

THE REGIONAL MUNICIPALITY OF NIAGARA

PROCEEDINGS OF COUNCIL

REPORT CL 5-2009

The Municipal Council of the Regional Municipality of Niagara met in the Council Chamber, Regional Municipal Building, Thorold, Ontario, on Thursday, March 26, 2009 commencing at 6:39 p.m.

These are the individuals who were in attendance during the Closed Session of the Regional Council meeting:

ATTENDANCE

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

Staff: Messrs. Trojan, Chief Administrative Officer; Bergsma, Commissioner, Corporate Services; Robson, Commissioner, Integrated Community Planning; Hutchings, Commissioner, Community Services; Brothers, Commissioner, Public Works; Dr. Sider, Associate Medical Officer of Health; Ms. Gilroy, Regional Clerk; Ms. Pilon, Deputy Regional Clerk.

Staff
(Other): Messrs. Roberts, Executive Officer to the Regional Chair; Steele, Associate Director, Strategic Business Management; Pilon, Associate Director, Service Quality & Improvement; Ms. Rae, Legal Counsel-Real Estate; Ms. Isajiw, Legal Counsel-Real Estate; Ms. Williams, Senior Financial Analyst; Ms. Khoury, Manager, Corporate Records and Archives Services.

CALL TO ORDER

109. Regional Chair Partington called the meeting to order at 6:39 p.m.

CLOSED SESSION

110. Moved by Councillor Baty
Seconded by Councillor Rigby

That this Council do now move into Closed Session for the purposes of receiving information and dealing a Matter of Solicitor-Client Advice; A Matter of Labour Relations, Oral Report; A Human Resources Matter, Oral Report; A Proposed Acquisition of Land by the Municipality Relocation of Donated House and Acquisition of House and Land for Use by Niagara Regional Housing as Affordable Housing Unit(s), City of Niagara Falls; A Matter of Labour Relations Ratification of Collective Agreement CUPE 1263 (Long Term Care Homes) Community Services Department and A Matter Concerning the Security of Regional Property, Litigation and Solicitor/Client Advice.

Carried.

Conflict of Interest

Councillor Martin declared an indirect pecuniary interest with respect to Report CSD 55-2009, A Matter of Labour Relations Ratification of Collective Agreement CUPE 1263 (Long Term Care Homes) Community Services Department, as his spouse is a member of CUPE 1263 so he therefore, vacated the Council Chamber during the discussion of, or voting on, this matter.

111. **A Matter of Solicitor-Client Advice**

There were no issues raised.

112. **A Matter of Labour Relations**
Oral Report

Mr. Trojan provided Regional Council with an update, noting that a formal resolution would be considered by Regional Council under CAO Reports in Open Session.

113. **A Human Resources Matter**
Oral Report

Mr. Trojan provided Regional Council with an update, noting that an announcement on this subject would be made later in Open Session.

CLOSED SESSION, RISE AND REPORT

114. Moved by Councillor Bentley
Seconded by Councillor Smeaton

That this Committee do now rise without report.

Carried.

Regional Council recessed at 6:45 p.m. to reconvene the Committee of the Whole meeting.

Regional Council reconvened at 7:05 p.m.

Council met in regular session, commencing at 7:05 p.m. with an Invocation by Councillor Gabriel followed by the singing of 'O Canada'.

These are the individuals who were in attendance during the Open Session of the Regional Council meeting:

ATTENDANCE

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

Staff: Messrs. Trojan, Chief Administrative Officer; Bergsma, Commissioner, Corporate Services; Robson, Commissioner, Planning and Development; Hutchings, Commissioner, Community Services; Brothers, Commissioner, Public Works; Dr. Sider, Associate Medical Officer of Health; Ms. Gilroy, Regional Clerk; Ms. Pilon, Deputy Regional Clerk.

Staff
(Other): Messrs. Roberts, Executive Officer to the Regional Chair; Steele, Associate Director, Strategic Business Management; Pilon, Associate Director, Service Quality & Improvement; Ms. Rae, Legal Counsel-Real Estate; Ms. Isajiw, Legal Counsel-Real Estate; Ms. Williams, Senior Financial Analyst; Ms. Khoury, Manager, Corporate Records and Archives Services.

