

THE REGIONAL MUNICIPALITY OF NIAGARA

PROCEEDINGS OF COUNCIL

REPORT CL 10-2010

The Municipal Council of the Regional Municipality of Niagara met in the Council Chamber, Regional Municipal Building, Thorold, Ontario, on Thursday, August 5, 2010 commencing at 6:30 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; Burroughs; Bylsma; Cordiner; D'Angela; Forster; Gabriel; Garcia; Goulbourne, Greenwood, Heit; Hodgson; Katzman; Lepp, Marshall; Martin; McMullan; Puttick; Rigby; Salci; Saracino; Smeaton; Timms; Trombetta; Zimmerman.

Staff: Messrs. Trojan, Chief Administrative Officer; Robson, Commissioner, Integrated Community Planning; Diakow, Acting Commissioner, Corporate Services; Cousins, Acting Commissioner, Public Works; Kyne, Director, Legal Services; Bain, Regional Clerk; McQueen, Operating Officer (Health); Ms. Cousins, Acting Commissioner, Community Services; Ms. Pilon, Deputy Regional Clerk.

Staff
(Other): Messrs. Roberts, Executive Officer to the Regional Chair; Hughes, Director, Properties Management; Ms. Elliott, Director, Human Resources Services.

CALL TO ORDER

328. Regional Chair Partington called the meeting to order at 6:30 p.m.

CLOSED SESSION

329. Moved by Councillor Burroughs
Seconded by Councillor Rigby

That this Council do now move into Closed Session for the purposes of receiving information of a confidential nature relating to A Proposed Acquisition of Land by the Municipality, Lease Extension Agreement with Mountainview Homes Limited, City of Thorold; Matters Concerning Labour Relations: Employee Negotiations and Identifiable Individuals – Position of Treasurer/Director of Financing Management and Planning; Personal Information About Identifiable Individuals – T. Roy Adams Humanitarian of the Year Award 2010; Matters Involving Solicitor Client Advice, Identifiable Individuals and Potential Litigation -- Code of Conduct and A Matter of Labour Relations and in respect to a Matter of which a Board may hold a Closed Meeting under another Act, namely the Police Services Act, Niagara Regional Police Services Arbitration Award - Update

Carried.

330. A Matter of Labour Relations and in respect to a Matter of which a Board may hold a Closed Meeting under another Act, namely the Police Services Act
Niagara Regional Police Services Arbitration Award – Update

Oral Report

Regional Council were provided with an update respecting a Matter of Labour Relations and in respect to a Matter of which a Board may hold a Closed Meeting under another Act, namely the Police Services Act, Niagara Regional Police Services Arbitration Award.

CLOSED SESSION, RISE AND REPORT

331. Moved by Councillor Rigby
Seconded by Councillor Salci

That this Committee do now rise without report.

Carried.

Council met in regular session, commencing at 7:04 p.m. with an Invocation by Councillor Bylsma followed by the singing of 'O Canada'.

ATTENDANCE

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

Staff: Messrs. Trojan, Chief Administrative Officer; Robson, Commissioner, Integrated Community Planning; Diakow, Acting Commissioner, Corporate Services; Cousins, Acting Commissioner, Public Works; Kyne, Director, Legal Services; Bain, Regional Clerk; McQueen, Operating Officer (Health); Ms. Cousins, Acting Commissioner, Community Services; Ms. Pilon, Deputy Regional Clerk.

Staff
(Other): Messrs. Roberts, Executive Officer to the Regional Chair; Hughes, Director, Properties Management; Ms. Elliott, Director, Human Resources Services.

ADOPTION OF THE AGENDA

332. Moved by Councillor Saracino
Seconded by Councillor Katzman

That the Council Agenda CL 10-2010, be approved and adopted ***as amended by moving the consideration of Bill 97 following the consideration of the Correspondence items.***

Carried.

