



NIAGARA PENINSULA  
**CONSERVATION**  
AUTHORITY

# FINALIZED MEETING MINUTES

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February 19, 2015

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**NIAGARA PENINSULA CONSERVATION AUTHORITY  
FULL AUTHORITY MEETING MINUTES**

Thursday February 19, 2015 10:00 AM  
3292 Sixth Avenue; Jordan, ON Ball's Falls Centre for Conservation - Elgin Room

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- MEMBERS PRESENT:** S. Annunziata  
S. Beattie  
D. DiFruscio  
J. Diodati  
B. Hodgson  
A. Jeffs  
J. Kaspersetz  
D. Joyner  
J. Maloney  
T. Quirk  
R. Shirton  
B. Timms
- MEMBERS ABSENT:** B. Baty (*Regrets*)  
F. Campion (*Regrets*)  
P. Darte (*Regrets*)
- STAFF PRESENT:** C. D'Angelo, CAO/Secretary-Treasurer  
J. Long, Sr. Manager, Corporate Services  
P. Graham, Director Watershed Management  
D. Barrick, Sr. Manager, Operations  
J. Hagar, HR Specialist  
M. Brickell, Project Manager  
B. Wright, Manager, Watershed Projects  
G. Furtney, Conservation Areas Supervisor  
S. McInnes, Manager, Plan Review & Regulations  
M. Reles, Communications Specialist  
D. Drennan, Forester  
K. Paton, Construction Compliance Technician  
T. Devlin, Planning Approvals Analyst  
H. Ireland, Planning Approvals Analyst  
G. Furtney, Conservation Area Supervisor  
K. Frohlich, Ecologist  
L. Conte, Administrative Assistant, Office of CAO & Board
- OTHERS PRESENT:** Klara Yonge-Chin,

Chairman Timms called the meeting to order, 10:20 am.

**Resolution No. FA-24-15**

Moved by: S. Beattie  
Seconded by: J. Maloney

THAT the meeting move to **closed session** to discuss the Violations Status, Forestry and Tree By-law and a Land Acquisition.

**DECLARATION OF CONFLICT OF INTEREST**

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J. Maloney declared a conflict on report CR-06-15, whose son in the past represented the property owner of Item 3.

**BUSINESS – Closed Session:**

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1. **Violations Status Report – Report No. CR-06-15**  
J. Maloney was excused from the meeting for item 3.  
A recap was provided to the board of current proponent litigations
2. **Forestry and Tree By-law – Report No. CR-07-15**  
Forestry violations in effect were discussed
3. **Land Acquisition – Report No. CR-02-15**  
Property appraisal has been received - Property aligns with the land acquisition criteria

**Resolution No. FA-25-15**

Moved by: J. Diodati  
Seconded by: S. Beattie

THAT the meeting move to open session.

CARRIED

Chairman Timms declared the items discussed in closed session with the following resolutions:

**Violations Status Report CR-06-15**

**Resolution No. FA-26-15**

Moved by: S. Beattie  
Seconded by: R. Shirton

THAT Report CR-06-15 be received for information

CARRIED

**Forestry and Tree By-law Report No CR-07-15**

**Resolution No. FA-27-15**

Moved by: S. Beattie  
Seconded by: R. Shirton

THAT Report CR-07-15 be received for information; and that member Campion declared a conflict of interest on item 3 of this report

CARRIED

Member Annunziata inquired about the engagement and mitigation process once a complaint is received. NPCA's Forester D. Drennan explained in brief that once a complaint is received either

via email or telephone call, all complaints are investigated impartially. Staff goes to the site/location identified in the complaint and tries to scope the validity of the complaint from street level; however, NPCA staff does not go directly onto the property to investigate. Should a complaint appear valid, attempts are made to contact the property owner requesting access to their property. Drennan stressed the point that although we have the authority to access one's property to assess, NPCA makes every effort to first receive consent from the landowner

### Land Acquisition

#### **Resolution No. FA-28-15**

Moved by: S. Beattie  
Seconded by: J. Kaspersetz

THAT Report No. CR-02-15 be received for information

CARRIED

#### **Resolution No. FA-29-15**

Moved by: J. Diodati  
Seconded by: T. Quirk

THAT staff be directed to pursue Option B as identified in the Report.

CARRIED

NOTE: Member Hodgson is on record as opposed to the resolution.

## ROLL CALL

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Members Dart and Baty send their regrets

## DECLARATION OF CONFLICT OF INTEREST

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None

## ADOPTION OF AGENDA:

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#### **Resolution No. FA-30-15**

Moved by: T. Quirk  
Seconded by: A. Jeffs

THAT the agenda be adopted as presented.

CARRIED

## BUSINESS ITEMS IN OPEN SESSION:

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### 1. **Approval of the January 21, 2015 Annual General Meeting Minutes**

#### **Resolution No. FA-31-15**

Moved by: D. DiFruscio  
Seconded by: A. Jeffs

THAT the minutes of the Annual General Meeting held January 21, 2015 be approved as presented.

