

# THE REGIONAL MUNICIPALITY OF NIAGARA

## PROCEEDINGS OF COUNCIL

### REPORT CL 7-2008

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The Municipal Council of the Regional Municipality of Niagara met in the Council Chamber, Regional Municipal Building, Thorold, Ontario, on Thursday, April 10, 2008 commencing at 6:40 p.m.

#### ATTENDANCE

Council: Regional Chair Partington; Councillors Augustyn, Badawey, Baty; Bentley; Burroughs; Bylsma; Casselman; Collins; Cordiner; D'Angela; Forster; Gabriel; Goulbourne; Greenwood; Heit; Henderson; Hodgson; Katzman; Lepp; Marshall; Martin; McMullan; Puttick; Rigby; Salci; Saracino; Smeaton; Timms; Trombetta; Zimmerman.

Staff: Messrs. Trojan, Chief Administrative Officer; Hutchings, Commissioner, Community Services; Nicol, Commissioner, Human Resources; Brothers, Commissioner, Public Works; Bergsma, Commissioner, Corporate Services; Farley, Director, Special Planning Initiatives; Dr. Williams, Medical Officer of Health; Ms. Gilroy, Regional Clerk; Ms. Pilon, Deputy Clerk.

Staff  
(Other): Messrs. Pilon, Executive Officer to the Regional Chair; Kyne, Director, Legal Services; McQueen, Director, Administration; Ms. Matthews-Malone, Director, Water & Wastewater; Ms. Papaiz, Coordinator, Communications.

#### CALL TO ORDER

137. Regional Chair Partington called the meeting to order at 6:40 p.m.

#### CLOSED SESSION

138. Moved by Councillor Puttick  
Seconded by Councillor Marshall

That this Council do now move into Closed Session for the purposes of receiving information of a confidential nature relating to legal, personnel and property matters.

Carried.

139. A Matter Concerning the Security of the Property of the Municipality – Oral Report

Mr. Mike Trojan, Chief Administrative Officer provided Regional Council with an oral report respecting A Matter Concerning the Security of the Property of the Municipality.

140. A Matter of Solicitor and Client Advice – Oral Report

Moved by Councillor Baty  
Seconded by Councillor Katzman

That the Director of Legal Services be authorized to proceed as recommended.

Carried.

141. Proposed Acquisition of Property by the Municipality  
Town of Niagara-on-the-Lake, City of Thorold  
**CSD 56-2008 Confidential**

Moved by Councillor Martin  
Seconded by Councillor Saracino

That Confidential Report CSD 56-2008, April 10, 2008, respecting Proposed Acquisition of Property by the Municipal, Town of Niagara-on-the-Lake, City of Thorold, be received and the recommendations therein be approved.

Carried.

**CLOSED SESSION, RISE AND REPORT**

142. Moved by Councillor Baty  
Seconded by Councillor Badawey

That this Committee do now rise with report.

Carried.

Council met in regular session, commencing at 7:00 p.m. with an Invocation by Councillor Saracino followed by the singing of 'O Canada'.

**ADOPTION OF THE AGENDA**

143. Moved by Councillor Burroughs  
Seconded by Councillor Collins

That the Council Agenda CL 7-2008 be approved and adopted as presented.

Carried.

### **CONFLICTS OF INTEREST**

144. Councillor Bylsma declared an indirect pecuniary interest with respect to any matters that deal with Wind Energy Project, as he has a family member involved in a Wind Energy Project Development in the Niagara Region and he therefore took no part in the discussion of, or voting on, this matter.

Councillor Collins declared an indirect pecuniary interest with respect to any matters that deal with the Niagara Polices Services Board, as a family member is an employee of the Police Services, and he therefore took no part in the discussion of, or voting on, this matter.

Councillor Forster declared an indirect pecuniary interest with respect to Confidential Report HR 10-2008, April 2, 2008, respecting A Matter of Labour Relations: Status of ONA Local 9 (Homes for the Aged) Contract Negotiations, as she is employed by the Ontario Nurses Association, and she therefore took no part in the discussion of or voting on these matters.

Councillor Timms declared an indirect pecuniary interest with respect to matters related to Regional Development Charges as his family owns a business that may be subject to development charges, and he therefore took no part in the discussion of or voting on these matters.

