



THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN



COUNCIL MINUTES

MEETING NO. TWO: Monday, December 13, 2010 - Township Administration Building, 318 Canborough Street, Smithville, Ontario - 7:00 p.m.

<u>PRESENT:</u>	Council:	Mayor Douglas Joyner Alderman Joann Chechalk 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 Dennis Fisher, Fire Chief
	Others:	Russell Lowden
	Media:	Carolyn Goard, West Niagara News * Pieter Van Hiel, Grimsby Lincoln News * William Kelly, Cogeco *

* IN ATTENDANCE PART TIME

1. **INVOCATION:** Alderman John Glazier
2. **DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST:**
There were no disclosures of pecuniary interest or conflicts of interest declared by any Member of Council.
3. **COMMENTS FROM THE PUBLIC:**
There were no comments from the public.
4. **CONFIRMATION OF MINUTES:**
Mayor Joyner stepped down from the Chair and Acting Mayor Merritt assumed the position of Chair to deal with the November 15th, 2010 Council minutes as Alderman Merritt was not in attendance at that meeting.
(a) Council Minutes – Regular
November 15, 2010

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

That, the minutes relating to the open session portion of the November 15, 2010 regular Council meeting be accepted.

That the confidential minutes of the closed session portion of the November 15, 2010 Council meeting be accepted; 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

Acting Mayor Merritt stepped down from the Chair and Mayor Joyner re-assumed the position of Chair to deal with the balance of the agenda.

- (b) Council Minutes – Regular
December 1, 2010 Inaugural

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

That, the minutes of the December 1, 2010 Inaugural Council meeting be accepted without errors or omissions.

- Carried

5. COMMUNICATIONS:

There were no communications.

6. APPOINTMENTS/PRESENTATIONS:

There were no appointments or presentations.

7. REPORT OF COMMITTEE:

There were no reports of Committee.

8. RECONSIDERATION:

There were no items for reconsideration.

9. NOTICE OF MOTION:

There were no notices of motion.

10. OTHER BUSINESS:

- (a) Director of Planning & Building & Secretary Treasurer for the Committee of Adjustment
Re: Report PD-158-10-Updated Procedural Document for Committee of Adjustment

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

That, Report No. PD-158-10, dated December 13, 2010, related to the updated procedural document for the Township's Committee of Adjustment, BE RECEIVED; and,

That, Schedule "C" of By-law 2002-112 be repealed and replaced with the new Schedule "C" as found at Attachment No. 1 which provides for Policies, Procedures and Conditions for the Operation of the Committee of Adjustment.

- Carried

(b) Clerk

Re: Report RFI-C-18-2010 - Measures taken to provide an Accessible Election

Moved by Alderman Alexander Micallef and seconded by Alderman Sue-Ellen Merritt:

That, Report RFI-C-18-2010, dated December 13, 2010, regarding "Measures taken to Provide an Accessible Election", be received for information.

- Carried

(c) Clerk

Re: Report RFD-C-17-2010 - Consultant Agreement with "The Herrington Group" to Coordinate the Joint Accessibility Advisory Committee and Continued Participation in Joint Committee

The Clerk reviewed her report and responded to questions from Members of Council.

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

(1) That, Report RFD-C-17-2010, dated December 13, 2010, regarding "Consultant Agreement with 'The Herrington Group' to coordinate the Joint Accessibility Advisory Committee and Continued Participation in Joint Committee", be received; and,

(2) That, the proposal submitted by "The Herrington Group" to coordinate Ontarians with Disabilities Act compliance for the Joint Accessibility Advisory Committee, be accepted; and,

(3) That, a by-law be passed authorizing the Mayor and Clerk to enter into an agreement with "The Herrington Group" for consulting services for a one year period from February 1, 2011 to January 31, 2012, along with the other participating municipalities.

(4) That, the Township of West Lincoln continue to participate as a member of the Joint Accessibility Advisory Committee for 2011, at a cost of \$10,000.00.

