



THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN



COUNCIL MINUTES

MEETING NO. TEN HELD: Monday, August 15, 2011 - Township Administration Building,
318 Canborough Street, Smithville, Ontario –**7:00 P.M.**

PRESENT:

- Council:** Mayor Douglas Joyner – Chair
Alderman Joann Chechalk
Alderman Luciano Di Leonardo
Alderman John Glazier
Alderman Eric Leith
Alderman Sue-Ellen Merritt
Alderman Alexander Micallef
- Staff:** Derrick Thomson, CAO
Carolyn Langley, Clerk
Brian Treble, Director of Planning & Building *
Stephanie Nagel, Treasurer/Director of Finance *
Donna DeFilippis, Deputy Treasurer *
Dennis Fisher, Fire Chief *
Brent Julian, Coordinator for Engineering Services *
- Others:** Liz Palmieri, Niagara Community Foundation *
Donna Herrington, The Herrington Group *
Karen Lemieux, West Lincoln JAAC Representative *
James Brennan, Grant Thornton, LLP *
Andy Sherk *
Dan Colyn *
Stephen Ste. Croix *
Chris Nokes *
Joel Bristo *
Chris Spoelstra *
Ben Heaslip *
Doug Smith *
John Bos *
Zach Kot *
Don Lockhart *
Jake Sulyma *
Terry Chovance *
Edgar Krick *
Bill Vitucci *
Chad Greenwood *
Darren Blythe *
- Media:** Amanda Street, Grimsby Lincoln News *

* IN ATTENDANCE PART TIME

1. **INVOCATION:** Alderman Alexander Micallef

2. **DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST:**

Alderman Sue-Ellen Merritt declared a perceived conflict of interest with respect to Report PD-090-11 (Municipal Law Enforcement Officer appointment by-laws to be repealed) and By-law 2011-69 due to the fact that a family member worked for the Town of Pelham. Alderman Merritt did not take part in discussion nor voting with respect to these items.

3. **COMMENTS FROM THE PUBLIC:**

(a) Zach Kot (Smithville Canadians Men's Hockey Group)
Re: Ice Allocation Policy

Mr. Zach Kot addressed Members of Council regarding the recently adopted Ice Allocation Policy and advised that he had no problem with the policy and noted that it was long overdue and that the guidelines were easy to understand. Mr. Kot stated that the policy provided that a group had to state the reason and establish merit for requiring additional ice time and he felt that West Lincoln Minor Hockey (WLMH) did not warrant additional ice time. Mr. Kot stated that he had spoken with many parents who had indicated that the number of participants in WLMH was the same or less than in previous years and therefore he questioned the merit of allocating them more ice time. Mr. Kot confirmed that the Smithville Canadians Men's Hockey had been in existence and using the arena for approximately 30 years.

Mr. Kot stated that the Township loses revenue by subsidizing youth over adult hockey as adult rates are much higher and further stated that he did not believe that the ice time was allocated properly with respect to hours taken away from the men's hockey group. Mr. Kot thanked Members of Council for the opportunity to express his concerns.

(b) Mr. John Bos (Smithville Blazer's Hockey Club)
Re: Ice Allocation Policy

Mr. John Bos addressed Members of Council regarding the recently adopted Ice Allocation Policy and advised that he agreed with the policy; however, he was concerned that it was being used as a backdoor to get their (Smithville Blazer's Hockey Club) ice time. Mr. Bos stated that he watches WLMH and sees a very minimal number of children on the ice and cannot understand how they justified obtaining additional ice time. Mr. Bos further stated that the Smithville Blazer's Hockey Club has rented the ice for 35 years and had not understood when reading the policy that they would be losing their ice time. Mr. Bos advised that it may not be feasible for his players to accommodate the change in ice time and he hoped something could be done regarding this issue and he hoped and expected to be reimbursed if nothing could be done.

Mayor Joyner noted that there had been a meeting regarding the then proposed Ice Allocation Policy and that a number of organizations had attended that meeting. Mayor Joyner stated that WLMH and the Skating club were not in attendance and therefore not able to defend themselves.

- (c) Mr. Edgar Krick
Re: Ice Allocation Policy

Mr. Edgar Krick addressed Members of Council regarding the recently adopted Ice Allocation Policy and advised that his group played on Wednesday night from 9:30 to 10:30 p.m. Mr. Krick stated that WLMH was being subsidized and questioned if they were using their ice time properly and if they were running their organization properly. Mr. Krick further stated that there were not many players on the ice and they did not use the ice time to the fullest and he believed that if they don't use their ice time efficiently, then ice time should not be taken away from others for WLMH. Additionally, Mr. Krick also noted that some participants have no 6:00 a.m. ice time and that if the ice time was spread out properly, more might be in attendance to use it.

