



# THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN



## COUNCIL MINUTES

**MEETING NO. THREE HELD:** Monday, February 22, 2010 - Township Administration Building, 318 Canborough Street, Smithville, Ontario - 7:00 p.m.

**PRESENT:**

**Council:** Mayor Katie Trombetta  
Alderman Mary Dinga  
Alderman John Glazier  
Alderman Norm Johnson  
Alderman Douglas Joyner \*  
Alderman Sue-Ellen Merritt  
Alderman Mike Rehner

**Staff:** Derrick Thomson, CAO \* (refer page 2)  
Carolyn Langley, Clerk

**Others:** Denise Ellis \*  
Mike Ellis \*  
Cathy Sterling \*

**Media:** Dave Chappel, West Niagara News \*  
Joanne McDonald, Grimsby Lincoln News\*  
William Kelly, Cogeco \*

\* IN ATTENDANCE PART TIME

1. **INVOCATION:** Alderman Mike Rehner
2. **DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST:**  
**NOTE:** Items for which conflicts were recently declared at Committee:
  - (a) Planning/Building/Environmental Cmty minutes– February 8, 2010  
Alderman Dinga - Item P16-10(Report No. PD-030-10 – Information Report – Smithville Urban Boundary Expansion Open House) - husband owns property in the area for possible urban boundary expansion (Smithville).
  - (b) Administration/Fire/Finance Cmty Minutes–February 16, 2010-Confidential Minutes – Set 1  
Alderman Dinga - Item A16-10 - Confidential Matters (Legal Matter – OMB Appeal to Niagara Region Growth Strategy - husband owns property on Townline Road (Regional Road #20 to Regional Road #14)
  - (c) Public Works/Recreation/Arena Cmty Minutes – February 16, 2010  
Alderman Mary Dinga - Item PW18-10 – Report RFD PW-15/2010 (Townline Road Reconstruction – Tender Results - husband owns property on Townline Road - Regional Road #20 to Regional Road #14)

- (d) Council Meeting – January 25, 2010
1. **Alderman Mary Dinga** – Item 12(a) - Confidential Matters - Legal Matter – OMB Appeal to Niagara Region Growth Strategy- husband owns property in the area for possible urban boundary expansion (Smithville) (Confidential minutes – Set 1).
  2. **Alderman Joyner** - Item 12(b) - Confidential Matters - Legal Matter – Drainage Issue - subject matter contained therein related to a family member (Confidential minutes – Set 2).
- (e) Alderman Mary Dinga declared a conflict of interest/disclosure of pecuniary interest with respect to By-law 2010-23 which was the authorizing by-law for Townline Road Reconstruction, due to the fact that her husband owns property on Townline Road (Regional Road #20 to Regional Road #14). Alderman Dinga did not partake in discussion nor voting with respect to this matter.
- (f) Alderman Sue-Ellen Merritt noted that she did not declare a declared a conflict of interest/disclosure of pecuniary interest with respect to Item P18-10 (Information Report No. PD-017-10 – Revised Provincially Significant Wetlands Mapping of the Ministry of Natural Resources) at the Planning/Building/Environmental Committee meeting as it was presented as an information item; however, she was declaring one now, due to the fact that she had property in the area.
- (g) Although Alderman Joyner did not declare a conflict of interest on Item 12(a) under Confidential Matters (Legal Matter – Drainage Issue), he left the meeting during discussion of this issue and did not take part in discussion nor voting with respect to this matter.

**3. COMMENTS FROM THE PUBLIC:**

- (a) Ms. Denise Ellis, 45 Northridge Drive  
Re: Concern regarding Berm behind TH&B Railway Line

Ms. Ellis noted her concern regarding a property behind the railway tracks, which was owned by Budd Development, on which a berm was being created. Ms. Ellis was concerned that the train whistle would become louder as a result of the berm as the noise would ricochet back toward the houses on Northridge Drive. Ms. Ellis requested that the Township look into what was happening on the Budd property and advise her in that regard.

