

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

COUNCIL MINUTES

MEETING NO. FOUR HELD: Monday, February 25, 2008 - Township Administration Building, 318 Canborough Street, Smithville, Ontario - 7:00 p.m.

PRESENT:

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

Staff: Carolyn Langley, Clerk
Joanne Scime, Deputy Clerk
Stephanie Nagel, Treasurer/Director of Finance

Others: James Brennan, Grant Thornton*
Stan Pettit, Niagara Community Foundation*
Eric Gilbert, Niagara Community Foundation*
Jackie McPherson*
Cathy Sterling*
Steve Butz, YMCA*
Bill Young*
Russell Lowden*
Valerie McCue*
And 2 other individuals from the Public*

Media: Marcel VanderWier, Grimsby-Lincoln News
William Kelly, Cogeco

Absent: Alderman John Glazier

* IN ATTENDANCE PART TIME

1. **INVOCATION:** Alderman Sue-Ellen Merritt

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

(a) Alderman Mary Dinga
Re: Disclosure of Pecuniary Interest and/or Conflict of Interest

(1) **February 11, 2008 Planning/Building/Environmental Comm. Mins:**
Alderman Mary Dinga declared a conflict of interest and/or disclosure of pecuniary interest with respect to Item P23-08 (Report No. RFI-D-01-08 – Summary of 15 Mile Drain Project) of the February 11, 2008 Planning/Building/Environmental Committee Minutes, due to the fact that a family member owns property affected by the Fifteen Mile Drain. Alderman Dinga advised she would not be taking part in any discussion nor voting with respect to this matter.

(2) **February 19, 2008 Public Works/Recreation/Arena Comm. Mins.:**

Alderman Mary Dinga declared a conflict of interest/disclosure of pecuniary interest with respect to Item PW14-07 as contained in report RFD-PW-08/2008 (Five-Year Capital Road Program) due to the fact that her husband owns property on Townline Road (Regional Road #20 to Regional Road #14). Alderman Dinga advised that she would not be taking part in any discussion nor voting with respect to this matter.

- (b) Alderman Mike Rehner
Re: Disclosure of Pecuniary Interest and/or Conflict of Interest

February 19, 2008 Public Works/Recreation/Arena Committee Minutes:

Alderman Mike Rehner noted that he was not in attendance at the February 19, 2008 Public Works/Recreation/Arena Committee Meeting; however, he declared a conflict of interest/disclosure of pecuniary interest with respect to Item PW14-07 as contained in report RFD-PW-08/2008 (Five-Year Capital Road Program) due to the fact that he owned property along Caistor Centre Road between Concession 3 Road and Concession 2 Road and between Concession 2 Road and South Chippawa Road. Alderman Rehner noted that he would not be taking part in discussion nor voting with respect to this matter.

3. COMMENTS FROM THE PUBLIC:

- (a) Ms. Valerie McCue
Re: Resident of Caistor Centre Road

Ms. Valerie McCue advised that she wished to withdraw a petition that was submitted to the Township in 2005 requesting that Caistor Centre Road not be tarred and chipped due to safety concerns. Ms. McCue read from a prepared statement which has been attached as "Schedule A" to the minutes.

The Clerk advised that Ms. McCue could not withdraw the petition on behalf of the other residents without their consent and suggested that Ms. McCue request that all of the original petitioners confirm in writing that they wished to withdraw their original petition which had requested that Caistor Centre Road not be tarred and chipped.

4. CONFIRMATION OF MINUTES:

- (a) Council Minutes – Regular
January 28, 2008

Moved by Alderman Douglas Joyner and seconded by Alderman Sue-Ellen Merritt:

- (1) That, the minutes of the open session portion of the January 28, 2008 regular Council meeting be accepted without errors or omissions; and,

- (2) That, "Set 1" of the minutes of the closed session portion of the January 28th, 2008 Regular Council 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.

Moved by Alderman Douglas Joyner and seconded by Alderman Sue-Ellen Merritt:

That, "Set 2" of the minutes of the closed session portion of the January 28th, 2008 Regular Council 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.

- (b) Council Minutes – Special
February 11, 2008

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

- (1) That, the minutes of the open session portion of the February 11th, 2008 special Council meeting, be accepted without errors or omissions.

- (2) That the minutes of the closed session portion of the February 11th, 2008 special 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.

- (c) Public Meetings under the Planning Act
February 11, 2008 Minutes

Moved by Alderman Sue-Ellen Merritt and seconded by Alderman Douglas Joyner:

That, the minutes of public meetings held on February 11, 2008, under Section 34 and Section 17 of the Planning Act, with respect to:

- (a) Zoning By-law Amendment – Township of West Lincoln – Residential Zones including RM1 & RM2 Zone Changes (Housekeeping)
- (b) Official Plan Amendment – Township of West Lincoln - Community Improvement Policies & Site Contamination Policies
- (c) Zoning By-law Amendment – Cadeau
- (d) Zoning By-law Amendment – Township of West Lincoln - Rural Clusters

be accepted.

