

THE REGIONAL MUNICIPALITY OF NIAGARA

CORPORATE SERVICES COMMITTEE

REPORT 13-2008

Minutes of a meeting of the Corporate Services Committee held in Committee Room 4, Regional Municipal Building, Thorold, Ontario, on Wednesday, October 8, 2008, commencing at 9:05 a.m.

ATTENDANCE

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

Councillors

Other: Councillor Cordiner

Staff: Mr. Bergsma, Commissioner, Corporate Services; Ms. Gilroy, Regional Clerk; Ms. Reilly, Legislative Assistant.

Staff

Others: Corporate Services: Mr. Diakow, Director, IT Solutions; Ms. Isajiw, Legal Counsel; Mr. Kaas, Capital Analyst; Mr. Kyne, Director, Legal Services; Mr. Lockyer, Treasurer/Director, Financial Management & Planning; Mr. Moffat, Manager, Property Management; Mr. Pilon, Associate Director, Service Quality & Improvement; Mr. Roach, Manager, Public Works Financial Services; Ms. Rossetto, Insurance Claims Analyst.
Human Resources: Ms. Elliott, Acting Human Resources Lead; Ms. Casement, Manager, Employee Relations.
Administration: Mr. McQueen, Director, Administration; Mr. Roberts, Executive Officer to the Regional Chair.
Planning: Mr. Gummo, Associate Director, Comprehensive Community Planning; Mr. Robson, Commissioner, Planning.
Public Works: Mr. Smith, Associate Director, Waste Management Engineering and Compliance.

PRESENTATION

213. Crime Stoppers of Niagara

Mr. Stu Black, Executive Director, and Mr. Greg Mulvihill, Board Chair, Crime Stoppers of Niagara, attended to apprise Committee of the program. Mr. Mulvihill advised that the program is serving Niagara well but a lack of funding is placing its future in doubt. Information was circulated providing statistics indicating eleven successful tips, approved at the April board meeting, resulted in the recovery of close to half a million dollars (\$467,550.00) in drugs and grow equipment across

Niagara. To accomplish a recovery of this magnitude, a minimum of \$7,450 and a maximum of \$9,000 are required, as approved by the Ontario Association of Crime Stoppers (OACS). The amount of the reward varies depending on the factors, including risk involved to the person who provides the tip, the value of the recovery and whether weapons were involved. In actuality, Crime Stoppers of Niagara paid \$1,900, a dramatic shortfall of between \$5,500.00 and \$7,100.00.

Mr. Black advised that the program's traditional fund-raising source (Nevada tickets) has eroded due to the countless lottery tickets, casinos and slot machines. Crime Stoppers has received some financial support from the community but they are only short term fixes and not enough as the annual budget is approximately \$50,000.

The presenters also expressed the importance of anonymity for those that provide information to assist in solving crime without the risk of being identified or summoned to appear in court. These tips can be provided in three ways: By phone: 1-800-222-TIPS (8477); by internet: www.crimstoppersofniagara.com and by Text Message TIP 309+ the message to CRIMES (274637). The new text messaging approach is especially important to reach young people. The presenters reiterated the effectiveness of Crime Stoppers of Niagara and the commitment of the volunteer members and urged Committee and Council to support this important program to solve and deter crime in Niagara communities.

Following discussion, it was:

Moved by Councillor Badawey
Seconded by Councillor Puttick

That the presentation from Messrs. Black and Mulvihill regarding the Crime Stoppers of Niagara program be referred to the Budget Review Committee of the Whole and that the presenters contact Mr. Bergsma, Commissioner, Corporate Services, to provide further budget and other pertinent information, as requested by Committee, to assist Councillors in the deliberation of this matter at the Budget Review Committee meeting.

Carried.

ITEMS FOR INFORMATION

214. Retail Business Holidays Act (RBHA)
Additional Information
CSD 127-2008

Moved by Councillor Augustyn
Seconded by Councillor D'Angela

That Report CSD 127-2008, October 8, 2008, respecting Retail Business Holidays Act (RBHA) Additional Information, be received for information.

Carried.

