

THE REGIONAL MUNICIPALITY OF NIAGARA

PROCEEDINGS OF COUNCIL

REPORT CL 8-2009

The Municipal Council of the Regional Municipality of Niagara met in the Council Chamber, Regional Municipal Building, Thorold, Ontario, on Thursday, May 28, 2009 commencing at 6:43 p.m.

The following individuals were in attendance during the Closed Session of the Regional Council meeting:

ATTENDANCE

Council: Regional Chair Partington; Councillors Augustyn; Badawey, Bentley; Bylsma; Casselman; Cordiner; D'Angela; Forster; Gabriel; Greenwood; Heit, Henderson; Hodgson, Lepp; Martin; McMullan; Rigby, Salci, Saracino; Smeaton; Timms.

Staff: Messrs. Trojan, CAO; Bergsma, Commissioner, Corporate Services; Robson, Commissioner, Integrated Community Planning; Hutchings, Commissioner, Community Services; Brothers, Commissioner Public Works; Kyne, Director Legal Services; Dr. Sider, Associate Medical Officer of Health; Ms. Pilon, Acting Regional Clerk; Ms. McManus, Legislative Assistant.

Staff
(Other): Messrs. Roberts, Executive Officer to the Regional Chair; Steele, Associate Director, Strategic Business Management.

CALL TO ORDER

211. Regional Chair Partington called the meeting to order at 6:43 p.m.

CLOSED SESSION

212. Moved by Councillor Heit
Seconded by Councillor Timms

That this Council do now move into Closed Session for the purposes of receiving information and dealing with A Matter of Solicitor Client Advice Update on OCCOPS Hearing; A Matter of Labour Relations Regarding ONA Public Health Conciliation; A Proposed acquisition of Land by the Municipality, City of Port Colborne, City of Niagara Falls, City of Welland, Town of Fort Erie, Town of Niagara-on-the-Lake , NHS Transfers; Police Correspondence; Smoke Free Ontario Budget Reductions and A Proposed Acquisition of Land by the Municipality and Potential Litigation Affecting the Municipality, Reconstruction of Regional Road No. 20, City of Thorold.

Carried.

CONFLICTS OF INTEREST

Councillors Bentley, Martin and Smeaton declared a pecuniary interest with respect to Matter of Solicitor-Client Advice, Update on OCCOPS Hearing as they are Police Board members and they therefore left the Council Chamber during the discussion of or voting on this matter.

Councillor Forster declared a pecuniary interest with respect to a Matter of Labour Relations Regarding ONA Public Health Conciliation, as she is a staff member with the Ontario Nurses Association, and she therefore left the Council Chamber during the discussion of or voting on this matter.

Councillor Martin declared a pecuniary interest with respect to a Matter of Labour Relations Regarding ONA Public Health Conciliation, as his wife is a member of CUPE, and he therefore left the Council Chamber during the discussion of or voting on this matter.

213. A Matter of Solicitor-Client Advice
Update on OCCOPS Hearing
Oral Report Confidential

Regional Council was provided with an update on the OCCOPS Hearing.

CLOSED SESSION, RISE AND REPORT

214. Moved by Councillor McMullan
Seconded by Councillor Greenwood

That this Committee do now rise without report.

Carried.

The following individuals were in attendance during the Open Session of the Regional Council meeting:

ATTENDANCE

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

Staff: Messrs. Trojan, CAO; Bergsma, Commissioner, Corporate Services; Robson, Commissioner, Integrated Community Planning; Hutchings, Commissioner, Community Services; Brothers, Commissioner Public Works; Kyne, Director Legal Services; Dr. Sider, Associate Medical Officer of Health; Ms. Pilon, Acting Regional Clerk; Ms. McManus, Legislative Assistant.

Staff

(Other): Messrs. Roberts, Executive Officer to the Regional Chair; Steele, Associate Director, Strategic Business Management.

Council met in regular session, commencing at 7:02 p.m. with an Invocation by Councillor Henderson.

Chairman Partington announced that this evening Council members were in for a treat, Ms. Felicity Croft, Regional Chair for a Day would perform the singing of 'O Canada'.

