



**Niagara Peninsula Conservation Authority  
FULL AUTHORITY MEETING MINUTES**

18<sup>th</sup> September, 2013; 7:00 p.m.  
3292 Sixth Avenue, Jordan, ON; Ball's Falls Centre for Conservation-Elgin Room

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**MEMBERS PRESENT:**      **B. Timms (Chairman)**  
   **A. Jeffs (Vice-Chair)**  
   D. Barrick  
   B. Baty  
   S. Beattie  
   T. Dalimonte  
   C. D'Angelo  
   D. Dick  
   D. DiFruscio  
   T. Easton  
   B. Sharpe  
   B. Steckley

**MEMBERS ABSENT:**      D. Joyner (regrets)  
   B. Maves (regrets)  
   D. Ransom (regrets)

**STAFF PRESENT:**      T. D'Amario, CAO/Secretary-Treasurer  
   D. Baker, Director, Land Management  
   M. Stack, Director Communications  
   B. Wright, Coordinator, Source Water Protection  
   L. Conte, Recording Secretary

**OTHERS PRESENT:**      Ted Hinks, Bob Oliver, Lois Johnson, Glen Robins, John Durley,  
   Jean Haapamaki, Ed Holder, Gerry Prentice, John Boverhof,  
   David Ongaru, Ken Durham, FM Macri, Loretta Shields, Klara  
   Young-Chin, Dean Bonsma, Paul Robertson, Mitch Dyck, Nicole  
   Gruythuyzen, Phil Dekker, Mary Louise Ribth, Bev Lepard, Len  
   Aarts, John Sonneveld, Cathy Blott, John Sikkens, Patrick Noonan,  
   Frank Memme, Mark Barnfield, Sharon Vanderloos, Tony  
   Wellenreiter, Mike Orlando, Marlene Bergsma, Dean Norton, Joan  
   Frain P.Eng., Stephen Fisher, Craig Stirtzinger, Sal Iannello

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**ROLL CALL:**

The Chairman called the meeting to order at 7:22 p.m. and welcomed all in attendance.

## DECLARATION OF CONFLICT OF INTEREST

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Board Member Bob Steckley declared a conflict of interest if discussing the Thanksgiving Festival at Ball's Falls as he will be an exhibitor at the festival.

## BUSINESS:

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(1) **MINUTES – Full Authority Meeting – July 17, 2013**

**FA-144-13**

**Moved by: M. DiFruscio**

**Seconded by: S. Beattie**

**THAT: the Minutes of the Full Authority Meeting held 17<sup>th</sup> July 2013, be received and approved as printed.  
“CARRIED”**

(2) **BUSINESS ARISING FROM THE MINUTES**

B. Baty stated with regards to the Woodend project, NEC approved for building to proceed and part of the planning will involve students.

(3) **CHAIRMAN'S REMARKS**

B. Timms commented that he attended the Floodplain Association meeting and as a result we have arranged for presentations tonight with OPG and WRWC. He noted that the St. Lawrence Seaway Management Corporation was invited to present, and as of this time they have sent correspondence with some explanations of their management operations and roles but will not make a presentation.

(4) **CAO'S REMARKS**

None.

(5) **ONTARIO POWER GENERATION (OPG) – Presentation – Joan Frain, P. Eng.**

Joan Frain presented on behalf of Ontario Power Generation, copy of presentation attached. ([OPG presentation- click here](#))

Following the presentation, these questions were posed from the board:

- B. Baty inquired about the upper Welland River study conducted from 2003-2006 with OPG and specifically with regards to the prevention of backflow or lessening the backflow. J. Frain explained that the options at the time were very costly with no guarantees of success, and that the environmental impacts were large.
- B. Baty suggested that it would be helpful to have this answer in written format. J. Frain asked that NPCA forward questions to OPG for a formal response.

