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**THE REGIONAL MUNICIPALITY OF NIAGARA**  
**CORPORATE AND FINANCIAL SERVICES COMMITTEE**

**REPORT 10-2003**

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Minutes of a meeting of the Corporate and Financial Services Committee held in Committee Room 4, Regional Municipal Building, Thorold, Ontario, on Wednesday, May 28, 2003, commencing at 10:10 a.m.

**ATTENDANCE**

Committee: Councillors Martin, Chair; Zimmerman, Regional Chair; Beamer; Bentley; Burroughs; Davidson; Hildreth; Partington; Saracino; Timms.

Staff: Mr. Trojan, Chief Administrative Officer; Mr. Bacchus, Commissioner, Corporate Services; Mr. Hollick, Regional Clerk; Mr. Lockyer, Treasurer; Ms. Reilly, Legislative Assistant.

Staff  
(Part-time): Mr. Banting, Director, Legal Services; Ms. Chamberlain, Fixed Assets Analyst; Mr. Hutchings, Director, Operational Support Services; Mr. J. Murphy, Manager, Policy & Development; Ms. M. Murphy, Manager, Budgets & Reporting; Mr. Robson, Director, Corporate Strategy; Mr. Weaver, Corporate Effectiveness & Financial Performance Analyst.

Police: Supt. Berndt, N.R.P.; Ms. George, Manager of Finance, N.R.P.; Ms. Morton, Executive Director, RMON Police Services Board

**PRESENTATION**

120. Chair for a Day

Debbie Zimmerman, Regional Chair, introduced Sarah Henderson of Kernahan Park who was appointed "Chair for a Day". This year marks the 10<sup>th</sup> annual "Chair-for-a-Day" appointment as part of the Region's ongoing participation in the Adopt-A-School Partnership with Kernahan Park. Sara's school interests include Culinary and Hospitality and Tourism classes. She has won numerous awards and was voted MVP of the Wrestling Team. Sara is a very good student and school citizen who takes a leadership role and is

always willing to help other students. Sara has a full schedule of events today following the Corporate and Financial Services Committee meeting, which include several tours of Regional facilities, including Linhaven Home for the Aged, the DeCew Water Treatment Plant, St. Catharines Child Care Centre and the Niagara Regional Police Headquarters.

### **CORPORATE SERVICES DEPARTMENT**

121. Budget Adjustment for ZPO0211  
Police Emergency Services Facility

A discussion ensued on Report CSD 78-2003 regarding the Budget Adjustment for ZPO0211, Police Emergency Services Facility and the following concerns were raised:

- What was the reason for this budget adjustment to come forward – why are costs to facilitate the necessary renovations more than the original estimate?
- What renovations are required - further background information is required regarding the value of the property at purchase which was to have included necessary renovations to the property at the time?
- Can these costs be put off until 2004?
- Can some projects be deferred if necessary as Council is looking for savings for its 2003 budget?
- What are the operational costs or losses and/or deficiencies created by postponing this project?

Moved by Councillor Bentley  
Seconded by Councillor Saracino

That Report CSD 78-2003, May 28, 2003, respecting Budget Adjustment for ZPO0211, Police Emergency Services Facility, be referred to the Police Services Board to address the concerns raised at Committee.

Carried.

### **CORRESPONDENCE**

122. Moved by Councillor Hildreth  
Seconded by Councillor Bentley

That Communication CFS 23-2003 from Deb Morton, Executive Director, RMON Police Services Board (April 30, 2003) regarding NRPS – Variance Report 1Q2003, be received.

Carried.

**CLOSED SESSION**

123. Moved by Councillor Saracino  
Seconded by Councillor Davidson

That this Committee do now meet in Closed Session for purposes of receiving information of a confidential nature relating to legal matters.

Carried.

Conflict of Interest

Councillor Timms declared an indirect pecuniary interest with respect to any matters relating to Regional Development Charges as his family has an interest in a development company, and he therefore vacated the Committee Room and took no part in the discussion of or voting on these matters.

124. Request for Discretionary Exemption  
MFIPPA Request – Solicitor-Client Privilege

Moved by Councillor Partington  
Seconded by Councillor Burroughs

That Report CLK 17-2003, May 28, 2003, regarding Request for Discretionary Exemption MFIPPA Request – Solicitor-client Privilege, be received.

That the request that Regional Council grant a discretionary exemption to records that are subject to solicitor-client privilege under the Municipal Freedom of Information and Protection of Privacy Act, as set out in an email dated April 10, 2003, be denied; and

That the Regional Clerk advise the requestor and the Information and Privacy Commission that Regional Council will not waive privilege on this matter.

