



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

Wednesday, February 28, 2018
9:30 a.m.
Ball's Falls
Centre for Conservation – Glen Elgin Room
3292 Sixth Avenue, Jordan, ON

MEMBERS PRESENT: S. Annunziata (Chair)
B. Baty
S. Beattie (at 10:11 a.m.)
P. Darte (at 9:50 a.m.)
D. DiFruscio
J. Diodati
J. Kaspersetz (Vice-Chair)
P. MacPherson
T. Quirk
R. Shirton
B. Timms

MEMBERS ABSENT: F. Campion
A. Jeffs
D. Joyner
J. Maloney

STAFF PRESENT: M. Brickell, Chief Administrative Officer/Secretary-Treasurer
D. Barrick, Senior Director, Corporate Resources
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 9:37 a.m. and welcomed those Board Members, staff and community members present.

1. ADOPTION OF AGENDA

1.1 Addition of Items

None.

1.2 Change in Order of Items

Resolution No. FA-47-18

Moved by Board Member Timms

Seconded by Board Member Kaspersetz

That Agenda **BE AMENDED to move Report No. 19-18 respecting Niagara Peninsula Conservation Authority (NPCA) Advisory Committee Appointments to be dealt with immediately following Agenda Item 4.1 Approval of Draft Minutes.**

CARRIED

1.3 Motion to Approve the agenda

Resolution No. FA-48-18

Moved by Board Member Quirk

Seconded by Board Member Shirton

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

CARRIED

2. DECLARATION OF CONFLICT OF INTEREST

There were no declarations of Conflict of Interest.

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 – January 24, 2018

Resolution No. FA-49-18

Moved by Board Member MacPherson
Seconded by Board Member Shirton

That the Full Authority Board minutes of the meeting held on January 24, 2018 **BE APPROVED as amended to note the appropriate year under Minute Item 4.1.1**

CARRIED

6.1 Niagara Peninsula Conservation Authority (NPCA)
Advisory Committee (NPCAAC) Appointments
Report No. 19-18

Resolution No. FA-50-18

Moved by Board Member Quirk
Seconded by Board Member MacPherson

1. That Report No. 19-18 respecting the NPCA Advisory Committee (NPCAAC) Appointments **BE RECEIVED**; and
2. That the individuals identified in Confidential Appendix 1 to Report 19-18 **BE APPOINTED** as the members representing the following sectors to the NPCA Advisory Committee:
 - Public-at-Large
 - User/volunteer
 - Urban/rural planning
 - Agriculture/value-added agriculture

CARRIED

4.2 Business Arising from Minutes

There was no business arising from the minutes.

4.3 Correspondence

There were no correspondence items.

4.4 Chairman's Remarks

The Chairman advised members that he had attended the District School Board of Niagara (DSBN) Gala on Wednesday, February 21, 2018. He stated that it was a very well-run event and well attended. He further stated that the Niagara Peninsula Conservation Authority was on the verge of completing the new Memorandum of Understanding with the DSBN and would continue to provide the Board with updates.

The Chairman reminded Board members that the Niagara Peninsula Conservation Authority was hosting the Conservation Awards that evening beginning at 7:00 p.m. at Club Castropignano in Port Robinson.

4.5 Chief Administrative Officer Comments

There were no comments from the Chief Administrative Officer.

5. BUSINESS FOR INFORMATION

5.1 Binbrook Fish Study 2017 Report No. 27-18

Christopher Bunt from Biotactic Inc. presented Board Members with information regarding the Binbrook Fish Study 2017. Topics of the presentation included:

- Executive Summary
- Management Considerations
- Carp Populations
- Fish Passage/DU Weir
- Large Woody Debris
- Telemetry Study
- Standardized Fisheries Monitoring

Resolution No. FA-51-18

Moved by Board Member Diodati

Seconded by Board Member MacPherson

1. That Report No. 27-18 respecting Binbrook Fish Study 2017 **BE RECEIVED** for information.

CARRIED

5.2 Watershed Floodplain Committee Clarification Report No. 20-18

Resolution No. FA-52-18

Moved by Board Member Dart

Seconded by Board Member Kaspersetz

1. That Report No. 20-18 respecting the Watershed Floodplain Committee Clarification **BE RECEIVED** for information.

CARRIED

5.3 Employee Feedback Survey Report No. 18-18

Resolution No. FA-53-18

Moved by Board Member Shirton

Seconded by Board Member Baty

1. That Report No. 18-18 respecting the Employee Feedback Survey **BE RECEIVED** for information.

CARRIED

6. BUSINESS FOR CONSIDERATION

6.1 Committee Reports

There were no Committee reports.