CONFLICTS OF INTEREST

333. Councillor Heit declared a pecuniary interest with respect to any matters that deal with wireless communication as he is employed by a wireless communication company and he therefore took no part in the discussion of, or voting on, these matters.

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.

PRESENTATIONS

334. Regional Chair's Bursaries 2010

The Regional Chair noted that this year marks the ninth year since the Regional Chair's Bursary was first established and approved by Council on May 16, 2002. The Regional Chair's Bursary is an annual, one-time bursary of \$1,500, awarded to one first-year student entering Brock University and one first-year student entering Niagara College. This year, the Adjudication Committee's deliberations resulted in a tie for the finalists of both Brock University and Niagara College. All of the finalists will receive \$350.00.

Councillor Gabriel noted that he was honoured to Chair the Adjudication Committee for the 2010 Regional Chair's Bursaries. The Committee found this year's task interesting and exciting. In concurrence with Brock University and Niagara College, students logging into their Student Award websites found information regarding the Regional Chair's bursaries and were redirected to the Niagara Region's website for applications. Brock University and Niagara College also sent group e-mails to all Niagara students granted admission to their institutions.

Councillor Gabriel extended a special thank you to all of the Committee members: Councillor Brian Baty and Councillor Shirley Cordiner; John Stainsby and Karen Simpson - District School Board of Niagara; Khayyam Syne and Frank Iannantuono - Niagara Catholic District School Board, for their participation on the Committee.

2010 Regional Chair's Bursary finalists for Brock University:

Elizabeth Angotti a graduate of Saint Michael Catholic High School in Niagara Falls, has been accepted at Brock University in the Honours Concurrent Education BA/Bed- Junior/Intermediate-Integrated Studies Major in French. Her career goal is to be a French teacher for the Niagara Catholic District School Board. Her school activities include being Treasurer of Student Council and a peer tutor in the Pathways Preparation Program. Elizabeth has volunteered at The Meadows of Dorchester Long-Term Care Facility since 2003.

Jacob Peters a graduate of E. L. Crossley Secondary School in Fonthill, has been accepted at Brock University in the Mathematics-Concurrent Education program. His career goal is to become a high school math teacher. His community involvement includes being a camp counsellor and a Kids Klub Leader for the past four years. His school activities include Interschool Christian Fellowship leader and computer programming team member.

Councillor Gabriel and Councillor McMullan were pleased to present Katlyn Jarrett with the Regional Chair's Bursary for Brock University.

Katlyn Jarrett a graduate of Niagara District Secondary School in Niagara-on-the-Lake has been accepted at Brock University in the Dramatic Arts Co-Op program. Her career goal is to be involved in the theater as an actor, stage manager, critic or director. Katlyn volunteers for the Tender Wishes Foundation, Humane Society and Garden City Productions. Her school activities include the choir and music council as well as the drama department. She has achieved honor roll status every year and was awarded the Vocal Music Subject Award and the Drama and Musical Theater Subject Award for high mark.

Councillor Cordiner noted that she felt privileged to have been asked to serve on this committee. All of these students are winners, and the task of choosing a recipient was difficult. The future of Niagara is in good hands with these young people.

2010 Regional Chair's Bursary finalists for Niagara College:

Cassandra Gilmore a graduate of Welland Centennial Secondary School has been accepted at Niagara College in the Bachelor of Applied Business – International Commerce and Global Development program. Her goal is to pursue a career as an event planner. Her school involvement includes being a Student Council representative, yearbook editor, and Environmental Club member. She has volunteered at South Ridge Community Church Shelter preparing and serving food.

Catharine Howcroft a graduate of Blessed Trinity Secondary School in Grimsby has been accepted at Niagara College in the Applied Bachelor of Commerce-Hospitality Operations and Management program. Her career goal is to work in the tourism industry. She has volunteered her time at school events that include Relay for Life to fight cancer and Pilgrimage to raise money for people in Dominican Republic.