CARRIED

2. **Approval of January 21, 2015 Full Authority Meeting Minutes**  
**Resolution No. FA-32-15**

Moved by: S. Beattie  
Seconded by: J. Maloney

THAT the minutes of the Full Authority Meeting held January 21, 2015 be approved as presented.

CARRIED

3. **Business Arising from the Minutes**

Member John Maloney expressed interest to sit on the Cave Springs Committee with the following resolution;

**Resolution No. FA-33-15**

Moved by: B. Hodgson  
Seconded by: D. DiFruscio

THAT John Maloney be included on the Cave Springs Master Plan Committee; and,

THAT the Cave Spring Master Plan Terms of Reference be amended to reflect this addition.

CARRIED

4. **Correspondence**

- The **St. Lawrence Seaway Management Corporation** – Re: Old Welland Canal Siphons (comment by board that the original letter was missing from the correspondence and to include when forwarding)
- **Conservation Ontario's** letter to Deputy Minister Paul Evans – Re: Drinking Water Source protection Program
- **Niagara Region** letter dated February 6, 2015 – RE: Project Initiation Report – 2015 Regional Municipal Comprehensive Review
- **Niagara Region** letter dated February 6, 2015 – RE: Reforestation Project in West Lincoln.
- **City of Hamilton** letters dated January 22, 2015 – RE: Appointments of Hamilton Representatives; Stewart Beattie and James Kaspersetz to the NPCA Board.

**Resolution No. FA-34-15**

Moved by: S. Beattie  
Seconded by: S. Annunziata

THAT all items of correspondence be received for information; and,  
THAT the first two items of correspondence from St. Lawrence Seaway Management Corporation and Conservation Ontario be referred to the Watershed Flood Plain Committee

CARRIED

5. **Chair's Remarks**

- Attended the FCM in London where municipalities and various agencies discussed the 100yr storm; now looking at the the 20yr storm as to a reality
- Attended the DSBN Woodend Gala – great event, very well attended. DSBN built a magnificent building. We look forward to holding a meeting there in the future.
- The Strategic Plan Presentation to all the municipalities in the Watershed has been completed. We will focus on other agencies however will present again to any municipalities that wish to receive this presentation for the benefit of new council members.
- Haldimand County, City of Hamilton and Niagara Region received NPCA's budget presentation.

6. **CAO Remarks**

- We are in dialogue with various government officials to discuss accessing the “New Build Canada Fund” for our CA projects.

## Reports for Information:

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7. **2014 Budget Status Report Ending December 31 - Report No. 08-15**

**Resolution No. FA-35-15**

Moved by: T. Quirk  
Seconded by: J. Diodati

THAT Report No. 08-15 be received for information.

CARRIED

8. **Project Status Reports:**

1. **Watershed Status Report No. 09-15**

- Member S. Beattie requested that the information provided for 2014 on pg. 1 regarding the permit applications, also be provided for the years 2011 – 2013.

2. **Operations Status Report No. 10-15**

3. **Corporate Services Report No. 11-15**

**Resolution No. FA-36-15**

Moved by: S. Beattie  
Seconded by: T. Quirk

THAT Report No. 09, 10 and 11-15 be received for information.

CARRIED

## Reports for Consideration:

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9. **Cave Springs Lease Renewal – Report No. 12-15**

Agreement is binding for the next 2 years.

**Resolution No. FA-37-15**

Moved by: S. Beattie  
Seconded by: D. DiFruscio

That the CAO be authorized to renew the Lease Agreement between the NPCA and Cave Spring Vineyards Ltd. for 2 years, on the same terms and conditions as in the 2014 Agreement.

CARRIED

10. **Annual Bank Borrowing Resolution – Report No. 13-15**

- Member Quirk noted that a formal discussion regarding the management of funds is required.

**Resolution No. FA-38-15**

Moved by: S. Beattie  
Seconded by: D. Joyner

WHEREAS Section 3(5) of The Conservation Authorities Act authorizes Conservation Authorities to borrow such monies as may be required until the payment of any grants and levies; and

WHEREAS the Niagara Peninsula Conservation Authority deems it appropriate to borrow such sums, with the total borrowed amount not to exceed \$800,000 at any one time in the year of 2015 to meet approved administration, maintenance and capital expenditures;

NOW THEREFORE BE IT RESOLVED that the Niagara Peninsula Conservation Authority be authorized to borrow from time to time from a Financial Institution by way of an overdraft agreement executed and signed by the Chair and the Secretary-Treasurer of the Niagara Peninsula Conservation Authority, with the total amount not exceeding \$800,000 at any one time in 2015 to meet approved administration, maintenance and capital expenditures.