6.2 Reports

*NOTE: Agenda Item numbering was incorrect on the agenda, the Items below are listed as they appeared on the agenda.

6.2.1 Mining & Lands Commissioner Decision - City of Hamilton Apportionment Appeal of the 2015 NPCA Levy Updated - Report No. 01-18

Resolution No. FA-54-18
Moved by Board Member Baty
Seconded by Board Member Shirton

1. That **UPDATED** Report No. 01-18 respecting the Mining & Lands Commissioner Decision – City of Hamilton Apportionment Appeal of the 2015 NPCA Levy **BE RECEIVED**, and
2. That the NPCA reserves, identified in Appendix 2 of **UPDATED** Report No. 01-18, **BE RETURNED** to the taxpayers of the Watershed via the NPCA Municipal partners pending any final legal decision or process.

A recorded vote was requested respecting Resolution No. FA-54-18, respecting the Mining & Lands Commissioner Decision – City of Hamilton Apportionment Appeal of the 2015 NPCA Levy:

Recorded Vote:

Yes (8); B. Baty, S. Beattie, J. Diodati, J. Kaspersetz, P. MacPherson, T. Quirk, R. Shirton, S. Annunziata.

No (3); P. Darte, D. DiFruscio, B. Timms.

Based on results of the recorded vote the Board Chair declared Resolution FA-54-18,

CARRIED

6.2.3 Board Member Per Diem & Honourarium Report No. 25-18

Resolution No. FA-55-18
Moved by Board Member Kaspersetz
Seconded by Board Member Beattie

1. That Report No. 25-18 respecting the Board Member Per Diem & Honourarium – Annual Report and the attached Appendices 1, 2 and 3, **BE RECEIVED**;
2. That, based on the Consumer Price Index (CPI), the 2018 Honourarium and per diems **BE APPROVED** at a 1.9% increase over the previous year.

CARRIED

6.2.4 Niagara Peninsula Conservation Authority (NPCA) Policy Handbook
Regulations #1 and #2 Review and Suggested Revisions
Report No. 24-18

Resolution No. FA-56-18

Moved by Board Member Quirk

Seconded by Board Member Kaspersetz

1. That Report No. 24-18, respecting Niagara Peninsula Conservation Authority (NPCA) Policy Handbook Regulations #1 and #2, Review and Suggested Revisions, **BE RECEIVED**;
2. That Appendix 1 to Report No. 24-18 being the Suggested Revisions to Regulations #1 and #2, **BE APPROVED**; and
3. That staff **BE DIRECTED** to ensure that Regulations #1 and #2 are updated on the Niagara Peninsula Conservation Authority website.

Resolution No. FA-57-18

Moved by Board Member Timms

Seconded by Board Member Darte

That Suggested Revision #6, as noted, **BE AMENDED** as follows:

- 12.1 Any person or organization desiring an opportunity to address the Authority may make a request in writing to the Clerk **seven (7)** days in advance of a scheduled meeting if such request is to be included in the agenda of that meeting. A detailed brief of their presentation, including any presentation materials to be used, outlining the request/direction the presenter is seeking from the Standing Committee or the Board and if applicable, the name, address and telephone number of any person(s) or organization which he or she represents. The brief will form part of the official record of the proceedings of Committee or the Board and therefore will be a public document.

CARRIED

Resolution No. FA-58-18

Moved by Board Member Timms

Seconded by Board Member Darte

That Suggested Revision #8, as noted, **BE AMENDED** as follows:

- 12.6 Delegations/Presentations shall be limited to a time of not more than **ten (10) minutes**. Board Members may limit or extend the time allowed for a presentation by a majority vote.

CARRIED

The Chair called the vote on the Resolution FA-56-18 **as amended**, and declared the vote,

CARRIED

6.2.5 Annual Policy Resolutions 2018
Report No. 22-18

Resolution No. FA-59-18

Moved by Board Member Quirk

Seconded by Board Member MacPherson

1. That Report No. 22-18 respecting the Annual Policy Resolutions 2018 **BE RECEIVED**; and
2. That the Health and Safety Policy Statement and Workplace Violence & Harassment Prevention Policy attached to Report No. 22-18 as Appendix 1 and Appendix 2 **BE APPROVED**, as per Section 25(2)(j) of the Occupational Health and Safety Act.

CARRIED

6.2.6 Freedom of Information (FOI) Annual Statistics Report & Designation
Report No. 21-18

Resolution No. FA-60-18

Moved by Board Member Shirton

Seconded by Board Member Darte

1. That Report No. 21-18 respecting the Freedom of Information Annual Statistics Reporting and Designation **BE RECEIVED**;
2. That Sandy Annunziata, Niagara Peninsula Conservation Authority (NPCA) Board Chair, **BE DESIGNATED** as 'head' of the NPCA for the purposes of the Municipal Freedom of Information and Protection of Privacy Act; and
3. That the NPCA Chair **DESIGNATE** in writing an individual to act as 'head' for the purposes of the Municipal Freedom of Information and Protection of Privacy Act.

