

**TOWNSHIP OF WEST LINCOLN
ADMINISTRATION/FINANCE/FIRE
COMMITTEE AGENDA**

MEETING NO. FIVE HELD: Monday, June 15, 2015, Township Administration Building, 318 Canborough Street, Smithville - **6:30 p.m.**

*****NOTE TO MEMBERS OF THE PUBLIC:** All Cell Phones, Pagers and/or PDAs to be turned off. Additionally, no Audio or Video Recordings is Permitted Without the Express Approval of Council***

1. **CHAIR:** Councillor Mike Rehner
2. **CHANGE IN ORDER OF ITEMS ON AGENDA:**
3. **DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST:**
4. **CONFIDENTIAL MATTERS:**

CLOSED SESSION EXEMPTIONS:

NOTE: Closed session item(s) relate to the following allowable exception:

- Labour relations or employee negotiations; and/or
- Personal matters about an identifiable individual, including municipal or local board employees.

(a) ITEM A39-15

CAO (Chris Carter) & Kelly Linton, Imagineate
Re: Organizational Review
REPORT UNDER SEPARATE COVER

(b) ITEM A40-15

Library Board Members & Gina LaForce, Consultant – LaForce & Associated
Re: West Lincoln Public Library - Core Service, Staffing and Facilities Review
REPORT AND POWER POINT PRESENTATION UNDER SEPARATE COVER

5. **APPOINTMENTS:**

NOTE: Procedural By-law Section 6.5(c) - Scheduled Appointments and/or Presentations

Section 6.5(c): Each scheduled appointment or presentation shall be allocated a **maximum of ten minutes**, exclusive of the time required to answer questions from Members of Council (some exceptions apply)

(a) ITEM A41-15

Frank Tassone, Project Manager Transportation Engineering – Region of Niagara
Re: Presentation on Reconstruction Project on Canborough Street

- (b) **ITEM A42-15**
Brenda Pickvance
Re: Damage to Vehicle Claim & Roads

6. REQUEST TO ADDRESS ITEMS ON THE AGENDA:

NOTE: Procedural By-law Section 10.13(5) – General Rules

One (1) hour in total shall be allocated for this section of the agenda and each individual person shall only be provided with **five (5) minutes** to address their issue. A response may not be provided and the matter may be referred to staff.

Chair to inquire if there are any members of the public present who wish to address any items on the Administration/Finance/Fire Committee agenda.

7. FIRE DEPARTMENT UPDATE:

- (a) **ITEM A43-15**
Fire Chief (Dennis Fisher)
Re: Fire Department Monthly Update – May 2015

Page 1-4

8. CONSENT AGENDA ITEMS:

9. COMMUNICATIONS:

- (a) **ITEM A44-15**
Brad Powell, Licensed Pyrotechnician
Re: Request for approval to host Fireworks Display for Wedding at 7904 Silver Street, Caistor Centre on July 11, 2015 or Rain Date on September 12, 2015

Page 5-7

RECOMMENDATION

That, the request received from Brad Powell, Licensed Pyrotechnician, on behalf of his clients, Dennis Tchorz and Donna Orr, to host a fireworks display for his client's wedding at their property known municipally as 7904 Silver Street, Caistor Centre, on July 11, 2015 (rain date September 12, 2015), be approved.

- (b) **ITEM A45-15**
Amanda Harris
Re: Request for One Time Exemption from Provisions of the Noise By-law for a Wedding to be held August 15, 2015 at 8361 South Chippawa Rd, Wellandport

Page 8

RECOMMENDATION

That, the correspondence dated May 27, 2015 from Amanda Harris requesting a One Time Exemption from Provisions of the Noise By-law on August 15, 2015 from 11:00 pm to 2:00 am for a wedding to be held at 8361 South Chippawa Rd, Wellandport be received and ...

10. STAFF REPORTS:

- (a) **AMENDMENT TO BUDGET**
ITEM A46-15
Fire Chief (Dennis Fisher)
Re: Recommendation Report No. WLFD-08-15 – Purchase of the New Pumper Rescue/Amendment to Budget

Page 9-11

RECOMMENDATION

- (1) That, report WLFD-08-15 regarding "The Purchase of New Pumper Rescue / Amendment to Budget" dated June 15, 2015 be accepted, and,
- (2) That, Staff be authorized to proceed with the purchase of a 2016 Pumper Rescue as negotiated with Dependable Emergency Trucks dated June 4, 2015 at a net cost of \$536,600.00 and,
- (3) That, a Budget amendment be approved for \$36,600.00 to be funded through a transfer from Fire Reserve to cover the additional cost of the truck.

(b) ITEM A47-15

Treasurer/Director of Finance (Donna DeFilippis)

Re: Recommendation Report No. RFD-T-08-15 - Fees for Tax and Water Certificates

Page 12-13

RECOMMENDATION

- (1) That, Report RFD-T-08-15 regarding "Fees for Tax and Water Certificates" dated June 15, 2015 be received; and,
- (2) That, the fee for Tax Certificates be increased to \$30 effective July 1, 2015; and,
- (3) That the fee for Water Certificates be increased to \$30 effective July 1, 2015; and
- (4) That, By-Law 2002-115 be amended to include the updated Tax Certificate Fee of \$30; and,
- (5) That By-Law 2004-42 be amended to include the updated Water Certificate Fee of \$30.

(c) ITEM A48-15

AMENDMENT TO BUDGET

Treasurer/Director of Finance (Donna DeFilippis)

Re: Recommendation Report No. RFD-T-11-15 - Budget Status Report to May 31, 2015

Page 14-19

RECOMMENDATION

1. That, Report RFD-T-11-15, regarding the "May 31, 2015 Budget Status Report-Amendment to Budget", be received; and
2. That a Budget Amendment to transfer \$50,000 (which presents a portion of the savings realized on reduced 2015 Corporate Insurance Premiums) to the Insurance Reserve be approved; and
3. That a Budget Amendment to transfer \$4,210 from the Facility Reserve to finance the overage on the Public Works Building and Caistor Fire hall roofing projects be approved.

(d) ITEM A49-15

Clerk (Carolyn Langley) & CAO (Chris Carter)

Re: Report RFD-CAO-03-15 "Provision of Canine Control and Humane Services"

Page 20-21

RECOMMENDATION

1. That, Report RFD-CAO-03-15 "Provision of Canine Control and Humane Services", dated June 15, 2015 be received; and,

2. That, the Township extend the agreement with the Welland & District Humane Society to December 31, 2017 for the costs as outlined in this report, and,
3. That, a by-law authorizing the Mayor and Clerk to sign an agreement with the Welland & District Humane Society be presented at the June 22, 2015 Council meeting.

(e) ITEM A50-15

Clerk (Carolyn Langley)

Re: Report RFD-C-06-15 - Establishment of Appeal Committee to deal with appeal of Notice to Muzzle Order

Page 22-26

RECOMMENDATION:

- (1) That, Report RFD-C-06-2015 dated June 15, 2015 regarding the "Establishment of Appeal Committee to deal with appeal of Notice to Muzzle Order, be received; and,
- (2) That, the Appeal Committee be and is hereby established and consists of all of the Members of Council and the Mayor be and is hereby appointed as Chair of the Appeal Committee; and,
- (3) That, the Clerk's Department be and are hereby authorized to proceeding with scheduling an Appeal Committee meeting at ___ p.m. on _____, in the Township of West Lincoln's Council Chambers and send the required notifications to affected parties as outlined in the Dog Control By-law 2011-44, as amended.