- Carried

(d) Fire Chief

Re: Report WLFD-10-06 – Computer-Aided Fire Dispatch Agreement with the City of St. Catharines

The Fire Chief reviewed his report and responded to questions from Members of Council.

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

That report WLFD-10-06 dated December 13, 2010, Computer-Aided Dispatch Agreement with the City of St. Catharines be received, and that

Staff prepare a By-Law for approval authorizing, the Mayor and Clerk to execute an up-dated continuing agreement on behalf of the Township of West Lincoln to December 31, 2011.

- Carried

- (e) West Lincoln Cemetery Board Minutes
Re: September 28, 2010

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

That, the West Lincoln Cemetery Board Minutes of a meeting held on September 28, 2010 be accepted.

- Carried

- (f) West Lincoln Public Library Board
Re: September 14, 2010 minutes

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

That, the West Lincoln Public Library Board minutes of a meeting held on September 14, 2010 be received for information.

- Carried

Mayor Joyner and Members of Council each took turns wishing residents, staff and Council holiday greetings and the incumbent Members welcomed the new Members of Council.

11. CONFIDENTIAL MATTERS:

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

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;

- Carried (7:27 p.m.)

Mayor Joyner declared a brief recess during the closed session portion of the meeting at approximately 9:10 p.m. and the closed session portion of the meeting resumed at approximately 9:20 p.m.

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

That, this Council meeting does now resume in open session at 10:57 p.m.
- Carried

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

That, this Council does now deliberate beyond the hour of 11:00 p.m.
- Carried

Mayor Joyner declared a brief recess at approximately 10:58 p.m. and the meeting resumed at approximately 11:10 p.m.

- (a) Clerk
Re: Ward 3 Alderman Position
Refer to resolutions below under Other Business Section 10(g).
- (b) Clerk
Re: Appointments to various Boards & Committees
Refer to resolutions below under Other Business Section 10(h).
- (c) CAO
Re: Legal Drainage Matter – Verbal Update

Council rose without reporting.

10. OTHER BUSINESS: (cont'd)

- (g) Clerk
Re: Report RFD-C-19-2010 - Declaration of Vacancy–Ward 3 Alderman Position

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

- (1) That, Report RFD-C-19-2010, dated December 13, 2010, regarding “Declaration of Vacancy – Ward 3 Alderman Position”, be received; and,
- (2) That the position of Alderman for Ward 3 be declared vacant as a result of the resignation of Mr. Joe Maloney.
- (3) That Council direct by resolution to either appoint an individual or hold a bi-election to fill the position of Alderman for Ward 3.

A Recorded Vote was requested by Alderman Joann Chechalk:

	<u>Yes</u>	<u>No</u>
Alderman Joann Chechalk	x	
Alderman John Glazier	x	
Alderman Eric Leith	x	
Alderman Sue-Ellen Merritt	x	
Alderman Alexander Micallef	x	
Alderman (position vacant)		

Mayor Douglas Joyner	x	
Total	<u>6</u>	<u>0</u>
- Carried		

Moved by Alderman Eric Leith and seconded by Alderman Joann Chechalk:

That, Lou Di Leonardo, having consented to accept the office if appointed, be and is hereby appointed to fill the vacancy and assume one of the positions of Alderman for Ward 3 on the Council for the Corporation of the Township of West Lincoln for the term of council ending November 30, 2014, in accordance with Subsection 263(1)(a) of The Municipal Act, 2001.