CARRIED

6.2.7 Niagara Peninsula Conservation Authority (NPCA)
2018 Watershed Report Card
Report No. 16-18

Resolution No. FA-61-18

Moved by Board Member Darte

Seconded by Board Member Diodati

1. That Report No. 16-18 respecting the NPCA 2018 Watershed Report Card **BE RECEIVED**; and
2. That staff **BE DIRECTED** to forward the NPCA 2018 Watershed Report Card to Conservation Ontario for participation in the 2018 Watershed Checkup Initiative and post on the NPCA website.

CARRIED

6.2.8 Niagara Peninsula Conservation Authority (NPCA)
2017 Q4 Quarterly Report
Report No. 17-18

A friendly amendment was offered and accepted by the mover and seconder to add distribution of Report No. 17-18 to Area Municipalities.

Resolution No. FA-62-18
Moved by Board Member Darté
Seconded by Board Member Shirton

1. That Report No. 17-18 respecting the NPCA 2017 Q4 Quarterly Report **BE RECEIVED**; and
2. That staff **BE DIRECTED** to distribute the 2017 Q4 Quarterly Report to participating municipalities, community stakeholders, Niagara Peninsula Conservation Authority Advisory Committee, Area Municipalities and the public.

CARRIED

6.2.10 Greenbelt and Greater Golden Horseshoe
Conservation Authorities Collaborative
Report No. 28-18

Resolution No. FA-63-18
Moved by Board Member Diodati
Seconded by Board Member MacPherson

1. That Report No. 28-18 respecting the Greenbelt and Greater Golden Horseshoe Conservation Authorities Collaborative **BE RECEIVED**; and
2. That the Niagara Peninsula Conservation Authority (NPCA) Full Authority Board **APPROVE** the NPCA's participation in the Greenbelt Golden Horseshoe Conservation Authorities Collaborative and authorize the CAO to sign the attached Memorandum of Understanding.

CARRIED

6.2.11 Meeting and Agenda Management Solution
Report No. 23-18

Resolution No. FA-64-18
Moved by Board Member Timms
Seconded by Board Member MacPherson

1. That Report No. 23-18 respecting the Meeting and Agenda Management Solution **BE RECEIVED**;
2. That eSCRIBE software solution Option 2, highlighted in Appendix 1 to Report No. 23-18, **BE APPROVED** as the NPCA Meeting and Agenda management solution; and

3. That the following costs associated with Option 2, highlighted in Appendix 1 to Report No. 23-18, **BE FUNDED** from the General Capital Reserve:

eSCRIBE Accessibility Bundle with YouTube Integration

Annual Software and Support Fees	\$18,500
Implementation and Training Fees	\$5,250
Total Year 1 Fees	\$23,750

Resolution No. FA-65-18

Moved by Board Member Timms

Seconded by Board Member MacPherson

That Report No. 23-18 respecting the Meeting and Agenda Management Solution **BE DEFERRED** until the Full Authority Board meeting to be held on Monday, March 26, 2018.

CARRIED

9. NEW BUSINESS

9.1 Proposed Niagara River Ramsar Designation

Resolution No. FA-66-18

Moved by Board Member Quirk

Seconded by Board Member Shirton

1. That Resolution No. FA-134-15, as noted below, respecting Report No. 77-15, Proposed Niagara River Ramsar Designation **BE RECONSIDERED** at this time:

Resolution No. FA-134-15:

That the NPCA Board **RECEIVE** Report 77-15 for information; and

That the NPCA Board **ENDORSE** the proposed Niagara River Ramsar designation and to have Board Members S. Annunziata, P. Darte, B. Baty, J. Kaspersetz, and Tony Quirk volunteer to sit on the Ramsar Steering Committee pending approval of the Ramsar Steering Committee.

2. That Report No. 77-15, respecting Proposed Niagara River Ramsar Designation **BE CONSIDERED** at the Niagara Peninsula Conservation Authority (NPCA) Full Authority meeting to be held on Monday, March 26, 2018.

The Clerk advised Board Members that recommendation one (1.) must be considered first and separately and that it must achieve two-thirds majority in order to be declared "reconsidered". The Clerk further advised that if two-thirds majority was achieved, Board Members could proceed to vote on recommendation two (2.) by a simple majority.