11. OTHER BUSINESS:

(a) ITEM A51-15

Joint Accessibility Advisory Committee Minutes – May 14, 2015 Meeting **Page 27-29**

(b) ITEM A52-15

Members of Committee

Re: Verbal Updates from Members of Boards and Committees - If required

(c) ITEM A53-15

Members of the Committee

Re: Other Business Items of an Informative Nature

12. NEW BUSINESS:

NOTE: Only for items that require immediate attention/direction and must first approve a motion to introduce a new item of business. (Motion Required)

13. ADJOURNMENT:

The Chair declared the meeting adjourned at the hour of _____.

Information Report

To: Mayor Joyner and Members of Council
From: Fire Chief, Dennis Fisher
Date: June 15, 2015
Report: WLFD-09-15
Subject: Monthly Update – May 2015

Emergency Response Calls – May 2015

Station # 1 – 18 Station # 2 – 10 Pelham – 2

Incident	Nature	Fire Area	Apparatus	Date	Time
2015-007776	33-Burning Complaint	St # 1	WLR1 WLP1	05/29/2015	21:20
2015-007775	32-Rubbish Or Miscellaneous Fire	St #1 St # 2	WLP2 WLP1 WLR2 WLT1 WLT2 WLC1 WLC2 WLR1	05/29/2015	21:08
2015-007725	1-Structure Fire	St # 1 St # 2 Gr # 2	WLR1 WLP1 WLT1 WLA1 WLR2 WLP2 WLT2 WLC1 WLC2 GRT2 GRC1	05/28/2015	22:02
2015-007624	5-Emergency Medical Assistance	St # 1	WLSQ1 WLC1 WLC2	05/27/2015	06:00
2015-007575	53-Carbon Monoxide No Symptoms	St # 2	WLR2 WLC1 WLC2	05/26/2015	08:15
2015-007506	4-Mva Rescue	St # 1 Gr # 1	GRP1 GRR1 GRSQ1 GRC1 GRC2 WLP1 WLR1 WLC1 GRC3	05/24/2015	23:13
2015-007331	4-Mva Rescue	St # 1	WLR1 WLP1 WLC1 WLC2	05/21/2015	16:17
2015-007254	1-Structure Fire	St # 1 St # 2	WLC1 WLP2 WLP1 WLR2 WLR1 WLT1 WLT2 WLA1 WLC2	05/19/2015	22:40
2015-007243	4-Mva Rescue	St # 1	WLR1 WLP1 WLC1 WLC2	05/19/2015	17:14
2015-007080	5-Emergency Medical Assistance	St # 2	WLR2 WLC1 WLC2	05/16/2015	22:45
2015-006965	4-Mva Rescue	St # 1	WLR1 WLP1 WLC1 WLC2	05/14/2015	21:32
2015-006906	33-Burning Complaint	St # 1	WLP1 WLC1	05/13/2015	19:26
2015-006902	54-Vsa/Cardiac Arrest/Unconscious	St # 1	WLSQ1 WLC1 WLC2	05/13/2015	16:38

2015-006859	5-Emergency Medical Assistance	St # 1	WLSQ1 WLC1 WLC2	05/12/2015	21:02
2015-006634	4-Mva Rescue	St # 1 St # 2	WLP2 WLR2 WLR1 WLC1 WLC2 WLP1	05/08/2015	16:40
2015-006461	4-Mva Rescue	PE # 2	PEC1 PEP2 PER2 PET2 WLC1	05/05/2015	17:32
2015-006442	5d-Daytime Emergency Medical Asst	St # 1 St # 2	WLR2 WLC1 WLC2 WLSQ1	05/05/2015	11:01
2015-006381	3-Grass Fire	St # 1	WLR1 WLT1 WLP1 WLSQ1 WLC1 WLC2	05/04/2015	11:05
2015-006361	109-Barn Fire	St # 1 St # 2 HD # 6	WLC1 WLP2 WLP1 WLR2 WLR1 WLT1 WLT2 WLA1 WLC2 HDT6	05/04/2015	02:43
2015-006346	1-Structure Fire	St # 1 St # 2	WLR1 WLP1 WLT1 WLA1 WLR2 WLP2 WLT2 WLC1 WLC2	05/03/2015	18:43
2015-006332	54-Vsa/Cardiac Arrest/Unconscious	PE# 3	PEC1 PER3 WLC1	05/03/2015	16:09
2015-006247	3-Grass Fire	St # 1 St # 2 Gr #1 2	WLR1 WLT1 WLP1 WLSQ1 WLC1 WLC2 WLP2 GRT2 WLR2 MAWE GRP2 GRC3 GRP1	05/02/2015	14:02

Apparatus Legend:

WL = West Lincoln, GR = Grimsby, PE = Pelham, HD = Haldimand, LI = Lincoln
 C = Car, P = Pumper, T = Tanker, R = Rescue, SQ = Squad, A = Aerial
 The last digit indicates the Station #

New Retirees – None at this time

New Recruits – None at this time

Promotions - None at this time

Training

May 2015 Monthly Training

Station # 1

May 6 Squad Dinner - both stations
 May 13 Auto Extrication
 May 20 Pump Ops- Offers Meeting
 May 27 Equipment maintenance / Business meeting – both stations

Station # 2

Portable Pumps
 Pump Ops- Officers Meeting

June 2015 Monthly Training

Station # 1

June 3 First Aid

June 10 Hose

June 17 Ladders- Aerial- Officers Meeting

June 24 Equipment maintenance / Business meeting – both stations

Station # 2

First Aid

Auto Extrication

Ladders – Officers Meeting

Fire Prevention

May 12, 13, 14 the Fire Prevention Public Education Lieutenant had fire prevention education & hall tours.

Apparatus Fleet

The final net cost of repairing West Lincoln Tanker # 2 is \$83,666.82

Fire Department Activities

- West Lincoln Fire Service – Aerial # 1 was on display with fire prevention handouts at the Chamber of Commerce Home Show on May 8 & 9.
- Public Works & Emergency Service Open House – was a great day having approximately 265 children from various schools and home schooled children attend.
- West Lincoln Fire & Emergency Service in conjunction with the Niagara Regional Police and Niagara EMS hosted a “Mock Crash” on May 26, 2015 for the high school students which was a huge success. (Attached is a copy of a letter received from the Niagara Regional Police).

Respectfully submitted by

Dennis Fisher
Fire Chief / CEMC

68 Church Street
St. Catharines
Ontario, Canada
L2R 3C6



Tel. (905) 688-4111
Fax. (905) 685-5081
www.nrps.com
nrps@nrps.com

Niagara Regional Police Service

Chief of Police Jeffrey McGuire, M.O.M.

Chief Dennis FISHER,

On behalf of the Niagara Regional Police Service I'd like to express my appreciation for your efforts on the "Mock Crash" exercise for the students of South Lincoln High School and the residents of Smithville on May 26, 2015. I know you went above and beyond to ensure that the Fire Service and Municipality could accommodate the needs and wishes of the N.R.P.S. during the planning of this event.

The presence of Mayor JOYNER and yourself I believe showed a commitment to the efforts being put forth by the Niagara Regional Police Service and conveyed a strong message of unity.

I would further like to commend the fireman who took part for their efforts and in particular, Captain Phil CLARK for his role in coordinating the manpower and vehicles used in the exercise. I am aware that the extremely warm day, being weighted down with heavy gear and the strenuous work of extricating victims from a vehicle, took a toll on the fireman taking part in the event. That being said, those efforts were noticed and further drove home the magnitude of response, skill level and effort needed to save lives in extreme conditions.

The focus of this exercise was Distracted Driving and Impaired Driving. The ultimate goals were to raise awareness, educate and leave a lasting impression on the public and student body who witnessed the event. I believe we did just that.

I will now be working with our Video Unit to compile the footage and photographs. Then, generate what will hopefully be an education / instructional piece.

Again, my deepest appreciation to the Township of West Lincoln and all the members of the West Lincoln Fire Service who took part in the exercise.