Mayor Trombetta stated that the matter would be investigated and that staff would get back to her regarding this matter.

**4. CONFIRMATION OF MINUTES:**

The CAO left the meeting briefly (approx. 3 minutes) at approximately 7:10 p.m.

- (a) Council Minutes – Regular  
January 25, 2010

Moved by Alderman Mary Dinga and seconded by Alderman Norm Johnson:

That, the minutes relating to the open session portion of the January 25, 2010 regular Council meeting be accepted without errors or omissions.

That the confidential minutes (Set 3) of the closed session portion of the January 25, 2010 Council meeting be accepted without errors or omissions; and that the minutes remain confidential and restricted from public disclosure in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act.

- Carried

**NOTE:** Conflict of Interest declared by Alderman Dinga above regarding Item 12(a) - Confidential Matters - Legal Matter – OMB Appeal to Niagara Region Growth Strategy- husband owns property in the area for possible urban boundary expansion (Smithville) (Confidential minutes – Set 1). Alderman Dinga did not partake in discussion nor voting with respect to this matter.

Moved by Alderman John Glazier and seconded by Alderman Douglas Joyner:

That the confidential minutes (Set 1) of the closed session portion of the January 25, 2010 Council meeting be accepted without errors or omissions; and that the minutes remain confidential and restricted from public disclosure in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act.

- Carried

**NOTE:** Conflict of Interest declared by Alderman Joyner above regarding Item 12(b) - Confidential Matters - Legal Matter – Drainage Issue - subject matter relates to a family member (Confidential minutes – Set 2). Alderman Joyner did not partake in discussion nor voting with respect to this matter.

Moved by Alderman Norm Johnson and seconded by Alderman Mary Dinga:

That the confidential minutes (Set 2) of the closed session portion of the January 25, 2010 Council meeting be accepted without errors or omissions; and that the minutes remain confidential and restricted from public disclosure in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act.

- Carried

- (b) Public Meeting – Parks and Recreation Master Plan  
February 8, 2010 Minutes

Moved by Alderman Mike Rehner and seconded by Alderman Mary Dinga:

That, the minutes of a public meeting held on February 8, 2010 relating to the “Draft Parks and Recreation Master Plan” dated January, 2010, be accepted.

- Carried

5. **COMMUNICATIONS:**

There were no communications.

6. **APPOINTMENTS/PRESENTATIONS:**

- (a) Lyndie Ramsey, Disaster Management Coordinator–Red Cross Niagara Br.  
Re: Presentation of Proceeds from West Lincoln Fundraising Event for Haiti

Mayor Trombetta advised that Ms. Ramsey was unable to attend and therefore, her appointment would be re-scheduled.

7. **REPORT OF COMMITTEE:**

- (a) Planning/Building/Environmental Committee  
Re: February 8, 2010 Minutes  
NOTE: CONFIDENTIAL MINUTES UNDER SEPARATE COVER

**SUMMARY OF RECOMMENDATIONS:**

- (a) ITEM P14-10  
**RECOMMENDATION #1:**  
The Planning/Building/Environmental Committee hereby approve the following Consent Agenda Items:
1. Items 1 to 9 are hereby received for information, with the exception of Items #(s) 2, 5, 6 and 9.  
(ITEM P14-10)
    - (1) Heritage Minutes – September 10, 2009
    - (2) Information Report PD-026-10 – Proposed Sustainability Policies as part of the Official Plan Five Year Review
    - (3) Information Report PD-021-10 – Proposed Secondary Plan Policies as part of the Official Plan 5 Year Review
    - (4) Information Report PD-020-10 – Proposed Watershed Planning Policies as part of the Official Plan 5 Year Review
    - (5) Information Report PD-023-10 – Proposed Agricultural Value-Added Policies as part of the Official Plan 5 Year Review
    - (6) Information Report PD-029-10 – Proposed Infrastructure & Transportation Policies as part of the Official Plan 5 Year Review
    - (7) Information Report No. PD-028-10 - Proposed Rural Settlement Area Policies as part of the Official Plan 5 Year Review
    - (8) Information Report PD-019-10 – Playground Equipment at South Lincoln High School and Agreement between the Corporation of the Township of West Lincoln and the Lincoln County Board of Education (By-law 83-40)
    - (9) Information Report No. PD-022-10 – Green Energy Act Update)

