



**NIAGARA PENINSULA CONSERVATION AUTHORITY (NPCA)
FULL AUTHORITY
MEETING MINUTES**

Wednesday, January 24, 2018
9:30 a.m. *immediately following the Source Protection Authority Meeting
Ball's Falls
Centre for Conservation – Glen Elgin Room
3292 Sixth Avenue, Jordan, ON

MEMBERS PRESENT: S. Annunziata (Chair)
B. Baty
S. Beattie
F. Campion (arrived at 10:09 a.m.)
P. Darte
D. DiFruscio
J. Diodati (left at 12:00 noon)
A. Jeffs (left at 11:30 a.m.)
D. Joyner (arrived at 11:19 a.m.)
J. Kaspersetz (Vice-Chair)
P. MacPherson
J. Maloney
T. Quirk
R. Shirton
B. Timms

MEMBERS ABSENT: P. Darte

STAFF PRESENT: M. Brickell, Chief Administrative Officer/Secretary-Treasurer
D. Barrick, Senior Director, Corporate Services
G. Furtney, Acting Director, Watershed Management
L. McManus, Clerk/ Executive Coordinator

NOTE: The archived recorded meeting is available on the NPCA website. The recorded video of the Full Authority meeting is not considered the official record of that meeting. The official record of the Full Authority meeting shall consist solely of the Minutes approved by the Full Authority Board. *NPCA Board of Directors Policy Handbook Regulation #2, Meeting Procedures Sec. 16.0*

The Board Chair called the meeting to order at 9:52 a.m. and welcomed those Board, staff and community members present.

1. ADOPTION OF AGENDA

1.1 Addition of Items

Resolution No. FA-20-18

Moved by Board Member Quirk
Seconded by Board Member Baty

That the Agenda **BE AMENDED to add Information Report No. 14-18 respecting 2017 Q4 Capital Projects Update and Report No. 15-18 respecting Corporate Resources Q4 2017 Project Status Report, to be dealt with immediately following Agenda Item 5.5.**

CARRIED

Resolution No. FA-21-18

Moved by Board Member Baty
Seconded by Board Member Quirk

That the Agenda **BE AMENDED to add a discussion item under New Business respecting the Brock University bee population at reclaimed landfill sites.**

CARRIED

Resolution No. FA-22-18

Moved by Board Member Diodati
Seconded by Board Member Kaspersetz

That the Agenda **BE AMENDED to add an In-Camera item respecting Solicitor-Client Privilege – Legal Costs.**

CARRIED

1.2 Change in Order of Items

Resolution No. FA-23-18

Moved by Board Member MacPherson
Seconded by Board Member Quirk

That Agenda **BE AMENDED to change Agenda Item 5.6 respecting the Memorandum of Understanding (MOU) Update to be dealt with under Business for Consideration, immediately following Agenda Item 6.2.4.**

CARRIED

1.3 Motion to Approve the agenda

Resolution No. FA-24-18

Moved by Board Member Beattie
Seconded by Board Member Kaspersetz

That the agenda **BE ADOPTED as amended.**

CARRIED

2. DECLARATION OF INTEREST

See Minute Item 9.2.

3. PRESENTATIONS (and/or Delegations)

3.1 Presentations

There were no presentations.

3.2 Delegations

There were no delegations.

4. ADMINISTRATIVE BUSINESS

4.1 Approval of Draft Minutes

4.1.1 Full Authority Board Minutes – December 12, 2017

Resolution No. FA-25-18

Moved by Board Member Shirton
Seconded by Board Member Jeffs

That the Full Authority Board minutes of the meeting held on December 12, 2107 **BE APPROVED** as presented.

CARRIED

4.1.2 Full Authority Annual General Meeting Minutes – January 17, 2018

Resolution No. FA-26-18

Moved by Board Member MacPherson
Seconded by Board Member DiFruscio

That the Full Authority Annual General Board minutes of the meeting held on January 17, 2108 **BE APPROVED** as presented.