PUBLIC MEETINGS

115. Proposed Amendment to the Development Charges By-law 90-2004

The Regional Chair noted that in accordance with Section 12 of the Development Charges Act, the Council of the Regional Municipality of Niagara has invited interested parties to attend this public meeting which is being held to receive comments from the public on a proposed amendment to Niagara's Development Charges By-law 90-2004, which will amend Schedule B of By-law 90-2004 to redefine the downtown core exemption area for the City of St. Catharines.

Notice of this public meeting was given on March 6th 2009 by way of the local papers of general circulation. Furthermore, copies of the draft By-law and Background Report have been made available to the public in the Clerk's office.

Interested persons were invited to submit comments in writing or to the website, or to request an appointment to speak.

The Regional Chair asked whether there was anyone in the audience who wished to speak to the Proposed Amendment to the Development Charges By-law 90-2004, there were no responses, Regional Council proceeded with the meeting.

116. Reconsideration of an Application for Exemption
Under the Retail Business Holidays Act Known
Locally as Value Village 6278 Lundy's Lane, Niagara Falls

The Regional Chair noted that in accordance with Section 4 of the Retail Business Holidays Act, a Public Meeting was held on Thursday, September 4, 2008 to consider an exemption application under the Retail Business Holidays Act for the business known locally as Value Village, 6278 Lundy's Lane, Niagara Falls. The application was subsequently referred to the Corporate Services Committee, and then back to Council and at the Regional Council meeting of November 27, 2008, the application was denied.

At its meeting on March 5, 2009, Regional Council agreed to reconsider its decision this evening, and notice was posted on the Regional website on March 10, 2009, in accordance with the Regional Notice Policy inviting public input.

The Regional Chair asked whether there was anyone in the audience who wished to speak to the exemption application under the Retail Business Holidays Act for the business known locally as Value Village, 6278 Lundy's Lane, Niagara Falls, there were no responses.

Regional Chair Partington then called on Mr. Tony Serra, Manager, Value Village, 6278 Lundy's Lane, Niagara Falls to make a presentation to Regional Council.

Mr. Tony Serra, Manager, Value Village provided Regional Council with a presentation in support of the application, noting that a percentage of the sales goes towards supporting various charities and that the employees have a choice to work on these holidays.

The Regional Chair noted that the report respecting this application would be dealt with later in meeting under Corporate Services Committee reports.

ADOPTION OF THE AGENDA

117. Moved by Councillor Greenwood
Seconded by Councillor Putick

That the Council Agenda be amended to move the consideration of Report CSD 121-2008, Application for Exemption under the Retail Business Holidays Act, Value Village, 6278 Lundy's Lane, Niagara Falls following the adoption of the agenda.

Carried.

Moved by Councillor Rigby
Seconded by Councillor D'Angela

That the Council Agenda CL 5-2009 be approved and adopted ***as amended.***

Carried.

CONFLICTS OF INTEREST

118. Councillor Goulbourne declared an indirect pecuniary interest with respect to Report CSD 52-2009, respecting Recommended Funding for Niagara College – Building Futures Master Plan, as he is employed by Niagara College, and he therefore took no part in the discussion of or voting on these matters.

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

Councillor Katzman declared an indirect pecuniary interest with respect to Correspondence Item C7243, a letter from Dean Iorfida, City Clerk, City of Niagara Falls (March 20, 2009) respecting Early Start to 2009-2010 School Year, as she is employed by District School Board of Niagara, and she therefore took no part in the discussion of or voting on these matters.

Councillor Martin declared an indirect pecuniary interest with respect to Report CSD 55-2009, A Matter of Labour Relations Ratification of Collective Agreement CUPE 1263 (Long Term Care Homes) Community Services Department, as his spouse is a member of CUPE 1263 so he therefore, vacated the Council Chamber and took no part in the discussion of, or voting on, this matter.

Councillor Timms declared an indirect pecuniary interest with respect to matters related to Regional Development Charges as his family owns a business that may be subject to development charges, and he therefore took no part in the discussion of or voting on these matters.