RECOMMENDATION #2 (Item 5):

That, Report No. PD-023-10, dated February 8, 2010, relating to Proposed Agricultural Value-Added Policies as part of the Official Plan 5 Year Review Process, BE RECEIVED for information.

- REFERRED (see below).

RECOMMENDATION #3 (Item 5 – Referral Motion):

That, Report No. PD-023-10 relating to Proposed Agricultural Value-Added Policies as part of the Official Plan 5 Year Review Process, be referred back to staff for further investigation of agri-tourism activities and value-added activities (policy l and p to Attachment 1 to Report No. PD-023-10).

RECOMMENDATION #4 (Item 6):

That Report No. PD-029-10, dated February 8, 2010, relating to Proposed Infrastructure & Transportation Policies as part of the Official Plan 5 Year Review Process, BE RECEIVED for information.

RECOMMENDATION #5 (Item 9):

That, Report No. PD-022-10, dated February 8, 2010, relating to a Green Energy Act Update, BE RECEIVED.

(b) ITEM P15-10

- (1) That, Report No. PD-025-10, dated February 8, 2010 relating to the Parks and Recreation Master Plan, BE RECEIVED; and
- (2) That, the draft Parks and Recreation Master Plan prepared by MHBC Planning, dated January 2010, be adopted; and
- (3) That staff present a report outlining implementation options and recommendations at a future Planning/Building/Environmental Committee meeting.

(c) ITEM P16-10

That, Report No. PD-030-10, dated February 8, 2010, relating to the Smithville Urban Boundary Expansion Open House, BE RECEIVED.

(d) ITEM P17-10

- (1) That, Report No. PD-027-10, dated February 8, 2010, relating to the Crossings on the Twenty Ontario Municipal Board hearing and Legal Representation, BE RECEIVED; and,
- (2) That Staff be authorized to facilitate a settlement and/or proceed to the Ontario Municipal Board hearing without legal representation; and
- (3) That Staff be authorized to proceed with these actions prior to ratification by Council.



Moved by Alderman John Glazier and seconded by Alderman Douglas Joyner:

That, the minutes relating to the open session portion of the Planning/Building/Environmental Committee meeting held on February 8, 2010, be received and that the recommendations contained therein, be approved, with the exception of Item nos. P16-10, P18-10.

That the confidential minutes of the closed session portion of the February 8, 2010 Planning/Building/Environmental Committee meeting be received and approved; and that the minutes remain confidential and restricted from public disclosure in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act.

- Carried

**Item P16-10 - Report No. PD-030-10, dated February 8, 2010, relating to the Smithville Urban Boundary Expansion Open House**

**NOTE:** Conflict of Interest declared by Alderman Dinga above regarding Item P16-10 (Report No. PD-030-10 – Information Report – Smithville Urban Boundary Expansion Open House) - husband owns property in the area for possible urban boundary expansion (Smithville). Alderman Dinga did not partake in discussion nor voting with respect to this matter.

Moved by Alderman Mike Rehner and seconded by Alderman Norm Johnson:

That, Item P16-10 from the February 8, 2010 Planning/Building/ Environmental Committee meeting be approved:

(ITEM P16-10

That, Report No. PD-030-10, dated February 8, 2010, relating to the Smithville Urban Boundary Expansion Open House, BE RECEIVED.)