- Carried.

5. COMMUNICATIONS:

There were no communications.

6. APPOINTMENTS/PRESENTATIONS:

- (a) Stan Pettit, Niagara Community Foundation
Re: Presentation to Literacy Council of Niagara West

Mr. Stan Pettit, Niagara Community Foundation, noted that the 3rd Annual Niagara Mayors' Charity Golf Tournament held in August 2007 was again a great success, raising over \$34,000.00, which was approximately \$7,000.00 over the previous year's earnings. Mr. Pettitt noted that this year, the Mayors from West Niagara (Grimsby, Lincoln and West Lincoln) agreed to allocate 25% of the proceeds to McNally House – West Niagara Hospice. Mr. Pettit noted that half of the proceeds from the event were placed in the Niagara West Community Fund with the remaining share being split equally between the Mayors and given to charities of their choice in their community. Mr. Pettit noted that Mayor Trombetta had donated her portion of funds to (1) West Lincoln Community Care and (2) for the purchase of a blue spruce tree for the Murgatroyd Parkette located in the downtown core of Smithville. Mr. Pettit provided a brief update and overview of the foundation and its donation program and then presented a cheque to Ms. Jackie McPherson for the Literacy Council of Niagara West.

Ms. Jackie McPherson, Literacy Council of Niagara West, thanked Mr. Pettit for the donation and noted that the funds will be used to undertake a feasibility study and produce a strategic plan regarding locating a variety of community agencies serving West Lincoln within one facility.

Mayor Trombetta thanked Mr. Pettit, Ms. McPherson and the other volunteers from the Niagara Community Foundation and Literacy Council of Niagara West for attending this evening's meeting and, in closing, noted that she was looking forward to this year's Charity Golf Tournament.

- (b) James Brennan, Grant Thornton (Township Auditors)
Re: Presentation of the Communication of Audit results and the 2006 Audited Financial Statements (Financial Report 2006)

Mr. Brennan read the covering letter that accompanied both the Communication of Audit results and the 2006 Audited Financial Statements and asked if any Members of Council had any questions regarding the material.

Mr. Brennan addressed a several questions from Members of Council regarding the Communication of Audit results and the 2006 Audited Financial Statements.

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

That, the "Communication of Audit Results for the Year Ending December 31, 2006" and the "Financial Report 2006" (2006 Audited Financial Statements)", be approved as presented.

- Carried.

- (c) Steve Butz, YMCA
Re: Market Study Update

Mr. Steve Butz, YMCA, provided an update regarding the market study relating to the YMCA development initiative for West Niagara. Mr. Butz read from a prepared which has been attached as "Schedule B" to the minutes.

7. REPORT OF COMMITTEE:

- (a) Planning/Building/Environmental Committee
Re: February 11, 2008 Minutes

SUMMARY OF RECOMMENDATIONS:

- (a) ITEM P21-08
- (1) That, the report prepared by Colville Consulting Inc., dated February 2008, regarding "Natural Environment Screening" as part of the Smithville Strategic Growth Management Study; be received for information; and,
 - (2) That, staff be authorized to advertise for a Public Open House to discuss the "Natural Environment Screening Report", to be held on February 28th, 2008 in the Council Chambers from 3 p.m. to 5 p.m. and 7 p.m. to 9 p.m. prior to ratification at Council on February 25, 2008.
- (b) ITEM P22-08
That, the correspondence from Mr. Paul Robertson, Sr. Forester/Principal Consultant, Trees Unlimited Forestry Consultant, dated February 5, 2008, requesting a contribution of \$3,000.00, being the Township's share of the pre-organization budget (subject to the Town of Pelham and the Niagara Parks Commission approving their share of the pre-organization budget); be received and supported and that funding be pre-approved in the 2008 Township Budget.
- (c) ITEM P23-08
That, Item P23-08 of the February 11, 2008 Planning/Building/Environmental Committee meeting regarding the Drainage Superintendent's Report RFI-D-01-08 (Summary of 15 Mile Drain Project) be referred to the March 10th, 2008 Planning/Building/Environmental Committee meeting in order for the Drainage Superintendent to obtain further information from the contractor for the Fifteen Mile Drain relating to:

