisition involves a family member, noting that he would leave the Committee Room, if he was in attendance at the meeting, during the discussion of this matter.

**ITEMS FOR CONSIDERATION**

216. Surplus Lands of the Municipality  
Town of Lincoln  
**CSD 110-2007 (PWA 118-2007)**

Moved by Councillor Collins  
Seconded by Regional Chair Partington

That Report CSD 110-2007 (PWA 118-2007), July 18, 2007, respecting Surplus Lands of the Municipality, be received;

That the former Vineland Reservoir site located in part of Lot 22, Concession 4, Township of Louth and the former Jordan Reservoir site, located in part of Lot 19, Concession 5, Township of Louth, both in the Town of Lincoln, be declared surplus and disposed of according to policy.

Carried.

*(Please note that Report CSD 110-2007 (PWA 118-2007) can be found behind the JNT RPTS Blue Book Tab)*

217. Initiation of Projects Included in the  
Buildings & Equipment Capital Budget  
**CSD 113-2007 (PWA 120-2007)**

Moved by Councillor Bentley  
Seconded by Councillor Burroughs

That Report CSD 113-2007 (PWA 120-2007), July 18, 2007, respecting the Initiation of Projects Included in the Buildings & Equipment Capital Budget, be received; and

That financing in the amount of \$2,130,000 gross and net be approved from the 2007 Buildings & Equipment Capital Program for Projects ZGD0701 and ZGD0704;

That approval be given to fund the projects with financing consisting of \$984,000 Capital Levy, \$346,000 Long Term Financing (1-10 years) and \$800,000 in previously approved Capital Levy; and

That the Regional Clerk be directed to ensure that the appropriate by-law(s) are prepared for presentation to Regional Council.

Carried.

*(Please note that Report CSD 113-2007 (PWA 120-2007) can be found behind the JNT RPTS Blue Book Tab)*

218. 2007 Claw Back Percentages and Municipal Tax Adjustments  
**CSD 112-2007**

The Committee members noted their concerns with the current process in place, which has been discussed in length on a number of occasions, it was therefore:

Moved by Councillor Burroughs  
Seconded by Councillor Bentley

That Report CSD 112-2007, July 18, 2007, respecting the 2007 Claw Back Percentages and Municipal Tax Adjustments, be referred to the Ad Hoc Committee of Council on Property Assessment and Taxation Reform; and

That the Committee also review Reamind System and their role.

Carried.

(Staff Directions)

219. Attorney General's Request re: Photocopying Fees  
**CSD 115-2007**

Moved by Councillor Heit  
Seconded by Councillor Badawey

That Report CSD 115-2007, July 18, 2007, respecting the Attorney General's Request re: Photocopying Fees, be received; and

That, in accordance with the Attorney General's request, the Regional Municipality of Niagara reduce photocopying fees for POA court documents not requiring certification from two dollars per page to one dollar per page; and

That the Niagara Region's Fees and Charges bylaw be amended as necessary to reflect this change; and

That the Regional Chair be directed to advise the Attorney General of Regional Council's decision to adopt this access to justice initiative.

Carried.

220. Transfer of Funds – Contract RN 03-10  
Niagara Falls Water Treatment Plant  
Phase 1 Upgrades  
City of Niagara Falls  
Project ZCW9504  

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**CSD 116-2007 (PWA 122-2007)**

Moved by Councillor Collins  
Seconded by Councillor Greenwood

That Report CSD 116-2007 (PWA 122-2007), June 27, 2007, respecting the Transfer of Funds – Contract RN 03-10, Niagara Falls Water Treatment Plant, Phase 1 Upgrades in the City of Niagara Falls, Project ZCW9504, be received;

That previously approved Long Term Financing in the amount of \$1,380,000 be transferred from Project ZCW0204/CW0529 Capacity Upgrade at Welland Water Treatment Plant to Project ZCW9504/CW0128 Niagara Falls Water Treatment Plant, Phase 1 Upgrades;

That payment in the amount of \$1,271,000 be approved to Maple Reinders Construction for construction services and that payment in the amount of \$109,000.00 be approved to R. V. Anderson Associates Limited for engineering services for the Niagara Falls Water Treatment Plant, Phase 1 Upgrades, Contract RN 03-10, in the City of Niagara Falls; and

That these costs be charged against Project ZCW9504/CW0128.

Carried.