- Carried

**Item P18-10 - Report No. PD-017-10 - Revised Provincially Significant Wetlands Mapping of the Ministry of Natural Resources**

**NOTE:** Conflict of Interest declared by Alderman Sue-Ellen Merritt above regarding Item P18-10 (Information Report No. PD-017-10 – Revised Provincially Significant Wetlands Mapping of the Ministry of Natural Resources), due to the fact that she had property in the area. Alderman Merritt did not partake in discussion nor voting with respect to this matter.

Moved by Alderman Mike Rehner and seconded by Alderman Norm Johnson:

That, Item P18-10 from the February 8, 2010 Planning/Building/ Environmental Committee meeting be approved:

(ITEM P18-10

That Report No. PD-017-10, dated February 8, 2010, relating to Revised Provincially Significant Wetlands Mapping of the Ministry of Natural Resources BE RECEIVED for information purposes.)

- Carried

- (b) Administration/Finance/Fire Committee  
Re: February 16, 2010 Minutes  
NOTE: CONFIDENTIAL MINUTES (**SET 1 & 2**) UNDER SEPARATE COVER

SUMMARY OF RECOMMENDATIONS:

- (a) ITEM A10-10  
RECOMMENDATION#1:  
The Administration/Finance/Fire Committee approve the following Consent Agenda Items:
1. Item 1 be hereby received for information.
  2. Items 2 & 3 be hereby approved and the recommendations contained therein are adopted
  3. Item 4 be hereby accepted.  
with the exception of Item # 1.  
(ITEM A10-10
1. Information Report - RFI-C-04-2010-Licensing Itinerant Sellers, Door to Door Sellers and Hawkers and/or Peddlers
  2. Recommendation Report – RFD-C-05-2010 – Re-enactment of amended Licensing By-laws for Trailer Parks and Refreshment Vehicles, Cycles and Carts
  3. Recommendation Report – RFD-C-06-2010 – Purchase of Municipal Voter View Services
  4. West Lincoln Cemetery Board – Minutes of November 18, 2009)

RECOMMENDATION #2 (Item 1):

That, Report RFI-C-04-2010, dated February 16, 2010, regarding “Licensing Itinerant Sellers, Door to Door Sellers and Hawkers and/or Peddlers” be received for information.

- (b) ITEM A11-10  
That, the correspondence dated January 18, 2010 from Tay Valley Township requesting support of their resolution to have the Ontario Provincial Government continue its review of the assessment process with a view to greatly simplifying it and work with the Government of Canada to develop a process through the annual filing of income tax returns that would negate the impact of harmful property tax increases for retired pensioners; be received and supported.
- (c) ITEM A12-10
- (1) That, Report RFD-C-03-2010 dated February 16, 2010 regarding the “Revised 2010 Meeting Schedule”; be received; and,
  - (2) That, the Meeting Schedule for the months of July, August, October, November and December, 2010 as noted in “Schedule A” to this report, be approved.

- (d) ITEM A15-10  
That, CAO Report RFD-CAO-03-2010, dated February 10<sup>th</sup>, 2010 regarding "Pay for Performance / Non Union Salary Scale Review" be received and that the recommendations contained therein be approved.

Moved by Alderman Douglas Joyner and seconded by Alderman John Glazier:

That, the minutes of the open session portion of the Administration/Finance/Fire Committee meeting held on February 16, 2010, be received and that the recommendations contained therein, be approved, with the exception of Item no(s). A16-10.

That the confidential minutes (Set 2) of the closed session portion of the February 16, 2010 Administration/Finance/Fire Committee meeting, be received and approved; and that the minutes remain confidential and restricted from public disclosure in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act.

- Carried

**Item A16-10 – Confidential Matters (Legal Matter – OMB Appeal to Niagara Region Growth Strategy)**

**NOTE:** Conflict of Interest declared by Alderman Dinga above relating Item A16-10 - Confidential Matters (Legal Matter – OMB Appeal to Niagara Region Growth Strategy - husband owns property on Townline Road (Regional Road #20 to Regional Road #14). Alderman Dinga did not partake in discussion nor voting with respect to this matter.