REGIONAL CHAIR FOR A DAY

215. The Regional Chair was pleased to introduce this year's Regional Chair-for-a-Day, Felicity Croft.

Felicity was chosen as Chair for a Day by her teachers, for her positive and friendly attitude, her consistent display of good citizenship, and school participation. She is a Grade 10 student with an interest in hairstyling, woodworking and music and her career goal is to work with animals after graduation.

This is the sixteenth annual Chair for a Day event which is part of the Niagara Region's ongoing participation in the Adopt-a-School Partnership with Kernahan Park Secondary School.

As Chair for a Day, Felicity toured many departments in the Niagara Region including Emergency Medical Services, Niagara Regional Police, the Sign Shop, Environmental Operations, GIS and the St. Catharines Regional Child Care Centre.

Ms. Croft expressed her gratitude to Council and the staff of the Niagara Region for making her experience as Regional Chair for a Day one that she will always remember. She learnt a great deal about the Region during her tour and she would like to thank everyone that showed her around their departments, and for the many mementos' she received.

ADOPTION OF THE AGENDA

216. Moved by Councillor Trombetta
Seconded by Councillor Lepp

That the Council Agenda CL 8-2009, be approved and adopted ***as amended by reconvening the Committee of the Whole meeting following the Presentations and the Closed Session following the adjournment of the Committee of the Whole.***

Carried.

CONFLICTS OF INTEREST

217. Councillor Bentley declared a pecuniary interest with respect to Minute Item 124, in the Corporate Services Committee minutes, Report CSD 86-2009 Niagara Police Services Board Remuneration as he is a Police Board member and he therefore took no part in the discussion of, or voting on, this matter.

Councillor Heit declared a pecuniary interest with respect to CSD 74-2009, Budget Approval, Initiation and Transfers for Police Project ZPO0910 Wireless Broadband System, as he is employed with a Wireless Company, and he therefore, took no part in the discussion of, or voting on, this matter.

Councillor Timms declared a 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.

Councillor Forster declared a pecuniary interest with respect to matters respecting Labour Relations, as she is a staff member with the Ontario Nurses Association, and she he therefore took no part in the discussion of, or voting on, these matters.

Councillor Martin declared a pecuniary interest with respect to Minute Item 124, in the Corporate Services Committee minutes, Report CSD 86-2009 Niagara Police Services Board Remuneration as he is a Police Board member and he therefore took no part in the discussion of, or voting on, this matter.

Councillor Smeaton declared a pecuniary interest with respect to Minute Item 124, in the Corporate Services Committee minutes, Report CSD 86-2009 Niagara Police Services Board Remuneration as he is a Police Board member and he therefore took no part in the discussion of, or voting on, this matter.

PRESENTATIONS

218. EMS Awards

Regional Chair Partington in celebration of Emergency Medical Services Week that took place from May 17- May 23, was truly honoured to present the Niagara Emergency Medical Services Awards for 2008. Five awards were presented in the following categories:

- Public Health and Social Services Committee Award,
- Paramedic of the Year,
- System Status Controller of the Year,
- Award of Merit, and
- National Paramedic Skills Competition Achievement Award

Julie Noble was the recipient of the 2008 Public Health and Social Services Committee Award. Julie Noble is a system status controller with Niagara Emergency Medical Services for the past three and a half years. She receives this Public Health and Social Services Award in recognition of her enthusiasm of promoting Niagara Emergency Medical Services within the community, who has worked diligently in many areas of Niagara Emergency Medical Services resulting in increased service and community education. She has worked numerous hours over and above her regular full-time work schedule. As an example of Julie's dedication and commitment to her community, Julie actively participates in the Grade Seven Healthy Hearts program that saw over 2000 grade seven students receive training in by-stander CPR across the Niagara region.

David Matthews was the recipient of Paramedic of the Year Award, which was established to honour a paramedic who contributes outstanding service to the public, co-workers and the community. The recipient is nominated by their peers because they believe he or she is the most professional and the most deserving among them. Mr. Matthews is recognized tonight as he consistently demonstrates an overall work ethic that is above and beyond the normal call of duty. He demonstrates compassion to his patients as well as the family members. David promotes professionalism and relationship building amongst his coworkers. In addition, David provides an exceptional level of care to his patients that exceed standards.