A Recorded Vote was requested by Alderman Joann Chechalk:

	<u>Yes</u>	<u>No</u>
Alderman Joann Chechalk	x	
Alderman John Glazier		x
Alderman Eric Leith	x	
Alderman Sue-Ellen Merritt	x	
Alderman Alexander Micallef	x	
Alderman (position vacant)		
Mayor Douglas Joyner	x	
Total	<u>5</u>	<u>1</u>
- Carried		

(h) Appointments to various Boards & Committees by Resolution:
MATERIAL UNDER SEPARATE COVER

1. West Lincoln Heritage Committee

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

That, the following persons be and are hereby appointed members of the West Lincoln Heritage Committee for the term concurrent with Council, being December 1, 2010 to November 30, 2014:

1. Everett Lampman
2. Deborah Coon-Petersen
3. Clifford Travis
4. Dick Van Dyke
5. Ben Sisler
5. Alderman Eric Leith
6. Planner (non-voting member-secretary)

- Carried

2. JAAC Committee – Citizen and Council Appointment –West Lincoln Representative

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

That, Karen Lemieux and Cindy Desruisseaux be and is hereby appointed as the Township of West Lincoln's citizen representative on the Joint Accessibility Advisory Committee (JAAC) and that a by-law be presented confirming appointments to the JAAC once all participating municipalities and selected their representatives.

That, Alderman Lou Di Leonardo be and is hereby appointed as the Council Member representative on the Joint Accessibility Advisory Committee (JAAC) and that a by-law be presented confirming appointments to the JAAC once all participating municipalities and selected their representatives.

- Carried

3. Peninsula West Power Inc.

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

That West Lincoln Township Council hereby submits the following name for consideration for appointment to the Board of Peninsula West Power Inc. for a four year term to November 30, 2014.

Mayor Douglas Joyner

That West Lincoln Township Council hereby submits the following name for consideration for appointment to the Board of Peninsula West Power Inc. for a three year term from January 1, 2011 to December 31, 2013.

Alderman Sue-Ellen Merritt

- Carried

4. Niagara Peninsula Energy Inc.

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

That West Lincoln Township Council hereby submits the following name for consideration for appointment to the Board of Niagara Peninsula Energy Inc. for a three year term from January 1, 2011 to December 31, 2013.

Alderman Joann Chechalk

- Carried

(i) Appointments to various Boards & Committees by By-law:

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

That, the appropriate by-laws be adopted appointing members and/or liaisons to the following Boards, Committees or positions:

1. Weed Inspector (Dave Lane)

2. West Lincoln Cemetery Board
(Murray Packham
Wendy Veldman
Wayne Misener
Alderman Sue-Ellen Merritt
Charlie Street, Cemetery Manager)
3. West Lincoln Public Library Board
(Gus Grandmont
Cheryl Ganann
Lynne Hatzlhoffer
B. Joan Packham
Patricia Nelson
Jennifer Smith
Sue Langdon
Deborah Coon-Petersen
Alderman John Glazier)
4. Court of Revision
(David McKinnell
Kenneth Durham
Alderman Sue-Ellen Merritt)
5. Committee of Adjustment
(Dick VanDyke
R. Paul McDougall
Robert Bertrand
Andrea Clemencio
John Verdonk)
6. Fenceviewers
(Gerald Comfort
Ben Sisler
Harry VanMarrum)
7. Stockvaluers
(Ben Sisler
Harry VanMarrum
Walter Sanders)
8. Welland & District Humane Society (Liaison)
(Paul Vanderzanden)
9. West Lincoln Hospital Board
(Alderman Joann Chechalk)
10. West Lincoln Chamber of Commerce (Liaison)
(Alderman Eric Leith)