CORPORATE SERVICES COMMITTEE

119. Application for Exemption under the Retail Business Holidays Act, Value Village, 6278 Lundy's Lane, Niagara Falls
CSD 121-2008

Moved by Councillor Greenwood
Seconded by Councillor Puttick

That Report CSD 121-2008, Application for Exemption under the Retail Business Holidays Act, Value Village, 6278 Lundy's Lane, Niagara Falls, be received;

That the exemption be approved to permit the business known locally as Value Village to be open on Family Day, Victoria Day , Canada Day, Labour Day and Thanksgiving Day from 10:00 a.m. – 6:00 p.m. for the maintenance or development of tourism; and

That the Regional Clerk be directed to ensure that the appropriate by-law is prepared for presentation to Regional Council.

Carried.

PRESENTATIONS

120. Niagara Land Trust

Mr. Wayne Redekop provided Regional Council with a presentation respecting the Niagara Land Trust an organization with a mission "*To Conserve Niagara's Natural Heritage*".

The Niagara Land Trust is an incorporated land trust organization registered as a non-profit, non-governmental body dedicated to holding natural lands in trust for the public benefit with a diverse membership of farmers, business professionals, conservationists and academics.

The Niagara Land Trust's goal is to protect and enhance the special natural features of the Niagara Peninsula for future generations, through direct ownership and management of land; holding conservation agreements; development of stewardship initiatives with private land owners and fostering cooperative relationships with landowners and the general public through partnerships with private and public land owners, municipalities, community groups, government agencies and interested volunteers.

The Niagara Land Trust's role in Niagara is to accept the donation of lands; negotiate conservation agreements; participate in land purchases or the management of lands owned by other organizations and promote education, stewardship and shared knowledge about natural areas.

Regional Council recessed at 7:41 p.m. to reconvene the Committee of the Whole meeting.

Regional Council reconvened at 8:41 p.m.

REGIONAL CHAIR'S REMARKS

121. It was with great sadness this week when Regional Council learned of the passing of Corporal Tyler Crooks; a Canadian Soldier raised in Port Colborne and based at Canadian Forces base Petawawa. Corporal Crooks was one of two soldiers killed and three injured, on Friday March 20, 2009, after an improvised explosive device was detonated west of Kandahar City. Our thoughts and prayers go out to his parents, brother, fiancée, family and friends at this difficult time.

The seventh annual ProKids Program celebration will take place at 6:00 pm on April 7th, in the Atrium at the Regional Headquarters, to recognize and celebrate those groups and organizations that provide recreation and cultural activities to children and youth in Niagara from low-income families. It is an opportunity to hear from both the young people and from the service providers about the benefits of this program, which was established in 2000 and is growing every year. Last year, more than 2000 children and youth participated in the program. ProKids is funded and delivered through a successful partnership between the Niagara Region and the YMCA of Niagara, which last year benefited as a recipient of \$50,000 in from last year's Niagara Regional Chairman's Charity Golf Tournament proceeds.

The Regional Chair advised Regional Council that Niagara Week has been scheduled for the week of May 11th, with a focus on business meetings that will highlight Niagara's key priorities. The Regional Chair noted that he is looking forward to working with Council at our April 8th Council Business Planning Session.

The Regional Chair invited members of Regional Council to join him on Thursday, April 2nd at 11:30 a.m. at the Best Western Beacon Harbourside Resort, hosted by the St. Catharines/Thorold Chamber of Commerce and on Tuesday April 17th hosted by the Welland Chamber of Commerce, when he will delivering the State of the Region Addresses.

Regional Chair Partington noted that In keeping with Niagara Region's goal of environmental sustainability, Niagara Region will be participating in Earth Hour on March 28. The Niagara Region will be turning off all non-essential lights at the Headquarters building and other Regional administration facilities, where possible. Regional Chair Partington also encouraged the residents of Niagara Region to support the initiative by turning off their lights from 8:30 pm to 9:30 pm on March 28th.

Niagara Region's participation in the Earth Hour event symbolizes Regional Council's commitment to energy conservation and environmental sustainability. Niagara Region began its journey to energy efficiency by implementing energy efficient lighting upgrades at many of our facilities. Renovations of Regional facilities, including the new Public Health site in Welland, will incorporate several energy saving measures to provide a healthy environment, while maintaining low operating costs. Let this be the day in which we seek the positive, productive and beneficial ways that each one of us can improve our environment in our own way.