CARRIED

4.2 Business Arising from Minutes

Resolution No. FA-27-18

Moved by Board Member Quirk
Seconded by Board Member Baty

That the Strategic Planning Committee Terms of Reference **BE AMENDED** to note the following under membership:

The Committee will have **a minimum of** Five (5) Members and will include the NPCA Chair, Vice-Chair ~~and three (3) Board Members~~ appointed by the Full Authority Board.

CARRIED

4.3 Correspondence

- 4.3.1 A letter, dated January 2, 2018, from the City of St. Catharine's to Premier Kathleen Wynne, respecting Niagara Peninsula Conservation Authority – Appointment of Supervisor

Resolution No. FA-28-18

Moved by Board Member Timms

Seconded by Board Member Diodati

That the Correspondence Item respecting Niagara Peninsula Conservation Authority – Appointment of Supervisor **BE RECEIVED** for information.

CARRIED

4.4 Chairman's Remarks

Sandy Annunziata, NPCA Board Chair, expressed his gratitude to Board Members for their continued support and confidence in him as Chair. The Chair spoke briefly about having attended, along with NPCA staff, the City of Hamilton Committee meeting held on Tuesday, January 23, 2018 to present the NPCA 2018 Budget.

4.5 Chief Administrative Officer (CAO) Comments

Mr. Brickell also spoke respecting the NPCA Budget presentation at the City of Hamilton, he stated that it had been well received and that Councillors had acknowledged NPCA positive advancements in processes and systems.

The CAO also advised Board Members that on Monday, January 22nd he had met with the Friends of Fort Erie's Creeks to discuss their recent award from the Ontario Trillium Foundation for a \$213,000 grant to support a new reforestation and environmental education project at the Stevensville Conservation Area.

5. BUSINESS FOR INFORMATION

5.1 Resolution No. FA-29-18

Moved by Board Member Quirk

Seconded by Board Member Kaspersetz

That the following items listed under Business for Information **BE RECEIVED** for information:

Financial and Reserve Report – Month ending November 2017

Report No. 04-18

Watershed Management Status Report Q4

Report No. 05-18

Niagara Peninsula Conservation Authority (NPCA) Forestry and Tree and Forest Conservation By-law Status Q4 2017

Report No. 06-18

Q4 (2017) Office of the CAO
Report No. 08-18

CARRIED

5.2 Q4 Capital Projects Update
Report No. 14-18

Resolution No. FA-30-18
Moved by Board Member Quirk
Seconded by Board Member Kaspersetz

1. That Report No. 14-18 respecting the Q4 Capital Projects Update **BE RECEIVED** for information.

CARRIED

5.3 Corporate Resources Q4 2017 Project Status Report
Report No. 15-18

Resolution No. FA-31-18
Moved by Board Member Quirk
Seconded by Board Member Kaspersetz

2. That Report No. 15-18 respecting the Corporate Resources Q4 2017 Project Status Report **BE RECEIVED** for information.

CARRIED

6. BUSINESS FOR CONSIDERATION

6.1 Committee Reports

6.1.1 Audit Committee
Minutes – December 12, 2017

Resolution No. FA-32-18
Moved by Board Member Diodati
Seconded by Board Member Jeffs

1. That the Audit Committee minutes of the meeting held on December 12, 2017 **BE APPROVED** as presented.

CARRIED

6.1.2 Niagara Peninsula Conservation Authority Advisory Committee
Minutes – November 30, 2017

Resolution No. FA-33-18

Moved by Board Member Diodati
Seconded by Board Member Baty

1. That the Niagara Peninsula Conservation Authority Advisory Committee minutes of the meeting held on November 30, 2017 **BE APPROVED** as presented.

CARRIED

6.2 Reports

6.2.1 Annual Bank Borrowing Resolution
Report No. 10-18

Resolution No. FA-34-18

Moved by Board Member Quirk
Seconded by Board Member Diodati

1. That Report No. 10-18 respecting the Annual Bank Borrowing Resolution 2018 **BE RECEIVED**; and

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 2018 to meet approved administration, maintenance and capital expenditures;

NOW THEREFORE BE IT RESOLVED:

2. 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 2018 to meet approved administration, maintenance and capital expenditures.