Councillor Cordiner and Councillor McMullan were pleased to present Melodie Zarlenga with the Regional Chair's Bursary for Niagara College.

Melodie Zarlenga has graduated from St. Francis Secondary School in St. Catharines and has been accepted at Niagara College in the Police Foundations program. Melodie's career goal is to become a police or RCMP officer. Her community involvement includes Run for the Cure, Pilgrimage, Road Clean Ups and Kids Help Phone student ambassador. Her school activities include rowing, Student Council and Teen Life Savers.

The Regional Chair thanked all of the members of the Adjudication Committee and Regional Council applauded once more for all of the recipients.

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

ATTENDANCE

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

Staff: Messrs. Trojan, Chief Administrative Officer; Robson, Commissioner, Integrated Community Planning; Diakow, Acting Commissioner, Corporate Services; Cousins, Acting Commissioner, Public Works; Kyne, Director, Legal Services; Bain, Regional Clerk; McQueen, Operating Officer (Health); Ms. Cousins, Acting Commissioner, Community Services; Ms. Pilon, Deputy Regional Clerk.

Staff
(Other): Messrs. Roberts, Executive Officer to the Regional Chair; Hughes, Director, Properties Management; Ms. Elliott, Director, Human Resources Services.

CLOSED SESSION

335. Moved by Councillor McMullan
Seconded by Councillor Katzman

That this Council do now move into Closed Session for the purposes of receiving information of a confidential nature relating to A Proposed Acquisition of Land by the Municipality, Lease Extension Agreement with Mountainview Homes Limited, City of Thorold; Matters Concerning Labour Relations: Employee Negotiations and Identifiable Individuals – Position of Treasurer/Director of Financing Management and Planning; Personal Information About Identifiable Individuals – T. Roy Adams Humanitarian of the Year Award 2010 and Matters Involving Solicitor Client Advice, Identifiable Individuals and Potential Litigation -- Code of Conduct.

Carried.

336. Matters Involving Solicitor Client Advice, Identifiable Individuals and Potential Litigation -- Code of Conduct
Confidential Memorandum

Moved by Councillor Bentley
Seconded by Councillor Badawey

That the Confidential Memorandum from Mike Kyne, Director, Legal Services and Kevin Bain, Regional Clerk (August 4, 2010), respecting Matters Involving Solicitor Client Advice, Identifiable Individuals and Potential Litigation -- Code of Conduct, be received and the recommendations contained therein be approved.

Moved by Councillor Goulbourne
Seconded by Councillor Salci

That the recommendations contained in the Confidential Memorandum from Mike Kyne, Director, Legal Services and Kevin Bain, Regional Clerk (August 4, 2010), respecting A Matter involving Personal Matters Concerning Identifiable Individuals and Advice Subject to Solicitor Complaint Privilege, Compliant under the Code of Conduct for Members of Council, be separated and dealt with as follows: (a) recommendations 1 & 3; (b) recommendation 2.

Carried.

Upon a vote being taken on (a) recommendations 1 & 3, the Regional Chair declared the motion carried.

Upon a vote being taken on (b) recommendation 2, the Regional Chair declared the motion defeated.

CLOSED SESSION, RISE AND REPORT

337. Moved by Councillor Badawey
Seconded by Councillor Smeaton

That this Committee do now rise with 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; Burroughs; Bylsma; Cordiner; D'Angela; Forster; Gabriel; Garcia; Goulbourne, Greenwood, Heit; Hodgson; Katzman; Lepp, Marshall; Martin; McMullan; Puttick; Rigby; Salci; Saracino; Smeaton; Timms; Trombetta; Zimmerman.

Staff: Messrs. Trojan, Chief Administrative Officer; Robson, Commissioner, Integrated Community Planning; Diakow, Acting Commissioner, Corporate Services; Cousins, Acting Commissioner, Public Works; Kyne, Director, Legal Services; Bain, Regional Clerk; McQueen, Operating Officer (Health); Ms. Cousins, Acting Commissioner, Community Services; Ms. Pilon, Deputy Regional Clerk.