11. Transportation Strategy Steering Committee
(Recommended for appointment as representative:
Alderman Eric Leith)
12. Culture Committee (recommendation to Region)
(Recommended for appointment as representative:
Mayor Douglas Joyner)
13. Niagara Road 12 Citizen Liaison Committee
(Recommended for appointment as representative:
Alderman Alexander Micallef)
14. Inter-Municipal Specialized Transit Advisory Committee
(Recommended for appointment as representative:
Mayor Douglas Joyner
Alderman Joann Chechalk)
15. Niagara Peninsula Conservation Authority
(Recommended for appointment as representative:
Mayor Douglas Joyner
Alderman Eric Leith)
16. West Lincoln Christmas Parade Committee
 1. Dave Willis - Chair
 2. Kim Fisher - Treasurer
 3. Art Kool
 4. Brad Willis
 5. Julie Druery
 6. Kathy Wetselaar
 7. Jean Nicholls
 8. Tom Nicholls
 9. Doug Dawson
 10. Sheena Swierenga
 11. Wendy Joyner – Township Liaison)
17. West Lincoln Community Care (Council Liaison)
(Alderman John Glazier)
18. Steering Committee for Brownfield Community Improvement Plan
 1. Debora Coon-Petersen – Township Heritage Cmty Representative
 2. Phil Griffin – R. Griffin Construction
 3. Cor Deboer – Special Occasion Tent Rentals
 4. Harold Olij – Olij and Faber Lawfirm
 5. Lance Parcher – Modern Sanitation, Smithville
 6. Alderman Alexander Micallef - Council Representative

Resource Persons – Non-Voting Members:

 7. Regional Planning Staff Representative (Lalita Paray or alternate)
 8. RCI Consulting Representative (Luciano Piccioni or alternate)
 9. Director of Planning, Staff Representative (Brian Treble or alternate)

10. CAO, Staff Representative (Derrick Thomson or alternate)
- Carried

- (j) CAO
Re: Re-scheduling of December 6th Training Session

The CAO advised that he would be contacting Members of Council individually regarding orientation and a date to re-schedule the cancelled December 6th training session.

- (k) CAO
Re: Email Addresses

The CAO advised that he would be contacting Members of Council individually regarding setting up their home email access to the Township.

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

1. Alderman Sue-Ellen Merritt
Re: Christmas Light in Caistor Centre

Alderman Merritt advised that she had received a call from a resident of Caistor who was upset as they did not have any Christmas lights in Caistor. Alderman Merritt advised that she told the resident that Council was trying to distribute funds for Christmas decorations fairly.

2. Mayor Douglas Joyner
Re: Retired Members of Council Dinga and Johnson

Mayor Joyner advised Members of Council that he would like to invite the retired Members of Council to the January Administration meeting to recognize them for their years of service. Much discussion followed regarding who should be recognized.

3. Mayor Douglas Joyner
Re: Proposed Meeting Schedule Change

Mayor Joyner advised Members of Council that he would like to change the meeting schedule and hold all council and standing committee meetings on Tuesday nights and would be putting the issue on the January Administration meeting agenda. Much discussion followed regarding availability and some concern was noted regarding changing from Monday to Tuesday evenings.

12. BY-LAWS:

Moved by Alderman Sue-Ellen Merritt 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 2010-110 To confirm proceedings of November 15, 2010 regular Council meeting and December 1, 2010 Council (Inaugural) meeting
- (b) By-law 2010-111 To appoint a Weed Inspector for the Township of West Lincoln for the term of Council (Dave Lane - Appointment from Dec. 1/10 to Nov. 30/14 & Repeal 2008-35)
- (c) By-law 2010-112 To appoint Members to the West Lincoln Cemetery Board (Repeal By-laws 2006-156)
(Murray Packham, Wendy Veldman, Wayne Misener, Alderman Sue-Ellen Merritt, Charlie Street, Cemetery Manager)
- (d) By-law 2010-113 To amend Schedule A of By-law 2008-79 which provided for appointment to the Township of West Lincoln Public Library Board
(Gus Grandmont, Cheryl Ganann, Lynne Hatzlhoffer, B. Joan Packham, Patricia Nelson, Jennifer Smith, Sue Langdon, Deborah Coon-Petersen, Alderman John Glazier)
- (e) By-law 2010-114 To establish a Court of Revision under the provisions of the Drainage Act, R.S.O. 1990
(David McKinnell, Kenneth Durham, Alderman Sue-Ellen Merritt - Dec. 1/10 to Nov. 30/14 & Repeal 2006-154)
- (f) By-law 2010-115 To amend By-law 2002-112 being a by-law to appoint a Committee of Adjustment, etc. (Replace Schedule A to Appoint new members- (Dick VanDyke, R. Paul McDougall, Robert Bertrand, Andrea Clemencio, John Verdonk) Dec. 1, 2010 to Nov. 30, 2014 and replace Schedule C - Policies and Procedures, etc & repeal By-law 2006-152)
- (g) By-law 2010-116 To appoint Fenceviewers and Stock Valuers in the Township of West Lincoln for the period December 1, 2010 to November 30, 2014. (and Repeal 2006-153)
(Fenceviewers:Gerald Comfort, Ben Sisler, Harry VanMarrum)
(Stockvaluers: Ben Sisler, Harry VanMarrum, Walter Sanders)