Regional Chair Partington on behalf of Regional Council thanked Don Horbach from Horbach's Greenhouses of Niagara-on-the-Lake for the flowers that adorned Council Chambers. The flowers will be donated to The Meadows of Dorchester in Niagara Falls for the resident's enjoyment.

Regional Chair Partington recognized Mrs. Pam Gilroy, Niagara's Regional Clerk, who is retiring with 35 years of consistent customer service to Councillors, staff and residents of the Niagara Region on April 7th. On behalf of Niagara's Regional Council Regional Chair Partington, thanked Mrs. Gilroy for the many years of commitment and dedication, wishing her and her family all the best in the future. Regional Council rose in appreciation of Ms. Gilroy's dedication.

COUNCIL AGENDA (Continued)

122. Moved by Councillor Augustyn
Seconded by Councillor Badawey

That Regional Council move up the Corporate Services Committee minutes, in order to deal with them at this time.

Carried.

CORPORATE SERVICES COMMITTEE (Continued)

123. Report 4-2009

Moved by Councillor Augustyn
Seconded by Councillor Martin

That Report 4-2009, being the minutes of the Corporate Services Committee meeting of Monday, March 23, 2009, be approved and adopted, ***save and except any references to the Niagara Specialized Transit, which will be dealt with under Joint Reports.***

Carried.

124. Moved by Councillor Hodgson
Seconded by Councillor D'Angela

That the Ontario Municipal Partnership Fund (OMPF) and Uploaded Region of Niagara Social Program Costs (Minute Item 55), be lifted and deal with separately at this time.

Carried.

125. Ontario Municipal Partnership Fund (OMPF) and
Uploaded Region of Niagara Social Program Costs

Moved by Councillor Hodgson
Seconded by Councillor Badawey

That the presentation from Councillor Hodgson regarding the Ontario Municipal Partnership Fund (OMPF) and Uploaded Region of Niagara Social Program Costs, be referred to the Commissioner and staff of the Corporate Services Department for a report to the Corporate Service Committee meeting of April 29, 2009 (two cycles);

That Staff be directed to establish an inclusive process that engages the Area Mayors, Regional Councilors, Chief Administrative Officers and Treasurers, in an evaluation of policy options that will deliver property tax relief to all Niagara taxpayers through provincial uploading; and

That the recommendations from this process be ready for consideration by September 1, 2009.

Upon a recorded vote being requested, Regional Council voted on the motion **as amended**, as follows:

Voting for the Motion:

Councillor Augustyn	Councillor Greenwood
Councillor Badawey	Councillor Henderson
Councillor Baty	Councillor Hodgson
Councillor Bentley	Councillor Katzman
Councillor Burroughs	Councillor Lepp
Councillor Bylsma	Councillor Martin
Councillor Cordiner	Councillor Puttick
Councillor D'Angela	Councillor Rigby
Councillor Forster	Councillor Saracino
Councillor Gabriel	Councillor Smeaton
Councillor Goulbourne	Councillor Timms

(22)

Voting against the Motion:

Councillor Casselman	Councillor Marshall
Councillor Heit	

(3)

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

Upon a vote being taken the Regional Chair declared the original motion **as amended**, carried.

APPROVAL OF MINUTES

126. Report CL 4-2009

Moved by Councillor Burroughs
Seconded by Councillor Henderson

That Report CL 4-2009, being the minutes of the Proceedings of Council of Thursday, March 5, 2009, be approved and adopted.

Carried.

CORRESPONDENCE

127. Moved by Councillor Henderson
Seconded by Councillor Burroughs

That Communications C7229 to C7233 and C7235 to C7243, be dealt with as noted in the Council Agenda and Addendum, which reads as follows:

C7229 A letter from Minister Jim Watson, Ministry of Municipal Affairs and Housing (February 26, 2009) respecting Designing the / ♥ *Greenbelt Awards* to recognize those who have made important contributions to a strong and viable Greenbelt.

Received.