- (d) Mr. Chris Spoelstra (Niagara District Christian Hockey League)
Re: Ice Allocation Policy

Mr. Chris Spoelstra addressed Members of Council regarding the recently adopted Ice Allocation Policy and advised that he had ice time from 9:30 to midnight on Monday nights for over 25 years and questioned if they had taken into account that the group may not be able to use their 2nd ice time at 11:45 p.m. as the participants had to work the next day.

4. CONFIRMATION OF MINUTES:

- (a) Council Minutes – Regular
July 18, 2011

Moved by Alderman Joann Chechalk and seconded by Alderman Alexander Micallef:

That, the minutes relating to the July 18, 2011 regular Council meeting be accepted without errors or omissions.

- Carried

A typographical error was noted on page 5 of the July 18, 2011 Council minutes which was corrected by the Clerk. The error resulted from the alternated order of the recorded vote as Mayor Joyner had stepped down from the Chair. Alderman Chechalk and Mayor Joyner's votes were erroneously reversed due to the order of the vote.

- (b) Council Minutes– Special (New Proposed Building Permit Fees By-law)
July 18, 2011

Moved by Alderman Luciano Di Leonardo and seconded by Alderman Sue-Ellen Merritt:

That, the minutes relating to the July 18, 2011 special Council meeting (New Proposed Building Permit Fees By-law) be accepted without errors or omissions.

- Carried

5. COMMUNICATIONS:

- (a) Karen Peto, Terry Fox Run Organizer
Re: Terry Fox Run – September 18, 2011 - Request to hold the Annual Terry Fox Run in the Township of West Lincoln and waive rental cost of fairground pavilion (\$65.00) and advertising cost for arena billboard for one week prior to event (\$60.00)

In response to Alderman Leith's comment that there was a lot of traffic on West Street and his inquiries regarding:

- If there could be pylons or the route be re-directed to cross Regional Road 20 south of Wade Road; and,
- If safety signs could be posted at the Wade Road Bridge as it can be slippery,

Mayor Joyner stated that the event was very well run and that the organizers provide all the required safety measures. Mayor Joyner stated that the suggestion for safety signs at the Wade Road Bridge was a good idea and requested that Ms. Peto be advised of this suggestion.

Moved by Alderman John Glazier and seconded by Alderman Luciano Di Leonardo:

That, the correspondence from Karen Peto, Terry Fox Run Organizer, dated July 25, 2011, requesting that the Township sponsor their annual Terry Fox Run event on Sunday, September 18, 2011, by providing the following at no charge:

- (i) Use of the arena lobby/parking lot and washroom facilities; and,
- (ii) Use of the pavilions at the fairgrounds; and,
- (iii) Use of the billboard in front of the arena to advertise the event one week prior; and,
- (iv) Permission to place lawn signs in the garden medians along Griffin Street two weeks prior to the event to advertise;

be supported as follows:

- (a) That, use of the arena/lobby and parking lot and washroom facilities be provided; and,
- (b) That, use of the pavilions at the fairgrounds be provided; and,
- (c) That use of the billboard in front of the arena to advertise the event one week prior be denied due to un-availability; and,

- (d) That, permission to place lawn signs in the garden medians along Griffin Street two weeks prior to the event to advertise, be denied due to the potential for damage to the underground water sprinkling systems; and,
- (e) That the event be subject to meeting all Township requirements/conditions of the Township of West Lincoln's Special Events Policy; and,
- (f) That, the rental cost for the pavilion at the fairgrounds in the amount of \$82.00 be transferred from the Community Sponsorship fund account to the Recreation Operating Account; and,
- (g) That, confirmation be provided to the Township showing that the organization has adequate liability insurance for the event in the amount of not less than \$2,000,000.00 and that the Township be named as co-insured for the event; and,
- (h) That, any approvals and/or required permits be obtained from the Region of Niagara.

- Carried

- (b) Crystal Fount Water Company Ltd. (Alma Meester)
Re: Request for relief for users impacted to large degree

Alderman Chechalk stated that it seemed the recent water rate change had caught a lot of people off guard and she requested information regarding how much notice was given and how the water rate changes were advertised and if consideration had been given to phasing in the rate changes.

There was much discussion regarding this issue and it was noted that it was not surprising that concerns only came forward once the changes were implemented and that the changes corrected the practice of subsidizing high water users and implemented a user pay system. It was also noted that the change resulted in a reduction on urban area tax bills and that some banks that were paying the taxes on behalf of taxpayers had not yet made an adjustment to compensate for that reduction.