- (1) The breakdown of actual costs for the non-proratable Special Assessment work (cost of replacing two culverts at Main Drain Sta. 2+650); and,
 - (2) The administration charge of \$3,700.00; and,
 - (3) The interest charge of \$3,500.00
- (d) ITEM P24-08
- (1) That for the reasons outlined in Report No. PD-018-08, dated February 11, 2008, it is hereby recommended that Zoning By-law Amendment 1601-001-08 which makes minor changes to the Residential Zone Categories, of Zoning By-law 79-14, as amended, BE APPROVED; and
 - (2) That no further public meeting is required pursuant to Section 34(17) of the Planning Act as the requested modifications to the original advertisement and notice are minor in nature.
- (e) ITEM P25-08
- (1) That, Report No. PD-017-08, dated February 11, 2008, relating to the adoption of Community Improvement Policies and Potentially Contaminated Site Policies in the Official Plan, BE ADOPTED; and
 - (2) That, the By-law to adopt amendment No. 14 to the Official Plan for the Township of West Lincoln, BE APPROVED; and
 - (3) That, Amendment No. 14 to the Township of West Lincoln Official Plan which includes new Community Improvement Policies and new potential site contamination policies (as amended by agency comments) for the Official Plan be forwarded to the Region of Niagara for approval.
- (f) ITEM P26-08
- That, Report PD-020-08, dated February 11, 2008, relating to Zoning By-law Amendment application 1601-003-08 in the name of Cadeau, BE APPROVED.
- (g) ITEM P27-08
- (1) That, Technical Report No. PD-016-08, dated February 11, 2008, regarding a proposed Zoning By-law Amendment to establish rural cluster boundaries, BE RECEIVED; and
 - (2) That, a further report be prepared once all agency and public comments have been received and considered.
- (h) ITEM P28-08
- (1) THAT, Report No. PD-019-08, dated February 11, 2008 regarding a Site Plan Authorizing By-law for Cotton Inc., BE RECEIVED; and,

- (2) THAT, a by-law be adopted for the purpose of authorizing the Mayor and Clerk to enter into a Site Plan Agreement between the Township of West Lincoln and Cotton Inc..
- (i) ITEM P29-08
- (1) That Report No. PD-023-08, dated February 11, 2008 regarding a Site Plan Authorizing By-law for Niagara Peninsula Energy Inc., BE RECEIVED; and
- (2) That a By-law for the purpose of authorizing the Mayor and Clerk to enter into a Site Plan Agreement and Easement Agreement between the Township of West Lincoln and Niagara Peninsula Energy Inc., BE APPROVED; and
- (3) That By-law 2008-08, which authorized a Site Plan Agreement and Easement Agreement with Peninsula West Utilities Limited, BE REPEALED.
- (j) ITEM P30-08
RECOMMENDATION #1
- (1) That, Report No. PD-025-08, dated February 11, 2008, relating to the release of Phase 1 & 2 Reports on Regional Growth Management Strategy, be received; and,
- (2) That, Council supports the recommendation of the Phase 2 Report (Anticipating Niagara), that the Medium Growth Scenario be adopted as the preferred growth forecast; and,
- (3) That, Council's position on the future population and employment growth allocation for Smithville that results from the analysis of the Medium Growth Scenario shall be addressed in a future report.
- Carried AS AMENDED (see below).
- RECOMMENDATION #2 (AMENDMENT):
That, Item P30-08 relating to Report No. PD-25-08 ("Release of Phase 1 & 2 Reports on Regional Growth Management Strategy"), be amended by replacing the word "Medium" in recommendation 2 with the word "Low".
- (k) ITEM P31-08
That Report PD-024-08, dated February 11, 2008 regarding an update of the status of the proposed changes to the regulatory framework for non-agricultural source materials BE RECEIVED.
- (l) ITEM P32-08
That, Report No. PD-022-08, dated February 11, 2008, regarding Niagarapalooza: Rethinking our cities; be RECEIVED.
- (m) ITEM P33-08
That, the Building Permits Report for January 2008, with an estimated cost (value of construction) of \$1,483,000.00 be received.
- (n) ITEM P34-08

That, Item P34-08 of the February 11, 2008 Planning/Building/Environmental Committee agenda regarding Report No. RFD-C-07-08 (Family Day); be referred to the Special Council to be held immediately following this evening's Planning/Building/Environmental Committee meeting.

(o) ITEM P35-08

That, Mayor Katie Trombetta be appointed as the Acting Chair for the remainder of the meeting in the absence of the Chair and Vice Chair.

Moved by Alderman Sue-Ellen Merritt and seconded by Alderman Douglas Joyner:

- (1) That, the Planning/Building/Environmental Committee minutes of a meeting held on February 11, 2008, be received and that the recommendations contained therein, be approved, with the exception of Item no. P23-08.
- (2) That the minutes of the closed session portion of the February 11, 2008 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 P23-08 – Drainage Superintendent's Report RFI-D-01-08 (Summary of Fifteen Mile Drain Project):

NOTE: Alderman Mary Dinga declared a conflict of interest and/or disclosure of pecuniary interest with respect to Item P23-08 (Report No. RFI-D-01-08 – Summary of 15 Mile Drain Project) of the February 11, 2008 Planning/Building/Environmental Committee Minutes, due to the fact that a family member owns property affected by the Fifteen Mile Drain. Alderman Dinga advised she would not be taking part in any discussion nor voting with respect to this matter.

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

That, Item P23-08 from the February 11, 2008 Planning/Building/Environmental Committee minutes be approved.