Staff
(Other): Messrs. Roberts, Executive Officer to the Regional Chair; Hughes, Director, Properties Management; Pilon, Associate Director, Service Quality & Improvement; Watkins, Co-Op Student, Policy Assistant; Ms. Elliott, Director, Human Resources Services.

CHAIR'S REPORTS, ANNOUNCEMENTS, REMARKS

338. The Regional Chair spent some time discussing the recent media attention that has been generated surrounding the Ministry of Transportation's (MTO) draft Multimodal Transportation Development Strategy for the Niagara to GTA Corridor, which was released in June.

Last week there were several news headlines surrounding the long discussed Mid-Peninsula Highway, both here in Niagara Region and in the City of Hamilton.

The Regional Chair noted that he has been a strong advocate for the creation of a new highway that would cross the southern tier of our region from Hamilton to Fort Erie. The creation of a new Mid-Peninsula Highway is an absolute necessity in ensuring the future economic viability of our southern tier and he is very disappointed in the preliminary findings of the MTO's draft report.

The emphasis of this draft report focuses, on expanding existing transportation networks throughout the Niagara-GTA corridor, with less commitment to the development of the proposed Mid-Peninsula Highway.

While it is important to note that this is only a draft report and the MTO has not formally announced that it would no longer consider a new highway, the Regional Chair believes it is our duty and within our best interests to pursue this matter to the fullest and ensure that the idea of the Mid-Peninsula Highway does not get pushed aside – Niagara needs this project to move forward now.

The current construction of expanding the QEW through St. Catharines from four (4) to six (6) lanes to help alleviate congestion is only now nearing completion. Focusing efforts on expanding existing highway networks as the MTO has identified, will not necessarily eliminate future congestion issues between the GTA and our trading partners in the United States, nor does it guarantee that the expansion of the QEW between Burlington and St. Catharines will address transportation needs beyond 2031.

The Regional Chair also noted that he felt that the preferred alternative of the Ministry of Transportation shows a lack of regard for the legislated protection of lands along the QEW corridor through the enactment of the Greenbelt Act.

We all cherish the natural beauty of our region and the protection of our tender fruit lands below the escarpment needs to be taken into consideration in moving forward.

Any future expansion of the QEW through St. Catharines beyond six (6) lanes would be virtually impossible due to the landlocked nature of its location through that city and, furthermore, does not address the fact that many sections beyond St. Catharines through Niagara Falls and Fort Erie remain a four (4) lane-lane highway.

Last week, the Regional Chair had the opportunity to speak with the media on this important issue, and he reiterated this same message.

Niagara Region has committed itself to a grow south strategy and the work that has been done over these past few years in securing the expansion of the 406 to East Main Street in Welland is a significant step in fostering the ability of new development to occur within the southern portion of our region.

One of the preferred solutions recommended by the MTO in their draft report was the development of a link between the 406 and the QEW near Fort Erie in order to bypass St. Catharines and Niagara Falls.

As this council already knows, such work is already being done by Niagara Region through the exploration of an East-West Corridor which would achieve this same objective.

Taking this into consideration, it is the Regional Chair's opinion that the obvious and logical step for the MTO to take would be to link our East-West Corridor project with Hamilton in the area of Highway 6 and that the Government of Ontario needs to seriously take this into consideration in moving forward.

A new route, such as the Mid Peninsula Highway, is the only solution in order to improve transportation links among the GTA, Niagara and the United States and improve our economic capacity to transport goods across all of southern Ontario.

Next month, Public Works staff will be coming back to Regional Council with a report on what our next steps should be in order to address our transportation needs in the southern tier of Niagara. The Regional Chair is looking forward to the findings of this report and hopes that we will be able to work with the Ministry of Transportation in order to keep alive the concept of the Mid-Peninsula Highway for the benefit of Niagara, the GTA and Ontario.