ITEMS FOR CONSIDERATION

215. Applications for Exemption under the Retail Business Holidays Act

Moved by Councillor Augustyn
Seconded by Councillor Saracino

That Reports CSD 119-2008, CSD 120-2008 and CSD 121-2008, regarding the Applications for Exemption under the Retail Business Holidays Act, (A & P Food Store, Home Depot Canada Inc. and Value Village respectively), be referred for further information and consideration at the Council meeting of October 16, 2008.

Defeated.

216. Application for Exemption under the Retail Business Holidays Act
A & P Food Store, 3770 Montrose Road, Niagara Falls
CSD 119-2008

Moved by Councillor Puttick
Seconded by Councillor Badawey

That Report CSD 119-2008, September 4, 2008, Application for Exemption under the Retail Business Holidays Act, A & P Food Store, 3770 Montrose Road, Niagara Falls, be received and approved **as amended**; and

That the exemption be approved to permit the business known locally as A & P Food Store to be open on **Family Day and New Years Day**.

That the Regional Clerk be directed to ensure that the appropriate by-law is prepared for presentation to Regional Council.

Moved by Councillor Henderson
Seconded by Councillor Casselman

That Reports CSD 119-2008, CSD 120-2008 and CSD 121-2008, regarding the Applications for Exemption under the Retail Business Holidays Act, (A & P Food Store, Home Depot Canada Inc. and Value Village respectively), be deferred pending further information as requested by Committee; and

That the matter of Applications for Exemption under the Retail Business Holidays Act be further examined in a holistic approach across the Niagara Region.

Carried.

217. Tender Award for Contract 2008-T-130
Line 5 Landfill Site
Leachate Pumping Station and Forcemain Construction
Town of Niagara-on-the-Lake
Project ZGL0523/GL0523

CSD 124-2008 (PWA 98-2008)

Moved by Councillor Badawey
Seconded by Councillor Augustyn

That Report CSD 124-2008 (PWA 98-2008), October 8, 2008, respecting Tender Award for Contract 2008-T-130, Line 5 Landfill Site, Leachate Pumping Station and Forcemain Construction, Town of Niagara-on-the-Lake, Project ZGL0523/GL0523, be received;

That Contract 2008-T-130, Line 5 Landfill Site, Leachate Pumping Station and Forecemain Construction, Town of Niagara-on-the-Lake be awarded to V. Gibbons Contracting Ltd. At its tender price of \$1,383,414.60 including a contingency allowance of \$50,000.00;

That CH2M Hill Canada Ltd. be retained to provide contract administration services at an estimated cost of \$76,000;

That approval be given to initiate and transfer budget approval and financing (Solid Waste Reserve Fund) in the amount of \$125,000.00 from Project ZGL0405 Equipment Repairs and Replacement to Project ZGL0523/GL0523 Line 5 Landfill Site, Leachate Pumping Station and Forcemain;

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

That the project costs be charged against Capital Works Parent Project ZGL0523/GL0523.

Carried.

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

218. Smarter Niagara Incentives Program
Program Up-date and
Renewing the Pilot Public Domain Incentives Program
CSD 125-2008 (DPD 42-2008)

Moved by Councillor D'Angela
Seconded by Councillor Badawey

That Report CSD 125-2008 (DPD 42-2008), October 8, 2008, respecting Smarter Niagara Incentives Program – Program Up-date and Renewing the Pilot Public Domain Incentives Program, be received and approved, **as amended**;

That the Public Domain Incentives Program as a component in the Smarter Niagara Incentives Program be renewed in 2008, subject to individual funding requests being brought back to Council for approval;

That the available funding for the pilot Public Domain Incentives Program be capped at an upset limit of \$200,000 for 2008 using existing Smarter Niagara Incentives Program funding; and

That this report be circulated to the Area Municipalities **and the Smarter Niagara Steering Committee** for information.

Carried.

219. Proposed Disposal of Surplus Land and
Proposed Stopping Up and Closing of
Part of Regional Road No. 3 (Garrison Road) and
Conveyance to Adjacent Owner
1267 Garrison Road, Inc. Town of Fort Erie
CSD 128-2008 (PWA 102-2008)

Moved by Councillor Heit
Seconded by Councillor Burroughs

That Report CSD 128-2008 (PWA 102-2008) respecting Proposed Disposal of Surplus Land and Proposed Stopping Up and Closing of Part of Regional Road No. 3 (Garrison Road) and Conveyance to Adjacent Owner, 1267 Garrison Road, Inc. Town of Fort Erie, be received.