(Item P23-08

That, Item P23-08 of the February 11, 2008 Planning/Building/Environmental Committee meeting regarding the Drainage Superintendent's Report RFI-D-01-08 (Summary of 15 Mile Drain Project) be referred to the March 10th, 2008 Planning/ Building/Environmental Committee meeting in order for the Drainage Superintendent to obtain further information from the contractor for the Fifteen Mile Drain relating to:

- (1) The breakdown of actual costs for the non-proratable Special Assessment work (cost of replacing two culverts at Main Drain Sta. 2+650); and,
 - (2) The administration charge of \$3,700.00; and,
 - (3) The interest charge of \$3,500.00.)
- Carried.

- (b) Administration/Finance/Fire Committee
Re: February 19, 2008 Minutes

SUMMARY OF RECOMMENDATIONS:

- (a) ITEM A19-08
That, the West Lincoln Cemetery Board minutes of a meeting held on November 28, 2007 be accepted.
- (b) ITEM A20-08
- (1) That, Report No. WLCB 08-02 regarding "Amendment to Cemetery Groundskeeper's Contract", dated February 19, 2008, be accepted; and,
 - (2) That, the name of the service agreement be changed to reflect the registered name of the company; George Lane and Associates; and,
 - (3) That, the annual fee paid to George Lane and Associates to provide cemetery ground maintenance services be amended to \$31,700.00; and,
 - (4) That, Schedule "B" of the service contract with George Lane and Associates dated December 6, 1999, be amended to include Union Cemetery in the list of cemeteries; and,
 - (5) That, Schedule "A" Duties and Responsibilities of the service contract with George Lane and Associates dated Dec 6, 1999, be amended as follows:
Use of Equipment to perform other duties as required shall include:
 - Cutting and removal of dead trees and foliage,
 - Cleaning up and removal of tree limbs and foliage caused by storm damage such as high winds or ice storms / heavy snow load
 - Marker maintenance such as straightening and/or installing new bases as required,
 - Top dressing and seeding of recent grave openings,
 - General landscaping to maintain the dignity of the cemetery as determined necessary from time-to-time by the Board
 - The Section Use of Equipment shall also include the clause, that, George Lane shall be compensated at an additional hourly rate of \$30.00/hour to complete these extra duties which are considered beyond his

regular contract and that he be reimbursed for his cost of materials.

- (6) That the revised agreement and by-law incorporating the above changes be forwarded to the Next Council meeting

(c) ITEM A21-08

- (1) That, Report WLFD 08-02 regarding "Updating West Lincoln Township Health and Safety Policy By-Law", dated February 19, 2008, be accepted; and,
- (2) That, By-law 2008-19 being a by-law to establish a Municipal Health and Safety Statement for the Corporation of the Township of West Lincoln be presented to Council for approval and that By-Law 2007-02 be repealed.

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

- (1) That, the Administration/Finance/Fire Committee minutes of a meeting held on February 19, 2008, be received and that the recommendations contained therein, be approved.
- (2) That the minutes of the closed session portion of the February 19, 2008 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 19, 2008 Minutes

SUMMARY OF RECOMMENDATIONS:

(a) ITEM PW10-08

RECOMMENDATION # 1:

That, the correspondence from Mr. Steve Ecker, Chairman, PoultryFest Niagara, dated January 31, 2008, inviting all Council Members who are interested in volunteering to work at PoultryFest for a few hours to contact the Chairman and requesting financial support in the amount of \$5,000.00 to be applied towards the costs for:

- (1) Assistance with obtaining liability insurance from the Township's insurance provider; and,
- (2) Donation of the cost of permit fees for rental of Township recreation facilities including the Community Centre Arena, Fairgrounds, Leisureplex and the soccer fields at Wellandport; and,
- (3) Donation of the cost of related labour charges associated with the assistance of Public Works Department employees with the

- grading of the track for the Antique Tractor Pull and dust control throughout the Fairgrounds; and,
- (4) Donation of the cost of related labour charges associated with the availability of Recreation Department employees for the duration of the festival to deal with maintenance issues for the event, be received and referred to the CAO and/or Treasurer/Director of Finance for report and recommendation relating to the allocation of funds from the Community Sponsorship Program following completion of the 2008 budget process.

RECOMMENDATION # 2:

- (1) That, the correspondence from Mr. Steve Ecker, Chairman, PoultryFest Niagara, dated January 31, 2008, requesting that the Council of the Corporation of the Township of West Lincoln declare the PoultryFest Festival as a "Community Festival", which festival is to be held on Saturday, June 28th, 2008 at the West Lincoln Community Centre/Arena; and,
- (2) That the PoultryFest executive be informed that the Township of West Lincoln has no objection to the sale of alcoholic beverages in the West Lincoln Arena Floor on Saturday, June 28th, 2008, subject to meeting all Township requirements with respect to the use of Township facilities for special events; and,
- (3) That, confirmation is given to the Township that properly qualified individuals will be serving alcohol at the event; and,
- (4) That, confirmation is given to the Township that transportation will be provided for individuals who may show signs of intoxication at the event; and,
- (5) That, the organization be advised that beer/alcoholic beverages must be served in plastic cups; and,
- (6) That, the Township of West Lincoln request that the Niagara Regional Police provide patrols at during the Poultry Fest Festival to be on Saturday, June 28th, 2008.