Kelly Ascah was the recipient of the Systems Status Controller of the Year Award. As Regional Council is aware, Niagara Region assumed responsibility for the operation of the Niagara Ambulance Communications Centre in June 2005 and was just re-accredited as a Centre of Excellence for another three years this April. This centre is staffed by Systems Status Controllers and this is the 4th year in which we have honoured a member of this team. The Systems Status Controller of the Year Award is presented to an employee who contributes outstanding service to the public, co-workers, and the community. Ms. Ascah is known for her professionalism, efficiency, and strong organizational skills, Kelly is also recognized for her excellent leadership skills. As you may know, this role is about balancing human and technical elements while ensuring that the requested care is delivered in an efficient and professional manner.

Mayram Traub was the recipient of the Award of Merit, which is given in recognition of outstanding initiative and meritorious execution of responsibilities as a member of Niagara Emergency Medical Services. Ms. Traub has over eleven years experience as a paramedic and her skills sprang into action one day as she participated as a parent for her daughter's class trip this past November. At a school swim trip, Ms Traub saved the life a young boy who was found floating in the water of the pool. Her training and experience as a paramedic saved the boy's life.

The National Paramedic Challenge is an annual competition designed to demonstrate the skill and knowledge required to master the profession of paramedicine. The competition is comprised of practical scenarios, as well as academic tests to measure medical knowledge. The competition calls for teams of two paramedics to compete, while two judges review the competition of their peers.

Niagara Emergency Medical Services is proud to recognize their paramedic colleagues who placed first in the Primary Care Paramedic Division at the 2nd Annual National Paramedic: Challenge Carolyn Chandler Hill, Kate McArthur, Brianne Lavery and Alex Matiash. This is the second year that Niagara Emergency Medical Services placed first in the Primary Care Division at this skills competition. Graeme Mitchell, Dan Kerr, Ryan Carriere and Tracey Groszeibl, placed fourth in the Advanced Care Paramedic division.

On behalf of Regional Council and the Citizens of Niagara, Regional Chair Partington extended our appreciation to all of Niagara's paramedics and systems status controllers for their dedication, compassion, professionalism, each and every day.

219. Cultural and Academic Development in Downtown St. Catharines

Mr. Martin Vinik, Planning for the Arts on behalf of St. Catharines and Brock, noted that the development of a project in downtown St. Catharines through a partnership between Brock University and the City of St. Catharines, including both a new arts centre and a new home for Brock's Marilyn I. Walker School of Fine and Performing Arts, is both feasible and desirable for both parties.

Mr. Vinik also provided Regional Council with an aerial view of Downtown St. Catharines and the proposed site; a conceptual site plan for the project and the architect's conceptual drawings.

220. United Way Cheque Presentations

Mr. Mako, Health Promoter in the Public Health Department, thanked Regional Chair Partington and members of council, for this opportunity to celebrate this years United Way Cheque.

Mr. Mako stated that on behalf of the Niagara Region Employees, the United Way Action Group, it was with great pleasure that he stood here to celebrate our successes from this year's United Way campaign, and also to formally present the funds raised by our employees to the United Way.

Mr. Mako introduced his fellow colleagues from Public Health Marilyn St. John and Tracy Haley, and from Community Services, Pat Chiochio. Mr. Mako mentioned that Tracy and Pat deserve special recognition as they were our campaign coordinators this year, and played key roles in the campaign's overall success.

Mr. Mako wished to also thank Niagara Region employees, as this year, to date, they had raised a total of \$177, 947!! In addition to this, in March at the St. Catharines and District United Way awards dinner the Region was honoured and pleased to accept The Campaign of the Year award, in recognition of our efforts.

Special congratulations were extended to Marilyn St. John, a predecessor and former chair of the Action Group. Marilyn received the Unsung Hero Award from United Way at their awards dinner, for all of her "behind the scenes" work for which she never seeks recognition, but always deserves.