Moved by Alderman Mike Rehner and seconded by Alderman Norm Johnson:

That, Item A16-10 from the February 16, 2010 Administration/Finance/Fire Committee meeting be approved:

(ITEM A16-10

Re: Legal Matter – OMB Appeal to Niagara Region Growth Strategy

The Committee rose without reporting.)

- Carried

**NOTE:** Conflict of Interest declared by Alderman Dinga above relating to discussion in closed session - Administration/Fire/Finance Cmty Minutes–February 16, 2010-Confidential Minutes – Set 1 regarding Item A16-10 - Confidential Matters (Legal Matter – OMB Appeal to Niagara Region Growth Strategy - husband owns property on Townline Road (Regional Road #20 to Regional Road #14). Alderman Dinga did not partake in discussion nor voting with respect to this matter.

Moved by Alderman Sue-Ellen Merritt and seconded by Alderman Mike Rehner:

That the confidential minutes (Set 1) of the closed session portion of the February 16, 2010 Administration/Finance/Fire Committee meeting, be received and approved; and that the minutes remain confidential and restricted from

public disclosure in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act.

- Carried

- (c) Public Works/Recreation/Arena Committee  
Re: February 16, 2010 Minutes

SUMMARY OF RECOMMENDATIONS:

- (a) ITEM PW10-10  
The Public Works/Recreation/Arena Committee approve the following consent agenda items:
1. Item 1 and 2 be hereby received for information.  
(ITEM A10-01)
    1. Information Report – RFI PW-09/2010 - Township of West Lincoln Water Quality Data Annual Report 2009
    2. West Lincoln Public Library Board Minutes – December 8, 2009)
- (b) ITEM PW11-10  
That, the correspondence from the Kin Club of West Lincoln dated February 3<sup>rd</sup>, 2010 requesting donation of three hours of ice time (9 a.m. to 12 p.m.) at a cost of \$153.00 (3 hours X \$51) for their Annual Skate-a-Thon to be held on February 25<sup>th</sup>, 2010 at the West Lincoln Arena, be received and supported, subject to the availability of ice time, and that the rental fees be expensed from the Corporate Sponsorship Fund.
- (c) ITEM PW12-10

RECOMMENDATION #1:

1. THAT, Report RFD PW-06/2010, re: Zero Tolerance Policy (POL-REC-02-2010) for Violence in Recreation Properties & Facilities, dated February 16<sup>th</sup>, 2010, be received; and,
2. THAT, the Zero Tolerance Policy (POL-REC-02-2010) for Violence in Recreation Properties & Facilities dated February 16, 2010, attached as Appendix A to this report, be approved

RECOMMENDATION #2(AMENDMENT):

That, the Disciplinary Procedures (on Pages 5 & 6) as contained in policy POL-REC-02-2010 “Zero Tolerance Policy for Violence in Recreation Properties & Facilities” be amended as follows:

1. That the number of days by which payment must be received be reduced from 15 days to 7 (as noted on page 5 of the policy, under “Disciplinary Procedures” - 3<sup>rd</sup> bullet under Stage 1)
2. That the ban from all facilities be reduced from 30 days to 7 days (as noted on page 5 of the policy, under “Disciplinary Procedures” – 1<sup>st</sup> bullet under Stage 2)