Carried.

125. Memorandum from Shafee Bacchus, Commissioner, Corporate Services  
Regarding Appeal of Amendment to Regional Development Charge By-law  
CFS 20-2003; Minutes Item 106
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Moved by Chair Zimmerman  
Seconded by Councillor Beamer

That the memorandum from Shafee Bacchus, Commissioner, Corporate Services, regarding Appeal of amendment to Regional Development Charge By-law CFS 20-2003; Minutes Item 106, be received and that staff proceed as outlined in the memorandum.

Carried.

126. Moved by Chair Zimmerman  
Seconded by Councillor Beamer

That this Committee do now rise with report.

Carried.

### **ADMINISTRATION**

127. 2003 SuperBuild Millennium Partnership Proposals  
for Niagara – Initiating Process for Compiling Niagara's Submission

Moved by Councillor Burroughs  
Seconded by Councillor Timms

That Report CAO 9-2003, May 28, 2003, respecting 2003 SuperBuild Millennium Partnership Proposals for Niagara – Initiating Process for Compiling Niagara's Submission, be received.

That the process followed for defining the preferred list of projects for submissions to the SuperBuild Millennium Partnership Fund for 2002 be used again for defining the balance of projects to be submitted for Niagara's uncommitted funding allocation.

That a deadline of June 30, 2003 be set for submitting project proposals for possible inclusion in Niagara's 2003 SuperBuild Millennium Partnership Fund.

Carried.

Moved by Chair Zimmerman  
Seconded by Councillor Timms

That a letter be forwarded to local M.P.s inquiring as to why the Grimsby South Services Road Project, that has the support of all partners, is not eligible for new funds; and

That Regional Council include the Grimsby South Services Road, due to the "greening/environmental" criteria, in Niagara's 2003 SuperBuild Millennium Partnership Fund.

Carried.

**CLERK'S DEPARTMENT**

128. Monthly Web Site Activity Report – April 2003

Moved by Councillor Hildreth  
Seconded by Councillor Partington

That Report CLK 14-2003, May 28, 2003, respecting Monthly Web Site Activity Report – April 2003, be received for information.

Carried.

129. Impact of Frivolous and Vexatious Requests for Access to Records of Regional Niagara

Moved by Councillor Partington  
Seconded by Councillor Davidson

That Report CLK 15-2003, May 28, 2003, respecting Impact of Frivolous and Vexatious Requests for Access to Records of Regional Niagara, be received.

That the Regional Clerk be authorized to develop a further report outlining specific shortcomings associated with the Municipal Freedom of Information and Protection of Privacy Act, as it relates to frivolous and vexatious access requests, and

That the new report outline a strategy for seeking amendments to the legislation including, but not limited to appeal to the Association of Municipalities of Ontario for support, petitioning Management Board and the government's Red Tape Commission, and

That copies of Report CLK 15-2003 be distributed to the Clerks of Niagara's 12 area municipalities and to the members of the Regional and Single Tier Municipal Clerk's group.

Carried.

130. Update of Regional Niagara' Website:  
Website Development Partnership Proposal  
From Computan Ltd.

Moved by Chair Zimmerman  
Seconded by Councillor Partington

That Report CLK 16-2003, May 28, 2003, regarding Update of Regional Niagara's Website: Website Development Partnership Proposal from Computan Ltd., be received.

That the generous offer of Mr. Tan Qureshi, President and CEO, Computan Ltd., to develop a robust Content Management System for the Region of Niagara website at no cost to the Region, be accepted in accordance with the stipulated annual costs for maintenance, upgrades and licencing not to exceed \$19,940 annually, as set out in Report CLK 16-2003, dated May 28, 2003 and;

That the site continue to be hosted on a co-located server managed by the Computan Network Management team at a monthly fee of \$425.00.

Carried.

**CORPORATE SERVICES DEPARTMENT** (continued)

Conflict of Interest

Councillor Timms declared an indirect pecuniary interest with respect to any matters relating to Regional Development Charges as his family has an interest in a development company, and he therefore took no part in the discussion of or voting on these matters.

131. Development Charge Reserve Funds  
January 1, 2002 to December 31, 2002

Moved by Councillor Beamer  
Seconded by Councillor Hildreth

That Report CSD 73-2003, May 28, 2003, regarding Development charge Reserve Funds January 1, 2002 to December 31, 2002, be received for information.

Carried.

132. 2003 Reimbursable Mileage Rate

Moved by Councillor Davidson  
Seconded by Councillor Hildreth

That Report CSD 77-2003, May 28, 2003, respecting 2003 Reimbursable Mileage Rate, be received.