The Regional Chair on behalf of Regional Council, thanked Gregory Floral Inc. of St. Catharines for the generous donation of the flowers in the Council Chamber. These flowers will be donated to Gilmore Lodge in Fort Erie.

APPROVAL OF MINUTES

339. CL 9-2010

Moved by Councillor Puttick
Seconded by Councillor Marshall

That Report CL 9-2010, being the minutes of the Proceedings of Council of Thursday, July 15, 2010, be approved and adopted as presented.

Carried.

CORRESPONDENCE

340. Moved by Councillor Marshall
Seconded by Councillor Rigby

That Communications C7556 to C7561, be received and dealt with as noted in the Council Agenda, which reads as follows:

C7556 Card of thanks from Larry Carr for the kind donation to the Alzheimer's Society in memory of his mother Shirley Carr, a retired employee of the Community Services Department.

Received.

C7557 A letter from Tim Hudak, MPP, Ontario PC Leader (June 14, 2010) noting his appreciation for having the opportunity to discuss Niagara Region's issues with the Chair at the 2010 Niagara Week.

Received.

C7558 A letter from Peter Herrndorf, President and CEO National Arts Centre; Kari Cullen, Project Director for the proposed International Summer Music Festival and Andrew Shaw, President and CEO, Toronto Symphony Orchestra (July 7, 2010) respecting the National Arts Centre and the Toronto Symphony Orchestra's decision to end their efforts in creating an international summer music festival in the Niagara Region.

Received.

C7559 A letter from Hans Cunningham, President, Federation of Canadian Municipalities (July 14, 2010) congratulating and thanking Niagara Region for the remarkable contribution made in the City of Tuy Hoa, Vietnam as part of the FCM Municipal Partnership Program (MPP) funded by the Canadian International Development Agency (CIDA).

Received.

C7560 A letter from Ron Shaw, President, Ontario Municipal Administrators' Association (July 15, 2010) expressing the Association's sincere appreciation for the commitment made to their organization by Niagara Region's Chief Administrative Officer, Mike Trojan.

Received.

C7561 Card of thanks from Kelly Lotimer an employee of the Integrated Community Planning Department for the kind donation to the Salvation Army Food Bank in memory of her mother-in-law, Doris Jack.

Received.

Carried.

341. Moved by Councillor Martin
Seconded by Councillor Cordiner

That Communication C7562, a letter from Stephen Passera, President and Garry Skerrett, Founder & President, Ontario Shorewalk Association (July 5, 2010) requesting endorsement of Kim Craitor's Right of Passage (Bill 32), be received and supported.

Carried.

342. Moved by Councillor Garcia
Seconded by Councillor Augustyn

That Communication C7563, a memorandum from Kevin Bain, Regional Clerk (July 29, 2010) respecting an Amendment to the 2010 Meeting Schedule – Request for Additional Budget Review Committee of the Whole Meeting, be received and approved **as amended to change the time of the meeting to 6:30 p.m.**

Carried.

343. Moved by Councillor Lepp
Seconded by Councillor Burroughs

That Communication C7564, a letter from Holly Dowd, Town Clerk, Town of Niagara-on-the-Lake (July 30, 2010) respecting the Town of Niagara-on-the-Lake Council's request for the Niagara Region to continue the Environmental Assessment process to replace the existing lagoon system with a sewage treatment plant, be received and supported.

Carried.

BY-LAWS

344. Moved by Councillor Forster
Seconded by Councillor Gabriel

That the following Bills be now read and do pass:

Bill 97

A By-Law to Authorize the Borrowing Upon Serial Debentures in the Principal amount of \$11,973,550 for Purposes of the Corporation of the City of Niagara Falls

Carried.