A recorded vote was requested respecting Resolution No. FA-66-18, recommendation one (1.), which reads as follows:

1. That Resolution No. FA-134-15, as noted below, respecting Report No. 77-15, Proposed Niagara River Ramsar Designation **BE RECONSIDERED** at this time;

Resolution NO. FA-134-18:

That the NPCA Board **RECEIVE** Report 77-15 for information; and

That the NPCA Board **ENDORSE** the proposed Niagara River Ramsar designation and to have Board Members S. Annunziata, P. Darte, B. Baty, J. Kaspersetz, and Tony Quirk volunteer to sit on the Ramsar Steering Committee pending approval of the Ramsar Steering Committee.

Recorded Vote:

Yes (10); B. Baty, S. Beattie, P. Darte, J. Diodati, J. Kaspersetz, P. MacPherson, T. Quirk, R. Shirton, B. Timms, S. Annunziata.

No (1); M. DiFruscio.

Based on results of the recorded vote the Board Chair declared Resolution FA-66-18 (1.),

CARRIED (two-thirds majority)

The Chair called the vote on the Resolution FA-66-18, recommendation two (2.), which reads as follows:

2. That Report No. 77-15, respecting Proposed Niagara River Ramsar Designation **BE CONSIDERED** at the Niagara Peninsula Conservation Authority (NPCA) Full Authority meeting to be held on Monday, March 26, 2018.

Based on results of the vote the Board Chair declared Resolution FA-66-18 (2.),

CARRIED

6. BUSINESS FOR CONSIDERATION - CONTINUED

6.2.12 Hannon School House Update Report No. 29-18

Resolution No. FA-67-18
Moved by Board Member Beattie
Seconded by Board Member Darte

1. That Report No. 29-18 respecting the S.S, No 6 Glanford (Hannon) Schoolhouse relocation **BE REFERRED** to the Hannan School House Advisory Committee.

CARRIED

6.2.13 PT Watersports Inc – Facility Use Agreement
Report No. 30-18

Resolution No. FA-68-18

Moved by Board Member Kasperetz
Seconded by Board Member Beattie

1. That Report No. 30-18 respecting PT Watersports Inc – Facility Use Agreement **BE RECEIVED**; and
2. That the NPCA Board of Directors **AUTHORIZE** staff to enter into a three (3) year Facility Use Agreement, attached to Report No. 30-18 as Appendix 1, with PT Watersports Inc. to operate at Binbrook Conservation Area.

CARRIED

6.2.14 Financial Report – 2017 Completed & Carry-over Capital Projects
Report No. 26-18

Resolution No. FA-69-18

Moved by Board Member Quirk
Seconded by Board Member Beattie

1. That Report No. 26-18 respecting the Financial Report – 2017 Completed & Carry-over Capital Projects and the attached appendices 1-4, **BE RECEIVED**; and
2. That the Board **APPROVE** the transfer of the \$13,389.71 capital surplus from the 2017 Special Levy (Niagara) to the General Capital Reserve.

CARRIED

7. BUSINESS – IN CAMERA

Board Members did not discuss Agenda Item 7.1.1 Personnel matters about an Identifiable Individual - Confidential Appendix 1 to Report No. 19-18, or Agenda Item 7.1.3 Solicitor-Client Privilege – Confidential Appendix 4 to **UPDATED** Report No. 01-18 In Camera as the Open Session Reports were approved earlier in the Agenda.

The Board moved in the Closed Session at 11:58 a.m. with the following resolution:

7.1 Motion to Move in to Closed Session

Resolution No. FA-70-18

Moved by Board Member Kasperetz
Seconded by Board Member Darte

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:

7.1.2 A Proposed or Pending Acquisition of Land

CARRIED

The Board reconvened in Open Session at 12:17 p.m. with the following resolution:

7.2 Motion to Reconvene in Open Session

Resolution No. FA-71-18

Moved by Board Member Darte

Seconded by Board Member Kaspersetz

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

CARRIED

7.3 Business Arising from Closed Session

Resolution No. FA-72-18

Moved by Board Member Darte

Seconded by Board Member Quirk

That Confidential Report No. CR 01-18 respecting A Proposed or Pending Acquisition of Land, **BE RECEIVED**; and

That staff **BE DIRECTED** to begin negotiations on the subject property and adjacent lot and report back to the Board to determine next steps.

CARRIED

8. NOTICE OF MOTION

There were no notices of motion.

9. NEW BUSINESS

There were no new business items.

10. ADJOURNMENT

There being no further business, the Full Authority meeting adjourned at 12:33 p.m. with the following resolution;

Resolution No. FA-73-18

Moved by Board Member Darte

Seconded by Board Member Quirk

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

CARRIED

Sandy Annunziata
Board Chair,
Niagara Peninsula Conservation Authority

Lisa McManus
Clerk,
Niagara Peninsula Conservation Authority