### **PRESENTATIONS**

145. United Way - Cheque Presentation

Ms. Marilyn St. John and Ms. Ellen Wodchis, Co-Chairs of the Niagara Region Employees United Way Action Group with great pleasure at again celebrating our successes for this year's United Way campaign and also to formally present the funds raised by our employees to the United Way.

The Co-Chairs of the Niagara Region Employees United Way Action Group introduced members of the Action Group and the many canvassers and volunteers who devoted their efforts to this year's campaign who were in attendance at the meeting. United Way representatives from St. Catharines and District; Niagara Falls and Greater Fort Erie, and South Niagara United Ways were in attendance. This year's campaign began with a kickoff luncheon in September where we announced our goal of raising \$130,000 for the United Way which has been surpassed for the 5<sup>th</sup> year in a row. Thanks to the hard work and commitment of the employees of the Niagara Region, this year to date a total of just under \$133,000 was raised.

They also announced that a few weeks ago at the St. Catharines and District United Way celebration dinner Chairman Partington and Chief Administrative Officer Mike Trojan, Campaign Chair were honoured and pleased to accept the Corporation of the Year award, which is not only based on campaign

achievements, but focuses on sponsorship, volunteerism, corporate and management support and most importantly, long standing commitment. The Regional Municipality of Niagara has shown its volunteer commitment by having several representatives within United Way's Board of Directors, Campaign Cabinet and Community Investment Committee.

Dr. Robin Williams who is the in-coming Campaign Chair will do a fantastic job in continuing the work for the United Way campaign in our community.

146. 7<sup>th</sup> Annual Elementary Tobacco-Free Poster Contest

Ms. Grace Adegunlehin, Health Promoter, Tobacco Control Program advised Regional Council that the Niagara Region Public Health Department sponsored 7th Annual Tobacco-Free Living Poster Contest was launched during National Non-Smoking Week in January of 2008. 5,521 elementary students from 92 elementary schools across the Region created posters illustrating the benefits of smoke-free vehicles. The posters were judged by representatives from community agencies such as the YMCA of Niagara and Healthy Living Niagara.

Awards were presented by Regional Chair Partington and Councillor Casselman, together with Ms. Nancy O'Neill, Public Health Nurse, School Health Elementary Program to the following winners:

Primary Division:

- 3<sup>rd</sup> place - NATALIE PENNY-Holy Name, Welland
- 2<sup>nd</sup> place - ANNA MALONEY- St. Thomas More, Niagara Falls tied with
- 2<sup>nd</sup> place - MEGHAN WING - St. Elizabeth, Wainfleet
- 1<sup>st</sup> place - YANNA BLYZCHYK - St. Joseph, Niagara Falls

French Primary Division:

- 3<sup>rd</sup> place - CELESTE FOURNIER- École Champlain, Welland
- 2<sup>nd</sup> place - GABRIELLE LEMAY- École Sacré-Coeur, Welland
- 1<sup>st</sup> place - BRITTANY RESCH- École Sacré-Coeur, Welland

Junior Division:

- 3<sup>rd</sup> place - MEGAN MORRIS - Monsignor Clancy, Thorold
- 2<sup>nd</sup> place - LUCAS DEGASPERIS - Monsignor Clancy, Thorold tied with
- 2<sup>nd</sup> place – KAREN LEE – Grapeview School, St. Catharines
- 1<sup>st</sup> place – JESSICA STONES – St. Joseph, Stevensville

French Junior Division:

- 3<sup>rd</sup> place – JEANNINE THERRIEN - École Champlain, Welland tied with
- 3<sup>rd</sup> place – CHELSIE RESCH - École Sacré-Coeur, Welland
- 2<sup>nd</sup> place – BRIANNE ETHIER - École Champlain, Welland
- 1<sup>st</sup> place – TANYA LEFEBVRE - École St. Francois, Welland

Intermediate Division:

- 3<sup>rd</sup> place – CASSANDRA NEZEZON – Holy Name, Welland tied with  
3<sup>rd</sup> place – JULIANA DENARDI – St. Elizabeth, Wainfleet  
2<sup>nd</sup> place – JOELLE SCHONBERG - F.J. Rutland, Niagara Falls  
1<sup>st</sup> place – WILLIAM JANSSEN - St. Vincent de Paul, Niagara Falls