RECOMMENDATION #3:

- (1) That, the correspondence from Mr. Steve Ecker, Chairman, PoultryFest Niagara, dated January 31, 2008, requesting permission to the PoultryFest Niagara Committee to use the Centennial Parkette at the corner of Station Street and West Street for promotion of the PoultryFest prior to the event and for an exhibit area during PoultryFest; and,
- (2) That a temporary road closing by-law be passed for Brock Street, from Convenience Street Parking Lot to Regional Road 20, for the PoultryFest Niagara event from Friday, June 27th, 2008 at 7:00 p.m. to Saturday, June 28th 2008 at 8:00 p.m.; and,
- (3) That, the Convenience Street Parking Lot be closed from Friday, June 27th, 2008 at 7:00 p.m. to Saturday, June 28th, 2008 at 8:00 p.m.; and,
- (4) That, the Municipal Parking Lot (near the CIBC) located on the northwest corner of Brock Street and St. Catharines Street be

- closed from Friday, June 27th, 2008 at 7:00 p.m. to Saturday, June 28th, 2008 at 8:00 p.m.; and,
- (5) That, permission be granted to paint a “Busker’s Circle” with the PoultryFest rooster logo on the Municipal Parking Lot (near CIBC); and,
 - (6) That, the concrete barricades at the north end of Brock Street be removed the day of the festival for shuttle service; and,
 - (7) That, the Public Works Department erect and remove barricades and flashing lights to advise motorists of the temporary road closings.
- (b) ITEM PW11-08
RECOMMENDATION #1:
That, the West Lincoln Public Library Board Minutes of a meeting held on December 6, 2007 be accepted and that the recommendation contained therein be adopted.
- REFERRED (see below)
- RECOMMENDATION #2 - REFERRAL:
That, the December 6/07 minutes be referred to the Clerk for clarification of wording in clause 1.1.4.
- (c) ITEM PW12-08
THAT, report RFI PW – 06/2008, re: Township of West Lincoln, Water Quality Data Annual Report Year 2007, dated February 19, 2008, be received for information.
- (d) ITEM PW13-08
- (1) THAT, Report RFD PW-07/2008, re: Smithville Fairgrounds – Diamond “B” Repairs, dated February 19, 2008, be received; and,
 - (2) THAT, expenditures for the upgrade of Diamond “B” not be included in the 2008 budget.
- (e) ITEM PW14-08
RECOMMENDATION # 1:
- (1) THAT, Report RFD PW-08/2008, re: Five-Year Capital Road Program, dated February 19, 2008, be received; and,
 - (2) THAT, the Five-Year Capital Road Program be submitted to the Budget Committee meeting for consideration with the exception of Item 14.
- Carried as AMENDED (See Below)
- RECOMMENDATION # 2 - AMENDMENT:
That, Item 14 as outlined in Report RFD-PW-08/2008- (Five-Year Capital Road Program), specifically, the Townline Road project, be approved and submission to the Budget Committee Meeting.

- (f) ITEM PW15-08
- (1) THAT, Report RFD PW-09/2008, re: Five-Year Capital Sidewalk Program, dated February 19, 2008, be received; and,
 - (2) THAT, the Five-Year Capital Sidewalk Program be submitted to the Budget Committee meeting for consideration.
- Carried AS AMENDED (See Below)

AMENDMENT # 1:

That, the following sidewalk projects be removed from the Five Year Capital Sidewalk plan:

- 1) Caistorville – York St. – Seneca Street to Canboro Street
- 2) Caistorville – Reg. Rd. #2 – west limit of hamlet ½ way
- 3) Caistorville – Reg. Rd. 2 – east limit of hamlet ½ way

AMENDMENT # 2:

That, the following amendments be made to the Five Year Capital Sidewalk Plan:

1. For 2008 - Reduce “Townline Road” by \$10,000 (from \$22,000 to \$12,000)
2. For 2008 - Add \$10,000 for “Repair of pathway at Fairgrounds” (New Item)
3. For 2011 – Reduce “Fairgrounds” by \$10,000 (from \$30,000 to \$20,000)
4. For 2011 – Add \$10,000 to “Townline Road”