3. That the ban from all facilities be reduced from one year to 60 days (as noted on page 6 of the policy, under “Disciplinary Procedures” – 1<sup>st</sup> bullet under Stage 3)  
- Carried as Amended
- (d) ITEM PW13-10
1. THAT, Report RFD PW–08/2010, re: Public Skating Policy (POL-REC-01-2010), dated February 16<sup>th</sup>, 2010, be received; and,
  2. THAT, the Public Skating Policy (POL-REC-01-2010) dated February 16<sup>th</sup>, 2010, attached as Schedule A to this report, be approved.
- (e) ITEM PW14-10  
THAT, Report RFI PW-10/2010, re: Township of West Lincoln Drinking Water Inspection System Report 2009 be received for information.
- (f) ITEM PW15-10
1. THAT, Report RFD PW–11/2010, re: 12 Golden Acres (Morissette) – Drainage Issue, dated February 16<sup>th</sup>, 2010, be received, and;
  2. That, Mrs. Morrisette be advised that this is a civil matter.
- (g) ITEM PW16-10  
THAT, Report RFI PW–12/2010, re: Embankment Stabilization – Regional Road 14, dated February 16<sup>th</sup>, 2010, be received for information.
- (h) ITEM PW17-10  
THAT, Report RFI PW-14/2010, re: Township of West Lincoln, Thirty Road and Young Street, Visibility Obstruction Removal be received for information.
- (i) ITEM PW18-10
1. THAT, report RFD PW-15/2010, re: Townline Road Reconstruction – Tender Results, dated February 16<sup>th</sup> 2010, be accepted; and,
  2. THAT, Council accepts the tender submitted by Norjohn Contracting and Paving Limited for the reconstruction works in Townline Road, in the amount of \$ 1,878,935.17; and,
  3. THAT, a by-law be passed to authorize the Mayor and Clerk to execute an agreement for contract with Norjohn Contracting and Paving Limited.

Moved by Alderman Norm Johnson and seconded by Alderman Mary Dinga:

That, the minutes of the Public Works/Recreation/Arena Committee meeting held on February 16, 2010, be received and that the recommendations contained therein, be approved, with the exception of Item no(s). PW18-10.

- Carried

**Item PW18-10 – Report RFD PW-15/2010 (Townline Road Reconstruction – Tender Results**

**NOTE:** Conflict of Interest declared by Alderman Dinga above relating - Item PW18-10 – Report RFD PW-15/2010 (Townline Road Reconstruction – Tender Results - husband owns property on Townline Road -Regional Road #20 to Regional Road #14). Alderman Dinga did not partake in discussion nor voting with respect to this matter.

Moved by Alderman Mike Rehner and seconded by Alderman Norm Johnson:

That, Item PW18-10 from the February 16, 2010 Public Works/Recreation/Arena Committee meeting be approved:

(ITEM PW18-10

4. THAT, report RFD PW-15/2010, re: Townline Road Reconstruction Tender Results, dated February 16<sup>th</sup> 2010, be accepted; and,
5. THAT, Council accepts the tender submitted by Norjohn Contracting and Paving Limited for the reconstruction works in Townline Road, in the amount of \$ 1,878,935.17; and,
6. THAT, a by-law be passed to authorize the Mayor and Clerk to execute an agreement for contract with Norjohn Contracting and Paving Limited.)

- Carried

**8. RECONSIDERATION:**

There were no items for reconsideration.

**9. NOTICE OF MOTION:**

There were no notices of motion.

**10. OTHER BUSINESS:**

- (a) CAO  
Re: RFD-CAO-04-2010 – 2010 Budget Schedule

Moved by Alderman Mary Dinga and seconded by Alderman Norm Johnson:

1. THAT, Report RFD-CAO-04-2010, regarding the “2010 Budget Schedule”, dated February 22, 2010 be received; and,
2. THAT, the Budget Committee meeting to review the 2010 Operating and Capital Budgets be set and dealt with at the Monday, April 19, 2010

Administration/Finance/fire Committee meeting at 6:30 p.m. with an additional date to be set for further deliberation, if required, on Tuesday, April 20, 2010 at 6:30pm, and,

3. THAT, Council set the date for final ratification of the 2010 Budget to be at the regularly scheduled Council meeting on Monday, April 26, 2010, at 7:00 p.m.