Moved by Alderman Eric Leith and seconded by Alderman Alexander Micallef:

That, the correspondence from Alma Meester of Crystal Fount Water Company Limited, dated August 9, 2011, requesting that Council consider some form of financial relief for users impacted to the degree that Crystal Fount Water Company Ltd. has been with respect to water and waste water rate changes, be received and referred to staff for additional information.

- Carried

6. MAYOR'S REMARKS:

Mayor Joyner read from a prepared statement which is attached as Schedule "A" to these minutes.

7. APPOINTMENTS/PRESENTATIONS:

- (a) James Brennan, Grant Thornton, LLP
Re: 2010 Draft Financial Statements and Auditors Report to Council
(Refer to report RFD-T-15-11 - 2010 Draft Financial Statements below under Item C of Section A in Other Business)

Mr. James Brennan briefly addressed Members of Council regarding new required changes, specifically relating to the new 2010 audit standards. Mr. Brennan stated that there were three key changes relating to the conduct of the audit which are outlined as follows:

- (1) With respect to the investment in PenWest, the auditors can no longer rely on the PenWest financial statements but must commission what they need from the PenWest statements and then review their working papers.
- (2) With respect to the presentation of the Draft Financial Statements, the auditors can no longer approve the draft statements as it is now required that Council approve the draft statements and subsequently, the auditors carry out their work including legal confirmations.
- (3) With respect to the Audit Report, it has increased from three to five paragraphs and now clearly states what the auditor's responsibility is.

In response to Alderman Chechalk's statement that she had a number of lengthy questions and her suggestion that the questions be held until after the other presentations, Mr. Brennan stated that any questions should be directed to staff with the exception of questions relating to the Report to Council – Communication of Audit Results.

- (b) Donna Herrington & Karen Lemieux – Joint Accessibility Advisory Committee
Re: Presentation regarding newly legislated Integrated Accessibility Standard
(Refer to attached Analysis of 2nd Proposed Draft of the AODA "Integrated Accessibility Standard")

Ms. Donna Herrington read from a prepared statement which is attached as Schedule "B" to these minutes.

Ms. Lemieux reviewed the mandate of the JAAC for Members of Council, which she summarized as follows:

- advise and assist the municipality,
- promote and facilitate a barrier free municipality,
- review municipal policies, programs and services, and
- identification, removal and prevention of barriers faced by persons with disabilities.

Ms. Lemieux advised that their duties included reporting to Councils and providing advice and recommendations on matters relating to the Act.

Ms. Herrington then responded to questions from Members of Council regarding the legislation and confirmed that the legislation did apply to the private sector; however, the built environment was still only in draft and not yet law.

- (c) Liz Palmieri, Executive Director – Niagara Community Foundation
Re: Presentation - Random Act of Kindness Day (November 4, 2011)

Ms. Liz Palmieri read from a prepared statement which is attached as Schedule “C” to these minutes and responded to questions from Members of Council.

Moved by Alderman Sue-Ellen Merritt and seconded by Alderman Luciano Di Leonardo:

That the Township of West Lincoln host a Kick Off Event on Friday, November 4th, 2011 from 9:00 a.m. to 10:00 a.m. at the Municipal Office Atrium in recognition of Random Act of Kindness Day.

- Carried

8. REPORT OF COMMITTEE:

There were no reports of committee.

9. RECONSIDERATION:

There were no items for reconsideration.

10. NOTICE OF MOTION:

There were no notices of motion.

11. OTHER BUSINESS:

Section A – Administration/Finance/Fire Items:

- (a) Joint Accessibility Advisory Committee
Re: Minutes – February 10, 2011, February 22, 2011, March 10, 2011, April 14, 2011 and June 9, 2011

Moved by Alderman Luciano Di Leonardo and seconded by Alderman Sue-Ellen Merritt:

That, the minutes of the Joint Accessibility Advisory Committee meetings held on February 10, 2011, February 22, 2011, March 10, 2011, April 14, 2011 and June 9, 2011 be received for information.

- Carried

- (b) West Lincoln Cemetery Board
Re: May 10th, 2011 Minutes - Cemetery Tour

Moved by Alderman Sue-Ellen Merritt and seconded by Alderman Luciano Di Leonardo:

That, the West Lincoln Cemetery Board Minutes of a meeting held on May 10th, 2011 (Cemetery Tour), be received for information.