CARRIED

6.2.2 Floodplain Mapping Project Update in the City of St. Catharines
(Supported by the National Disaster Mitigation Program)
Report No. 11-18

Resolution No. FA-35-18

Moved by Board Member Timms
Seconded by Board Member Diodati

1. That Report No. 11-18 respecting the Floodplain Mapping Update in the City of St. Catharines (Walker Creek and Beamer Creek) (Supported by the National Disaster Mitigation Program) **BE RECEIVED**;
2. That NPCA Staff **BE DIRECTED** to commence a Floodplain Mapping Project to update Floodplain Mapping in the City of St. Catharines (Walker Creek and Beamer Creek);
3. That the NPCA Board **AUTHORIZE** the CAO to enter into an agreement with the Province of Ontario (through the National Disaster Mitigation Program – NDMP) for 50% or up to \$50,000 of matching funds to undertake the above project; and
4. That the NPCA Board **DIRECT** staff to utilize the Flood Protection Services Capital Reserve account to cover the remaining portion of the cost associated with the project.

CARRIED

6.2.3 Non-Union Compensation Report
Report No. 12-18

Resolution No. FA-36-18

Moved by Board Member Quirk
Seconded by Board Member Beattie

1. That Report No. 12-18 respecting the Non-Union Compensation **BE RECEIVED**; and
2. That the Niagara Peninsula Conservation Authority (NPCA) Board **APPROVE** the recommended Cost of Living Adjustment (COLA) increase of 2.25% for Non-Union staff.

Resolution No. FA-37-18

Moved by Board Member Beattie
Seconded by Board Member Quirk

That Resolution FA-36-18(2.) **BE AMENDED** by striking *recommended Cost of Living Adjustment (COLA)*.

CARRIED

Resolution No. FA-38-18

Moved by Board Member Timms
Seconded by Board Member Diodati

That Resolution FA-36-18 **BE AMENDED** to read:

2. That the Niagara Peninsula Conservation Authority (NPCA) Board **APPROVE** the recommended Cost of Living Adjustment (COLA) increase of **2.0%** for Non-Union staff.

DEFEATED

The Chair called the vote on the Resolution FA-36-18 as amended, as follows:

1. That Report No. 12-18 respecting the Non-Union Compensation **BE RECEIVED**; and
2. That the Niagara Peninsula Conservation Authority (NPCA) Board **APPROVE** the increase of 2.25% for Non-Union staff.

CARRIED

6.2.4 Burlington Beach Rentals – Facility Use Agreement Renewal
Report No. 13-18

Resolution No. FA-39-18

Moved by Board Member Kaspersetz

Seconded by Board Member Shirton

1. That Report No. 13-18 respecting the Burlington Beach Rentals – Facility Use Agreement Renewal **BE RECEIVED**; and
2. The NPCA Board of Directors **AUTHORIZE** the CAO to enter into a one (1) year Facility Use Agreement, attached as Appendix 1, with Burlington Beach Rentals to operate at Binbrook Conservation Authority.

CARRIED

6.2.5 Protocol for Planning Services Between the
Niagara Peninsula Conservation Authority (NPCA)
and Regional Municipality of Niagara (RMON)
Report No. 09-18

Resolution No. FA-40-18

Moved by Board Member Kaspersetz

Seconded by Board Member Quirk

1. That Report No. 09-18 respecting the Protocol for Planning Services Between the Niagara Peninsula Conservation Authority (NPCA) and Regional Municipality of Niagara (RMON) **BE RECEIVED**;
2. That the Board **APPROVE** the draft Protocol for Plan Review and Technical Clearance between the Niagara Peninsula Conservation Authority and Regional Municipality of Niagara attached to Report No. 09-18 as Appendix 1; and
3. That the NPCA Chief Administrative Officer **BE AUTHORIZED** to sign the Protocol for Plan Review and Technical Clearance between the Niagara Peninsula Conservation Authority and Regional Municipality of Niagara attached to Report No. 09-18 as Appendix 1.