That a 117.36 square metre (1,263.25 square feet) untravelled portion of Regional Road No. 3 (Garrison Road), described as Part 4, Plan 59R-5323 and shown on Appendix 1 attached hereto (the "subject land"), be declared as surplus to the Region's road purposes;

That the subject land be stopped up and closed according to Regional policy and the Municipal Act;

That an Agreement of Purchase and Sale from the abutting landowner, 1267 Garrison Road, Inc. (Joseph P. Mosey, Jr., President), in the market value amount of \$5,810.00 for the purchase of the subject land be accepted; and

That the Regional Chair and Regional Clerk be authorized to execute the necessary documents on behalf of The Regional Municipality of Niagara.

Carried.

220. Proposed Disposal of Surplus Land
To Department of National Defence
Former Biggar Lagoon Property
Town of Grimsby
CSD 129-2008 (PWA 103-2008)

Moved by Councillor Saracino
Seconded by Councillor D'Angela

That Report CSD 129-2008 (PWA 103-2008), October 8, 2008, respecting Proposed Disposal of Surplus Land to Department of National Defence former Biggar Lagoon Property, Town of Grimsby, be received.

That a 1,031.9 square metre (11,107.28 square feet) portion of Region lands shown as Part 2, Plan 30R-13151 be declared as surplus to the Region's needs;

That the subject lands be transferred to the Department of National Defence (DND) for the nominal sum of \$1.00; and

That the Regional Chair and Regional Clerk be authorized to execute the necessary documents on behalf of The Regional Municipality of Niagara.

Carried.

ITEMS FOR INFORMATION

221. Capital Projects
Variance Report – Over Expenditures
December 2007 and June 2008
CSD 126-2008

Moved by Councillor Casselman
Seconded by Councillor D'Angela

That Report CSD 126-2008, October 8, 2008, respecting Capital Projects Variance Report – Over Expenditures December 2007 and June 2008, be received for information.

That this report be forwarded to the Planning and Public Works Committee for information.

Carried.

222. Communication C7065 – Letter CAW Local 222
HR 14-2008 Revised

Moved by Councillor Augustyn
Seconded by Councillor Badawey

That Report HR 14-2008 Revised, October 8, 2008, Communication C7065 – Letter CAW Local 222 regarding CAW Letter dated April 29, 2008 (attached as Appendix A) be received for information and the motion to amend the Ontario Health and Safety Act to include a personal safety clause, be endorsed.

Carried.

223. Corporate Employee Recognition Team (CERT)
“Recognition of Excellence” Award Winners
HR 16-2008

Moved by Councillor Badawey
Seconded by Councillor Henderson

That Report HR 16-2008, October 8, 2008, regarding Corporate Employee Recognition Team (CERT) “Recognition of Excellence” award winners be received for information.

Carried.

CORRESPONDENCE

Conflict of Interest

Councillor Collins declared an indirect pecuniary interest with respect to any police matters as he has a family member employed by the Niagara Regional Police Services and he therefore took no part in the discussion of, or voting on, these matters.

224. Moved by Councillor D’Angela
Seconded by Councillor Bylsma

That Communication CSC 50-2008 from Susan Daniels, AMCT, City Clerk (September 3, 2008) regarding its Council’s resolution re: Improvement of MPAC Operations, be received and supported.

Carried.

225. Moved by Councillor Henderson
Seconded by Councillor Greenwood

That the following communications be received:

- CSC 51-2008 Deb Morton, Executive Director, Regional Municipality of Niagara Police Services Board (September 3, 2008) regarding Facilities – 68 Church Street, St. Catharines – Award of Contract – Basement Renovations/Water Risk 165/212.2008
- CSC 52-2008 Deb Morton, Executive Director, Regional Municipality of Niagara Police Services Board (September 3, 2008) regarding NRPS Variance report – to July 31, 2008 211.2008
- CSC 53-2008 Memorandum from Denise Papaiz, Senior Manager, Corporate Communications (September 25, 2008) regarding Councillor Information Requests – AC14 04/16/2008, Benefits/Repercussions of Posting Meetings on the Web – Councillor Casselman

Carried.

226. Moved by Councillor Augustyn
Seconded by Councillor Burroughs

That Communication CSC 54-2008, being a memorandum from Bob Diakow, Director, IT Solutions (October 8, 2008) regarding Councillor Volunteers to Design Councillor Meeting Room, be received.