- Carried

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

That, By-laws 2010-110, 2010-111, 2010-112, 2010-113, 2010-114, 2010-115 and 2010-116 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 Joann Chechalk 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:

- (a) By-law 2010-117 To confirm various appointments and/or recommendations for appointments to Boards & Committees & Municipal Positions
- Welland & District Humane Society (Liaison)
(Paul Vanderzanden)
 - West Lincoln Hospital Board
(Alderman Joann Chechalk)
 - West Lincoln Chamber of Commerce (Liaison)
(Alderman Eric Leith)
 - Transportation Strategy Steering Committee
(Recommended - Alderman Eric Leith)
 - Culture Committee (recommendation to Region)
(Recommended – Mayor Douglas Joyner)
 - Niagara Road 12 Citizen Liaison Committee
(Recommended - Alderman Alexander Micallef)
 - Inter-Municipal Specialized Transit Advisory Committee
(Recommended – Mayor Douglas Joyner & Alderman Joann Chechalk)
 - Niagara Peninsula Conservation Authority
(Recommended - Mayor Douglas Joyner & Alderman Eric Leith)
 - West Lincoln Christmas Parade Committee
(Dave Willis – Chair, Kim Fisher – Treasurer, Art Kool, Brad Willis, Julie Druery, Kathy Wetselaar, Jean Nicholls, Tom Nicholls, Doug Dawson, Sheena Swierenga, Wendy Joyner – Township Liaison)
 - West Lincoln Community Care (Council Liaison)
(Alderman John Glazier)
 - Steering Committee for Brownfield Community Improvement Plan
(Debora Coon-Petersen – Township Heritage Cmty Representative, Phil Griffin – R. Griffin Construction, Cor Deboer – Special Occasion Tent Rentals, Harold Olij – Olij and Faber Lawfirm, Lance Parcher)

– Modern Sanitation, Smithville, Alderman Alexander Micallef - Council Representative, Resource Persons
– Non-Voting Members: Regional Planning Staff Representative (Lalita Paray or alternate), RCI Consulting Representative (Luciano Piccioni or alternate), Director of Planning, Staff Representative (Brian Treble or alternate), CAO, Staff Representative (Derrick Thomson or alternate)

(and Repeal By-law 2006-157)

- (b) By-law 2010-118 To authorize an Agreement (Addendum) between the Corporation of the City of St. Catharines and the Corporation of the Township of West Lincoln to extend the term of and amend the rate for the agreement for Computer-aided Fire Dispatch Services (to Dec. 31, 2011)
- (c) By-law 2010-119 To authorize an agreement between the Corporation of the Township of West Lincoln, the Corporation of the Town of Grimsby, the Corporation of the Town of Lincoln, the Corporation of the Town of Niagara-on-the-Lake, the Corporation of the Town of Pelham and the Corporation of the City of Thorold and the Herrington Group Ltd. for the provision of consulting services relating to the administration of the Joint Accessibility Advisory Cmty

- Carried

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

That, By-laws 2010-117, 2010-118 and 2010-119 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. ADJOURNMENT:

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

That, this Council meeting does now adjourn at the hour of 11:35 p.m. and if a special meeting is required it will be at the call of the Mayor.

- Carried