COMMITTEE REPORTS

INTEGRATED COMMUNITY PLANNING COMMITTEE

345. Report 10-2010

Moved by Councillor Smeaton
Seconded by Councillor Gabriel

That Report 10-2010, being the minutes of the Integrated Community Planning Committee meeting of Wednesday, July 28, 2010, be received and the recommendations contained therein be approved.

Carried.

346. Natural Heritage Base and Greenbelt Plan Mapping
Town of Niagara-on-the-Lake

Moved by Councillor Badawey
Seconded by Councillor Augustyn

That Regional Council waived the notice requirement to permit the introduction of a motion respecting Natural Heritage Base and Greenbelt Plan Mapping for the Town of Niagara-on-the-Lake.

Carried.

Moved by Councillor Burroughs
Seconded by Councillor Lepp

That Niagara Region work with the Town of Niagara-on-the-Lake and the Niagara Peninsula Conservation Authority to correct the Natural Heritage Base and Greenbelt Plan mapping currently being utilized by the Ministries of Agriculture and Food, Natural Resources and Municipal Affairs and Housing for the Town of Niagara-on-the-Lake; and

That Niagara Region through the Regional Chair's office contact the appropriate Provincial Ministries to ensure that the corrected Natural Base and Greenbelt Plan mapping is used for Niagara Region.

Carried.

PUBLIC WORKS COMMITTEE

347. Report 10-2010

Moved by Councillor Badawey
Seconded by Councillor Rigby

That Report 10-2010, being the minutes of the Public Works Committee meeting of Tuesday, July 27, 2010, be received and the recommendations contained therein be approved.

Carried.

348. Tender Award for Contract 2010-T-116, RN 10-16
Infrastructure Redevelopment – Phase 2
Airside Improvements
Niagara District Airport
PWA 77-2010

Moved by Councillor Rigby
Seconded by Councillor Burroughs

That Report PWA 77-2010, August 5, 2010, respecting the Tender Award for Contract 2010-T-116, RN 10-16, Infrastructure Redevelopment – Phase , Airside Improvements, Niagara District Airport, be received.

That Contract No. 2010-T-116 RN 10-16, Infrastructure Redevelopment – Phase 2 Airside Improvements, Niagara District Airport, in the Town of Niagara-on-the-Lake, be awarded to the low tenderer, Dufferin Construction Company, at its modified bid price of \$7,907,301.56;

That a contingency allowance in the amount of \$200,000.00 be provided for this contract;

That the consulting firm of Leigh Fisher Associates be retained to carryout contract administration services, and the firm of Aecom Canada Ltd. be retained to carryout construction inspection services for this component of the Airport Redevelopment Project, with the total engineering fees being calculated on a time plus disbursement basis, estimated at \$142,000.00 and \$89,508.00, respectively;

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 August 5, 2010;

That the project costs be charged to Parent Project ZGG1002, Niagara District Airport – Infrastructure Redevelopment Project (subprogram GG1002).

Carried.

CORPORATE SERVICES COMMITTEE

349. Report 10-2010

Moved by Councillor Augustyn
Seconded by Councillor Martin

That Report 10-2010, being the minutes of the Corporate Services Committee meeting of Wednesday, July 28, 2010, be received and the recommendations contained therein be approved; and

That Mr. Jurgen Dirks, be appointed as the Treasurer / Director of Financial Management and Planning effective August 16, 2010.

Carried.

(Refer to the Councillor Information Requests)

PUBLIC HEALTH AND SOCIAL SERVICES COMMITTEE

350. Report 10-2010

Moved by Councillor Baty
Seconded by Councillor Cordiner

That Report 10-2010, being the minutes of the Public Health and Social Services Committee meeting of Tuesday, July 27, 2010, be received and the recommendations contained therein be approved.

Carried.