C7230 A letter from Ashley Grigg, Deputy City Clerk (February 20, 2009) respecting the City of Thorold's Council resolution regarding Senior Citizens Social Housing Project.

Received and referred to Community Services

C7231 A letter from Jack Lightstone, President, Brock University (February 25, 2009) thanking the Niagara Region for their participation in the President's Forum and congratulating the Niagara Region for taking the lead on "Niagara Career", an on-line professional job/career network.

Received

C7232 A letter from Aileen Carroll, Minister Responsible for Seniors (March, 2009) respecting the 2009 Senior of the Year Awards.

Received

C7233 A letter from Carolyn Kett, Town Clerk, Town of Fort Erie to Minister Leona Aglukkaq, Ministry of Health; Minister Margaret Best, Ministry of Health Promotion and Minister David Caplan, Ministry of Long-Term Care and Health (February 25, 2009) requesting support for the Town of Fort Erie's resolution petitioning all levels of government to make nutritious foods more accessible.

Received and referred to Public Health

C7235 A letter from Ashley Grigg, Deputy City Clerk, City of Thorold (March 6, 2009) respecting the City of Thorold's Council resolution regarding Regional Councillor Representation.

Received and referred to the Council Organization Review Committee.

C7236 Card of thanks from Councillor Mark Bylsma, for the kind donation to Beacon Christian School in memory of his father –in-law Peter William Dykstra.

Received.

C7237 A letter from Minister David Caplan, Ministry of Health and Long-Term Care (March 19, 2009) respecting funding for the Niagara Region to negotiate agreements for dedicated nurses to receive ambulance patients at locally selected hospitals for the fiscal year 2009/10, one-time funding of up to \$138,889.

Received.

C7238 Card of thanks from Annie Wiens an employee of the Corporate Services Department and Lou Appel an employee of the Public Works Department, for the kind donation to Canadian Diabetes Association in memory of her father/his father –in-law Isaak Wiens.

Received.

C7239 A memorandum from Pam Gilroy, Regional Clerk (March 26, 2009) respecting a Councillor Information Request re: Correspondence – Receive or Not to Receive.

Received.

C7240 A letter from Steve Chandler, Senior Manager, Ontario Federation for Cerebral Palsy (OFCP), (March 23, 2009) in support of Value Village's application for exemption under the Retail Business Holidays Act.

Received.

C7241 A letter from Victor Ferraiuolo, General Manager, Lundy's Lane BIA (December 16, 2008) in support of Value Village's application for exemption under the Retail Business Holidays Act.

Received.

C7242 A letter from Dean Iorfida, City Clerk, City of Niagara Falls (March 23, 2009) respecting Niagara Falls Tourism Districts.

Received.

C7243 A letter from Dean Iorfida, City Clerk, City of Niagara Falls (March 20, 2009) respecting Early Start to 2009-2010 School Year.

Received.

Carried.

128. Communication C7234

Moved by Councillor Heit
Seconded by Councillor Burroughs

That Communication C7234, a memorandum from Pam Gilroy, Regional Clerk (March 9, 2009) respecting Councillor Collins' request for leaves of absence from Regional Council meetings for medical reasons, be received and supported.

Carried.

COMMITTEE REPORTS

BUDGET REVIEW COMMITTEE OF THE WHOLE

129. Moved by Councillor Martin
Seconded by Councillor Augustyn

That Report BRCOTW 9-2009 Budget, being the minutes of the Budget Review Committee of the Whole meeting of Thursday, March 26, 2009, be approved and adopted.

Carried.

JOINT REPORTS

130. Niagara Specialized Transit – Municipal Funding Calculation and Cost Sharing for 2009 Budget; the Memorandum from Joe Cousins, Director, Transportation Services respecting amendments made to Niagara Specialized Transit – Municipal Funding Calculation and Cost Sharing for 2009 Budget report & the Memorandum from Gord Lockyer, Treasure/Director respecting Suggested Niagara Specialized Transit (NST) Funding for 2008 and 2009 **PWA 11-2009/CSD 29-2009 Revised; PWC 14-2009 & Memorandum from Gord Lockyer dated March 26, 2009**