Constable Ron TUFFORD, #9032
Special Enforcement Unit, "C" Plt.
Niagara Regional Police Service



April 15, 2015

Notice of Permission:

Dennis Tchorz at 7904 Silver Street, Caistor Centre, Ontario L0R 1E0.

This letter is a notice of permission granted for Brad Powell a license Display Fireworks Supervisor and his help to perform a fireworks display on my property for an event on July 11, 2015 or the Rain Date Sept 12, 2015. At 7904 Silver Street, Caistor Centre, Ontario L0R 1E0.

All security and precautionary measures will be adhered to as per Brad Powell and local requirements.

Property Owner Name

Print Name

Dennis Tchorz / Donna Orr

Signature

Dennis Tchorz / Donna Orr

Date

April 21, 2015

Event Description

For a Wedding fireworks show at 7904 Silver Street, Caistor Centre, Ontario
L0R 1E0 July 11, 2015 or Rain date Sept 12, 2015

Time: Between 9:30-10:45 PM

Attendance Estimates 150

Show value \$1500

Show length 5-6 Min.

Fireworks to be used.

High-Level

7.2.2 Assortment of 150mm Shells

7.2.2 Assortment of 125mm Shells

7.2.2 Assortment of 100mm Shells

7.2.2 Assortment of 75mm Shells

7.2.2 Assortment of 50mm Shells

Low-Level

7.2.2 Assortment Cakes 20mm, 30mm, 40mm, 50mm,

7.2.2 Assortment of One shots 20mm, 30mm, 40mm, and 50mm

Ground-Level

7.2.2 Strobes or Bengales.

Selection of Family fireworks 7.2.1

Electrical Firing. In non-destructible racks.

Traffic Control: firing area will be guarded and protected.

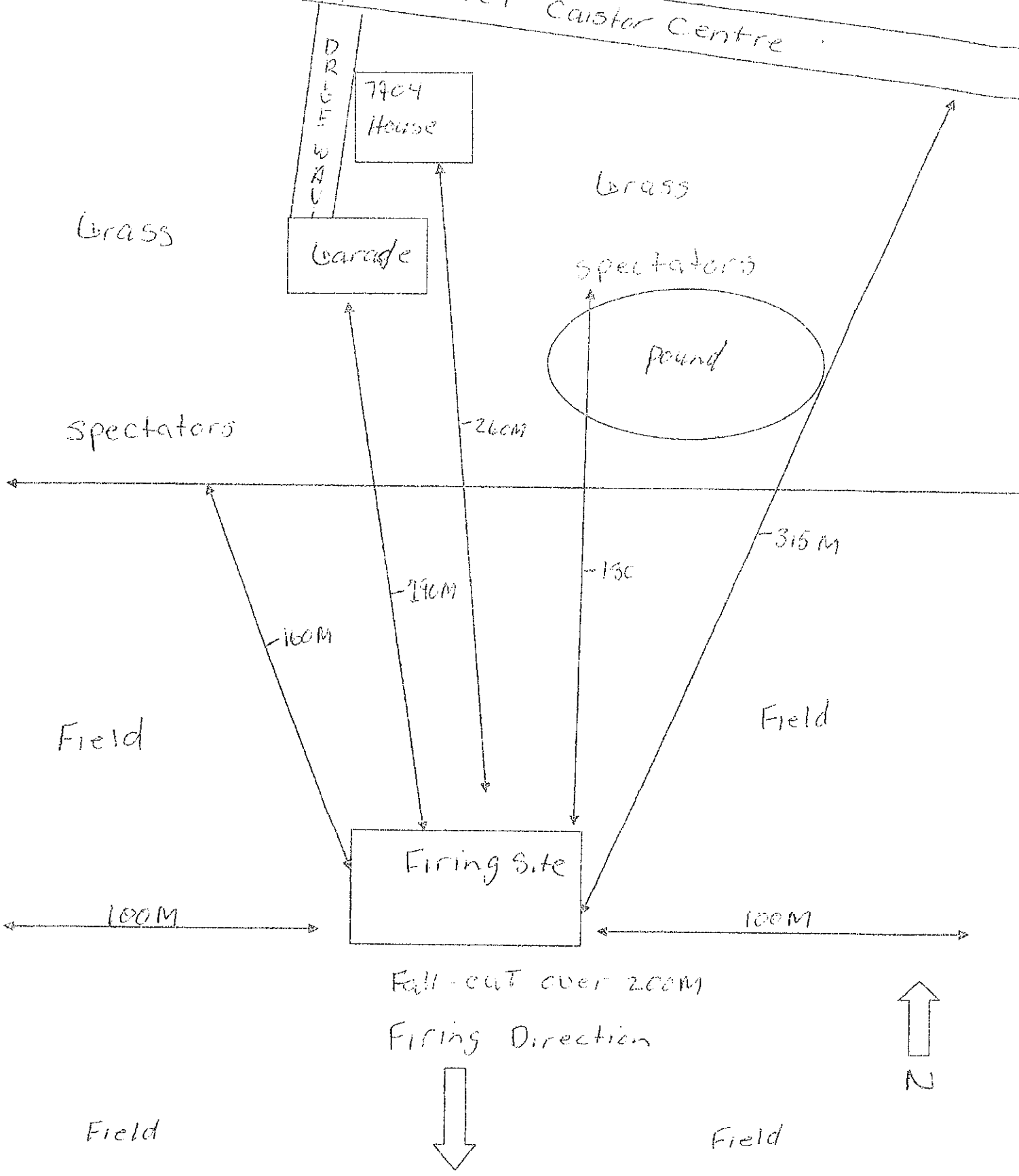
Emergency response procedures: Entrance too firing site will be clear for emergency vehicles.

4 Fire extinguishers will be on site Rating 3-A40-BC/ 4A 60BC/2-A

Unused fireworks will be returned to Firemaster Productions.

Site Plan for July 11, 2015 Rain Date Sept 12, 2015

7904 Silver Street Caistor Centre



Township of West Lincoln
318 Canborough St.
Box 400
Smithville, Ontario
LOR 2A0

May 27, 2015

Dear Council Members of the Township of West Lincoln:

I am writing to you today to apply for an exemption with the bylaw number 2013-50 (Prohibit and Regulate Noise in the Township of West Lincoln).

I am getting married on August 15, 2015, with the ceremony taking place at St. Joseph's Church in Grimsby, and plan to have the wedding reception at my parent's residence following the ceremony.

Upon reading the noise bylaw mentioned above, I would like to make an application for an exemption. The residence address is 8361 South Chippawa Rd, Wellandport, and the noise would specifically be from the music and vibrations from the echoing out from enclosed tent. This would be a one-time exemption for the time period of 11 pm to 2 am.

I believe that this exemption should be granted as this is a monumental event in my life, and I would not have selected a better location to be married and celebrate with my guests. I understand the beauty that West Lincoln has to offer, and would also like my out-of-town guests to have the same experience.

Should the exemption not be granted, I will respect the noise bylaw, and have already requested that the DJ turn the music to a tolerable level at 11 pm.

I am hoping that you will consider this application, and feel confident in granting me this one time exemption.

Thank you,
Amanda Harris

DATE: June 15, 2015
REPORT NO: WLFD-08-15
SUBJECT: **Purchase of New Pumper Rescue / Amendment to Budget**
CONTACT: Dennis Fisher – Fire Chief

OVERVIEW:

- To inform members of Council of the results and amounts of the RFPs received on May 14, 2015 for the New Pumper / Rescue Truck
- To inform members of Council that Dependable Emergency Trucks had the lowest bid and the highest score
- To inform members of Council of the negotiations staff had with Dependable Emergency Trucks in regards to some of the specifications with the New Pumper Rescue negotiating the cost down \$ 41,477.00.
- To inform members of Council of the financial implications and request for a budget amendment of \$36,600.00

RECOMMENDATION:

1. That, report WLFD-08-15 regarding “Purchase of New Pumper Rescue / Amendment to Budget” dated June 15, 2015 be accepted, and,
2. That, Staff be authorized to proceed with the purchase of a 2016 Pumper Rescue as negotiated with Dependable Emergency Trucks dated June 4, 2015 at a net cost of \$536,600.00 and
3. That, a Budget amendment be approved for \$36,600.00 to be funded through a transfer from the Fire Reserve to cover the additional cost of the truck.