COUNCIL ORGANIZATION REVIEW COMMITTEE

351. Reports 2-2010 and 3-2010

Moved by Councillor Baty
Seconded by Councillor Timms

That Reports 2-2010 and 3-2010, being the minutes of the Council Organization Review Committee meetings of Thursday, July 8, 2010 and Tuesday, July 20, 2010, be received and the recommendations contained therein be approved; and

That the by-law containing the proposed amendments to the Procedural By-law 96-2007, be introduced at the September 23, 2010 Regional Council meeting, in order to comply with the notice requirements in the Procedural By-law; **and**

That the Regional Clerk prepare a report for Regional Council on who is eligible to run for the office of the Regional Chair; and

That the Regional Clerk include in the report the voting procedure that will be followed during the Inaugural and first meeting of Regional Council.

Carried.

COMMITTEE OF THE WHOLE

352. Report COTW 10-2010

Moved by Councillor Bentley
Seconded by Councillor Augustyn

That Report COTW 10-2010, Thursday, July 22, 2010, be received and the recommendations contained therein be approved.

Carried.

CONFLICT OF INTEREST

353. Councillor Forster declared a pecuniary interest with respect to the motion to Initiate the Freezing of Wages, as she is a staff member of ONA, and she therefore took no part in the discussion of, or voting on, this matter.

MOTIONS

354. Motion to Initiate the Freezing of Wages

Moved by Councillor Heit
Seconded by Councillor Bylsma

That the following actions be taken by the Council of the Regional Municipality of Niagara:

- (i) The compensation structure (wages and benefits) for all non-union staff and all members of Regional Council be frozen for the 2011 budget year; and
- (ii) Staff be requested to report back to the Corporate Services Committee and Council with options that are available to achieve an overall 0% increase in the cost for wages and benefits for the 2011 budget year for:
 - (a) all other Regional employee groups
 - (b) all Agencies, Boards and Commissions funded by Regional Levy

Upon a recorded vote being requested on the motion to Initiate the Freezing of Wages, the Council was divided on the aforementioned motion as follows:

Voting for the Motion:

Councillor Augustyn	Councillor Hodgson
Councillor Badawey	Councillor Katzman
Councillor Burroughs	Councillor Lepp
Councillor Bylsma	Councillor McMullan
Councillor D'Angela	Councillor Salci
Councillor Garcia	Councillor Saracino
Councillor Goulbourne	Councillor Timms
Councillor Heit	Councillor Trombetta

(16)

Voting Against the Motion:

Councillor Baty	Councillor Martin
Councillor Bentley	Councillor Puttick
Councillor Cordiner	Councillor Rigby
Councillor Gabriel	Councillor Smeaton
Councillor Greenwood	Councillor Zimmerman

(10)

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

355. Changing the Time and Day of Meetings

Moved by Councillor Timms
Seconded by Councillor Bylsma

That the remaining 2010 Council Business Planning Sessions/Committee of the Whole and Budget Review Committee of the Whole meetings scheduled for 4:00 p.m. be changed to 6:30 p.m. on Thursdays with the exception of the meeting scheduled on Wednesday, September 8, 2010; and

That any future Council Business Planning Sessions/Committee of the Whole and Budget Review Committee of the Whole meetings within this term, be scheduled for 6:30 p.m. on Thursdays;

That Council Business Planning Sessions/Committee of the Whole and Budget Review Committee of the Whole meetings scheduled in the new term of Council be scheduled for 6:30 p.m. on Thursdays, subject to the new Council's approval; and

That special meetings be held at such times and such places as may be appropriate, pursuant to the provisions of the procedural by-law.

Carried.

OTHER BUSINESS

356. Henley Regatta – Traffic Congestion

Councillor Garcia thanked staff for resolving the traffic congestion being experienced during the Henley Regatta.

357. Niagara Night – Fort Erie Race Track

Councillor Martin invited all members of Regional Council to Niagara Night at the Fort Erie Race Track on August 31, 2010 from 4:00 p.m. to 8:00 p.m.