- Carried

- (c) Deputy Treasurer (Donna DeFilippis)
Re: Report RFD-T-15-11 - 2010 Draft Financial Statements

In response to an inquiry from Alderman Chechalk regarding what the interest was on the debt, Mr. Brennan stated that this was Peninsula West Power debt and was disclosed in their financial statements.

The Treasurer/Director of Finance responded to various questions from Members of Council regarding development charges, cash in lieu of parkland, gas tax revenue limitations, employee benefit obligations for retirees, Wellandport Library project, other revenues, trust funds, investment exposure, accounts receivable, reporting classifications/titles, cash and temporary investments, and transportation services.

Alderman Chechalk asked staff to provide the total assessed value for various property tax classes for 2010 and 2011.

Mr. Brennan stated that the auditors will report on significant or material changes and noted that it was common for small organizations to have compensating controls where limited staff was an issue.

Moved by Alderman John Glazier and seconded by Alderman Luciano Di Leonardo:

1. That, Report RFD-T-15-11, regarding the "2010 Draft Financial Statements" be received; and,
2. That the 2010 Draft Financial Statements, attached as Appendix A to this report, be approved, and,
3. That the Report to Council-Communication of audit results, attached as Appendix B to this report, and that the Internal Control Deficiency Letter, attached as Appendix C to this report be accepted.

- Carried

- (d) Deputy Treasurer (Donna DeFilippis)
Re: Report RFI-T-16-11 – June 2011 Budget Status Report

In response to Alderman Glazier's inquiry whether seasonality had been taken into consideration, the CAO advised that there were still adjustments to be made which would be done at the end of the year.

The Treasurer/Director of Finance and Deputy Treasurer responded to questions from Members of Council relating to the Budget Status Report. The

Treasurer/Director of Finance noted that the budget was on target and that, at this time, she did not foresee any problems and would be providing an update in September.

Moved by Alderman Eric Leith and seconded by Alderman Alexander Micallef:

That, Report RFI-T-16-11, regarding the "June 2011 Budget Status Report" be received for information

- Carried

(e) **AMENDMENT TO BUDGET**

Fire Chief (Dennis Fisher)

Re: Report RFD-FD-08-11 – Purchase of Two New Vehicle Extrication Stabilization Kits

The Fire Chief reviewed his report and responded to questions from Members of Council regarding the apparatus and training.

Moved by Alderman Alexander Micallef and seconded by Alderman Joann Chechalk:

AMENDMENT TO BUDGET

That Council authorizes the Fire Chief purchase two new Vehicle Extrication Stabilization Kits from Code 4 in the amount of \$10,011.17 to be funded from the fire reserves.

- Carried

(f) Fire Chief (Dennis Fisher)

Re: Report WLFD-09-11–Memorandum of Understanding for Fire Investigations

Moved by Alderman Joann Chechalk and seconded by Alderman Alexander Micallef:

That Report WLFD 09-11 dated August 15, 2011 Re: Memorandum of Understanding for Fire Investigations be received; and

That Council authorize the Fire Chief to execute the Memorandum of Understanding for Fire Investigations document with the Niagara Regional Police, Ontario Fire Marshal Office and the 12 Regional Municipalities.

- Carried

(g) Clerk (Carolyn Langley)

Re: RFD-C-09-11- Canine Control – Revised Fine Schedule

Moved by Alderman Luciano Di Leonardo and seconded by Alderman Sue-Ellen Merritt:

(1) That Report RFD-C-02-02, dated June 20, 2011 regarding Canine Control – Revised Fine Schedule, be received; and,

- (2) That Schedule C of Canine Control By-law 2011-44 be amended in accordance with recommendations received from The Ministry of the Attorney General, Crown Law Office, as detailed in the attached Appendix "A".

- Carried AS AMENDED (see below)

Moved by Alderman Alexander Micallef and seconded by Alderman Eric Leith:

That, Report RFD-C-02-02 regarding Canine Control – Revised Fine Schedule, be amended by correcting the report number to RFD-C-09-11 and the report date to August 15, 2011.

- Carried

Section B – Public Works/Recreation/Arena Items:

- (h) West Lincoln Public Library Board Meeting
Re: April 12, 2011 & June 14, 2011 Minutes

There was much discussion regarding the policies approved by the Board. The Clerk confirmed that the "draft" notation on the policies should be disregarded.

In response to concern raised regarding the provision in the Dress Code Policy that library patrons who did not meet the library dress code policy could be dismissed, the CAO stated that he was instructed to ensure that the policies did not conflict with Township policies and noted that the Library Board had the authority to create their own policies and procedures.

General discussion followed regarding the provision in the Dress Code Policy and it was noted that the intent was to be able to deal with something very offensive such as, for example, very profane language on a t-shirt.