- (g) ITEM PW16-08
- (1) THAT, Report RFD PW-10/2007, re: Five-Year Capital Bridge Program, dated February 19, 2008, be received; and,
 - (2) THAT, the Five-Year Capital Bridge Program be submitted to the Budget Committee meeting for consideration.
- (h) ITEM PW17-08
- (1) THAT, Report RFD PW-11/2008, re: Five-Year Capital Facilities Program, dated February 19, 2008, be received; and,
 - (2) THAT, the Five-Year Capital Facilities Program be submitted to the Budget Committee meeting for consideration.
- (i) ITEM PW18-08
- (1) THAT, Report RFD PW-12/2008, re: Five-Year Capital Sanitary Sewer Program, dated February 19, 2008, be received; and,
 - (2) THAT, the Five-Year Capital Sanitary Sewer Program be submitted to the Budget Committee meeting.
- (j) ITEM PW19-08
- (1) THAT, Report RFD PW-13/2008, re: Five-Year Equipment Replacement Schedule, dated February 19, 2008, be received; and,
 - (2) THAT, the Five-Year Equipment Replacement Schedule be submitted to the Budget Committee meeting for consideration.

- (k) ITEM PW20-08
THAT, the Public Works February 2008 Update Memo dated February 19, 2008, be accepted.

Moved by Alderman Norm Johnson and seconded by Alderman Sue-Ellen Merritt:

That, the Public Works/Recreation/Arena Committee minutes of a meeting held on February 19, 2008, be received and that the recommendations contained therein, be approved, with the exception of Item PW14-08 (Recommendation 1) and Item PW14-08 (Recommendation 2).

- Carried.

Recommendation # 1 of Item PW14-08 – Five Year Capital Road Program

NOTE: Alderman Mary Dinga declared a conflict of interest/disclosure of pecuniary interest with respect to Item PW14-07 as contained in report RFD-PW-08/2008 (Five-Year Capital Road Program) due to the fact that her husband owns property on Townline Road (Regional Road #20 to Regional Road #14). Alderman Dinga advised that she would not be taking part in any discussion nor voting with respect to this matter.

Moved by Alderman Sue-Ellen Merritt and seconded by Alderman Douglas Joyner:

That, Item PW14-08 – Recommendation #1 from the February 11, 2008 Public Works/Recreation/Arena Committee minutes be approved.

(Item PW14-08 – Recommendation 1

- (1) THAT, Report RFD PW-08/2008, re: Five-Year Capital Road Program, dated February 19, 2008, be received; and,
- (2) THAT, the Five-Year Capital Road Program be submitted to the Budget Committee meeting for consideration with the exception of Item 14.)

- Carried **AS AMENDED (see below).**

Amendment:

Moved by Alderman Sue-Ellen Merritt and seconded by Alderman Douglas Joyner:

That, Item PW14-08 – Recommendation #1 of the February 19, 2008 Public Works/Recreation/Arena Committee minutes be amended as follows:

- (1) Replace the words “Item 14” with the words “the Townline Road project”; and,
 - (2) Add the following words to the end of the recommendation (Rec. 1):
“and the Caistor Centre Road project from Concession 3 Road to Concession 2 Road and the Caistor Centre Road project from Concession 2 Road to South Chippawa Road.”
- and,

- (3) Remove the words "AS AMENDED (See Below)" at the end of the first recommendation (Recommendation 1).
- Carried.

Approval of Caistor Centre Rd. Project from Conc. 3 Rd. to Conc. 2 Rd. & Caistor Centre Road Project from Conc. 2 Rd. to South Chippawa Rd.:

NOTE: Alderman Mike Rehner declared a conflict of interest/disclosure of pecuniary interest with respect to Item PW14-07 as contained in report RFD-PW-08/2008 (Five-Year Capital Road Program) due to the fact that he owned property along Caistor Centre Road between Concession 3 Road and Concession 2 Road and between Concession 2 Road and South Chippawa Road. Alderman Rehner noted that he would not be taking part in discussion nor voting with respect to this matter.

Moved by Alderman Sue-Ellen Merritt and seconded by Alderman Douglas Joyner:

That, the Caistor Centre Road project from Concession 3 Road to Concession 2 Road and the Caistor Centre Road project from Concession 2 Road to South Chippawa Road; be approved.

- Carried.

Recommendation # 2 of Item PW14-08 – Five Year Capital Road Program - Townline Road Project:

Moved by Alderman Sue-Ellen Merritt and seconded by Alderman Douglas Joyner:

That, Item PW14-08 - Recommendation # 2 from the February 19, 2008 Public Works/Recreation/Arena Committee minutes be approved.

(Recommendation 2 - Item PW14-08

That, Item 14 as outlined in Report RFD-PW-08/2008- (Five-Year Capital Road Program), specifically, the Townline Road project, be approved and submitted to the Budget Committee Meeting.)

- Carried **AS AMENDED (see below).**

Amendment:

Moved by Alderman Sue-Ellen Merritt and seconded by Alderman Douglas Joyner:

That, Item PW14-08 – Recommendation #2 of the February 19, 2008 Public Works/Recreation/Arena Committee minutes be amended as follows:

- (1) Replace the words "Item 14" with "Townline Road project"; and,
- (2) Remove the words "specifically, the Townline Road project,"

- Carried.