BACKGROUND:

The 1992 rescue truck that is in service today is 23 years old. It was originally scheduled to be replaced in 2012 but was put off for a couple of years. This truck is now starting to show its age and the cost of repairs is starting to increase.

CURRENT SITUATION

The 2015 Fire & Emergency Services Capital Budget, included \$500,000.00 to purchase a New Pumper Rescue. Staff developed a Request for Proposal (RFP) for the New Pumper Rescue which was advertised and was sent to 10 fire truck manufacturers. The closing date for the RFP was May 14, 2015 with 6 RFPs received.

The following is list of the results received and the dollar amount to manufacture and deliver a New 2016 Pumper Rescue.

Name	Amount
Metal Fab	\$689,954.87 not including HST
Carrier Trucks	\$665,031.80 not including HST
Eastway	\$755,599.47 not including HST
Dependable Emergency Trucks	\$568,721.00 not including HST
Resqtech	\$710,000.00 not including HST
Safetech	\$654,900.00 not including HST

The following is the results of the RFP evaluations

Name	Completeness of Proposal (5)	Specifications (70)	Warranty and Service (10)	Suitability of Bidders (10)	Service and Support (5)	Score Total (100)
Safetech	5	67	5	6	5	88
MetalFab	5	67	5	5	4	86
Eastway	5	68	5	5	4	87
Dependable	5	69	7	6	5	92
Resqtech	5	65	5	6	5	86
Carrier	5	64	5	6	5	85

Dependable Emergency Vehicles has the lowest bid and scored the highest in the evaluation process. Staff met with Dependable Emergency Trucks to review the truck specifications and by eliminating some of the specifications was able to lower the price to \$527,244.00. This is \$41,477.00 less than the original amount submitted by Dependable Emergency Trucks.

FINANCIAL IMPLICATIONS

The 2015 Budget approved the purchase of a new Pumper Rescue truck to replace the 1992 Rescue truck currently in service. The Fire Department, after issuing 10 RFPs and receiving 6 results has determined that Dependable Emergency Trucks had the most favourable response with a negotiated price of \$527,244. Once HST is applied, and the rebate taken, the net cost to the Township would be \$536,600. A budget amendment is being requested for \$36,600, to be funded through a transfer from the Fire Reserve, in order to fund the purchase of the Pumper Rescue truck.

The Fire Department will dispose of the 1992 Rescue truck through a public auction on the GovDeals website. It is anticipated that proceeds of approximately \$10,000 will be obtained. These proceeds would be transferred back into the Fire Reserve.

Payment for the truck will involve two transactions: \$260,703 for the chassis pre-construction which will be paid in 2015, with the balance of \$275,897 to be paid in 2016, 30 days after final delivery and training of the truck.

INTER-DEPARTMENTAL COMMENTS

This report was discussed with the CAO and the Director of Finance.

CONCLUSION

Staff recommends that a New 2016 Pumper Rescue truck be purchased from Dependable Emergency Trucks for the negotiated cost of \$536,600.00 and that a budget amendment be approved requesting a transfer from the Fire Reserve to fund the additional cost of \$36,600.00.

Prepared by:

Approved by:

Dennis Fisher
Fire Chief / CEMC

Chris Carter
Chief Administrative Officer

DATE: June 15, 2015
REPORT NO: RFD-T-08-15
SUBJECT: Fees for Tax and Water Certificates
CONTACT: Donna DeFilippis, Treasurer/Director of Finance

OVERVIEW:

- **Section 391 of the Municipal Act provides authority to Municipalities to charge User Fees.**
- **The Township currently charges a fee of \$22 for a Tax Certificate and \$22 for a Water Certificate**
- **Staff is recommending that both the Tax Certificate Fee and the Water Certificate Fee be increased to \$30 effective July 1, 2015.**

RECOMMENDATION:

- (1) That, Report RFD-T-08-15 regarding “Fees for Tax and Water Certificates” dated June 15, 2015 be received; and,
- (2) That, the fee for Tax Certificates be increased to \$30 effective July 1, 2015; and,
- (3) That the fee for Water Certificates be increased to \$30 effective July 1, 2015; and
- (4) That, By-Law 2002-115 be amended to include the updated Tax Certificate Fee of \$30; and,
- (5) That By-Law 2004-42 be amended to include the updated Water Certificate Fee of \$30.

BACKGROUND:

The majority of municipal services are subsidized from property taxes. The Municipal Act (Section 391) provides Municipalities with the authority to charge user fees. A user fee is a charge levied for a specific public service and they allow the Township to reduce the impact on the tax rate while continuing to provide high levels of services to the Public.

REPORT

The Township currently issues Tax Certificates and Water Certificates for a fee of \$22 each. The current Tax Certificate fee has been in effect since July 2009 and the current Water Certificate fee has been in effect since June 2010. Both Tax and Water Certificates are typically purchased by law firms, banks, and mortgage companies and are usually

associated with property sales or refinancing proposals. The certificates provide to the concerned party the status of the account including any outstanding amounts owing. In 2014, the Township issued 227 Tax Certificates and 28 Water Certificates. Staff reviewed rates that local municipalities are charging for this service and they range from \$30 to \$52 per certificate. It is being recommended that the fee for both Tax Certificates and Water Certificates increase to \$30 effective July 1, 2015.

FINANCIAL IMPLICATIONS:

The current Tax and Water Certificate rates have been in place since 2009 and 2010 respectively. An increase to these fees is necessary to ensure that the Township is recovering its costs associated with the service being provided. The 2015 budget included a projected increase in revenue related to these fees in anticipation of the approval to an increase to the current fees.

CONCLUSION:

It is recommended that the Tax Certificate Fee increase to \$30 effective July 1, 2015 and that the Water Certificate Fee increase to \$30 effective July 1, 2015.

Prepared by:

Approved by:

Donna DeFilippis
Treasurer/Director of Finance

Chris Carter
CAO

“The Township of West Lincoln will be a community that values our heritage, preserves our environmental and natural resources, fosters entrepreneurial spirit and provides excellent quality of life”

DATE: June 15, 2015
REPORT NO: RFD-T-11-15
SUBJECT: **May 31, 2015 Budget Status Report- Amendment to Budget**
CONTACT: Donna DeFilippis, Treasurer/Director of Finance

OVERVIEW:

- **Presentation and Analysis of operating and capital expenditures as of May 31, 2015 compared to the 2015 budget.**

RECOMMENDATION:

1. That, Report RFD-T-11-15, regarding the “May 31, 2015 Budget Status Report- Amendment to Budget”, be received; and
2. That a Budget Amendment to transfer \$50,000 (which presents a portion of the savings realized on reduced 2015 Corporate Insurance Premiums) to the Insurance Reserve be approved; and
3. That a Budget Amendment to transfer \$4,210 from the Facility Reserve to finance the overage on the Public Works Building and Caistor Fire hall roofing projects be approved.

BACKGROUND:

The Finance department has completed a review of operating and capital financial results up to the end of May 31, 2015. **Appendix A** is a summary of the Operating Revenues and Expenditures up to May 31, 2015. **Appendix B** is a summary of the Capital Expenditures as of May 31, 2015. The analysis has taken into account the timing and seasonality of certain budget lines. The column titled “Budget” under the “Year to Date” heading on the attached analysis indicates the portion of the budget that would be expected to be expended as of May 31, 2015.