Moved by Alderman John Glazier and seconded by Alderman Luciano Di Leonardo:

That, the West Lincoln Public Library Board minutes of a meeting held on April 12, 2011 and June 14, 2011 be received for information.

- Carried

- (i) CAO (Derrick Thomson)
Re: RFD-CAO-04-2011 - Municipal By-law Enforcement Officer Appointments

Moved by Alderman Eric Leith and seconded by Alderman Alexander Micallef:

1. That, Report RFD-CAO-04-2011 dated August 15, 2011 regarding "Municipal By-law Enforcement Officer Appointments"; be received; and,
2. THAT, Robert Denison, John Branco, Martin Lane and Jeffrey Dam be appointed, by bylaw, as Municipal By-law Enforcement Officers for the Corporation of the Township of West Lincoln; and,

3. THAT, Bylaw 2008-33, being a bylaw to appoint Robert Denison, John Branco and Martin Lane as Municipal Law Enforcement Officers for the Corporation of the Township of West Lincoln, be repealed.

- Carried

Section C – Planning/Building/Environmental Items:

- (j) Director of Planning & Building (Brian Treble)
Re: Report No. PD-091-11 – Recommendation Report – Wes-Li Heights Plan of Condominium - By-law to name Sunnydale Court

Alderman Glazier stated that he agreed with the comments submitted by Mr. Bert Smit and felt the street should be named Veteran's Way.

Moved by Alderman Sue-Ellen Merritt and seconded by Alderman Luciano Di Leonardo:

That, Report PD-091-11, dated August 15, 2011, regarding a By-law to name Sunnydale Court in the Wes-Li Heights Plan of Condominium, BE RECEIVED; and,

That, Council accepts the name Sunnydale Court, as the name of the private street in the Wes-Li Heights Plan of Condominium; and,

That, Council authorizes the adoption of a By-law naming Sunnydale Court in this Plan of Condominium, once a legal description is available.

- Carried

- (k) Planner II (Rachelle Larocque) & Director of Planning & Building (Brian Treble)
Re: Report No. PD-097-11 – Information Report – Trails & Corridors Master Plan – Hiring of a Consultant

The Director of Planning & Building responded to questions regarding the public information sessions for the Trails & Corridors Master Plan.

Moved by Alderman Alexander Micallef and seconded by Alderman Joann Chechalk:

That, Report No. PD-097-11, dated August 15, 2011, relating to the Trails and Corridors Master Plan – Hiring of a Consultant, BE RECEIVED.

- Carried

- (l) Director of Planning & Building (Brian Treble)
Re: Report No. PD-090-11 – Recommendation Report – Municipal Law Enforcement Officer Appointment By-laws to be Repealed

Alderman Sue-Ellen Merritt declared a perceived conflict of interest with respect to Report PD-090-11 (Municipal Law Enforcement Officer appointment by-laws to be repealed) due to the fact that a family member worked for the Town of

Pelham. Alderman Merritt did not take part in discussion nor voting with respect to this matter.

Moved by Alderman Joann Chechalk and seconded by Alderman Alexander Micallef:

That, Report No. PD-090-11, dated August 15, 2011, relating to Municipal Law Enforcement Officer Appointment By-laws to be repealed, BE RECEIVED; and,

That, a by-law be adopted to repeal a number of Municipal Law Enforcement Officer appointments due to the fact that they are no longer in the employ of the Township of West Lincoln.

- Carried

Section D – Miscellaneous Items:

- (m) CAO (Derrick Thomson)
Re: Regional Road 20 Bypass – Letter to Minister’s Office
(Refer to attachments (1) proposed resolution and (2) Regional Report PWA 32-2011 – Niagara to GTA Planning and Environmental Assessment Study: Transportation Development Strategy Report)

Moved by Alderman Luciano Di Leonardo and seconded by Alderman Sue-Ellen Merritt:

WHEREAS the Council of the Township of West Lincoln has reviewed Regional Public Works Report PWA 32-2011 dated April 26, 2011 entitled Niagara to GTA Planning and Environmental Assessment Study: Transportation Development Strategy Report;

AND WHEREAS Township Council is aware of Recommendation #4 of the report which states:

“4. That Council (Regional) advise the MTO that they agree with the recommendation to revoke existing highway designations on Highway 3 and Highway 20 as identified in Section 5(a) of the Study, provided there is agreement from the local municipalities where these are located”;

AND WHEREAS Township Council is aware that the Highway 20 component of the recommendation includes the “Highway 20 Smithville Bypass” as reflected on page 10 of PWA 32-2011; with the statement that:

“It is important to consider lifting these designations as these corridors have had an impact on land use and growth patterns in parts of Niagara Region. Regional Staff, in cooperation with the affected local municipalities, will be willing to negotiate with the MTO on the future of affected highways in order to continue the efficient movement of people and goods throughout the Region”;

AND WHEREAS Regional Council approved report PWA 32-2011 in April of 2011 without consulting the Township of West Lincoln prior to approval;

WHEREAS the recently completed Regional Road 20 Safety Study acknowledges the need for a further review of truck traffic through Smithville;

AND WHEREAS the consideration of the future of the Highway 20 Bypass may be related to overall Provincial direction but is also related to the movement of vehicles, goods and services into the whole of the Niagara Region from the remainder of Ontario;

AND WHEREAS Regional Staff has advised that a future study of transportation patterns is required in the Smithville area as matters such as a Smithville Bypass were not fully considered in the Regional Road 20 Safety Study;

AND WHEREAS land use patterns will be impacted by the removal of the Highway 20 Smithville Bypass prior to a full review and analysis of traffic patterns in Smithville and west Niagara.

AND WHEREAS it is premature to agree to negotiate with the Province for the removal of the Highway 20 Smithville Bypass designation without full analysis of transportation issues in and around Smithville, and for this reason Regional Council is hereby requested to revoke that part of Resolution No. 4 of PWA 32-2011 as it affects the Regional Road 20 Smithville Bypass.

NOW THEREFORE be it resolved that the Region and the Province be advised that the Council of the Township of West Lincoln is **extremely disappointed with** the Region of Niagara's approval of their willingness to consider lifting the Highway 20 Bypass designation prior to discussion with West Lincoln Township Council; and,

THAT, Township Council requests Regional support for:

- a) Retention of the Smithville Bypass as a matter of Provincial interest,
 - b) Regional recognition of the position of the Township of West Lincoln that the Smithville Bypass designation must be protected at this time.
- Carried AS AMENDED (see below)

Moved by Alderman Eric Leith and seconded by Alderman Alexander Micallef:

That, the words "extremely disappointed with" contained in the paragraph that begins with the words "NOW THEREFORE" be deleted and replaced with the words "**vehemently opposed to**"; and,

That the following paragraph be added to the end of the resolution:

AND THAT this resolution be circulated to Niagara area municipalities for their support.

- Carried

- (n) Mayor Douglas Joyner
Re: Meeting regarding Road Safety

Moved by Alderman John Glazier and seconded by Alderman Luciano Di Leonardo:

That staff be directed to schedule a meeting with the Niagara Regional Police and the Regional Niagara Road Safety Committee to discuss safety concerns due to recent accidents on Township roads.

- Carried

- (o) CAO (Derrick Thomson)
Re: Library Tour – Thursday, September 8th, 2011 – 5:30 p.m.

Moved by Alderman Eric Leith and seconded by Alderman Alexander Micallef:

That, the CAO be directed to confirm the date and time of the library tour/meet and greet event with the Chair of the West Lincoln Public Library Board, being Thursday, September 8, 2011 at 5:30 p.m..

- Carried

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

1. Alderman John Glazier
Re: McMurchie Lane

Alderman Glazier advised that McMurchie Lane was overgrown again and requested that it be cleaned up.

2. Alderman Lou Di Leonardo
Re: Leisureplex Soccer Bleachers

In response to Alderman Di Leonardo's statement that some of the bleacher boards at the Leisureplex were cracked, the CAO advised that Mr. Denison had started assessing all the bleachers and was in the process of repairing them where needed.

3. Alderman Sue-Ellen Merritt
Re: Football Games at South Lincoln High School (SLHS)

Alderman Merritt noted that there were no bathrooms provided at SLHS during football games and there was a lot of traffic causing a safety issue in the parking lot and suggested that these issues should be brought to the attention of the school board.

4. Alderman Sue-Ellen Merritt
Re: AMO-Renewal Energy

Alderman Merritt referenced an AMO Bulletin on renewable energy and the impact on property assessment. Alderman Merritt inquired if there was an opportunity for staff to follow up and determine the true impact of what the changes are and what the impact is on property assessment.

5. Alderman Sue-Ellen Merritt
Re: NSAM

Alderman Merritt asked if the Township could institute a policy that we do not accept non-agricultural waste as she had previously been told that we could not; however, she would like the question answered again.

Alderman Merritt stated that a recent notice referenced 3 types of NASM and indicated on whose property and the location where the material was being deposited; however, did not say what type was being deposited.