Moved by Councillor Augustyn
Seconded by Councillor Martin

That Report PWA 11-2009/CSD 29-2009 Revised, respecting the Niagara Specialized Transit – Municipal Funding Calculation and Cost Sharing for 2009 Budget; the Memorandum from Mr. Cousins, Director, Transportation Services respecting amendments made to Niagara Specialized Transit – Municipal Funding Calculation and Cost Sharing for 2009 Budget report and the Memorandum from Gord Lockyer, Treasurer/Director respecting Suggested Niagara Specialized Transit (NST) Funding for 2008 and 2009, be received;

That the 2008 and 2009 amounts of \$177,000 and \$392,000 respectively, be funded on a one time basis from the Region's Prior Year Adjustment Reserve or Contingency Reserve as appropriate; and

That consideration of the longer term options for funding the Niagara Specialized Transit for 2010 and beyond, including procedural requirements necessary to effect the options, be dealt with at a subsequent meeting.

Moved by Councillor Heit
Seconded by Councillor Timms

That Report PWA 11-2009/CSD 29-2009 Revised, respecting the Niagara Specialized Transit – Municipal Funding Calculation and Cost Sharing for 2009 Budget; the Memorandum from Mr. Cousins, Director, Transportation Services respecting amendments made to Niagara Specialized Transit – Municipal Funding Calculation and Cost Sharing for 2009 Budget report and the Memorandum from Gord Lockyer, Treasurer/Director respecting Suggested Niagara Specialized Transit (NST) Funding for 2008 and 2009, be deferred to the April 8, 2009 meeting of the Integrated Community Planning and Public Works Committee.

Carried.

INTEGRATED COMMUNITY PLANNING AND PUBLIC WORKS COMMITTEE

131. Report 4-2009

Moved by Councillor Smeaton
Seconded by Councillor Rigby

That Report 4-2009, being the minutes of the Integrated Community Planning and Public Works Committee meeting of Tuesday, March 24, 2009, be approved and adopted, ***save and except the watermain transfers to the Town of Lincoln, listed as Appendix B and C in Report PWA 25-2009, Transfer of Watermains, to allow the Town of Lincoln the opportunity to study these transfers further.***

Carried.

132. Extension of Contract 2002-T-46 with Modern ***Landfill Inc.*** and ***J.W. Sheldrick Sanitation Ltd.*** to February 28, 2011
PWA 09-2009 Revised

Moved by Councillor Goulbourne
Seconded by Councillor Bylsma

That Report PWA 09-2009 Revised, respecting the Extension of Contract 2002-T-46 with Modern Landfill Inc. and J.W. Sheldrick Sanitation Ltd. to February 28, 2011, be received.

That contract 2002-T-46 for Collection and Haulage of Solid Waste, Recyclables, Organic Waste and White Goods for Collection Areas Two and Three with Modern Landfill Inc., be extended from March 31, 2009 until February 28, 2011;

That contract 2002-T-46 for Collection and Haulage of Solid Waste, Recyclables, Organic Waste and White Goods for Collection Area One with J.W. Sheldrick Sanitation Ltd., be extended from May 31, 2009 to February 28, 2011;

That amending agreements with Modern Landfill Inc., and J.W. Sheldrick Sanitation Ltd., ("Amending Agreements") be prepared by the Director of Legal Services to extend the contracts and incorporate the operational clarifications as outlined in this report; and

That the Regional Chair and Regional Clerk be authorized to execute the Amending Agreements on behalf of the Corporation.

Carried.

PUBLIC HEALTH AND SOCIAL SERVICES COMMITTEE

133. Report 4-2009

Moved by Councillor Baty
Seconded by Councillor Timms

That Report 4-2009, being the minutes of the Public Health and Social Services Committee meeting of Monday, March 23, 2009, be approved and adopted.

Carried.

COMMITTEE OF THE WHOLE

134. Moved by Councillor Bylsma
Seconded by Councillor Gabriel

That the decisions made at the Committee of the Whole meeting of Thursday, March 26, 2009, be approved and adopted.