FINANCIAL IMPLICATIONS:

Revenue Analysis:

At the end of January, the Township distributed the interim Tax Bills for 2015 and has collected the first two instalments as of May 31st. Payments in Lieu (payments received for properties owned by the federal and provincial government, hydro enterprises and transportation systems such as the railway) are not invoiced until the time of the final tax billing, which takes place in July of each year. The supplemental tax runs have not been received from MPAC as of the end of May, and as such any supplemental tax revenue has not been included in the attached analysis.

The Support Grants budget line includes the funding we receive through the Ontario Municipal Partnership Fund (OMPF) and from the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) for our Drainage Superintendent. As of May 31, 2015, the first two quarterly payments from OMPF have been received. The Drainage Superintendent grant will not be received until the end of the fiscal year.

All other Revenue items are within budget.

Expenditure Analysis:

Contribution to Reserves

The Contribution to Reserves includes the items approved in the original budget. This includes a transfer to the Capital Reserve of \$96,000, a transfer to the Contingency Reserve of \$48,000 and a transfer to the Winter Control Reserve of \$55,000.

Corporate Expenditures

Corporate expenditures include special projects that impact the entire Township, and thus are budgeted centrally. Included in this amount is an allocation of \$52,500 as a contribution to the West Niagara YMCA which has not been distributed as of May 31, 2015.

Insurance

The overall corporate insurance budget is \$240,000 and is allocated to various departmental budgets. During budget preparations, an increase to the overall insurance premium of 8% was anticipated and factored into the budgeted amount. Staff members have worked diligently with the Township's insurance broker, Pearson Dunn, in pursuing additional quotes for the Townships' insurance portfolio. The Frank Cowan Company presented a very good offer that was substantially lower than the Township's previous provider, JLT. The Township has been able to secure the same level of insurance coverage with a premium savings of approximately \$80,000 from what was budgeted. In order to protect the Township against any significant future premium fluctuations, it is being recommended that a budget amendment be approved transferring \$50,000 of the savings into the Insurance reserve. This will give the Insurance reserve a balance of \$196,655. This insurance reserve can be used to offset any future premium increases, as well as funding any extraordinary deductible payments and investigation costs related to insurance claims.

Winter Control

The Winter Control budget line is experiencing pressure, and will likely exceed the budget of \$513,500. The Winter Control budget covers the costs related to two winter seasons, January to March 2015, and November to December 2015. As of May 31, 2015, one would expect that 3/5th or 60 percent of the overall budget would be expended. Appendix A indicates that \$489,883 has been expended to date, which equates to 95% of the 2015 budget. The Township has a balance of \$160,500 in its Winter Control Reserve and this reserve would be used to offset any overages in this Department. This department has seen an average annual expenditure of \$448,800 over the past five years. In 2014, it was necessary to transfer \$69,500 from the Winter Control Reserve to fund excess expenditure. The 2015 budget approved a transfer of \$55,000 back into the Reserve. Once the second season of the Winter Control year commences, staff will have a better estimate of what any projected overage may be. A budget amendment request will be presented to Council if it is determined that a transfer from the Winter Control Reserve is required.

“The Township of West Lincoln will be a community that values our heritage, preserves our environmental and natural resources, fosters entrepreneurial spirit and provides excellent quality of life”

All other departments are operating within budget as of May 31, 2015. The Planning Department indicates a credit of \$24,189 on Appendix A. This is a timing issue, as Planning Revenues are exceeding Planning Expenditures as of May 31, 2015. This is a result of Subdivision Administrative Fees that have been collected early in the year.

Capital Analysis:

The expenditure on Capital Projects as of May 31, 2015 is presented on Appendix B of this report. Both the 2015 budgeted amounts and any prior year budgeted amounts are included, as well as the expenditure to date as of May 31, 2015. Departmental staff is currently in the process of preparing tenders for the large capital items and expenditures will be incurred later in the year.

It should be noted that the demolition of the former Lion's Building and the former Gainsborough Public Works Building is complete and under budget. The projected savings of approximately \$38,774 results in a reduction in the budgeted transfer from the Facility Reserve from \$9,768 to \$0.00, and a reduction in the budgeted transfer from the Contingency Reserve from \$80,712 to \$51,706.

The roof repair projects at the Public Works Building and the Caistor Fire hall had an approved budget of \$65,805. The project has been completed at a total cost of \$70,015. A Budget Amendment is requested for \$4,210 to be transferred from the Facility Reserve to cover this overage on the roofing projects. It should be noted that the Facility Reserve had a reduced transfer of \$9,768 due to the demolition projects being under budget as indicated earlier in this report.

The Canborough Street project is being overseen by Region of Niagara staff. We will receive a final invoice from the Region of Niagara once the project is completed. We requested a statement of costs incurred as of December 31st, 2014 which totalled \$985,000 for the Township portion of the project. The entire budget for the project is \$1,847,000 and at this point is expected to come within budget.

CONCLUSION:

It is concluded that Council receive the May 31, 2015 Budget Status Report for information, and that the two budget amendments be approved.

Prepared by:

Approved by:

Donna DeFilippis
Treasurer/Director of Finance

Chris Carter
CAO

“The Township of West Lincoln will be a community that values our heritage, preserves our environmental and natural resources, fosters entrepreneurial spirit and provides excellent quality of life”

Township of West Lincoln
Budget Status Report
May 31, 2015

Revenues	Annual Budget	Year to Date Budget	Year to Date Actual	Budget Remaining	% Remaining
Taxation - General	5,362,650	2,681,325	2,481,033	2,881,617	54%
Payments in lieu	353,900	-	-	353,900	100%
Support Grants	741,600	309,000	360,800	380,800	51%
Grants - Wolf Kill & Misc.	5,000	2,083	230	4,770	95%
Fees, service charges, donations	4,500	1,875	3,080	1,420	32%
Licenses & permits	5,700	2,376	1,417	4,283	75%
Rents & concessions	61,100	25,458	8,475	52,625	86%
Fines	33,500	13,958	14,089	19,411	58%
Other revenues	16,500	6,875	3,697	12,803	78%
Penalties	380,000	158,333	181,616	198,384	52%
Income from investments	170,000	70,834	76,367	93,633	55%
Surplus(Deficit)-Prior Year	217,000	217,000	217,000	-	0%
Transfer from Reserve	48,000	48,000	48,000	-	0%
TOTAL REVENUE	7,399,450	3,537,117	3,395,804	4,003,646	54%
Expenditures	Annual Budget	Year to Date Budget	Year to Date Actual	Budget Remaining	% Remaining
Contribution to Reserves	199,000	199,000	199,000	-	0%
Corporate Expenditures	77,500	77,500	-	77,500	100%
Library	386,950	188,538	172,558	214,392	55%
Mayor & Council	172,300	71,379	66,976	105,324	61%
Corporate Services	1,503,400	644,606	588,096	915,304	61%
Cemetery	59,900	24,959	18,678	41,222	69%
Fire	980,500	560,974	542,996	437,504	45%
Building/Property Standards & By-law/Septic	87,100	35,701	21,118	65,982	76%
Planning	168,100	66,887	(24,189)	192,289	114%
Recreation/Arena	769,100	241,179	219,394	549,706	71%
Roads Administration	273,600	158,599	161,989	111,611	41%
Roads Maintenance	1,741,800	719,544	597,887	1,143,913	66%
Winter Control	513,500	308,100	489,883	23,617	5%
Roads Construction	-	-	-	-	-
Bridges	27,500	-	1,018	26,482	96%
Facilities	52,600	21,917	6,774	45,826	87%
Street Lights	113,000	47,083	37,036	75,964	67%
Sidewalks	70,500	29,054	18,780	51,720	73%
Fuel and Equipment	-	-	-	-	-
Sanitary Sewers	-	-	-	-	-
Canborough Street Project	91,100	91,100	91,100	-	0%
Northridge Street Project	56,000	56,000	56,000	-	0%
Drainage	56,000	23,333	6,859	49,141	88%
Storm Sewers	-	-	-	-	0%
Water	-	-	-	-	-
TOTAL EXPENDITURES	7,399,450	3,565,453	3,271,953	4,127,497	56%