8. RECONSIDERATION:

There were no items for reconsideration.

9. NOTICE OF MOTION:

There were no notices of motion.

10. OTHER BUSINESS:

(a) Members of Council
Re: Other Business Items

(i) Mayor Katie Trombetta
Re: Passing of James Terryberry – Owner/Operator of L & J Video and Hot Dog Cart at CIBC Parking Lot

Mayor Trombetta noted that Mr. James Terryberry, Owner/Operator of L & J Video and the hot dog cart located at the corner of the CIBC Parking Lot, passed away this past weekend. Mayor Trombetta noted her sincere condolences to Mr. Terryberry's wife and family.

(ii) Mayor Katie Trombetta
Re: Restructuring of Regional Council

Mayor Trombetta noted that a motion had come forward from the City of St. Catharines for the Region of Niagara to re-evaluate the current Regional Council composition, which they believe to be unfair as they felt that based on population figures, they should have more representation on Regional Council. Mayor Trombetta noted that St. Catharines has seven representatives on the 30-member Council whereas West Lincoln and Wainfleet only have one councilor each. Mayor Trombetta noted that Mayor McMullan (St. Catharines) has stated that he may request that the Province to step in and address the issue of inequity of representation on Regional Council.

Mayor Trombetta noted that in response to recent articles in the local newspapers regarding St. Catharines' request for additional representation on Regional Council, a resident of West Lincoln submitted a letter to the editor of the St. Catharine's Standard suggesting that the municipalities of Grimsby, Lincoln, West Lincoln, Pelham and Wainfleet, form a West Niagara Region with the remainder of the municipalities staying with the Region of Niagara. Mayor Trombetta noted that this resident's suggestion to divide the Region of Niagara into two areas was not a new concept as this issue was addressed in 1999-2000 when the Region of Niagara was the next area to be recognized by the Province for restructuring. Mayor Trombetta noted that, at that time, the Council for the Region of Niagara had commissioned the Berkeley Consulting Group to develop and evaluate optional governance structures for the Region as a way to avoid the possibility of a provincially imposed solution. Mayor Trombetta advised that one of the recommendations was to split the Region of Niagara into two areas, West Niagara and East Niagara.

Mayor Trombetta noted that the request from the City of St. Catharines for additional representation on Regional Council will be addressed at the next Regional Council meeting on Thursday, February 28th, 2008.

In addition to the above, Mayor Trombetta noted that a few years ago, Township Council had requested that the Region of Niagara consider adding an additional Regional Council representative for the Township of West Lincoln. Mayor Trombetta noted that the request was not supported by Regional Council due to the fact that, under the Region's current policies, the Township's population would have to be 14,000+ before the Region would consider the request. Mayor Trombetta noted that in consideration of the anticipated growth over the next few years, she felt the Township could again request the Region to consider adding an additional Regional Council representative as the municipality would most likely reach the required 14,000 population figure prior to the 2010 Municipal Election.

- (iii) Alderman Mary Dinga
Re: Gypsy Moth Infestation

Alderman Mary Dinga noted that a lot of money was being spent on spraying for gypsy moths and she felt that some funding should be used to plant varieties of trees (reforestation) that are not susceptible to gypsy moths.

11. BY-LAWS:

Moved by Alderman Douglas Joyner and seconded by Alderman Sue-Ellen Merritt:

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

- (a) By-law 2008-18 To confirm proceedings of January 28, 2008 regular Council and February 11th, 2008 Special Council meetings.
- (b) By-law 2008-19 To establish a Municipal Health & Safety Policy Statement for the Corporation of the Township of West Lincoln and to repeal By-law 2007-02.

- Carried.

Moved by Alderman Douglas Joyner and seconded by Alderman Sue-Ellen Merritt:

That, By-laws 2008-18 and 2008-19 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 Mike Rehner and seconded by Alderman Norm Johnson:

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

- (a) By-law 2008-20 Zoning Amendment - Township of West Lincoln – Minor Changes to Residential Zone Categories
- (b) By-law 2008-21 To adopt Official Plan Amendment No. 14 (Update Community Improvement Policies and Potentially Contaminated Site Policies)
- (c) By-law 2008-22 Zoning By-law Amendment – Cadeau
- (d) By-law 2008-23 To authorize a Site Plan Agreement – Cotton Inc. (Part of Lot 6 – Conc. 8 – Part 12 on Plan 30R-10710)
- (e) By-law 2008-24 To authorize a Site Plan Agreement and an Easement Agreement – Niagara Peninsula Energy Inc. and repeal By-law 2008-08 (Part of Lot 28, Plan M-94 – Part 1 on Plan 30R-11011 as confirmed by Plan 30BA1691)

- Carried.