CARRIED

7. BUSINESS – IN CAMERA

7.1 Motion to Move in to Closed Session

The Board moved in to Closed Session at 11:13 a.m. with the following resolution:

Resolution No. FA-41-18

Moved by Board Member Kaspersetz

Seconded by Board Member Shirton

That the Niagara Peninsula Conservation Full Authority Board meeting **DO NOW MOVE** in to Closed Session for the purposes of receiving information of a confidential manner respecting A Matter regarding Solicitor-Client – Legal Costs:

CARRIED

7.2 Motion to Reconvene in Open Session

The Board reconvened in Open Session at 12:08 p.m. with the following resolution:

Resolution No. FA-42-18

Moved by Board Member Quirk

Seconded by Board Member Campion

That the Niagara Peninsula Conservation Full Authority Board meeting **RECONVENE** in Open Session.

CARRIED

7.3 Business Arising from Closed Session

Resolution No. FA-43-18

Moved by Board Member Campion

Seconded by Board Member Quirk

That staff **BE DIRECTED** to verify the NPCA legal costs related to the Justice Ramsey Court Case and then publicly release that information by end of business day Wednesday, January 24, 2018.

CARRIED UNANIMOUSLY

8. NOTICE OF MOTION

There were no Notices of Motion.

9. NEW BUSINESS

9.1 Brock University re: Bee Populations at Reclaimed Landfill Sites

Board Member Baty requested that Dr. Miriam Richards, Brock University, be invited to a future Full Authority Board meeting respecting her presentation on the potential project to create prairie wild flower and grasses to enhance and promote the bee population growth.

9.2 Niagara Entrepreneur of the Year Awards (NEYA)

Board Member Quirk declared an interest with respect to this item as he is involved in the selection of the Niagara Entrepreneur of the Year Award recipient.

Resolution No. FA-44-18

Moved by Board Member Kaspersetz

Seconded by Board Member Beattie

That staff **BE DIRECTED** to acquire a table for the Niagara Entrepreneur of the Year Awards (NEYA) being held on Friday, February 23, 2018 on behalf of the Niagara Peninsula Conservation Authority – Full Authority Board.

CARRIED

9.3 Niagara Peninsula Conservation Authority Permit Fees

Board Member Kaspersetz requested that staff prepare a report which reviews a range of all permit fees and whether there is an opportunity for cost recovery.

9.4 2018 Rainbow Trout Fishing – St. John's Pond Conservation Area

Resolution No. FA-45-18

Moved by Board Member DiFruscio

Seconded by Board Member Baty

WHEREAS I, Domenic DiFruscio am celebrating my 24th year as a Board Member of the Niagara Peninsula Conservation Authority (NPCA);

WHEREAS the Annual Opening of the 2018 Rainbow Trout Fishing at St. John's Pond Conservation Area is fast approaching; and

WHEREAS we want to encourage our youth of either gender between the ages of 8 to 14 years old with proof to participate in our conservation areas.

THEREFORE, BE IT RESOLVED:

That I, Domenic DiFruscio, wish to **DONATE** up to \$75.00 for 3 years (being 2018, 2019, 2020) and \$25.00 for each year for the Angler who catches a trout that has been tagged and dated by NPCA or Niagara Peninsula Conservation Foundation (NPCF);

That if there are no successful winner in 2018, the \$50.00 in the second year 2019 and up to \$75.00 in the third year 2020; and

That if still no successful winner in 2018, 2019 or 2020, a \$75.00 donation will be made to NPCA or NPCF.

CARRIED (by two-thirds majority)

10. ADJOURNMENT

There being no further business, the Full Authority meeting adjourned at 12:20 p.m. with the following resolution;

Resolution No. FA-46-18

Moved by Board Member Shirton

Seconded by Board Member Kaspersetz

That the Full Authority Meeting **BE NOW ADJOURNED.**

CARRIED

Sandy Annunziata
Board Chair,
Niagara Peninsula Conservation Authority

Lisa McManus
Clerk,
Niagara Peninsula Conservation Authority