Township of West Lincoln
Capital Projects
As of May 31, 2015

Appendix B

	2015 Budget Amount	Prior Year Budget Available	Expenditure to Date	Balance Unspent
General Government				
Information Technology	27,300	-	-	27,300.00
Server Room Renovation/Relocation	-	111,220.60	1,394.00	109,826.60
GIS Software Solution	-	32,008.26	26,364.00	5,644.26
Office equipment	5,000	-	-	5,000.00
Records Management	6,000	16,144.33	10,840.00	11,304.33
Corporate Reorganization	-	32,054.38	5,619.24	26,435.14
	38,300	191,427.57	44,217.24	185,510.33
Fire				
Bunker Gear	16,000	-	-	16,000.00
Small Equipment Stn # 1	8,000	-	5,999.00	2,001.00
Small Equipment Stn # 2	5,000	-	1,961.00	3,039.00
2015 Pumper/Rescue Truck	500,000	-	-	500,000.00
2015 Firecon Headsets	27,000	-	-	27,000.00
2015 Firehouse Business Management System	15,000	-	-	15,000.00
	571,000	-	7,960.00	563,040.00
Facilities				
Roof Repairs at Public Works Building	-	26,000.00	26,462.00	462.00
Lions Building	-	41,542.88	22,709.00	18,833.88
Caistor Firehall Roof Repairs	-	39,804.62	43,553.00	3,748.38
Demolish Ice Building	-	48,936.95	28,997.00	19,939.95
2015 Caistor Firehall Paint	15,000	-	-	15,000.00
2015 Wellandport Bathroom Fixtures	2,200	-	-	2,200.00
2015 Wellandport Hall Floor	23,000	-	-	23,000.00
2015 PW Man Doors	3,400	-	-	3,400.00
2015 PW Wash Bay Doors	4,800	-	-	4,800.00
2015 PW Cold Bay Doors	10,000	-	-	10,000.00
	58,400	156,284.45	121,721.00	92,963.45
Library				
Wellandport Library Assessment	7,345	-	6,614.00	731.00
Roads				
Canborough Street Streetscaping	-	186,477.00	-	186,477.00
Northridge Drive	-	248,755.80	-	248,755.80
Road Assessment Study	-	82,718.18	6,992.00	75,726.18
2015 Caistor Center Road Rehab	295,000	-	-	295,000.00
2015 Port Davidson Road Resurfacing	286,100	-	-	286,100.00
2015 Traffic Modelling Update	11,000	-	-	11,000.00
2015 Young Street Rehab	410,000	-	-	410,000.00
	1,002,100	517,950.98	6,992.00	1,513,058.98
Bridges				
South Grimsby Rd 6 Bridge	-	108,546.91	9,547.12	98,999.79
Bridge Inspection Program	25,000	1,649.86	1,017.60	25,632.26
2015 Guard Rail Replacement	110,000	-	-	110,000.00
2015 Culvert Inspections	2,500	-	-	2,500.00
	137,500	110,196.77	10,564.72	237,132.05
Sidewalks				
Canborough Street	-	416,130.61	-	416,130.61
2015 Wade St(MARG TO MARG)	20,000	-	-	20,000.00
2015 Station St (RAIL TO 330)	126,500	-	-	126,500.00
	146,500	416,130.61	-	562,630.61
Sewers				
Canborough Street	-	90,964.00	-	90,964.00
Sewer Morgan Street	120,000	12,919.01	2,202.09	130,716.92
Inflow & Infiltration Reduction Program	-	95,653.28	4,121.00	91,532.28
2015 Station St. Sanitary Refurb	28,000	-	-	28,000.00
2015 Brock St. CCTV	12,000	-	-	12,000.00
2015 Brock St. Sani Spot Repair	7,000	-	-	7,000.00
2015 Brock St. Replace M52-M53	20,000	-	-	20,000.00
2015 St. Catherine's Sani Liner	35,000	-	-	35,000.00
2015 West St. Sani Upgrade	40,000	-	-	40,000.00
	262,000	199,536.29	6,323.09	455,213.20

**Township of West Lincoln
Capital Projects
As of May 31, 2015**

Appendix B

	2015 Budget Amount	Prior Year Budget Available	Expenditure to Date	Balance Unspent
Storm Sewer				
Storm Sewer Inventory	-	23,278.22	22,993.00	285.22
Stormceptor Inspection and Cleaning	6,500	3,492.94	166.80	9,826.14
Storm Sewer Morgan Street	-	10,000.00	-	10,000.00
Canborough Street	-	156,383.00	-	156,383.00
2015 McMurchie Lane Storm	5,000	-	-	5,000.00
	11,500	119,611.84	23,159.80	131,271.64
Equipment				
Ford One Ton Dump	-	59,002.75	44,910.73	14,092.02
Water Van	-	2,923.86	30.53	2,893.33
Jeep Liberty Replacement	-	6,056.85	30.53	6,026.32
Misc. PW equipment	5,000	-	-	5,000.00
Misc. Recreation equipment	5,000	-	504.00	4,496.00
Top Dresser-Recreation Department	-	15,000.00	-	15,000.00
Two Pick Up Trucks	-	8,938.42	61.00	8,877.42
Tandem Trucks	197,000	-	-	197,000.00
2015 Ice Resurfacer	107,000	-	-	107,000.00
Trailer/Electronic Speed Board	12,000	-	-	12,000.00
	326,000	91,921.88	45,536.79	372,385.09
Water				
Canborough Street	-	381,931.00	-	381,931.00
Water Leak Detection Program	-	5,000.00	-	5,000.00
2015 Water Loss Program	50,000	-	-	50,000.00
2015 Water Rate Review	55,000	-	-	55,000.00
	105,000	386,931.00	-	491,931.00
Recreation				
Playground Equipment	-	5,000.00	-	5,000.00
Parks Signage	6,000	-	-	6,000.00
2015 ARENA Project Management	100,000	-	-	100,000.00
2015 LEISUREPLEX Jumping Pit	8,000	-	6,500.00	1,500.00
2015 ABINGDON Pavillion Repairs	2,400	-	-	2,400.00
2015 FAIRGROUNDS Ball Fence	4,500	-	-	4,500.00
2015 ABINGDON Bleachers	12,400	-	-	12,400.00
2015 LEISUREPLEX Bleachers	15,000	-	-	15,000.00
2015 LEISUREPLEX Irrigation	6,000	-	-	6,000.00
2015 NORTH CREEK Trail	100,000	-	-	100,000.00
Tree Planting	2,227	-	2,041.00	-
2015 Facility Scheduling Software	17,000	-	-	17,000.00
Library Chairs	1,600	-	-	1,600.00
	275,127	5,000.00	8,541.00	271,400.00
Planning				
Establishment of Economic Dev. Strategy	-	60,000.00	-	60,000.00
Urban Design Manual	-	49,804.62	5,654.00	44,150.62
Zoning By-Law	-	50,858.83	-	50,858.83
Amendment 2, Places to Grow	45,000	-	-	45,000.00
2015 NW Smithville Secondary Plan	45,000	-	-	45,000.00
	90,000	160,663.45	5,654.00	245,009.45
TOTAL	3,030,772	2,116,431	287,284	4,859,734

DATE: June 15, 2015
REPORT NO: RFD-CAO-03-15
SUBJECT: Provision of Canine Control and Humane Services
CONTACT: Carolyn Langley, Clerk & Chris Carter, CAO

OVERVIEW:

This report proposes to extend the renewal of the contract with the Welland & District Humane Society for the provision of Canine Control and Humane Services for the Township of West Lincoln to December 31, 2017.