Councillor Martin requested that all who are interested please r.s.v.p. to the invitation as space in the dining room is limited.

358. World Masters Rowing Championships

Councillor Rigby noted that there were over 7,500 entries for the World Masters Rowing Championships event to be held at the end of August, 2010.

359. Niagara Sports Commission

Councillor Rigby noted that in September, the Niagara Sports Commission will be building “Sport” as a tourism attraction for the Niagara Region.

BY-LAWS (Continued)

360. Moved by Councillor D’Angela
Seconded by Councillor Greenwood

That the following Bills be now read and do pass:

Bill 81

A By-Law to Accept, Assume and Dedicate Part of Lot 7, Concession 14, in the Town of Pelham as Part of Regional Road No. 627 (O’Reilly’s Road)

Bill 82

A By-Law to Accept, Assume and Dedicate Part of Township Lot 120, in the Town of Niagara-on-the-Lake as Part of Regional Road No. 55 (Niagara Stone Road)

Bill 83

A By-Law to Accept, Assume and Dedicate Part of Lot 17, Concession 4, in the City of St. Catharines as Part of Regional Road No. 83 (Carlton Street)

Bill 84

A By-Law to Accept, Assume and Dedicate Part of Township Lot 32 in the City of Thorold as Part of Regional Road No. 56 (Collier Road)

Bill 85

A By-Law to Accept, Assume and Dedicate Part of Lot 7, Concession 14, in the Town of Pelham as Part of Regional Road No. 529 (River Road)

Bill 86

A By-Law to Provide for the Regulation of Traffic on Regional Highways in the Town of Grimsby

Bill 87

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

Bill 88

A By-Law to Provide for the Regulation of Traffic on Regional Highways in the Township of Wainfleet

Bill 89

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

Bill 90

A By-Law to Provide the Claw Back Percentages to be used for each Capped Class to the Area Municipalities

Bill 91

A By-Law to Establish the Niagara Compliance Audit Committee for the Regional Municipality of Niagara

Bill 92

A By-Law to Authorize the Borrowing Upon Debentures in the Principal Amount of \$1,366,334.00 for a Purpose of the Corporation of the Town of Fort Erie

Bill 93

A By-Law to Authorize the Borrowing Upon Debentures in the Principal Amount of \$9,995,000.00 for Purposes of the Regional Municipality of Niagara

Bill 94

A By-Law to Authorize the Borrowing Upon Debentures in the Principal Amount of \$900,000.00 for Purposes of the Regional Municipality of Niagara

Bill 95

A By-Law to Authorize the Borrowing Upon Debentures in the Principal Amount of \$8,240,000.00 for Purposes of the Regional Municipality of Niagara

Bill 96

A By-Law to Amend By-Laws Nos. 71-2010 and 72-2010

Carried.

361. Moved by Councillor Hodgson
Seconded by Councillor Greenwood

That the following Bills be now read and do pass:

Bill 99

A By-Law to Appoint a Treasurer for the Regional Municipality of Niagara.

Carried.

CONFIRMING BY-LAW

362. Moved by Councillor Zimmerman
Seconded by Councillor Gabriel

That the following Bill be now read and do pass:

Bill 98

A By-law to Adopt, Ratify and Confirm the Actions of Regional Council at its Meeting held on the 5th of August, 2010.

Carried.

COUNCILLOR INFORMATION REQUESTS

Staff were requested:

- to provide the summary given to Councillor Burroughs on the Claw Backs to all members of Regional Council. (CSD 77-2010) Minute Item 349 (Burroughs)
- to provide Regional Council with an update on the Walker's Biosolids Treatment Program (CSD 78-2010) Minute Item 349 (Burroughs)

ADJOURNMENT

The Council meeting adjourned at 10:04 p.m.

Peter Partington
Regional Chair

Janet Pilon
Deputy Regional Clerk

Kevin Bain
Regional Clerk