French Intermediate Division:

- 3<sup>rd</sup> place- CHANELLE CHARETTE - École Sacré-Coeur, Welland  
2<sup>nd</sup> place- MITCHELL SHOEMAKER - École Sacré-Cœur, Welland  
1<sup>st</sup> place- AUSTIN RESCH - École Sacré-Coeur, Welland

Healthy Living Niagara and the YMCA of Niagara were thanked for generously sponsoring this event. Posters will be on display in schools, health professionals' offices, libraries and the Public Health Department entranceway from May 26<sup>th</sup> to June 6<sup>th</sup> in promotion of World No Tobacco Day May 31<sup>st</sup>.

147. State of the Housing Industry in Niagara:  
Issues We Share in Common

Ms. Debbie Felicetti, Niagara Home Builders Association provided Regional Council with the associations background and requested that Regional Council and the Niagara Home Builders Association work collectively in order to improve Niagara's economy and market Niagara Region as a great place to live.

Ms. Felicetti requested that the Niagara Home Builders Association be invited to participate in the development charge by-law deliberations and issues that involve their industry.

Ms. Felicetti in closing, thanked Regional Council for the opportunity to address Regional Council and noted that the association is looking forward to making a great place to live even better!

**REGIONAL CHAIR'S REMARKS**

148. Regional Chair Partington noted his passion for reading and as a history buff of sorts, who values the knowledge that comes from this passion with the upcoming bicentennial celebration, and the importance of that historical event to our country, our province, and more specifically, the Niagara Region, that it's an event all Niagara residents, young and old, should connect with, understand, and take the time to see the magnificent history that surrounds us.

The Regional Chair focused on supporting literacy as a means of life-long learning, as in Niagara, we continue to try and push our literacy rates higher. As nearly 20% of our grade 10 students failed provincial literacy tests last year, and only 54% of our boys in grade 3 read at the provincial standard, and by grade 6, it's remained at 55%. It's important that as influential members of our communities, Regional Councillors continue to be ambassadors for these issues.

In an attempt to marry these two issues, the Regional Chair provided all members of Regional Council with a copy of the book "For Honour's Sake – The War of 1812 and the Brokering of an Uneasy Peace", written by Mark Zuehlke. The Regional Chair noted that younger readers could read "Laura Secord – The Heroic Adventures of a Canadian Legend", which tells the story of one of the most recognizable members of the war, both are books that all Niagarans should read.

The Regional Chair noted that he hoped that all of Regional Council would take the time to read this book, and that they would carry the message of the importance of literacy and of understanding our rich history into your communities, your schools, your councils, and your homes.

The Regional Chair noted that he feels strongly that the gesture of reading this book, and in encouraging others to do so, is supportive of a number of issues before Regional Council as well. Supporting literacy - at any age - is incredibly beneficial to the creation of a healthy community and understanding the War of 1812 speaks directly to the cultural focus that our Council has spoken of on many occasions, and another opportunity for tie-in for what is a truly monumental event for the Niagara Region with respect to the 1812 Bicentennial

This is an issue that is obviously important to our former Regional Chair as well, as seen through the creation of the Literacy Award that bears her name, and this is an issue where I'm sure we can all agree on the importance of our support. So he encouraged everyone to read the book and share it with friends and family.

The Regional Chair announced that the Niagara Region has been successful in our application to the Municipal Infrastructure Investment Initiative. The Province is investing \$2.7 million to retrofit the Niagara Region recycling plant in Niagara Falls, an investment that will help to significantly reduce the amount of recyclable materials ending up in Regional landfills.

The Regional Chair also announced that the Province, through Metrolinx – formerly known as the Greater Toronto Transportation Authority, has responded to Niagara's Region's request to be added to the Metrolinx study area by the creation of a Gateway Liaison Group, which is to include the Heads of Council of the gateway communities of the GTTA transportation network. Verbal notice of the creation of this committee has been received and your addendum package contains the report to the Metrolinx Board on March 28, 2008.

The Regional Chair thanked the Niagara Economic Development Corporation for successfully hosting the Niagara Economic Forum that was held April 4, 2008 the attendance at the event was impressive, with approximately two-hundred local politicians and community leaders in attendance. Niagara Region is looking forward to following up in the weeks and months to come, to move forward with a number of the issues identified.