A huge thank you also went to outgoing 2008 Campaign Chair Dr. Robin Williams, who did an absolutely fantastic job continuing her support and dedication for the United Way campaign in our community.

Mr. Mako introduced the representatives from the three United Way offices from across the Niagara Region:

- Frances Hallworth, Executive Director of the United Way of St. Catharines and District
- Peter Papp, Executive Director of the United Way of South Niagara
- Carol Stewart-Kirkby, Executive Director of the United Way of Niagara Falls and Greater Fort Erie

Chairman Partington and Mr. Trojan performed the honours of assisting Mr. Mako with the presentation of a cheque to the United Way in the amount of \$177, 947.00

Constable Matt King, Co-Chair of the Niagara Regional Police Service, United Way, along with Chairman Partington and Mr. Trojan presented the representatives from the United Way with a cheque from the Niagara Regional Police Service's very successful campaign in the amount of \$52,000.00.

Regional Council applauded the employees of the Niagara Region and the Niagara Regional Police Services for their generosity.

221. Donation to Pro-Kids

Councillor Timms who had wagered \$1,000 with Councilor McMullan that GO Transit was not coming to Niagara Region, as it was taking too long, lost following the announcement by Minister Bradley on May 14, 2009, that GO Transit will be providing weekend train service in Niagara Region.

Councillor McMullan who received the proceeds presented the proceeds to Mr. David Wiley, YMCA, for Pro-Kids, which will help seven children participate in sports, recreation or cultural programs.

Regional Council recessed at 8:00 p.m. to reconvene in Closed Session following the adjournment of the Committee of the Whole meeting.

Regional Council reconvened at 10:19 p.m.

The following individuals were in attendance during the Closed Session of the Regional Council meeting:

ATTENDANCE

Council: Regional Chair Partington; Councillors Augustyn; Badawey, Bentley; Bylsma; Casselman; Cordiner; D'Angela; Forster; Gabriel; Greenwood; Heit, Henderson; Hodgson, Lepp; Martin; McMullan; Rigby, Salci, Smeaton; Timms.

Staff: Messrs. Trojan, CAO; Bergsma, Commissioner, Corporate Services; Robson, Commissioner, Integrated Community Planning; Hutchings, Commissioner, Community Services; Brothers, Commissioner Public Works; Kyne, Director Legal Services; Dr. Sider, Associate Medical Officer of Health; Ms. Pilon, Acting Regional Clerk; Ms. McManus, Legislative Assistant.

Staff
(Other): Messrs. Roberts, Executive Officer to the Regional Chair; Steele, Associate Director, Strategic Business Management.

CLOSED SESSION

222. Moved by Councillor Casselman
Seconded by Councillor Bylsma

That this Council do now move into Closed Session for the purposes of receiving information and dealing with A Matter of Solicitor-Client Advice Update on OCCOPS Hearing; A Matter of Labour Relations Regarding ONA Public Health Conciliation; A Proposed acquisition of Land by the Municipality, City of Port Colborne, City of Niagara Falls, City of Welland, Town of Fort Erie, Town of Niagara-on-the-Lake , NHS Transfers; Police Correspondence; Smoke Free Ontario Budget Reductions and A Proposed Acquisition of Land by the Municipality and Potential Litigation Affecting the Municipality, Reconstruction of Regional Road No. 20, City of Thorold.

Carried.

223. A Matter of Labour Relations
Regarding ONA Public Health Conciliation
Oral Report Confidential

Regional Council was provided with an update on the ONA Public Health Conciliation.

CLOSED SESSION, RISE AND REPORT

224. Moved by Councillor Badawey
Seconded by Councillor Heit

That this Committee do now rise without report.

Carried.

CURFEW EXTENSION

225. Moved by Councillor Salci
Seconded by Councillor Lepp

That Regional Council extend this meeting's curfew, in order to complete Council's business listed on the Order of Business.

Carried.

REGIONAL CHAIR'S REMARKS

226. Regional Chair Partington introduced Mr. Kevin Bain to Regional Council as the new Regional Clerk, beginning on June 8, 2009.