*(Please note that Report CSD 116-2007 (PWA 122-2007) can be found behind the JNT RPTS Blue Book Tab)*

221. Remediation of Biggar Lagoon  
Sewage Treatment Facility, Phase 2 (North Pond)  
Town of Grimsby  

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**CSD 118-2007 (PWA 123-2007)**

Moved by Councillor Bentley  
Seconded by Regional Chair Partington

That Report CSD 118-2007 (PWA 123-2007), June 27, 2007, respecting the Remediation of Biggar Lagoon, Sewage Treatment Facility, Phase 2 (North Pond) in the Town of Grimsby, be received;

That previously approved Wastewater Reserve Fund financing in the amount of \$500,000 be transferred from Project ZSW0302/SW0302, Alternative Biosolids Management Project to Cost Centre 5414 Biggar Lagoon;

That previously approved Wastewater Reserve Fund financing in the amount of \$321,835 be transferred from Project ZSW9711/SW0021, Biggar Lagoon Decommissioning to Cost Centre 5414 Biggar Lagoon;

That 2007-RFP-23 be awarded to Hard Rock Construction Inc. at their bid price of \$561,835.00 subject to approval of the Federal Environmental Assessment for this project;

That a contingency amount of \$200,000.00 be provided for this project;

That the engineering assignment with DFA Consulting be extended to provide contract administration and construction supervision services in the amount of \$35,000.00;

That AMEC Earth and Environmental be approved to provide soil sampling and testing services in the amount of \$25,000.00;

That the Regional Clerk be directed to ensure that the appropriate by-laws are prepared for submission to Regional Council authorizing the Regional Chair and Regional Clerk to execute the contract on behalf of the Regional Municipality of Niagara; and

That the costs associated with this project be charged against Cost Centre 5414.

Moved by Councillor Badawey  
Seconded by Councillor Heit

That staff be directed to investigate the possibility of Niagara Region purchasing the property and report back on the costs associated with the purchase.

Carried.

Upon a vote being taken, the original motion, was carried.

(Refer to Staff Directions)

*(Please note that Report CSD 118-2007 (PWA 123-2007) can be found behind the JNT RPTS Blue Book Tab)*

222. Tender Award for 2007-T-109, Contract RN 07-09  
Reconstruction of Regional Road 87 (Lakeshore Road)  
From the Welland Canal to Read Road  
In the City of St. Catharines, Project ZRC0602/RC0602  
**CSD 120-2007 (PWA 125-2007)**

Moved by Councillor Casselman  
Seconded by Regional Chair Partington

That Report CSD 120-2007 (PWA 125-2007), July 18, 2007, respecting the Tender Award for 2007-T-109, Contract RN 07-09, Reconstruction of Regional Road 87 (Lakeshore Road) from the Welland Canal to Read Road in the City of St. Catharines, Project ZRC0602/RC0602, be received;

That previously approved Long Term Financing (1-10 years) in the amount of \$500,000.00 be transferred from Project ZRC0219/RC0750 Rehabilitation of Main Street Bridge over the Old Welland Canal to Project ZRC0602, Reconstruction of Regional Road 87 (Lakeshore Road) from the Welland Canal to Read Road;

That the gross budget be increased by \$44,000.00 to reflect the cost sharing with the City of St. Catharines for the sidewalk construction;

That Contract RN 07-09, Reconstruction of Regional Road 87 (Lakeshore Road) from the Welland Canal to Read Road in the City of St. Catharines be awarded to the low tenderer, Rankin Construction Inc., at its bid price in the amount of \$1,436,421.00, subject to Regional Council approval of a transfer of funding;

That a contingency allowance in the amount of \$135,000.00 be provided for this contract;

That the Engineering agreement with the consulting firm of Urban and Environmental Management Inc. be extended to include contract administration and inspection services of \$67,800.00 with the engineering fees being calculated on a time plus disbursement basis;

That the Regional Clerk be directed to ensure that the necessary by-laws, including the by-law authorizing the Regional Chair and Regional Clerk to execute the contract on behalf of the Regional Municipality of Niagara, are presented to Regional Council on July 26, 2007; and

That all project costs be charged against Capital Works Parent Project ZRC0602/RC0602.

Carried.

*(Please note that Report CSD 120-2007 (PWA 125-2007) can be found behind the JNT RPTS Blue Book Tab)*

**ITEMS FOR DEBATE**

223. Regional Councillor Remuneration and Expenses  
**HR 26-2007**

Moved by Councillor Heit  
Seconded by Councillor Collins

That Report HR 26-2007, June 27, 2007, regarding Regional Councillor Remuneration and Expenses, be received for information; and

That following the review of the Regional Council remuneration By-Law, Regional Council take no further action.

Carried.