Niagara Region's plans for our visit to Queen's Park have been moving along well, with the meeting schedule being finalized over the course of the next day or so. The information that was gathered from Council's planning session two weeks ago, from our senior management team and from the Economic Forum is in the process of being put together for distribution to Councillors in the very near future.

The Regional Chair on behalf of Council thanked Marian Damm of Floral Dimension Flower Farms in Fenwick for the flowers on display in Council Chambers, which will be delivered to one of our long-term care homes following the meeting.

### **APPROVAL OF MINUTES**

149. Report COTW 4-2008

Moved by Councillor Henderson  
Seconded by Councillor Burroughs

That Report COTW 4-2008, being the minutes of the Committee of the Whole meeting of Thursday, March 20, 2008, be approved and adopted.

Carried.

150. Report CL 6-2008

Moved by Councillor Badawey  
Seconded by Councillor Hodgson

That Report CL 6-2008, being the minutes of the Proceedings of Council of Thursday, March 20, 2008, be approved and adopted.

Carried.

### **CORRESPONDENCE**

151. Moved by Councillor Burroughs  
Seconded by Councillor Henderson

That Communications C7032 to C7040 and C7042 to C7045 and C7048 be dealt with as noted in the Council Agenda and Addendum, which reads as follows:

C7032            Card of thanks from Tina Martino, an employee of the Community Services Department, for the kind donation to the Schizophrenia Society of Ontario in memory of her son Enzo Martino.

*Received.*

- C7033 A letter from the Honourable Lincoln M. Alexander, Chairman, Ontario Heritage Trust (March 10, 2008) inviting Niagara Region's Council to participate in the 2008 Heritage Community Recognition program.
- Received and referred to the Culture Committee and Planning Department.*
- C7034 A letter from Minister Dwight Duncan, Ministry of Finance and Minister Jim Watson, Ministry of Municipal Affairs and Housing (March 13, 2008) announcing the release of the Ontario Municipal Partnership Fund (OMPF) allocations for 2008.
- Received.*
- C7035 A letter from Peter Van Loan, Leader of the Government in the House of Commons and Minister for Democratic Reform (March 17, 2008) addressing the premises outlined in the resolution endorsed by the Regional Municipality of Niagara's Council respecting the Democratic Representation Bill.
- Received.*
- C7036 A memorandum from Pam Gilroy, Regional Clerk (April 10, 2008) respecting the Memorial Award for the late Council T. Roy Adams.
- Received.*
- C7037 A letter from Bob Waite, Senior Vice-President, Corporate Social Responsibility, Canada Post respecting the 2008 Canada Post Community Literary Award.
- Received.*
- C7038 A memorandum from Mike Trojan, Chief Administrative Officer (March 31, 2008) respecting Niagara College Partnership - Annual Update of Activity.
- Received.*
- C7039 Card of thanks from Mark Lampman, an employee of the Public Works Department, for the kind donation to the Canadian Cancer Society in memory of his father Leroy Lampman.
- Received.*

C7040 A memorandum from John Bergsma, Commissioner, Corporate Services (April 2, 2008) respecting the 2008 Council Business Plan – Update on Initiation of New Initiatives.

*Replaced with C7044.*

C7042 Card of thanks from Anthony Burnaccioni, an employee of the Public Health Department, for the kind donation to the Habitat for Humanity in memory of his father-in-law Paul Benard.

*Received.*

C7043 A letter from Mr. Joe Schonberger, President, Niagara South Federation of Agriculture (April 4, 2008) respecting the Tree and Forest Conservation By-law Amendments.

*Received.*

C7044 An amended memorandum from John Bergsma, Commissioner, Corporate Services (April 2, 2008) respecting the 2008 Council Business Plan – Update on Initiation of New Initiatives. (*replaces Correspondence Item C7040*)

*Received and referred to all Standing Committees for information.*

C7045 A copy of the letter from Brian McMullan, Mayor, City of St. Catharines (March 24, 2008) to Minister Jim Watson, Ministry of Municipal Affairs and Housing, respecting the current level of St. Catharines' representation on Regional Council and requesting the Province's assistance with the appointment of a facilitator to review the representation of member municipalities on Regional Council.