APPROVAL OF MINUTES

227. Report CL 7-2009

Moved by Councillor Goulbourne
Seconded by Councillor Salci

That Report CL 7-2009, being the minutes of the Proceedings of Council of Thursday, May 7, 2009, be approved and adopted.

Carried.

228. Report COTW 4-2009

Moved by Councillor Goulbourne
Seconded by Councillor Salci

That Report COTW 4-2009, being the minutes of Committee of the Whole of Thursday, May 14, 2009, be approved and adopted.

Carried.

CORRESPONDENCE

229. Moved by Councillor Goulbourne
Seconded by Councillor Salci

That Communications C7275 to C7285 be dealt with as noted in the Council Agenda and Addendum, which reads as follows:

C7275 A letter to Ms. Laura Pettigrew, Senior Council, Ombudsman's Office (May 11, 2009) from Michael Kyne, Director, Legal Services in response to Ms. Pettigrew's letter (attached) respecting the Review of complaints into July 24, 2008 closed session of Regional Council.

Received.

C7276 A letter from Jennifer Haley, Chair, Homegrown Ontario Steering Committee (May 5, 2009) requesting support for their motion which will benefit producers, processors, retailers and consumers alike.

Received and referred to the Integrated Community Planning Department.

C7277 A letter from Carolyn Kett, Town Clerk (May 6, 2009) respecting the NPCA Regulation Enforcement Action Pertaining to 379 Gorham Road.

Received.

C7278 A letter from Tony D'Amario, Chief Administrative Officer/Secretary Treasurer, Niagara Peninsula Conservation Authority (May 6, 2009) respecting the Authority's 50th Anniversary and details of the Simply Tree-Mendous Challenge.

Received.

C7279 A letter from Doug Martin, Mayor, Town of Fort Erie to Minister David Caplan (May 13, 2009) respecting the Rural and Northern Health Care Blue Ribbon Panel.

Received.

C7280 A letter from Betty-Lou Souter, Chair, Board of Trustees and Debbie Sevenpifer, President & Chief Executive Officer, Niagara health System (May 19, 2009) extending their thanks and appreciation to the Regional Chair and Members of Regional Council for confirming this important funding commitment.

Received.

C7281 A letter from Minister Jim Bradley, Ministry of Transportation (May 14, 2009) in response to Chair Partington's letter respecting the availability of the Ontario enhanced driver's licence (EDL) in the Niagara Region.

Received.

C7282 Notice of the Federation of Canadian Municipalities 2009 Annual General Meeting.

Received.

C7283 A letter from M. Bredeson, Executive Correspondence Officer, Office of the Prime Minister (May 14, 2009) acknowledging receipt of the Regional Chair's correspondence of April 27, 2009 regarding Niagara Region's interest in having Her Majesty Queen Elizabeth II or H.R.H. Prince Charles visit the Niagara Region.

Received.

C7284 A letter from Minister David Caplan, Ministry of Health and Long Term Care in response to Town of Fort Erie's letter regarding health care services in the Town of Fort Erie and specifically the Douglas Memorial Hospital site noting the government's support for the NHS as it enhances the integrated regional health care system across Niagara and improves access to high quality health care services.

Received.

C7285 A letter from the Honourable Lincoln M. Alexander, Chairman, Ontario Heritage Trust (May 15, 2009) inviting Niagara Region's Council to participate in their 2009 Recognition programs.

Received.

Carried.

COMMITTEE REPORTS

INTEGRATED COMMUNITY PLANNING AND PUBLIC WORKS COMMITTEE

230. Report 7-2009

Moved by Councillor Goulbourne
Seconded by Councillor Salci

That Report 7-2009, being the minutes of the Integrated Community Planning and Public Works Committee meeting of Wednesday, May 20, 2009, be approved and adopted.

Carried.

CORPORATE SERVICES COMMITTEE

231. Report 7-2009

Moved by Councillor Goulbourne
Seconded by Councillor Salci

That Report 7-2009, being the minutes of the Corporate Services Committee meeting of Wednesday, May 20, 2009, be approved and adopted.

Carried.