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

That, By-laws 2008-20, 2008-21, 2008-22, 2008-23 and 2008-24 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 Norm Johnson and seconded by Alderman Mary Dinga:

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

- (a) By-law 2008-25 To close part of Brock Street, Smithville, to vehicular traffic on a temporary basis. (for PoultryFest Festival – from north side of Convenience Street Parking Lot to Regional Road 20, for the PoultryFest Niagara event from Friday, June 27, 2008 at 7:00 p.m. to Saturday, June 28, 2008 at 8:00 p.m.).
- (b) By-law 2008-26 To authorize an Agreement between the Corporation of the Township of West Lincoln and George Lane & Associates for the provision of Cemetery Grounds Maintenance Services.

- Carried.

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

That, By-laws 2008-25 and 2008-26 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:

There were no confidential matters.

13. ADJOURNMENT:

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

That, this Council meeting does now adjourn at the hour of 8:19 p.m. and if a special meeting is required it will be at the call of the Mayor.

- Carried.

JOANNE SCIME, DEPUTY CLERK

MAYOR KATIE TROMBETTA

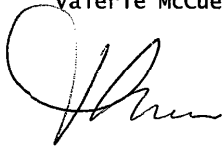
"Schedule A"
February 25, 2008 Council Minutes

Feb 25 2008

remove petition

My name is Valerie McCue and I live on Caistor Centre Rd between Con 2 and South Chippawa Rd. I had previously submitted a petition so that Caistor Centre Rd would not be tar and chipped based on the fact that we did not want Caistor Centre Rd to become a through fare for trucks and traffic coming from the Hamilton area. Since the road has been raised by 2 to 3 feet with the surplus gravel from the Hydro, Caistor Centre Rd is now much more susceptible to pot holes and wash boarding. Even after grading the road becomes treacherous very quickly. Apparantly the corner of Con 3 and Caistor Centre Rd will not be straightened as was previously being considered and this in itself will deterr trucks from using Caistor Centre Rd as a thoughfare. I would like to remove the petition I submitted so as to allow tar and chipping of Caistor Centre Rd in the future.

Thank You
Valerie McCue



"Schedule B"
February 25, 2008 Council Minutes

WEST LINCOLN Update to Council: West Niagara YMCA Steering

Madam Mayor, Members of ^{Council} ~~Committee~~, Ladies and Gentlemen:

I am very pleased to be here tonight to provide this ^{Council} ~~committee~~ an update on the YMCA development initiative now underway in West Niagara.

The YMCA is honored to be involved in this process of investigation that began a number of months ago. The Town of West Lincoln, together with the ^{ship} Town's of Grimsby and Lincoln and the YMCA, has collectively made effective and professional contributions to this initiative. You should be proud of your role in participating in something that embraces our mutual responsibility to serve West Niagara based on principles of collaboration and partnership. No matter what the outcome, the process is a great example for this community and region.

I would like to reinforce an important principle that governs the work of the Committee. Our foremost priority is to understand how this initiative can benefit community. For 148 years, this has been the mission of the YMCA. This is an important perspective because we are not building a pool or a gym or a playground – we are building a YMCA. While typical YMCA buildings contain these elements, these, in our world, are simply tools to a much higher purpose: the building of strong kids, strong families and strong communities. A new YMCA is about inclusiveness, families, health, belonging and giving. If this initiative is successful, it will be because the communities of West Niagara are prepared to invest in these values, defining in many ways, the essence of a vibrant, caring place to live or grow. The YMCA hopes to be part of that journey.

With specific reference to our Committee, I hope you find it reassuring that this is not a first time process for us. The YMCA has orchestrated similar initiatives elsewhere in our region with very successful results – new YMCA’s in Welland and Niagara Falls most notably. Our process is very disciplined and proven. It follows a structured approach to decision making that is both understandable and transparent. A simple way to think about it is like a stool with three legs. One leg represents the sources of capital funding – the money will take to build the building. The second leg is the application of that capital – or the cost designing, constructing and furnishing the facility. The third leg is what we are focused on now - understanding the market conditions that will support a new YMCA in a manner that is sustainable over time. The operating viability question is central to our work. If positive, we turn our attention to the questions of sources and applications. If not, we simply don’t proceed.

To answer the sustainability question, we turn it over to the professionals. This past six weeks, over 1200 residents from the three communities have been consulted through a detailed market study that has been managed by Leisureplan International. The market study tests very specific questions pertaining to viability, membership intention, site, fee and a host of other considerations which allows the YMCA to assess operating viability. Each community will have its own results. Through the committee, I will be able to report back to you what people living in West Lincoln think about this initiative and the extent they are willing to support it operationally. I will have the same report for your colleagues in Grimsby and Lincoln. Collectively, it will represent a very decisive voice using a thorough method of investigation that is proven accurate and representative of the community’s perspective.

We expect the results of this study to be available within the next couple of weeks or so. It will be the platform for further deliberation by our committee and consultation with other levels of government. We will look forward to providing that information for your consideration in due course.

My thanks for this opportunity, and again, my appreciation for your involvement in this process. I'd be pleased to respond to any questions you may have.

Steve Butz
YMCA