*Received.*

C7048 A Management Report to Metrolinx entitled Gateway Community Liaison noting that in order to ensure the Regional Transportation Plan (RTP) is informed by a full and complete understanding of transportation issues in the broader region, and to ensure that these municipalities are kept informed of the RTP's development, Metrolinx will liaise with the head of council of the gateway communities of the transportation network, listing Peter Partington, Chair, Region of Niagara (Page 2 of 5).

*Received.*

Carried.

(Refer to the Councillor Information Requests)

Councillor Puttick requested that he be recorded as opposed to Section B on page 2 of C7038

152. Moved by Councillor Lepp  
Seconded by Councillor Bylsma

That Communication C7041, a memorandum from Councillor Bentley (April 2, 2008) resigning from the Planning and Public Works Committee, be received and supported.

Carried.

153. Moved by Councillor Goulbourne  
Seconded by Councillor Heit

That Correspondence Item C7046, a memorandum from Ken Brothers, Commissioner, Public Works (April 10, 2008) respecting a Resolution – Agreement with Integrated Municipal Services Inc. Re: Source Separated Organics Processing, be received; and

That the Regional Chair and Clerk be authorized to execute an Agreement with Integrated Municipal Services Inc. in respect to Source Separated Organics Processing.

Carried.

(Refer to the Councillor Information Requests)

154. Moved by Councillor Puttick  
Seconded by Councillor Greenwood

That Correspondence Item C7047, A letter from Jessica Ruddell, Parks, Recreation & Culture, City of Niagara Falls (April 2, 2008) respecting Challenge Day 2008, a worldwide event with a goal to move every citizen to break their daily routine and practice some form of physical activity for just 15 minutes on Wednesday, May 28, 2008, be received and supported.

Carried.

### **DELEGATIONS (RELATED TO COMMITTEE REPORTS)**

155. Project Niagara (International Music Festival)  
Town of Niagara-on-the-Lake  
**PWA 26-2008**

Mr. Brothers provided Regional Council with an overview of Report PWA 26-2008, which provides Council with the results of the preliminary reviews of the Water and Wastewater and Transportation requirements for the project.

Mr. Brothers stressed that the costs are estimates and that the costs may increase once the detailed studies are completed and that the funds for this project are not in the capital budget.

## **COMMITTEE REPORTS**

### **PLANNING AND PUBLIC WORKS COMMITTEE**

156. Moved by Councillor Badawey  
Seconded by Councillor Zimmerman

That Report PWA 26-2008 (April 10, 2008) respecting Project Niagara (International Music Festival) in the Town of Niagara-on-the-Lake, be lifted and dealt with at this time.

Carried.

157. Project Niagara (International Music Festival)  
Town of Niagara-on-the-Lake  
**PWA 26-2008**

Councillor Casselman noted that the reference "Arts Centre" should be amended to "International Music Festival".

Moved by Councillor Smeaton  
Seconded by Councillor Lepp

That Report PWA 26-2008 (April 10, 2008) respecting Project Niagara (International Music Festival) in the Town of Niagara-on-the-Lake, be received.

That staff be directed to initiate formal discussions with Project Niagara, including the Town of Niagara-on-the-Lake, for discussion of, but not limited to, development issues, potential partnerships, timing, cost sharing and joint funding support for municipal infrastructure required for the project.

That in recognition of a critical infrastructure timetable, and leverage of the north/east servicing strategy in Niagara-on-the-Lake, that the Commissioner of Public Works be directed to negotiate a sole source service contract of the Class C Environmental Assessment for the Niagara-on-the-Lake wastewater treatment facility to Hatch Mott McDonald, in accordance with the Purchasing By-law.

158. Moved by Councillor Burroughs  
Seconded by Councillor D'Angela

That the motions listed in Report PWA 26-2008 (April 10, 2008) respecting Project Niagara (International Music Festival) in the Town of Niagara-on-the-Lake, be dealt with separately.

Carried.

Councillor Rigby requested that he be recorded as opposed to the aforementioned motion.

159. Moved by Councillor Smeaton  
Seconded by Councillor Lepp

That Report PWA 26-2008 (April 10, 2008) respecting Project Niagara (International Music Festival) in the Town of Niagara-on-the-Lake, be received.