That the reimbursable mileage rate payable to Regional employees who use their personal automobiles on Regional business be established at \$0.397 per kilometer effective January 1, 2003.

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

Carried.

133. Forecast of Year-End Results and Budget to Actual Comparison for the Month Ended April 30, 2003 Current Budget

Moved by Councillor Saracino  
Seconded by Chair Zimmerman

That Report CSD 80-2003, May 28, 2003, respecting Forecast of Year-End Results and Budget to Actual Comparison for the Month Ended April 30, 2003 Current Budget, be received for information only.

Carried.

134. Tender Award for Contract RN 03-17  
Thompson Road/Industrial Drive  
Pumping Station Upgrade  
In the Town of Fort Erie

Moved by Councillor Hildreth  
Seconded by Councillor Saracino

That Report CSD 81-2003, May 28, 2003 (PWA 81-2003, May 27, 2003) respecting Tender Award for Contract RN 03-17 Thompson Road/Industrial Drive Pumping Station Upgrade in the Town of Fort Erie, be received.

That financing (Wastewater Capital Reserve) in the gross and net amount of \$640,000 be transferred from Project ID ZSW0316 Thompson Road Pumping Station Improvements to Project ID ZSW0106 Thompson Road/Industrial Drive Pumping Station Upgrade.

That Contract RN 03-17, Thompson Road/Industrial Drive Pumping Station Upgrade, be awarded to the lower tenderer, Peninsula Maintenance Ltd., at its bid price of \$579,736.30, plus G.S.T.

That a contingency amount of \$60,000.00 be provided for this project.

That the engineering assignment with Earth Tech Canada Inc. be extended to provide for the related engineering services in the amount of \$24,000.00, plus G.S.T.

That the Regional Clerk be directed to ensure that the appropriate by-laws are prepared for submission to Regional Council, including authorizing the Regional Chair and Regional Clerk to execute the contract on behalf of the Regional Municipality of Niagara.

That all project costs be charged against Project I.D. SW0106.

Carried.

135. Update on the Social Assistance Reserve Fund

Moved by Councillor Hildreth  
Seconded by Councillor Davidson

That Report CSD 82-2003, May 28, 2003 (COM 33-2003) regarding Update on the Social Assistance Reserve Fund, be received for information.

Carried.

**CORRESPONDENCE** (continued)

136. Moved by Councillor Partington  
Seconded by Councillor Bentley

That Communication CFS 22-2003 being a Memorandum from Shafee Bacchus, Commissioner of Corporate Services (May 15, 2003) regarding Impact of Assessments on Condominiums vs. Multi-residential – Staff Direction: CFS 6-2003, Minute Item 61 – Our File: C.02, be received for information.

Carried.

137. Moved by Councillor Bentley  
Seconded by Councillor Saracino

That Communication CFS 24-2003 from Morgan Elliott, Policy Advisor, Ontario (May 14, 2003) regarding the Ontario government's progress in implementing Tax Incentive Zones and requesting the federal government to participate in this initiative, be received.

Carried.

138. Moved by Chair Zimmerman  
Seconded by Councillor Beamer

That the following communications be received and that the Regional Chair forward a letter to the Premier, Minister of Finance, Minister of Municipal Affairs and Housing, A.M.O. and Local M.P.P.s declaring its objection to the proposal that would require municipalities to hold a referendum on any increase to local taxes; and

That the Regional Chair, in her meeting with the Premier, apprise him of Regional Council's position on this matter.

CFS 25-2003      AMO Member Communication "ALERT!" regarding "Proposal for Mandatory Referendum on Municipal Taxation Means A Tense Road Ahead – AMO Not Consulted".

CFS 27-2003      EVES Policy Paper – The Road Ahead – A Fair Deal for Municipalities.

CFS 28-2003      AMO Member Communication Alert (May 23, 2003) regarding "AMO urges Municipal Action on Referendum Proposal"

Carried.

139. Moved by Councillor Saracino  
Seconded by Chair Zimmerman

That Communication CFS 26-2003 providing information regarding the Juno Beach Centre and request for consideration of the purchase of brick for \$2,500 to be incorporated into the memorial be received, and that Regional Council support this request.

Carried.

**ADJOURNMENT**

Committee adjourned at 12:02 p.m. to meet on Wednesday, June 11, 2003, at 10:00 a.m. in Committee Room 4, Regional Headquarters.

Doug Martin  
Chair

Gail Reilly  
Legislative Assistant

Thomas R. Hollick  
Regional Clerk