224. Amendments to Procedural By-law No. 120-2005  
**CSD 107-2007**

Moved by Regional Chair Partington  
Seconded by Councillor Saracino

That Report CSD 107-2007, July 18, 2007, respecting the Amendments to Procedural By-law No. 120-2005, be deferred to the August 2007 Committee meetings.

Carried.

**CORRESPONDENCE**

225. Moved by Councillor Badawey  
Seconded by Councillor Bylsma

That Communication CSC 35-2007 from Hector MacMillan, Mayor, Trent Hills (June 4, 2007) regarding the efforts of the Canadian Advocates for Tax Awareness (CAFTA) and the Canadian National Taxpayers Coalition (CNTC), be received.

Carried.

226. Moved by Councillor Burroughs  
Seconded by Councillor Saracino

That Communication CSC 36-2007 from Deb Morton, Executive Director, Niagara Regional Police Services Board (July 5, 2007) regarding the NRPS Variance Report – to May 31, 2007, be received.

Carried.

(Refer to Staff Directions)

## **MINUTES**

227. Report 2-2007  
Joint Board of Management Niagara Area Courts

Moved by Councillor Burroughs  
Seconded by Regional Chair Partington

That Report 2-2007 being the minutes of the June 6, 2007 meeting of the Joint Board of Management Niagara Area Courts, be referred to the August 8, 2007 Corporate Services Committee meeting.

Carried.

## **OTHER BUSINESS**

228. Larry Bousfield's Retirement

The Corporate Services Committee extended their congratulations to Larry Bousfield on his imminent retirement after thirty-two years of service to the Niagara Region.

229. Speed Bumps at Regional Headquarters

Councillor Collins requested that the Commissioner of Corporate Services and appropriate staff review the current speed bumps at Regional Headquarters and address concerns in a timely manner.

230. Committee of the Whole – July 26, 2007

Mr. Bergsma advised the Committee that the Committee of the Whole meeting of July 26, 2007 has been scheduled to provide staff with guidance for the 2008 budget process.

(Refer to Staff Directions)

231. Regional Insurance Policies

Councillor Rigby noted that Niagara Region should be taking steps to address their \$1 Million deductible per incident, as per their current insurance policies

Councillor Rigby offered Regional Council his assistance and expertise during the review of the Regional insurance policies, which should be due for renewal shortly.

Mr. Kyne advised the Committee that he is currently working on the renewals and would welcome Councillor Rigby's assistance. The report will be provided to Committee at their August 8, 2007 meeting for consideration.

**CLOSED SESSION**

232. Moved by Councillor Collins  
Seconded by Councillor Casselman

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

Carried.

233. A Proposed Acquisition of Land by Municipality  
Town of Grimsby  
**CSD 108-2007 (PWA 116-2007) CONFIDENTIAL**

Moved by Councillor Collins  
Seconded by Councillor Saracino

That Confidential Report CSD 108-2007 (PWA 116-2007), July 18, 2007 respecting A Proposed Acquisition of Land by Municipality in the Town of Grimsby, be received and the recommendations contained therein be approved.

Carried.

**Conflict of Interest**

Councillor Heit declared an indirect pecuniary interest respecting Confidential Report CSD 109-2007/PWA 117-2007, A Proposed Disposition of Land by the Municipality in the Town of Lincoln being as the report deals with wireless communication and he is employed by a wireless communication company he left the Committee Room, during the discussion of this matter.

234. A Proposed Disposition of Land by the Municipality  
Town of Lincoln  
**CSD 109-2007 (PWA 117-2007) CONFIDENTIAL**

Moved by Councillor Collins  
Seconded by Councillor Burroughs

That Confidential Report CSD 109-2007 (PWA 117-2007), July 18, 2007 respecting A Proposed Disposition of Land by the Municipality in the Town of Lincoln, be received and the recommendations contained therein by approved.

Carried.

235. Initiation of Expropriation Procedures  
Reconstruction of Regional Road No. 20  
City of Thorold  
**CSD 111-2007 (PWA 119-2007) CONFIDENTIAL**

Moved by Councillor D'Angela  
Seconded by Councillor Collins

That Confidential Report CSD 111-2007 (PWA 119-2007), July 18, 2007, respecting Initiation of Expropriation Procedures, Reconstruction of Regional Road No. 20 in the City of Thorold, be received and the recommendations contained therein be approved.

Carried.

236. A Proposed Acquisition of Land by the Municipality  
City of Niagara Falls  
**CSD 114-2007 (PWA 121-2007) CONFIDENTIAL**

Moved by Councillor Collins  
Seconded by Regional Chair Partington

That Confidential Report CSD 114-2007 (PWA 121-2007), July 18, 2007, respecting A Proposed Acquisition of Land by the Municipality in the City of Niagara Falls, be received and the recommendations contained therein be approved.