Upon a recorded vote being requested, Regional Council voted on the motion, as follows:

Voting for the Motion:

Councillor Augustyn	Councillor Henderson	
Councillor Baty	Councillor Katzman	
Councillor Bentley	Councillor Lepp	
Councillor Burroughs	Councillor Marshall	
Councillor Bylsma	Councillor Martin	
Councillor Casselman	Councillor Puttick	
Councillor Cordiner	Councillor Rigby	
Councillor Gabriel	Councillor Smeaton	
Councillor Goulbourne	Councillor Timms	(19)
Councillor Heit		

Voting against the Motion:

Councillor Badawey	Councillor Greenwood	
Councillor D'Angela	Councillor Hodgson	
Councillor Forster	Councillor Saracino	(6)

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

CHIEF ADMINISTRATIVE OFFICER'S REPORT

135. Moved by Councillor D'Angela
Seconded by Councillor Greenwood

That the *Application and Consent Form for Medical Officers of Health and Associate Medical Officers of Health* be completed and submitted to the Minister of Health and Long-Term Care for Ontario, with the signed consent of the Medical Officer of Health and Associate Medical Officers of Health;

And that the Director of Human Resources Services and Regional Chair be authorized to sign the form on behalf of the Regional Municipality of Niagara as the Board of Health.

Carried.

MOTIONS

136. 2015 Pan/Parapan American Games

Moved by Councillor Rigby
Seconded by Councillor Marshall

WHEREAS the Canadian Olympic Committee has formally announced its intent to bid for the 2015 Pan/Parapan American Games; and

WHEREAS it is widely recognized that Ontario communities and sports associations do not have an adequate base of international-level sports facilities to support the province's growing number of highly-competitive elite athletes; and

WHEREAS the Government of Ontario and the Government of Canada have indicated their financial support to host the 2015 Pan/ Parapan American Games in the Greater Toronto Area/Golden Horseshoe region of Ontario; and

WHEREAS Niagara Region Council has endorsed its continued involvement in the provincial discussions and planning regarding the hosting of the 2015 Pan/Parapan American Games by the Greater Golden Horseshoe communities and has established a Niagara 2015 Pan/ Parapan American Games Steering Committee; and

WHEREAS the City of St. Catharines and the Canadian Henley Rowing Corporation have been awarded the hosting of rowing competitions; the City of Welland and the Welland Recreational Canal Corporation have been awarded the canoe/kayak sprint competitions; and the City of Niagara Falls has been asked to host a Welcome Centre for athletes, coaches and officials, and visitors to the Games, and

WHEREAS these events provide an opportunity to market Niagara to the participating Pan/ Parapan American Olympic associations of competing countries, their athletes, coaches and guests; and

WHEREAS the Niagara Region is interested in offering sites and athletic facilities for pre-competitive training within Niagara's twelve communities;

THEREFORE BE IT RESOLVED:

That Regional Council express its support for the City of St. Catharines /Canadian Henley Rowing Corporation and City of Welland/ Welland Recreational Canal Corporation in their hosting of the rowing and canoeing/kayak sprint competitions respectively; and the City of Niagara Falls for establishing a Welcome Centre;

That the Niagara Region recognizes that there may be a required financial contribution toward the rowing and canoe/kayak sprint sport venues and the Welcome Centre, as well as for events and activities associated with hosting the Games and pre-competition training within the region.

That the Niagara Region, with the assistance of the Niagara Economic Development Corporation, develop an inventory of athletic sites and facilities within Niagara; and

That from this inventory sports facilities and sites be identified and offered to the Olympic Associations, athletes and coaches of the competing countries for pre-competitive training.

Carried.

OTHER BUSINESS

137. **The Passing of Stella Ziff**

Councillor Martin with great sadness advised Regional Council of the passing of Stella Ziff, a former Regional Councillor and the first female mayor of Fort Erie from 1979 to 1980, has passed away at the age of 92 years. She served on Regional Council from 1979-1980, 1989-1991 and 1991-1994. Stella was also active in many aspects of the community, including serving on the board of education and as Chair of Niagara Regional Housing, she will be greatly missed.

138. **All the Best Dr. Sider!**

Councillor Casselman advised Regional Council that Dr. Sider will taking a position with the province as a Physician Consultant for Infectious Disease Prevention and Control at the end of December 2009.