6. Alderman Alexander Micallef
Re: Dumping on Las Road

In response to Alderman Micallef's concern that people were dumping garbage at the end of Las Road and his inquiry if the developer could be made to close off the area, Mayor Joyner advised that it was not right that they dump debris there; however, the developer was also dumping debris at that location.

12. BY-LAWS:

Moved by Alderman Sue-Ellen Merritt and seconded by Alderman Luciano Di Leonardo:

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

- (a) By-law 2011-68 To confirm the proceedings of the July 18, 2011 Special and July 18, 2011 regular Council meetings
- (c) By-law 2011-70 To appoint Robert Denison, John Branco, Martin Lane and Jeffrey Dam as Municipal Law Enforcement Officers for the Corporation of the Township Of West Lincoln. (and repeal By-law 2008-33)
- (d) By-law 2011-71 Being a By-Law to amend By-law 2011-44 which provides for the Licensing, Control and Regulation of Dogs. (Amend Schedule C – Short Form Wording)

- Carried

Moved by Alderman Sue-Ellen Merritt and seconded by Alderman Luciano Di Leonardo:

That, By-laws 2011-68, 2011-70 and 2011-71 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

Alderman Sue-Ellen Merritt declared a perceived conflict of interest with respect to By-law 2011-69 due to the fact that a family member worked for the Town of Pelham. Alderman Merritt did not take part in discussion nor voting with respect to this item.

Moved by Alderman Eric Leith and seconded by Alderman Alexander Micallef:

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

- (b) By-law 2011-69 To Repeal By-laws 98-66, 2008-82, 2009-35, 2009-77, 2009-107 and By-law 2009-115 which appointed Municipal Law Enforcement Officers for the Corporation of the Township of West Lincoln.

- Carried

Moved by Alderman Eric Leith and seconded by Alderman Alexander Micallef:

That, By-law 2011-69 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

13. CONFIDENTIAL MATTERS:

There were no confidential matters.

14. ADJOURNMENT:

Moved by Alderman Alexander Micallef and seconded by Alderman Joann Chechalk:

That, this Council meeting does now adjourn at the hour of 9:51 p.m. and if a special meeting is required it will be at the call of the Mayor.

- Carried

Schedule "A"
to August 15, 2011 Council Minutes

Here are my Mayor's remarks for the month of August and I will be brief tonight.

Niagara Regional Public Health has confirmed mosquitoes in Niagara have tested positive for West Nile Virus. These are the first positive mosquito results in Niagara this year. Although the mosquito was found only in Niagara Falls, all Niagara residents should take the necessary precautions to prevent WNV.

Nominations Now Open! Nominations for the 18th Annual Niagara Entrepreneur of the Year Awards are officially open. The search to find and recognize the very best entrepreneurs in the Niagara Region will culminate with the award recipients being announced in February 2012. Nominations deadline is Monday, September 12th, 2011. Please refer to our West Lincoln Township website for more information.

Our Township of West Lincoln Music in the Park Concert Series is coming to a close for another successful season. The 2011 Final Concert Date will be Thursday, August 18th, 2011 featuring Stewed Roots and the Marty Allen Band. All concerts are held at the Smithville Fairgrounds and the music begins at 7 p.m. So, bring lawn chair, bring a lap blanket and enjoy music outdoors under the stars.

Please allow me at this time to read a letter addressed to the Mayor's Office praising the performance and professionalism of our Chief Mr. Dennis Fisher and all West Lincoln Fire Service members present at a recent Motor Vehicle Accident Fatality.

Dear Mayor Joyner,

As the Acting District Commander of 8 District I wish to extend my sincere appreciation and professionalism displayed by the WL Fire Service, specifically the manner in which Fire Chief Dennis Fisher conducted himself at the horrible Motor Collision Fatality.

On Monday, July 18th, 2011 at 6 p.m. members of 8 District Niagara Regional Police Service along with members of the West Lincoln Fire Service attended a single motor vehicle collision located on Sixteen Road, near Joslin Road.

Even though the Chief was grief stricken he continued to perform his duties with professionalism. I would be remiss if I didn't praise the performance of all Fire Services Members present at this scene.

Acting Sergeant Van Joncas who was the NRP Officer in charge at the scene commended the actions of all Fire Service members who worked tirelessly at this scene. The Sergeant commented on their professionalism and effort on a hot summer evening. In closing I want you and fellow Town Council Members to know your Fire Chief and fellow members of the Fire Service performed exceptionally well at this horrific scene. They are proud men and women who obviously care about their service and the people of West Lincoln.

Job well done by all.