Carried.

(Councillors Collins, Puttick and Augustyn volunteered to serve on this Committee. Additional Councillors, not on the Corporate Services Committee, can volunteer to serve on this Committee if interested.)

227. Moved by Councillor Augustyn
Seconded by Councillor Henderson

That Communication CSD 55-2008, being a memorandum from Gord Lockyer, Treasurer/Director, Financial Management & Planning (October 8, 2008) regarding “Building Canada” – Canada-Ontario Infrastructure Framework Agreement, be received.

Carried.

OTHER BUSINESS

228. Out of Country Trips

Councillor Puttick requested a report on the costs associated to the recent trips to Germany, Japan, South Africa and Dubai.

Moved by Councillor Puttick
Seconded by Councillor Burroughs

That a report be provided to Committee regarding the trips to Germany, Japan, South Africa and Dubai detailing for each trip: how many persons went; total dollars spent; and from what budgets these trips were funded.

Carried.

229. Bank Rate Reduction

Mr. Bergsma, Commissioner, Corporate Services, advised Committee that the U.S. Federal Reserve reduced its bank rate by .5% to 1.5% in coordination with central banks of European, Sweden, Switzerland and the Bank of Canada in an effort to bring interest rates down. This is an effort to reduce the friction in the credit market. The Commissioner commented that there is not a clear answer to whether money will be available when the municipalities want to borrow; however, there is nothing fundamental that would impede the ability to borrow at the levels previously allowed.

Councillor Casselman apprised Committee of the Provincial Government's announcement that there will be a zero percent growth in Ontario and inquired as to what the impact of this would be. Mr. Bergsma advised that the budget is being set by the parameters of what has happened and what will happen in 2009. If new assessment affects communities' ability to absorb tax increases, people may postpone decisions to spend and this could impact producers/manufacturers which could translate into lower levels of employment.

Councillor Collins commented that Premier McGuinty will be announcing a financing restructuring program and that this information should be available on the website today.

CLOSED SESSION

230. Moved by Councillor Greenwood
Seconded by Councillor Henderson

That this Committee do now meet in Closed Session for purposes of receiving information of a confidential nature relating to Litigation and Solicitor-Client Advice – OMB Decision – Regional Policy Plan Amendment 170; A Matter concerning the Property of the Region of Niagara-Insurance Program Renewal; and Collective Agreement – IUOE Local 772 – Community Services Department.

Carried.

231. Matters of Litigation and Solicitor-Client Advice
OMB Decision-Regional Policy Plan Amendment 170
(Willoughby Land Use Policies)
Confidential CSD 130-2008 (DPD 45-2008)

Moved by Councillor Casselman
Seconded by Councillor Badawey

That Confidential Report CSD 130-2008 (DPD 45-2008), October 8, 2008, respecting Matters of Litigation and Solicitor-Client Advice, OMB Decision-Regional Policy Plan Amendment 170 (Willoughby Land Use Policies), be received and the recommendations contained therein approved.

Carried.

232. A Matter Concerning the Security of the Property of the
Region of Niagara-Insurance Program Renewal
Confidential CSD 131-2008

Moved by Councillor Badawey
Seconded by Councillor Greenwood

That Confidential Report CSD 131-2008, October 8, 2008, respecting A Matter concerning the Security of the Property of the Region of Niagara-Insurance Program Renewal, be received and the recommendations contained therein approved.

Carried.

233. Collective Agreement – IUOE Local 772
Community Services Department
Confidential HR 18-2008

Moved by Councillor Badawey
Seconded by Councillor Casselman

That Confidential Report HR 18-2008, October 8, 2008, respecting Collective Agreement – IUOE Local 772 – Community Services Department, be received and the recommendations contained therein approved.

Carried.

234. Moved by Councillor Augustyn
Seconded by Councillor Henderson

That this Committee do now rise with report.

Carried.

ADJOURNMENT

Committee adjourned at 12:05 a.m. to meet again on Wednesday, October 29, 2008, at 9:00 a.m. in Committee Room 4, Regional Headquarters.

Michael Collins
Co-Chair

Gail Reilly
Legislative Assistant

Pam Gilroy
Regional Clerk