- Carried

- (b) Chief Building Official  
Re: Temporary Residence during Construction (John & Shirley Lof)  
Received for Information

- (c) Mayor Trombetta  
Re: Niagara Region Inter-Municipal Transportation - UPDATE

Mayor Trombetta advised that the resolution relating to Niagara Region Inter-Municipal Transit was carried at Regional Council, which approved the Inter-municipal transit vision and recommended that a Phase 2 study be undertaken and subsequently that the study and request for support be circulated to local area municipalities.

Mayor Trombetta further advised that Regional Council had approved a recommendation that staff come in at a zero budget increase and suggested that they utilize a portion of the 3.1 million reserve earmarked for inter-municipal transit, if funds were not found elsewhere, in order to bring the 2010 budget in at zero percent. Mayor Trombetta further advised that a triple majority would be required to approve the inter-municipal transit proposal.

There was much discussion among Members of Council regarding their concerns relating to the Inter-Municipal Transportation proposal.

- (d) Members of Council  
Re: Other Business Items

1. Alderman Mary Dinga  
Re: Article in local newspaper regarding West Lincoln

Alderman Dinga noted her concern regarding the recent article in the Grimsby Lincoln News (Feb 17, 2010) regarding the lack of unity on Council and noted that the article contained information that was not factual. Alderman Dinga addressed the allegations outlined in the article and much discussion followed among Members of Council regarding the article and allegations by Ms. Cathy Sterling.

2. Alderman Mike Rehner  
Re: Niagara Regional Police – Quarterly Update

Alderman Rehner inquired regarding having Staff Sergeant Bleich provide his quarterly update.

Mayor Trombetta advised that Staff Sergeant Bleich would be contacted regarding providing an update at the Administration Committee meeting in April.

3. Alderman Sue-Ellen Merritt  
Re: Referred Matters List - Letter to MOE regarding Illegal Dumping

Alderman Merritt requested that letter to the MOE regarding illegal dumping be included on the referred matters listing in order to insure that a response was received.

4. Alderman Sue-Ellen Merritt  
Re: NPCA – Review of Powers

Alderman Merritt requested that the correspondence requesting support of a resolution strongly encouraging the Province of Ontario to conduct a review of the NPCA's powers be included on the next Planning/Building/Environmental Committee agenda.

**11. BY-LAWS:**

Moved by Alderman Sue-Ellen Merritt and seconded by Alderman Mike Rehner:

That, leave be granted to introduce the following by-laws and the same be now read a first time:

- |     |                 |  |
|-----|-----------------|--|
| (a) | By-law 2010-15  | To confirm proceedings of the Jan. 18, 2010, special, (Van Buuren Municipal Drain – Branch A) & January 25, 2010, regular, Council meetings  |
| (b) | By-law 2010-16  | To authorize an Agreement with John Lof and Shirley Lof for Temporary Residency during Construction of a Replacement Dwelling  |
| (c) | By-law 2010-17  | To amend Schedule H of By-law 2006-157 which confirms various appointments to Boards, Committees and Municipal Positions of the Township of West Lincoln, (new Schedule H to provide for the appointment of Alderman John Glazier as Township Liaison for West Lincoln Community Care) |
| (d) | By-law 2010- 18 | To appoint a Deputy Treasurer for the Corporation of the Township of West Lincoln (Donna DeFilippis)   |

- (e) By-law 2010-19 To amend By-law 2006-157 which confirms various appointments to Board, Committees and Municipal positions of the Township of West Lincoln (add new Schedule K to provide for appointment of members to the new Steering Committee for the Brownfield Community Improvement Plan as an advisory board to the Planning/ Building/Environmental Committee)

- Carried

Moved by Alderman Sue-Ellen Merritt and seconded by Alderman Mike Rehner:

That, By-laws 2010-15, 2010-16, 2010-17, 2010-18 and 2010-19 just read a first time be now read a second and third time and finally passed and that the Mayor and Clerk do sign and seal the same, any rule of this Council to the contrary notwithstanding.