RECOMMENDATION

1. That, Report RFD-CAO-03-15 "Provision of Canine Control and Humane Services", dated June 15, 2015 be received; and,
2. That, the Township extend the agreement with the Welland & District Humane Society to December 31, 2017 for the costs as outlined in this report, and,
3. That, a by-law authorizing the Mayor and Clerk to sign an agreement with the Welland & District Humane Society be presented at the June 22, 2015 Council meeting.

ALIGNMENT TO STRATEGIC PLAN

Not applicable to this report.

BACKGROUND

Report RFD-CAO-01-2015 was presented to the Administration/Finance/Fire Committee on January 19, 2015. At that meeting, there was much discussion regarding but not limited to how often we use the services (i.e. number of calls), dog tag revenue, what could we do differently/alternatives, door to door dog tag sales, dead animal disposal, injured animals, etc. The Committee was interested in having the Welland & District Humane Society representatives attend a future meeting to provide additional information regarding their services.

CURRENT SITUATION

On May 19, 2015, representatives from the Welland & District Humane Society attended the Administration/Finance/Fire Committee meeting and provided an overview of the new initiatives that the Society is undertaking which include but are not limited to: low cost clinics, a regional training centre, pet visits and education and a mobile unit, etc. The representatives also responded to questions from Members of Council.

The submission provided by the Welland & District Humane Society as contained in the report submitted in January, contained the following annual costs for the next two years:

2016	\$16,371.00
2017	\$17,189.00

The Welland & District Humane Society has confirmed that the agreement can be extended using the prices submitted in their proposal that was considered in January, 2015.

Township staff continue to be pleased with the services provided by the Welland & District Humane Society and are now recommending that the one year contract approved in January, be extended for an additional two years (2016 and 2017) under the conditions as initially proposed.

FINANCIAL IMPLICATIONS

The 2015 contract amount was included in the 2015 Budget submission. If the Committee approves this report, the contract amounts for 2016 and 2017 will be included in appropriate future budgets.

INTER-DEPARTMENTAL COMMENTS

Not applicable to this report.

CONCLUSION

It is concluded that the Township renew the agreement with the Welland & District Humane Society for the provision of canine control, humane and pound keeping services to December 31, 2017 in order to avoid having the agreement expire at year end in an election year.

Prepared by:

Submitted by:

Carolyn Langley, Clerk

Chris Carter, CAO

“The Township of West Lincoln will be a community that values our heritage, preserves our environmental and natural resources, fosters entrepreneurial spirit and provides excellent quality of life”

DATE: June 15, 2015
REPORT NO: RFD-C-06-2015
SUBJECT: Establishment of Appeal Committee to deal with appeal of Notice to Muzzle Order
CONTACT: Carolyn Langley, Clerk

OVERVIEW:

This report is written to establish an Appeal Committee to deal with an appeal to a Notice to Muzzle Order issued by the Welland & District Humane Society for a vicious dog.

RECOMMENDATION

- (1) That, Report RFD-C-06-2015 dated June 15, 2015 regarding the “Establishment of Appeal Committee to deal with appeal of Notice to Muzzle Order”, be received; and,
- (2) That, the Appeal Committee be and is hereby established and consists of all of the Members of Council and that the Mayor be and is hereby appointed as Chair of the Appeal Committee; and,
- (3) That, the Clerk’s Department be and are hereby authorized to proceed with scheduling an Appeal Committee meeting at ___ p.m. on _____, in the Township of West Lincoln’s Council Chambers and send the required notifications to affected parties as outlined in the Dog Control By-law 2011-44, as amended.

ALIGNMENT TO STRATEGIC PLAN

Not applicable to this report.

BACKGROUND

By-law 2011-44, as amended, provides for the licensing, control and regulation of dogs. Within By-law 2011-44, there are provisions to address the issue of vicious dogs; specifically, Sections 12, 13 and 14 which deal with vicious dogs, appeals of orders issued requiring the muzzling of a vicious dog and the Appeal Committee which deals with an owner’s appeal of an order to muzzle a vicious dog (extract of Sections 12, 13 and 14 are attached as Schedule A to this report). Schedule B of By-law 2011-44 provides procedures for the Appeal Committee to follow should the owner of a dog that was issued a Notice to Muzzle Order appeals the Order (refer to Schedule B attached to this report).

CURRENT SITUATION

An application for a hearing for an appeal of a muzzle order, along with the applicable fee of \$150.00, has been submitted by an individual whose dog has been declared vicious by the Welland & District Humane Society and has been issued a Notice to Muzzle order. The \$150.00 fee was submitted within the ten day allowable time frame as provided in By-law 2011-44, as amended.

Upon receipt of the application for a hearing from an owner of the alleged vicious dog, the Clerk must convene a meeting of the Appeal Committee and must give the owner of the dog, any material witness relevant to the declaration, the victim, if any, and the agency which declared the vicious dog and issued the Notice to Muzzle, 7 days written notice, by personal service or express post mail of the time, date and location of the hearing.

Accordingly, the Appeal Committee must be established and a date set for the hearing in order for the Clerk to issue the appropriate notices to the affected parties. It is recommended that the Appeal Committee consist of all of the Members of Council with the Mayor acting as Chair. A date must be established and will be discussed when all Members of Council are present.

FINANCIAL IMPLICATIONS

There are no financial implications.

INTER-DEPARTMENTAL COMMENTS

Not applicable to this report.

CONCLUSION

Staff recommends that all Members of Council sit as the Members of the Appeal Committee and that a date for the hearing be set in consultation with all Members of Council.

Respectfully submitted by:

Approved by:

Carolyn Langley, Clerk

Donna DeFilippis, Acting CAO

SCHEDULE "A"

Extracts – Sections 12, 13 & 14 from By-law 2011-44

12. VICIOUS DOG:

- (a) The Society shall have the authority to designate a dog as vicious and may make whatever inquiry deemed necessary to determine if a dog is vicious.
- (b) No person who owns, keeps or harbours a dog that has been declared to be vicious shall allow:
 - (i) the dog to be on any street or in any public place or any other place that is not owned or controlled by the owner unless:
 - (A) the dog is secured on a substantial leash with a maximum length of one meter and of sufficient strength to restrain the dog to keep it from chasing a person or a domestic animal;
 - (B) the dog shall be muzzled in a manner that will not cause injury to the dog or interfere with its vision or respiration; and
 - (C) the dog shall be under the control of a person 16 years of age or older and have adequate strength to restrain the dog;
 - (ii) the dog to come into contact with persons or domestic animals other than the owner of the dog. The dog when on the owner's premises must be securely confined either indoors, or in an enclosed pen or structure, a minimum size of 1.5 meters by 3 meters or a securely fenced rear yard where the fence is a minimum height of 1.8 meters. The enclosed pen or the fenced yard shall be equipped with a locking device and self latching device to prevent the dog from escaping. The self-latching device shall be designed in such a manner that the pen or gate cannot be opened from outside by a child. The dog shall only be transported from one location to another by means of a collar, leash and a muzzle;
 - (iii) a vicious dog on his or her premises without conspicuously displaying a sign warning that there is a vicious dog on the property.
- (c) No person shall fail to identify a vicious dog by way of an implanted microchip at the owner's expense, such microchip information to be provided to the Township and/or the Society within ten (10) days of having a dog declared vicious.
- (d) Every owner shall notify the Township and/or the Society forthwith if a vicious dog is loose, unconfined, has attacked another animal or human or has died or has been given away to another person or has moved or changed residency.
- (e) Every owner shall ensure that a vicious dog is spayed or neutered and that the licence fee is paid for a vicious dog set out in Schedule "A" to this by-law.