- T. Easton commented that OPG is a user of the water of Niagara River not a regulator and pointed out that slides 9 & 10 show the limits are still well within the acceptable bounds.
- A. Jeffs asked if it is possible to know the hourly flow from Jan 2010 until the opening of the Big Becky Tunnel. J. Frain stated that NPCA should have those figures available.
- A. Jeffs noted that the reverse flow of the River seems to be an issue among residents and asked if there is any way to mediate? J. Frain stated that it has been in service since 1920 and studies show erosion as a natural process; what percentage is “operations” is not known. In response to A. Jeff’s question regarding communications between the two agencies; the OPG & NPCA agencies have a good rapport, stated J. Frain.
- S. Beattie asked with regards to the Big Becky Tunnel project, can OPG turn off the water between Canada & US? J. Frain stated this is not allowed. It is possible but not without a dam to hold off the water.
- B. Sharpe queried if as a result of the 2003-2006 draft study does OPG has any other alternatives to mitigate the reverse flow situation that would be less costly? J. Frain stated, “no”.
- With open lines of communication between the two agencies, C. D’Angelo asked if it would be a good idea to form a committee / mechanism throughout the year or subcommittee with terms of reference – and see what other stakeholders want to participate. Chairman Timms stated that C. D’Angelo’s suggestion will be noted however, we currently have the Welland River Floodplain Committee in place.
- Chairman Timms asked if any gauges exist where the water diverts. J. Frain responded “no”, however, T. D’Amario stated that NPCA has a gauge at Montrose.
- B. Timms asked if we share with OPG on a regular basis. T. D’Amario responded that we do not share on a regular basis however, when requested we are always willing to provide information.
- D. Barrick asked what guidelines does OPG follow. J.Frain stated they are governed by the Boundary Waters Treaty of 1909 which clearly states all operational rules. Crossover is not recognized.
- T. Easton asked what penalties are there for going outside of regulations. J. Frain responded that there are no formal penalties, however if we choose to violate regulations, it would not be tolerated and noted that at times we lessen the flow for rescue operations.
- With regard to the discussion on building a reservoir, A. Jeffs asked if there is any chance so there is no reversal along the River. J. Frain stated she is not aware of any such discussion.
- A. Jeffs asked if there is storage in the Welland River. J. Frain responded that OPG doesn’t store.

- A. Jeffs asked if OPG would assess with NPCA any mitigating damages. J. Frain responded that the study was conducted and as a result, there is nothing more in the works.

The following resolution was presented;

**FA-145-13**

**Moved by: D. Barrick**

**Seconded by: B. Baty**

**THAT: OPG Presentation be received as presented.**

**‘CARRIED’**

Barry Sharpe provided full disclosure to the members that B. Sharpe sits on the Board of the Welland Recreational Canal Corp.

Timms thanked John Durley from the Town of Pelham for being here tonight.

**(6) WELLAND RECREATIONAL CANAL CORP. (WRCC) Presentation by Stephen Fisher**

Stephen Fischer on behalf of the Welland Recreational Canal Corp. (WRCC) made a presentation a copy of which is attached. [\(WRCC presentation-click here\)](#)

**Questions from the Board:**

- A. Jeffs stated that there is a misconception about the clean-up but for 67% of siphons, that percentage doesn't sound awesome. Stephen Fisher responded that the siphons are operating as intended. The river has sediment – we don't control flow – even if you clean it out you will have immediate sediment.
- A. Jeffs noticed great debris at siphons; does this affect flow and where does responsibility lie? S. Fisher responded that this won't affect the operation of the siphon and noted that clean-up is more for odor control and aesthetics.
- B. Baty asked if there is anything from the Regional Engineering dept. with regards to overcapacity. S. Fisher responded that he has not seen any original documents, but that a 2010 study shows 75% blockage.
- B. Baty asked about the 6<sup>th</sup> siphon. S. Fisher responded that 3 sewer pipes were installed on this siphon.
- B. Baty asked about the other siphons. S. Fisher responded that those go to Seaway Corp.
- A. Jeffs asked if there is a need for siphons. Are they reaching life expectancy? S. Fisher responded that without them, the water level in waterway would not match.

**FA-146-13**

**Moved by:** D. Dick  
**Seconded by:** S. Beattie

**THAT:** WRCC's presentation be received for information.

**'CARRIED'**

**FA-147-13**

**Moved by:** B. Baty  
**Seconded by:** B. Steckley

**THAT:** WRCC presentation be forwarded to St. Lawrence Seaway Management Corporation and ask for a similar response to questions regarding operation of siphons.

**'CARRIED'**

**(7) Budget Status Report for period ending August 31, 2013 - Report No 85-13**

T. D'Amario explained that there are not many items to report – HR expenses are up due to training and personnel issues. Administration fees revenues for permits is at 88% of budget; this is ahead of budget and that a year-end report will be provided to the Board at the October meeting.

- D. Dick asked why the operations have increased. T. D'Amario explained that the stream gauges are operating on real time, providing up-to-date information on the web. These operate via telephone connections. The gauges require maintenance and repairs and due to the ongoing request for data, we are integrating them more frequently.
- D. Dick wondered if they are prematurely breaking down. T. D'Amario explained that they fluctuate on an annual basis and we may have to make an adjustment to the budget to reflect these maintenance costs.

**FA-148-13**

**Moved by:** B. Baty  
**Seconded by:** M. DiFruscio

**THAT:** the Budget Status Report No. 85-13 for the period ending August 31, 2013 be received.

**'CARRIED'**

B. Baty inquired about the projects and how is it possible to be at such a low level in expenditures based on approved budget. Darcy responded that there is much yet that hasn't caught up with the report.