Carried.

237. A Matter of Litigation or Potential Litigation  
Including Matters Before Administrative Tribunals  
Affecting the Municipality  
**CSD 117-2007 CONFIDENTIAL**

Moved by Regional Chair Partington  
Seconded by Councillor Saracino

That Confidential Report CSD 117-2007, July 18, 2007, respecting A Matter of Litigation or Potential Litigation, Including Matters Before Administrative Tribunals, Affecting the Municipality, be received and the recommendations contained therein be approved.

Carried.

238. A Matter Affecting the Security of Property of the Municipality  
**CSD 119-2007 (PWA 124-2007) CONFIDENTIAL**

Moved by Councillor Burroughs  
Seconded by Regional Chair Partington

That Confidential Report CSD 119-2007 (PWA 124-2007), July 18, 2007, respecting A Matter Affecting the Security of Property of the Municipality, be received and referred to the Planning and Public Works Committee.

Carried.

239. A Matter of the Security of Property of the Municipality  
City of Welland  
**CSD 121-2007 (PHD 48-2007) CONFIDENTIAL**

Moved by Regional Chair Partington  
Seconded by Councillor Burroughs

That Confidential Report CSD 121-2007 (PHD 48-2007), July 18, 2007, respecting A Matter of the Security of Property of the Municipality in the City of Welland, be deferred to the next Committee meeting or the Council meeting on July 26<sup>th</sup>, pending the receipt of further information.

Carried.

(Refer to Staff Directions)

240. A Matter of Labour Relations:  
Status of ONA Local 9 (Homes for the Aged) Interest Arbitration Award  
**HR 25-2007 CONFIDENTIAL**

Moved by Councillor Casselman  
Seconded by Councillor Badawey

That Confidential Report HR 25-2007, July 18, 2007, respecting a Matter of Labour Relations: Status of ONA Local 9 (Homes for the Aged) Interest Arbitration Award, be received for information.

That the contents of this report may be released publicly on July 26, 2007 following Council's discussion of the report.

Carried.

241. Status of Collective Bargaining Negotiations  
**Confidential Oral Report**

Moved by Councillor Burroughs  
Seconded by Councillor Augustyn

That the Confidential Oral Report respecting the Status of Collective Bargaining Negotiations, be received for information.

Carried.

242. A Matter Affecting the Security of the Municipality  
**Confidential Oral Report**

Moved by Councillor Badawey  
Seconded by Councillor D'Angela

That the Director of Legal Services and Regional Clerk report back to Council with respect to in-camera procedures.

Carried.

243. Moved by Councillor Badawey  
Seconded by Councillor Burroughs

That this Committee do now rise with report.

Carried.

**STAFF DIRECTIONS**

That staff be directed to:

- (i) work with the Area Treasurers and a small contingency of Councillors and prepare a report that lists the inequities in current tax system (ie. Policing; education; etc. costs) and possible solutions that could be targeted within ten years or earlier. (Refers to Minute Item 218)
- (ii) provide Committee with the number of properties affected per municipality (Refers to Minute Item 218)
- (iii) schedule a meeting of the Ad Hoc Committee of Council on Property Assessment and Taxation Reform as soon as possible, taking into consideration the motion that was passed to augment that Committee earlier this year. (Refers to Minute Item 218)
- (iv) Prepare a report for PATR that provides the Committee with the details of the various options available to Niagara Region versus the recommendations in Report CSD 112-2007; the history of the residential growth per municipality (ten year timeframe); with the details linked to labour and economic growth as well as the revitalization of the downtown areas; the report should demonstrate whether there are limited benefits to downtown properties and suggestions on how to revitalize downtowns. (Refers to Minute Item 218)
- (v) ensure that the contours are as they are currently. (Refers to Minute Item 221)
- (vi) provide the Committee with the details surrounding the variances associated with the overtime figures. (Refers to Minute Item 226)
- (vii) schedule any future Committee of the Whole meetings that deal with the setting of future budget guidelines in May or June. (Refers to Minute Item 230)
- (viii) explore other possible locations. (Refers to Minute Item 239)

**ADJOURNMENT**

Committee adjourned at 11:55 a.m. to meet again on Wednesday, August 8, 2007, at 9:00 a.m. in Committee Room 4, Regional Headquarters.

Doug Martin  
Co-Chair

Janet Pilon  
Deputy Clerk

Michael Collins  
Co-Chair

Pam Gilroy  
Regional Clerk