- Carried

Moved by Alderman Douglas Joyner and seconded by Alderman John Glazier:

That, leave be granted to introduce the following by-laws and the same be now read a first time:

- (a) By-law 2010-20 To regulate and license refreshments vehicles, refreshment cycles and refreshment carts in the Township of West Lincoln
- (b) By-law 2010-21 To provide for the licensing, regulating and governing of trailer camps
- (c) By-law 2010-22 To authorize an Agreement with Comprint Systems Inc. (carrying on business as DataFix) for Municipal VoterView Services

- Carried

Moved by Alderman Douglas Joyner and seconded by Alderman John Glazier:

That, By-laws 2010-20, 2010-21 and 2010-22 just read a first time be now read a second and third time and finally passed and that the Mayor and Clerk do sign and seal the same, any rule of this Council to the contrary notwithstanding.

- Carried

**NOTE:** Conflict of Interest declared by Alderman Dinga above relating – By-law 2010-23 which was the authorizing by-law for Townline Road Reconstruction, due to the fact that her husband owns property on Townline Road (Regional Road #20 to Regional Road #14). Alderman Dinga did not partake in discussion nor voting with respect to this matter.

Moved by Alderman Mike Rehner and seconded by Alderman Norm Johnson:

That, leave be granted to introduce the following by-law and the same be now read a first time:

- (a) By-law 2010-23 To authorize an Agreement with Norjohn Contracting & Paving Limited for the reconstruction of Townline Road

- Carried

Moved by Alderman Mike Rehner and seconded by Alderman Norm Johnson:

That, By-law 2010-23 just read a first time be now read a second and third time and finally passed and that the Mayor and Clerk do sign and seal the same, any rule of this Council to the contrary notwithstanding.

- Carried

**12. CONFIDENTIAL MATTERS:**

**NOTE:** Although Alderman Joyner did not declare a conflict of interest on Item 12(a) under Confidential Matters (Legal Matter – Drainage Issue), he left the meeting prior to discussion of this issue (approx. 8:37 p.m.) and did not take part in discussion nor voting with respect to this matter. Alderman Joyner did not return to the meeting.

Moved by Alderman Mike Rehner and seconded by Alderman Mary Dinga:

That, the next portion of this meeting be closed to the public to consider the following pursuant to Section 239(2) of the Municipal Act 2001:

1. personal matters about an identifiable individual, including municipal or local board employees;
2. litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

- Carried (8:28 p.m.)

Mayor Trombetta declared a brief 5 minute recess at approximately 8:37 p.m.

Moved by Alderman Mary Dinga and seconded by Alderman Norm Johnson:

That, this Council meeting does now resume in open session at 9:35 p.m.

- Carried

- (a) Mayor Trombetta  
Re: Legal Matter – Drainage Issue

Moved by Alderman John Glazier and seconded by Alderman Sue-Ellen Merritt:

That, the CAO be authorized to provide instructions to the Township Solicitor as directed in closed session.

A Recorded Vote was requested by Alderman Merritt:

	<u>Yes</u>	<u>No</u>
Alderman Mary Dinga	x	
Alderman John Glazier	x	

Alderman Norm Johnson	x		
Alderman Douglas Joyner (conflict of interest–not in attendance)			
Alderman Sue-Ellen Merritt	x		
Alderman Mike Rehner	x		
Mayor Katie Trombetta	x		
		<hr/>	<hr/>
Total		6	0
- Carried			

**13. ADJOURNMENT:**

Moved by Alderman Norm Johnson and seconded by Alderman Mary Dinga:

That, this Council meeting does now adjourn at the hour of 9:37 p.m. and if a special meeting is required it will be at the call of the Mayor.

- Carried

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**CAROLYN LANGLEY, CLERK**

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**MAYOR KATIE TROMBETTA**