**(8) 2014 Preliminary Budget - Report No 86-13**

T. D'Amario noted that he presented the preliminary 2014 budget to the Budget Review Committee at a meeting on September 3<sup>rd</sup>. The committee received the budget and noted that given the relatively early process it is difficult to provide year-end expenditures or funding available. The purpose of this budget is to establish the levy and it is noted that there may need to be adjustments to accommodate any recommendations arising out of the Strategic Plan.

- Municipal Guidance - at the time the report was prepared, the municipal guidance had not been received from Hamilton or Haldimand, however, Hamilton has requested a 0% increase. The CA act allows for portion of levy. Levy comparison sheet on page 40 reflects levy apportionment.
- Niagara Region Water/Wastewater Contribution - for the Niagara Children's Water Festival and the Water Quality Monitoring program. This contribution is not part of the general levy; this is funded through the rate supported budget from the Region's public works division. At the time the agreement was made, the \$300,000 amount was sufficient to cover costs; however, this amount has not increased over the years in accordance with Guidance and is currently insufficient to cover current costs. T. D'Amario explained that the cost of both of these programs is approx. \$355,000. We have a shortfall and therefore recommend initiating discussion with the Region for this shortfall. T. D'Amario suggested this amount be included in the levy in the future.
- Salary considerations – NPCA salary grid had a 0% increase in both 2011 & 2012, with a 2% increase in 2013; T. D'Amario recommends 1.5 % increase in 2014 consistent with Revenue Canada's CPI.
- Corporate Services – Corporate changes are part of the Strategic Plan not finalized. Revenue for Provincial grant of \$7,000 allowance for Source Water Protection administrative costs; Corporate Management – no change with the exception of miscellaneous expenses increased to \$100,000 for the implementation of the strategic plan and consultants. The Foundation has no salary component as operations are proceeding on volunteer time; this too is a component of the Strategic Plan.
- Flood Protection Services – There is an increase cost to the gauge stations with higher costs in telecommunications since they are being interrogated more frequently; stations need to reflect actual usage and costs.
- Conservation Land Programming – Plan review and permit fees will not increase, however we anticipate additional revenue for parks and user fees.

NPCA is contracted through Niagara Region for project and management services at various locations. These costs are billed separately to the Region and are not included in the levy.

T. D'Amario noted that the City of Hamilton Levy is at 2.68% and guidance received at 0%. D'Amario suggests NPCA meet their requirement and reduce operating surplus.

B. Baty recommends NPCA not meet the 0% for Hamilton. T. D'Amario responded that once we have the master plan in place we will be in a better position to determine what

funds are required.

C. D'Angelo stated that it's difficult to request more money when you don't have a master plan in place. He noted that Binbrook is doing poorly and people are reluctant to go there because of the poor facilities conditions. He emphasized the need for improved facilities. We need to show a basis for why we need a budget increase.

The following resolution was presented:

**FA-149-13**

**Moved by: T. Easton**

**Seconded by: S. Beattie**

**THAT: the Proposed Preliminary 2014 Operating Budget with a total expenditure of \$8,327,208 and levies of \$5,576,073 to the Region of Niagara, \$225,898 to the City of Hamilton and \$67,459 to Haldimand County be approved; and**

**That the Proposed Preliminary 2014 Project (Capital) Budget with a total expenditure of \$3,403,384 and levies of \$1,650,767 to the Region of Niagara, \$301,321 to the City of Hamilton and \$14,791 to Haldimand County be approved; and**

**That staff be authorized to submit and present the Preliminary 2014 Operating and Capital/Project Budget to the Member Municipalities.**

**"CARRIED"**

**(9) Ontario CA's Honourarium & Per Diem Survey Update – Report No. 87-13**

T. D'Amario explained that the survey conducted shows that most of the 36 Ontario Conservation Authorities pay an honourarium and per diem to their Chair & Vice-chair. There are a few exceptions.

- B. Baty expressed the importance of full disclosure and asked that a copy of this survey be sent to the Regional Chairs. T. D'Amario responded that we will present to the Region in October and include it in their package.
- B. Baty also expressed interest in applying a per diem to members of the board as an incentive to attend events on behalf of NPCA.