PUBLIC HEALTH AND SOCIAL SERVICES COMMITTEE

232. Report 7-2009

Moved by Councillor Goulbourne
Seconded by Councillor Salci

That Report 7-2009, being the minutes of the Public Health and Social Services Committee meeting of Monday, May 19, 2009, be approved and adopted.

Carried.

COMMITTEE OF THE WHOLE

233. Moved by Councillor Goulbourne
Seconded by Councillor Salci

That the decisions made at the Committee of the Whole meeting of May 28, 2009, be approved and adopted.

Carried.

MOTIONS

234. Moved by Councillor Cordiner
Seconded by Councillor Forster

That notwithstanding its March 5, 2009 resolutions with respect to report CSD 42-2009, dated February 25, 2009, Buy Canadian Resolution, Niagara Region reconsider its decision at this time.

Carried.

235. Buy Canadian

Councillor Forster advised Regional Council that she would be bringing her motion forward at the June 18, 2009 Regional Council meeting.

236. Support for the International Baccalaureate (I.B.) Programme

Regional Council was advised that in Councillor Burroughs absence, Councillor Burroughs' motion would be considered at the June 18, 2009 Council meeting.

237. Authorization to Proceed

Moved by Councillor Rigby
Seconded by Councillor Gabriel

WHEREAS the Ontario's Police Services Act requires the municipal government to provide all buildings, equipment and infrastructure necessary for providing adequate and effective police services; and

WHEREAS the Niagara Regional Police Service has highlighted the unique opportunity for law enforcement information sharing and potential operation synergies in their initial discussions with the Canadian Border Services Agency (CBSA) and the Royal Canadian Mounted Police (RCMP), and

WHEREAS the Regional Municipality of Niagara and the Niagara Regional Police Services Board (NRPSB) have engaged in discussions regarding proposed new facilities for use by the NRPS, which prompted a Regional request to be included in government to government discussions with potential partners including the CBSA and the RCMP, and;

WHEREAS recent preliminary discussions with representatives from the RCMP and CBSA confirmed their interest in pursuing a co-location partnership in Niagara and their willingness to engage in further discussions.

THEREFORE, BE IT RESOLVED:

That Regional Council authorize the Regional Chair and Regional Chief Administrative Officer to continue discussions with Niagara Regional Police Service, the Royal Canadian Mounted Police and the Canadian Border Services Agency to obtain all necessary information regarding potential opportunities and benefits of a partnership including (but not limited to) quantifiable savings to taxpayers, respective facility needs, timing, costs and/or funding requirements, partnership arrangements, funding model options and project delivery requirements.

That the Regional Chair maintain a regular dialogue with the Police Services Board Chair regarding general progress, and any issues relative to the ongoing discussions.

Carried.

The following individuals were in attendance during the Closed Session of the Regional Council meeting:

ATTENDANCE

Council: Regional Chair Partington; Councillors Augustyn; Badawey, Bentley; Bylsma; Casselman; Cordiner; D'Angela; Forster; Gabriel; Greenwood; Heit, Henderson; Hodgson, Lepp; Martin; McMullan; Rigby, Salci, Smeaton; Timms.

Staff: Messrs. Trojan, CAO; Bergsma, Commissioner, Corporate Services; Robson, Commissioner, Integrated Community Planning; Hutchings, Commissioner, Community Services; Brothers, Commissioner Public Works; Kyne, Director Legal Services; Dr. Sider, Associate Medical Officer of Health; Ms. Pilon, Acting Regional Clerk; Ms. McManus, Legislative Assistant.

Staff
(Other): Messrs. Roberts, Executive Officer to the Regional Chair; Steele, Associate Director, Strategic Business Management.

CLOSED SESSION

238. Moved by Councillor Lepp
Seconded by Councillor Bylsma

That this Council do now move into Closed Session for the purposes of receiving information and dealing with A Matter of Solicitor Client Advice Update on OCCOPS Hearing; A Matter of Labour Relations Regarding ONA Public Health Conciliation; A Proposed acquisition of Land by the Municipality, City of Port Colborne, City of Niagara Falls, City of Welland, Town of Fort Erie, Town of Niagara-on-the-Lake , NHS Transfers; Police Correspondence; Smoke Free Ontario Budget Reductions and A Proposed Acquisition of Land by the Municipality and Potential Litigation Affecting the Municipality, Reconstruction of Regional Road No. 20, City of Thorold.