CARRIED

11. **Award Website Redesign RFP – Report No. 14-15**

- The new website will have greater accessibility with outreach, communications and those with disabilities
- It was noted that we have \$35,000 set aside in the budget for the website upgrade, with \$15,000 for the reservation system.
- The reservation system is separate however is compatible with the system upgrade and the annual fee is also an addition cost.

**Resolution No. FA-39-15**

Moved by: S. Beattie  
Seconded by: D. Joyner

That the NPCA Board authorize staff to award The Dunham Group Inc. with a contract for services and approve a budget of \$23,020 for the redevelopment and design of the NPCA website. CARRIED

**12. Annual Policies Resolutions – Report No. 15-15**

**Resolution No. FA-40-15**

Moved by: T. Quirk  
Seconded by: J. Diodati

That the Health and Safety Policy Statement and Regulation No 30 on Workplace Violence & Harassment Prevention Policy be reaffirmed as required under our legislative obligations, and that that these policy statements will continue to follow this requirement on an annual basis. CARRIED

**13. MNR Sensitive Data Use License Agreement – Report No. 16-15**

**Resolution No. FA-41-15**

Moved by: J. Kaspersetz  
Seconded by: S. Beattie

That the CAO be authorized to sign an agreement with the Ontario Ministry of Natural Resources and Forestry (OMNRF) for species at risk data access. CARRIED

**14. 2015 Operating and Capital Budget – Report No. 17-15**

- It was requested that the Revenue for Barn rentals be shown as a separate line item

**Resolution No. FA-42-15**

Moved by: T. Quirk  
Seconded by: J. Diodati

THAT the 2015 **Operating Budget** for the Niagara Peninsula Conservation Authority be approved. CARRIED

*Note: Carried with 2 opposed; B. Hodgson & S. Beattie*

**Resolution No. FA-43-15**

Moved by: T. Quirk  
Seconded by: J. Diodati

THAT the 2015 **Capital Budget** for the Niagara Peninsula Conservation Authority be approved. CARRIED

*Note: Carried unanimously*

**Resolution No. FA-44-15**

Moved by: T. Quirk  
Seconded by: J. Diodati

THAT the following apportionment costs identified in Chart #1 be forwarded to the participating municipalities in accordance with Section 2.(1)(b) of Ontario Regulation 670/00.

**Chart #1: Apportionment of Costs to Participating Municipalities**

Municipality	Niagara	Hamilton	Haldimand	Total
Matching Apportionment	4,697,550	1,197,320	115,740	6,010,610
Non-Matching Apportionment	2,672,633	119,700	0	2,792,333
<b>Totals</b>	<b>7,370,183</b>	<b>1,317,020</b>	<b>115,740</b>	<b>8,802,943</b>

CARRIED

*Note: Carried with 1 opposed; S. Beattie*

- Regarding an invitation to attend a Special Budget Meeting at Niagara Region tonight, CAO, D'Angelo requested the Board's permission to attend and present the power point presentation that was delivered to the board with the following resolution;

**Resolution No. FA-45-15**

Moved by: S. Beattie  
Seconded by: J. Kaspersetz

THAT CAO, D'Angelo accept the invitation from the Region of Niagara to attend the Special Budget Meeting tonight ; and,

THAT the PowerPoint Budget presentation be presented at tonight's meeting at Niagara Region.

CARRIED

**15. Other Business**

- As an update, member Beattie stated that Commissioners of NEC will be meeting for 2 days in the Niagara Region and Beattie intends to avail himself of this opportunity to have them view the properties Cave Springs and Woodend.
- As we move toward securing grants for the New Build Canada Fund, member Beattie would like staff to be "shovel ready" and plan design for the upgrade items at Binbrook (water, wastewater and electrical) with the following resolution by the board;

**Resolution No. FA-46-15**

Moved by: S. Beattie  
Seconded by: T. Quirk

THAT staff be "shovel ready" and plan design with the infrastructure upgrades (water, wastewater and electrical) for Binbrook Conservation Area.

CARRIED

- Member DiFruscio moved that the hunting fees on CA's be increased to \$50/yr and that no hunting be allowed at the St. Johns Centre or St. Johns Pond Conservation Area. Noted as Notice of Motion. Staff confirmed that no hunting has ever been allowed by NPCA on these properties.
- Member Quirk commented that the property Beamer Falls have a more "natural setting" for butterflies.

## ADJOURNMENT

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

**Resolution No. FA-47-15**

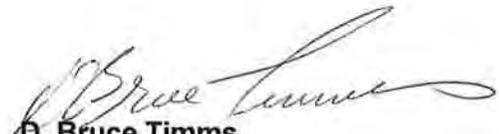
Moved by: S. Beattie  
Seconded by: D. DiFruscio

THAT the Full Authority meeting be adjourned. Received at 1:30 pm

CARRIED



**Lisa Conte,**  
Recording Secretary / A.A.,  
Office of CAO & Board



**D. Bruce Timms,**  
Chairman