13. APPEALS:

- (a) Where a dog has been declared vicious by the Township and/or the Society, pursuant to the provisions of this by-law, the owner of the dog may apply to the Township for a hearing in respect of such Notice to Muzzle.

"The Township of West Lincoln will be a community that values our heritage, preserves our environmental and natural resources, fosters entrepreneurial spirit and provides excellent quality of life"

- (b) An application with the applicable fee as set out in Schedule “A” for a hearing shall be made in writing and delivered to the Clerk of the Township within 10 days after the Notice to Muzzle has been served.
- (c) Upon receipt of the application for a hearing from an owner of the alleged vicious dog, the Clerk shall convene a meeting of the Appeal Committee and shall give the owner of the dog, any material witness relevant to the declaration, the victim, if any, and the agency which declared the vicious dog and issued the Notice to Muzzle, 7 days written notice, by personal service or express post mail of the time, date and location of the hearing.
- (d) The applicant and any other interested person may appear at the hearing and present oral, written or visual evidence related to the dog.
- (e) When the owner of the dog does not attend at the proper time and location, the Appeal Committee may proceed with the hearing in his/her absence and the applicant shall not be entitled to any further notice of the proceeding.

14. APPEAL COMMITTEE:

- (a) The Appeal Committee shall deliberate the merits of the evidence presented and shall render its decision at the meeting or shall reserve its decision to be presented later, which shall not be later than 10 days following the date of the hearing.
- (b) The decision of the Appeal Committee is final and binding.
- (c) The Appeal Committee shall confirm the vicious dog declaration and order, or exempt the owner of the dog from any of the muzzle, restraining or leashing requirements, or all, or dispose of an appeal by Consent Order.
- (d) The procedure of the Appeal Committee, appended hereto as Schedule “B” to this by-law shall govern the hearings of the matter subject only to the discretion of the Chair of the Committee to modify such procedures for the purpose of accommodating exigent circumstances and further to the extent that any matter arising during the course of proceedings not covered in the provisions of this by-law, shall be governed by the Statutory Powers and Procedures Act.
- (e) Notwithstanding that an applicant has applied for a hearing to appeal a Notice to Muzzle, all responsibilities on a person, as described in Section 12 hereto, including the Notice to Muzzle take effect when the declaration is served on the person to whom it is directed and all responsibilities will remain in effect until the Appeal Committee has made its decision on the appeal.
- (f) A written copy of the decision of the Appeal Committee, or the Consent Order shall be prepared, as soon as practicable after the conclusion of the hearing, and shall be delivered or mailed by express post mail to the applicant at the address shown on his/her application, the defendant, Niagara Regional Police, Regional Public Health Department, the Township, the Society, members of Council, Appeal Committee Members and the Clerk.

**SCHEDULE "B"
(Schedule B to By-Law 2011-44)**

PROCEDURE OF APPEAL COMMITTEE

This schedule outlines appeal hearings before the Committee where a person wishes to challenge a designation made pursuant to the provisions of this By-law to designate a dog as vicious.

Meeting Procedure

Introduction – Chair shall call the meeting to order and introduce staff members, officers, and ask the appellant and/or his or her agent to introduce themselves.

The procedure to be followed at a hearing is as follows:

1. The Animal Control Officer will give evidence in support of why he or she has designated the dog to be dangerous. Evidence may also be given by other witnesses in support of the Animal Control Officer's decision.
2. After evidence in chief is given, the appellant or his or her agent will be given an opportunity to question any witness that is presented in support of the Animal Control Officer's case. In addition, Committee members may ask question of the witnesses.
3. Upon conclusion of the evidence in support of the Animal Control Officer's decision, the appellant will be given the opportunity to present evidence in support of their case. The appellant may call witnesses to give evidence in support of their case.
4. After evidence in chief is given, the Animal Control Officer or his or her agent may ask questions of the appellant or witnesses, on behalf of the Township. Committee members will also have an opportunity to ask questions.
5. After the appellants case, any member of the public present including any victim, may speak to the appeal by rising and being recognized by the Chair.
6. The Committee members, the Animal Control Officer and the appellant may ask questions of any presenter from the public.
7. At the conclusion of the evidence, both the animal control officer and the appellant, or their agents as the case may be, will be given the opportunity to summarize their case.

Once the hearing has been concluded, the Committee will consider the evidence as well as the submissions and will make a decision on the issue.

“The Township of West Lincoln will be a community that values our heritage, preserves our environmental and natural resources, fosters entrepreneurial spirit and provides excellent quality of life”

**Joint Accessibility Advisory Committee
Meeting Minutes
Thursday, May 14, 2015
Township of West Lincoln Municipal Offices
318 Canborough St.
Smithville, ON
6:30 p.m. - 8:00 p.m.**

Present:

Ann Villalta
Stephen Barker
Connie Groves
Sharon Cook
Rhys Evans
Terry Bell
Gordana Mosher
Joey Hewitt
Karen Lemieux
Brenda Mitchell
Sheila Hirsch-Kalm

Ex-Officio:

Carolyn Langley
Donna Delvecchio

Regrets:

Donna Herrington

1. **Call to Order.** Called to order at 6:30 p.m.
2. **Welcome and Introductions.** Introductions were made all around.
3. **Approval of the Agenda.**

Be it resolved that the Agenda is approved. Moved by: Connie Groves, Seconded by: Karen Lemieux. Carried.

4. **Approval of Minutes from April 9, 2015.**

Be it resolved that the Minutes from April 9, 2015 are approved. Moved by: Brenda Mitchell, Seconded by: Terry Bell. Carried.

Old Business:

5. **AODA Legislative Review – Dean Moran Report – Summary –**
The Committee discussed the 8 page review of the Dean Moran Report that was provided by Donna. The Committee discussed issues such as enforcement, customer service in the public sector and the rate that implementation of the recommendations is taking.
6. **Invitation to Other AAC's Status** – Stephen advised that an email was sent to other AAC's to seek interest in meeting to discuss mutual issues. Two representatives from Fort Erie agreed to attend the July 9th meeting. The other AAC's may attend a future meeting as there was support of the concept.

New Business:

7. **AODA 10th Anniversary**

The Committee discussed ideas of how to mark the AODA 10th Anniversary. It was generally agreed that the Committee would meet at an accessible location in each municipality and invite the press to do some media coverage.

Donna Delvecchio will follow-up with the Town of Lincoln to host the June meeting at The Fleming Centre and Town of Niagara-on-the-Lake to host the July meeting at the Niagara-on-the-Lake Community Centre. After confirmation of the venue, the respective reps. from those two communities would invite the press to attend.

Donna Delvecchio provided an overview of the AMCTO AODA 10th Anniversary Celebration event she attended on May 13, 2015.

8. **JAAC – Social Media Committee**

Three members from the JAAC Committee volunteered to form a Social Media Sub-Committee, Rhys, Gordana and Ann will brainstorm over email and provide the JAAC a proposal, prior to publication, to utilize Facebook and Twitter to raise awareness of the JAAC. The participating municipalities must provide approval of the social media site prior to it becoming live.

9. Community News

1. Stephen advised that Donna Herrington is participating in accessibility training programs for Niagara Parks Commission staff in early June. With the PanAm/Parapan games approaching Niagara Parks Commission is putting a stronger focus on accessibility at their venues.
 2. Ann advised that Linda Crabtree has set-up a website niagaraonwheels.com.
 3. Stephen advised he is working the Grimsby store owners and Grimsby Secondary School to install temporary ramps in store fronts to assist those with accessibility issues.
 4. Sheila advised an Age Friendly information session will be held on June 5, 2015 at the Region of Niagara.
10. **Next Meeting – Thursday, June 11, 2015.** Location to be confirmed.
11. **Adjournment.** Meeting was adjourned at 7:45 pm. Moved by Sharon Cook. Seconded by Connie Groves.