That in recognition of a critical infrastructure timetable, and leverage of the north/east servicing strategy in Niagara-on-the-Lake, that the Commissioner of Public Works be directed to negotiate a sole source service contract of the Class C Environmental Assessment for the Niagara-on-the-Lake wastewater treatment facility to Hatch Mott McDonald, in accordance with the Purchasing By-law.

Carried.

160. Moved by Councillor Smeaton  
Seconded by Councillor Lepp

That the direction to staff to initiate formal discussions with Project Niagara, including the Town of Niagara-on-the-Lake, for discussion of, but not limited to, development issues, potential partnerships, timing, cost sharing and joint funding support for municipal infrastructure required for the project, be referred to the Planning and Public Works and Corporate Services Committees.

Carried.

161. Moved by Councillor Casselman  
Seconded by Councillor McMullan

That the Niagara Economic Development Corporation work with Project Niagara to prepare an economic impact study for the project.

Carried.

Councillor Puttick requested that he be recorded as opposed to the aforementioned motion.

Regional Council recessed at 8:40 p.m. to reconvene the Committee of the Whole meeting.

Regional Council reconvened at 9:30 p.m.

162. Report 5-2008

Moved by Councillor Rigby  
Seconded by Councillor Smeaton

That Report 5-2008, being the minutes of the Planning and Public Works Committee meeting of Wednesday, April 2, 2008, be approved and adopted.

Carried.

163. 2008 Municipal Road and Bridge Infrastructure Investment  
**PWA 44-2008**

Moved by Councillor Greenwood  
Seconded by Councillor D'Angela

That Report PWA 44-2008, April 10, 2008, respecting the 2008 Municipal Road and Bridge Infrastructure Investment, be received; and

That the \$2,457,340 allocated to Niagara by the Province under the 2008 Municipal Road and Bridge Infrastructure Investment program be used for road and bridge capital investment needs on the Regional Road network; and

That a final summary report detailing expenditures, use of Provincial funding, and outcomes achieved be submitted to the Ministry of Transportation and the Ministry may request an independent audit of the project; and

That any funds intended for the project that are not used in accordance with rehabilitation of municipal road and bridge capital investment needs or the terms outlined above will be returned to the Ministry of Transportation.

Carried.

**CORPORATE SERVICES COMMITTEE**

164. Report 5-2008

Councillors were asked to contact the Clerk's Office if they are interested in sitting on the Public Information and Communications Committee (PICAC).

Moved by Councillor Collins  
Seconded by Councillor Martin

That Report 5-2008, being the minutes of the Corporate Services Committee meeting of Wednesday, April 2, 2008, be approved and adopted.

Carried.

**PUBLIC HEALTH AND SOCIAL SERVICES COMMITTEE**

165. Report 4-2008

Moved by Councillor Casselman  
Seconded by Councillor Timms

That Report 4-2008, being the minutes of the Public Health and Social Services Committee meeting of Tuesday, April 1, 2008, be approved and adopted.

Carried.

166. Increased Action to Control and Eliminate Contraband Tobacco in Ontario and Canada

Moved by Councillor Timms  
Seconded by Councillor Katzman

WHEREAS contraband cigarettes are cigarettes on which federal and/or provincial excise and/or sales taxes have neither been levied by those selling, nor paid by those required to pay them; and

WHEREAS contraband may include main-brand product delivered to reserves via quota system, or product manufactured by licensed or unlicensed manufacturers on reserve in Quebec, Ontario or New York State; and

WHEREAS contraband also appears in the form of main-brand products supplied to Ontario reserves under the provincial quota system, which instead of being consumed by First Nations, are resold through smoke shacks; and

WHEREAS one illegal cigarette manufacturing machine can be purchased online for \$75,000 and can produce sixty bags per hour or just over 1,400 bags per day; and

WHEREAS if an illegal cigarette manufacturing machine is run continuously and bags are sold for \$10.00 per bag, the gross revenue from one illegal machine would equal \$5.1 million per year, minus downtime, maintenance and cost of raw materials; and

WHEREAS the Canadian tobacco market is currently being flooded by cheap cigarettes, distributed by illegal operations; and

WHEREAS easy access to cheap cigarettes encourages smoking which leads to higher rates of disease and death; and

WHEREAS the effect on youth smoking is of particular concern because youth are the most price-sensitive cohort in the tobacco market; and