Carried.

239. A Matter of Labour Relations
Regarding ONA Public Health Conciliation
Oral Report Confidential

Moved by Councilor Casselman
Seconded by Councillor Augustyn

That the Confidential Oral Report, respecting A Matter of Labour Relations regarding ONA Public Health Conciliation, be received and that staff be authorized to proceed as recommended.

Moved by Councillor Timms
Seconded by Councillor Bylsma

That staff be authorized to proceed as otherwise recommended.

Defeated.

Upon a vote being taken, the Regional Chair declared the original motion, carried.

240. Proposed Acquisition of Land by the Municipality
City of Port Colborne, City of Niagara Falls,
City of Welland, Town of Fort Erie
Town of Niagara on the Lake
NHS Facility Transfers
CSD 76-2009 Revised (Confidential)

Moved by Councillor Badawey
Seconded by Councillor Hodgson

That notwithstanding its May 28, 2009 resolution with respect to Confidential Report CSD 76-2009 Revised respecting Proposed Acquisition of Land by the Municipality, City of Port Colborne, City of Niagara Falls, City of Welland, Town of Fort Erie, Town of Niagara on the Lake NHS Facility Transfers, Niagara Region reconsider its decision at the June 18, 2009 Regional Council meeting.

Carried.

241. A Matter of Solicitor-Client Advice
Update on OCCOPS Hearing
Oral Report Confidential

Moved by Councilor Trombetta
Seconded by Councillor Lepp

That the Confidential Oral Report, respecting A Matter of Solicitor-Client Advice Update on OCCOPS Hearing, be received.

Carried.

CLOSED SESSION, RISE AND REPORT

242. Moved by Councillor Rigby
Seconded by Councillor Casselman

That this Committee do now rise with report.

Carried.

OTHER BUSINESS

243. Pan Am Games Books

Councillor Rigby advised Regional Council that he and the Mayors have received the bid books for the Pan American Games, they are exceptional books.

244. Regional Chair Remarks

Regional Chair Partington advised Regional Council of some very significant federal and provincial investments, the \$38 million for Brock University's new bioscience research complex; the \$40 million for Niagara College's applied health institute; the \$36 million in the City of St. Catharines' downtown performing arts complex; the widening of Highway 406 from two to four lanes, beginning just north of Port Robinson Road and ending at East Main Street in Welland and the GO Transit weekend train service.

BY-LAWS

245. Moved by Councillor Lepp
Seconded by Councillor Bylsma

That the following Bills be now read and do pass:

Bill 44

A By-Law to Authorize Participation by the Niagara Region in the Dedicated Gas Tax Funds for Public Transportation Program

Bill 45

A By-Law to Amend By-Law 18-2006, as Amended, Being a By-Law to Establish Fees and Charges for Services and Activities Provided by the Regional Municipality of Niagara and for the use of its Property.

Bill 47

A By-law to Provide for the Adoption of Amendment 2-2009 to the Official Plan for the Niagara Planning Area to Align the Official Plan with the Policies of the Province's Places To Grow Plan (2006) and the Provincial Policy Statement (2005); Implement the Strategic Directions of Niagara's Growth Management Strategy (Niagara 2031); and to Establish a New Urban Vision for the Long Term Growth and Development of Niagara.

Bill 48

A By-law to Expropriate Lands Required for Municipal Purposes.

Carried.

CONFIRMING BY-LAW

246. Moved by Councillor Lepp
Seconded by Councillor Bylsma

That the following Bill be now read and do pass:

Bill 46

A By-law to Adopt, Ratify and Confirm the Actions of the Committee of the Whole at its Meeting held on the 28th of May, 2009.

Carried.

ADJOURNMENT

The Council meeting adjourned at 11:19 p.m.

Peter Partington
Regional Chair

Lisa McManus
Legislative Assistant

Janet Pilon
Acting Regional Clerk