Respectfully
Dan Nadeau
8 District, Niagara Regional Police

Thank you Councillors, quite simply I am asking for your endorsement in promoting this special day November 4th here in West Lincoln as Random Acts of Kindness are a wonderful way to touch the lives of another and make our world a better place.

So, together with the Niagara Community Foundation, our community can use this day to celebrate by participating in Random Acts of Kindness.

As you can see on the Niagara Community Foundation flyer – there are many ways that individuals or groups can pay a kind act forward.

And it is my hope, that if this resolution is approved here tonight we can start the circulation of cards in anticipation of this special day and begin to encourage our residents to spread the good word.



(Joint Accessibility Advisory Committee of Lincoln, West Lincoln, Pelham,
Thorold, Niagara on the Lake and Grimsby)

SCHEDULE "B"

To Aug 15, 2011 Council
minutes.

Overview of AODA Integrated Accessibility Standard August 15, 2011

The Integrated Accessibility Regulation under the AODA came into force on July 1, 2011.

It regulates accessibility requirements in the areas of: Information and Communication, Employment and Transportation.

The majority of compliancy activity in the first two years is policy-based.

The municipality must create and enforce a general Accessibility Policy and provide training regarding Integrated Accessibility Regulation and Ontario Human Rights Code requirements to all employees and volunteers, persons who participate in developing organizational policy and other persons who provide goods, services or facilities on behalf of the organization.

Policies and procedures now requiring accessibility criteria include:

- The municipality's Procurement Procedures
- The municipality's website
- The municipality's employment policies and procedures – including recruitment procedures and hiring and accommodation procedures

The municipality must now also provide information in alternate formats upon request.

A Source List has been provided to staff to assist in acquiring these services as needed.

The regulation also requires a "multi-year Accessibility Plan" which is a different strategy than currently used. The JAAC will assist the municipality in meeting all compliance requirements and will return in September, 2011 with its Annual Accessibility Plan.

SCHEDULE "C"
To Aug. 15, 2011 Council Minutes
Random Act Of KXndness Day®

RANDOM ACT OF KINDNESS DAY – SPEAKING POINTS FOR PRESENTATIONS

- Thank you for the opportunity to speak with you this evening about a wonderful event taking place in our community on November 4th. Early last year we were approached by the Kitchener Waterloo Community Foundation to join with them and other community foundations across Ontario to bring Random Act of Kindness Day to Niagara.
- This program was developed by The Kitchener and Waterloo Community Foundation (KWCF) with two goals in mind:
 - To help reinforce the The KWCF's vision of building a better community
 - To encourage the "pay it forward" philosophy throughout our community (and others as time goes on) – an opportunity for each of us to exhibit kindness to each other, thus encouraging them to act similarly.
- In our crazy, scheduled worlds, we rarely take the time to slow down and reflect on how fortunate we are to live in a community such as ours – which already has a long-cherished reputation for community building and generosity. Random Act of Kindness Day is just that opportunity!
- The simple acts of kindness or generosity are endless! Buy someone a coffee, congratulate someone on a job well done, offer to drive someone to an appointment, hold a door open, pay a parking meter, carry someone's groceries and the list goes on and on....
- This year 75,000 Random Act of Kindness Day cards will be circulating in across Niagara inviting people to get involved. The cards encourage the holder to perform a simple act of kindness for someone – and hand over the card to that person, encouraging him/her to do the same. A very simple concept with powerful community impact!

- Random Act of Kindness Day has already gained regional attention. Last year was our inaugural year, we partnered with NCDSB, DSBN, Brock University, Niagara College, all 3 united ways, YMCA of Niagara and Walker Industries.
- Helping us spread the word are our media sponsors who include TV Cogeco Niagara, EZ Rock 105.7, Giant FM and Sun Media.
- Last year 50,000 cards were circulated and students from across Niagara helped other students, thanked their teachers for help with the extra circular activities, raked leaves for seniors and served hot chocolate in their down town. Additionally, an elementary class created a kindness quilt, appreciating each student and teacher their class.
- FOR 2011, we are happy to welcome two new partners, Meridian Credit Union who will have cards available in all their 18 branches across Niagara and Tim Horton's, who will promote RAK in all 65 of their restaurants.
- It is important to note that Random Act of Kindness Day is not a day about fundraising or giving money – it is a day to celebrate kindness.
- We are inviting the Township to get involved by placing posters and cards in your facilities, put a notice in your newsletter and on your website and we encourage town staff and members of council to also participate by giving the Random Act of Kindness cards to citizens, friends, family, co-workers or people you've just met.
- With everyone working together, we can make our community an even better place to live, work, grow and play!