WHEREAS contraband tobacco products do not contain health warnings; and

WHEREAS cheap cigarettes discourage quitting, increase average daily consumption, prompt relapse and encourage youth initiation; and

WHEREAS it is estimated that between one in four or one in three cigarettes smoked in Ontario is contraband; and

WHEREAS twenty-four percent of butts collected around Ontario schools have been found to be contraband tobacco products; and

WHEREAS during public education nights regarding the upcoming provincial Display Ban, retailers stated their concerns of business losses due to sale of contraband tobacco products

NOW THEREFORE BE IT RESOLVED:

THAT the Association of Local Public Health agencies (alPHa) urge the federal and provincial governments to take action to stop the manufacture and supply of contraband tobacco by: confiscating raw materials destined for unlicensed manufacturers; revoking manufacturer licences if a manufacturer is operating illegally; imposing quota and refund systems for tax-exempt tobacco products supplied to First Nation reserves; introducing an effective tracking system; and

THAT alPHa advocate that the federal and provincial governments be requested to increase the search and seizure powers of police agencies and tobacco control officers; and

THAT provincial and federal governments be requested to include additional funding for studies or methods to better identify contraband cigarettes.

Carried.

### **COUNCIL ORGANIZATION REVIEW COMMITTEE**

167. Report 4-2008

Moved by Councillor Baty  
Seconded by Councillor Goulbourne

That Report 4-2008, being the minutes of the Council Organization Review Committee meeting of Tuesday, March 25 2008, be received and the recommendations contained therein, be approved.

Carried.

**COMMITTEE OF THE WHOLE**

168. Moved by Councillor Bylsma  
Seconded by Councillor Lepp

That the decisions made at the Committee of the Whole meeting of Thursday, April 10, 2008, be approved and adopted.

Carried.

**MOTIONS**

169. Moved by Councillor Marshall  
Seconded by Councillor Burroughs

That Regional Council waive the notice requirement, in order for Regional Council to deal with the motion respecting 'Buy Local Food' at this time.

Carried.

170. 'Buy Local Food'

As the notice requirement had been waived Councillor Zimmerman presented the motion respecting 'Buy Local Food'.

Moved by Councillor Zimmerman  
Seconded by Councillor Burroughs

WHEREAS the municipal sector in Niagara has worked with the Agricultural industry to develop an Agricultural Action Plan; and

WHEREAS that Agricultural Action Plan emphasizes profitability for a vibrant agricultural sector in Niagara's diverse agricultural base; and

WHEREAS an emphasis on buying Local Food is also consistent with addressing important public policy issues such as climate change, food safety and security and local economic sustainability;

WHEREAS the Regional Municipality of Niagara has a role for facilitating and providing leadership in assuring a viable, strong Niagara community;

NOW THEREFORE BE IT RESOLVED:

That Regional Council support and participate in efforts to promote 'Buy Local Food' efforts; and

That Regional staff report back on the appropriate means of demonstrating leadership in the broader institutional sector on the "Local Food" policy and implementation agenda; and

That the purchasing by-law be reviewed for how it supports “Local Food”; and

That this resolution be shared with the area municipalities in Niagara and appropriate federal and provincial ministries.

Carried.

### **OTHER BUSINESS**

171. 2015 Pan Am Games

Moved by Councillor Rigby  
Seconded by Councillor Puttick

That Regional Council endorse our continued involvement in the provincial discussions regarding the hosting of the 2015 Pan Am Games by the Greater Golden Horseshoe communities; and

That a region-wide committee be created with representation from interested individuals and municipalities to guide regional input into the provincial process.

Carried.

172. Correspondence from Niagara Region’s CAO to the NRPS CAO

Councillor McMullan referred to the correspondence Mr. Trojan forwarded to Mr. Fuentes, CAO, NRPS and inquired as to whether or not a response was received.

Mr. Trojan advised Regional Council that he had received a response and Councillor McMullan requested that Regional Council be forwarded that response for their information.

173. Congratulations! Thorold Blackhawks

Regional Council extended congratulations to the Thorold Blackhawks for winning the 2007-08 GOJHL Golden Horseshoe division championship series and thanked all who supported them.

Regional Council also extended congratulations to all of the Junior B teams and to all of their dedicated supporters.