Councillor Casselman also commented on behalf of Dr. Williams, who was unable to attend this evenings meeting, who commended Dr. Sider on his accomplishments in Niagara Region and his continued success in the future.

139. Tribute to Pam Gilroy, Regional Clerk

Councillor Smeaton on behalf of Regional Council paid tribute to Pam Gilroy, Niagara's Regional Clerk, who is retiring as of April 7, 2009, at her last Council meeting.

Regional Council stood in appreciation for Ms. Gilroy's 35 years of service to Regional Council and the public.

140. Niagara Peninsula Conservation Authority – 50th Anniversary

Councillor Baty advised Regional Council that this year marks the 50th Anniversary of the Niagara Peninsula Conservation Authority. The Niagara Peninsula Conservation Authority has a variety of events planned to mark their anniversary, such as the Simply Tremendous program. The Simply Tremendous program will attempt to locate 50,000 native species over the next two years. The Niagara Peninsula Conservation Authority will be approaching each of the Area Municipal Council's requesting that they plant 50 trees in their community and the NPCA will then search for organizations or individuals to continue this practice, which would be a significant contribution to our environment.

141. Council Organization Review Committee - Sub-Committee Membership

Councillor Baty advised Regional Council that the Council Organization Review Committee approved the establishment of a Sub-Committee to review the current and future needs of Councillors with respect to the provision of electronic devices (i.e. Blackberries, laptops, etc.) and the allocation of funds for conferences, etc. The Sub-Committee will also be responsible for the development of policies with respect to these matters.

Councillor Baty noted that to date, he, Councillors Puttick and Rigby are interested in sitting on this Committee and asked for any interested Councillors to advise him of their interest. Councillor Forster noted that she would like to be a member of this Sub-Committee.

142. There will be Horse Racing in Fort Erie!

Councillor Martin advised Regional Council that Fort Erie's Economic Development Office has facilitated the sale of the Fort Erie Racetrack, therefore, there will be horse racing at the Fort Erie Racetrack.

BY-LAWS

143. Moved by Councillor Katzman
Seconded by Councillor Timms

That the following Bills be now read and do pass:

Bill 22

A By-law to Amend By-Law No. 90-2004 Being a By-Law to Impose Development Changes for the Regional Municipality of Niagara.

Bill 23

A By-law to Appoint an Acting Regional Clerk for the Regional Municipality of Niagara.

Bill 24

A By-law to Appoint an Acting Deputy Clerk for the Regional Municipality of Niagara.

Carried.

144. Moved by Councillor Marshall
Seconded by Councillor Rigby

That the following Bills be now read and do pass:

Bill 19

A By-law to set the Requisitions to be Charged for Wastewater Received from Lower-Tier Municipalities for the Period March 1, 2009 to February 28, 2010

Bill 21 as amended

A By-law to Fix the Rates to be Charged for Water Supplied to Lower-Tier Municipalities During the Period March 1, 2009 to February 28, 2010

Bill 26

A By-law to Authorize Long-Term Financing (1-5 Years) in the amount of \$600,000 for Project ZGC0903, Enterprise Content Management and Project ZGC0905, Project Portfolio Tracking in the 2009 Information Technology Capital Program.

Bill 27

A By-law to Authorize Long-Term Financing (1-20 Years) in the Amount of \$7,100,000 for Project ZSC0809, Deer Park Villa

Bill 28

A By-law to Accept, Assume and Dedicate Part of Township Lot 160, in the Town of Pelham as Part of Regional Road No. 20 (former Highway 20)

Bill 29

A By-law to Permit the Business Known Locally as Value Village, Located at 6278 Lundy's Lane, Niagara Falls, to be Open on Certain Holidays for the Maintenance or Development of Tourism.

Carried.

CONFIRMING BY-LAW

145. Moved by Councillor Hodgson
Seconded by Councillor Greenwood

That the following Bill be now read and do pass:

Bill 25

A By-law to Adopt, Ratify and Confirm the Actions of the Regional Council at its Meeting held on the 26th of March, 2009.

Carried.

ADJOURNMENT

The Council meeting adjourned at 10:18 p.m.

Peter Partington
Regional Chair

Janet Pilon
Deputy Regional Clerk

Pam Gilroy
Regional Clerk