Resolution presented as follows:

**FA-150-13**

**Moved by: B. Baty**

**Seconded by: S. Beattie**

**THAT: Report No. 87-13 regarding the Honourarium and Per Diem follow-up information report be received.**

**"CARRIED"**

**(10) Gord Harry Trail Project - Contract Award - Report No 88-13**

D. Baker – explained that the recommendation outlined on Report 88-13 will not be put before the board tonight. As a result of a low bid which is no longer low due to pricing, we've been consulting with TCT and we need to go back to the seven firms and have them resubmit a price based on specifications. D. Baker spoke with TransCanada Trail and the timing doesn't impact them. NPCA is asking that the board approve this recommendation so as to avoid delaying the process for another month. We can have prices and selection in one week's time.

Some discussion ensued about the funds budgeted for this and the possibility of the balance of funds being used to bring the trail into Port Colborne.

Resolution presented as follows:

**FA-151-13**

**Moved by: B. Baty**  
**Seconded by: B. Steckley**

**THAT: Report No. 88-13 regarding the Gord Harry Conservation Trail Project be received;**

**That the revised project specifications be circulated to seven firms that bid on the original project, along with an invitation to submit a new bid price; and,**

**That the CAO be authorized to accept the lowest eligible tender, subject to the endorsement of Haldimand County.**  
**'CARRIED'**

**(11) PFOS – Binbrook Reservoir – Detailed update – Report No. 89-13**

D. Baker explained that water samples are taken and tested regularly, most recently on September 5<sup>th</sup> and the drinking water shows PFOS undetectable. Tests also confirm that the Wakeboarding has not had an impact on the reservoir.

D. Baker indicated that MOE has been having discussions with government agencies in dealing with the PFOS. NPCA staff continues to provide assistance.

The following resolution was presented;

**FA-152-13**

**Moved by: C. D'Angelo**  
**Seconded by: S. Beattie**

**THAT: Report No. 89-13 regarding PFOS Compounds at the Binbrook Reservoir be received.**  
**"CARRIED"**



**(12) Health and Safety Policy Statement - Report No. 90 -13**

T. D'Amario explained that under the Occupational Health and Safety Act, we are required to conduct an annual review of the Corporate Health and Safety Policy Statement. The Policy statement must be reviewed and adopted by the board. Since the wording of the 2012 statement meets the Act requirements, no change is recommended.

The following resolution was presented:

**FA-153-13**

**Moved by: T. Easton**

**Seconded by: D. Dick**

**THAT: Report No. 90-13 regarding the Health and Safety Program be received; and**

**That the Health and Safety Policy Statement for the Conservation Authority dated September 18, 2013 be adopted.**

**"CARRIED"**

**(13) Project Status – Report No. 91- 13**

T. D'Amario provided the “events” listing as requested by the board.

- Board inquired about “brodown” and D. Baker explained that the Boarder Pass - wakeboard talent is raising money for men’s issues.
- B. Timms inquired if Wakeboard Canada issued any report related to Binbrook. D. Baker responded that we do anticipate feed-back in the form of a report.
- C. D’Angelo asked if we have funds available to help promote / market the Boarder Pass. Darcy stated that we have helped promote it on our website, through email blasts, the Regional website, the park’s voicemail and park posters. No print media at this point.

The following resolution was presented:

**FA-154-13**

**Moved by: A. Jeffs**

**Seconded by: C. D’Angelo**

**THAT: Report No. 91-13 outlining the status of Authority projects / programs be received for information.**

**‘CARRIED’**

**(14) Other Business**

The Board met on August 14<sup>th</sup> and draft minutes are before the board for approval;

Following resolution:

**FA-155-13**

**Moved by: B. Steckley**

**Seconded by: T. Easton**

**THAT: the Minutes of the Full Authority Meeting held 14<sup>th</sup> August 2013, be received and approved as printed.**

**“CARRIED”**

No other business.

Resolution presented as follows;

**FA-156-13**

**Moved by: M. DiFruscio**

**Seconded by: B. Baty**

**THAT: the meeting move in-camera.**

**“CARRIED”**

**(15) In Camera**

a) Tree By-law Status Report - Report No. CR-92 -13 FA-157-13

b) Regulations Status – Report No. CR-93-13 FA-158-13

c) Property Acquisitions

1. Report No. CR-94-13 FA-159-13

2. Report No. CR-95-13 FA-160-13

3. Report No. CR-96-13 FA-161-13

The following resolution was presented:

**FA-162-13**

**Moved by: S. Beattie**

**Seconded by: D. Dick**

**THAT: meeting rise from in-camera**

**“CARRIED”**

## ADJOURNMENT

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There being no further business, the following resolution was presented:

**FA-163-13**

**Moved by:**

**B. Steckley**

**Seconded by:**

**T. Easton**

**THAT:**

**this meeting is now adjourned. Received at 10:30 p.m.**

**“CARRIED”**



**Lisa Conte, Recording Secretary**



**D. Bruce Timms, Chairman**