Councillor McMullan noted that he will be wearing a Thorold Blackhawks jersey at the next St. Catharines Council meeting, as per their agreement.

174. Boys & Girls Club of Niagara

Councillor Greenwood announced the new Boys & Girls Club of Niagara programs in the Queen Elizabeth Community Centre (St. Catharines) and Pelham Arena (Pelham) and extended her appreciation to Councillor Augustyn, Mayor, Town of Pelham and Councillor McMullan, Mayor, City of St. Catharines for their assistance.

Councillor Greenwood also noted that a Teddy Bear Picnic is taking place at the McBain Community Centre on Saturday, April 12, 2008.

175. Hazardous Waste Depot – Saturday, April 12, 2008

Regional Council announced that a Hazardous Waste Depot will be held in the Regional Headquarters parking lot on Saturday, April 12, 2008.

176. Waste Management Publications

Regional Council commended Waste Management staff for taking a proactive approach to the changes that will affect residents in September 2008, through the publication and distribution of an information pamphlet.

177. McNally House Hospice

Councillor Zimmerman extended the thanks from the Town of Grimsby community to Councillor Bentley for his efforts in moving this project to its fruition.

Councillor Bentley noted that it was a very special day for West Niagara residents on April 4, 2008, when the McNally House Hospice was opened.

Councillor Bentley noted that the building was built solely through donations from the community. He thanked the Dr. Denise Marshall, the Niagara Region and the Province for their support.

178. Congratulations! Screaming Eagles

Regional Council congratulated the Screaming Eagles on their victory.

**BY-LAWS**

179. Moved by Councillor Hodgson  
Seconded by Councillor Greenwood

That the following Bills be now read and do pass:

**Bill 30**

A By-Law to Prohibit or Regulate the Harvesting, Destruction or Injuring of Trees in Woodlands in the Regional Municipality of Niagara and to Repeal By-Law 47-2006, As Amended.

**Bill 31**

A By-Law to Authorize Long-Term Financing (1-10 Years) in the Amount of \$1,865,409 for Various Projects in the 2008 Niagara Regional Housing Capital Program

**Bill 32**

A By-Law to Provide for the Regulation of Traffic on Regional Highways in the City of Niagara Falls

**Bill 33**

A By-Law to Provide for the Regulation of Traffic on Regional Highways in the City of Niagara Falls

**Bill 34**

A By-Law to Provide for the Regulation of Traffic on Regional Highways in the City of Niagara Falls

Carried.

180. Moved by Councillor Augustyn  
Seconded by Councillor Bentley

That the following Bills be now read and do pass:

**Bill 36**

A By-Law to Authorize the Region to Provide a Matching Reduction or Refund of the Regional Portion of Property Taxes for Eligible Properties under the Town of Fort Erie's Heritage Tax Rebate Program

**Bill 37**

A By-Law to Set Tax Ratios and Tax Rate Reductions for Prescribed Property Subclasses for Regional Purposes and Area Municipal Purposes for the Year 2008.

Bill 38

A By-Law to Set and Levy the Rates of Taxation for Regional General and Special Purposes for the Year 2008.

Bill 39

A By-Law to Authorize the Region's Participation in the Province of Ontario's One-Time Capital Funding for Municipal Road and Bridge Infrastructure Investment

Carried.

**CONFIRMING BY-LAW**

181. Moved by Councillor D'Angela  
Seconded by Councillor Greenwood

That the following Bill be now read and do pass:

Bill 35

A By-law to Adopt, Ratify and Confirm the Actions of the Regional Council at its Meeting held on the 10<sup>th</sup> of April, 2008.

Carried.

**COUNCILLOR INFORMATION REQUESTS**

Staff were requested to:

- attach the service level agreement to the by-law (Refers to Correspondence Item C7043 – Minute Item 151) (Councillor Collins)
- provide Council with information respecting "primary bins" (Refer to Correspondence Item C7046 – Minute Item 153) (Councillor Burroughs)
- review their purchasing policies to ensure that Niagara Region is purchasing goods and services locally where ever possible. (Councillor Rigby)

**ADJOURNMENT**

The Council meeting adjourned at 10:25 p.m.

Peter Partington  
Regional Chair

Janet Pilon  
Deputy Clerk

Pam Gilroy  
Regional Clerk