

Lincoln Chambers

October 2, 2000

The Council of the Town of Lincoln met in regular session on Monday, October 2nd, 2000 at 7:04 p.m. in the Lincoln Chambers. All members of Council were present except Ald. H. Bald and Ald. A. Danyluck. Staff present: S.B. Peever (Acting Chief Administrative Officer/Director of Finance), K. Dale (Director of Planning & Development), and T. McHarg (Director of Corporate Services/Clerk). Mayor Konkle called the meeting to order.

ADOPTION OF MINUTES

Motion:

Moved by Ald. W. MacMillan, Seconded by Ald. B. Davies
That the minutes of Council's regular meeting of September 18th, 2000, be adopted as circulated.

CARRIED

Mayor Konkle expressed condolences at the death of former Prime Minister Pierre Elliot Trudeau and informed Council that a book of condolences would be set up at Town Hall, to be delivered to Mr. Trudeau's family.

Mayor Konkle also informed Council that Ald. Hilary Bald would not be seeking re-election this November due to health issues. Mayor Konkle thanked Ald. Bald for all her efforts and wished her well.

DELEGATIONS

JOHN ALTON & JOHN HILTEBRAND. LINCOLN HYDRO RE: PROPOSED AMALGAMATION OF LINCOLN HYDRO, PELHAM HYDRO AND WEST LINCOLN HYDRO.

John Hildebrand, Chairman of Lincoln Hydro, and John Alton, Amalgamation Manager, were present and gave a brief background of amalgamation activities to date between Lincoln, Pelham and West Lincoln Hydro. Discussion was held regarding the deadline of November 7th, 2000, and the 33 1/3% transfer tax.

Other issues discussed included the debt of the new utility and the impact that it may have on rates in the future.

Motion:

Moved by Ald. B. Davies, Seconded by Ald. W. MacMillan
That the Executive Summary of the plan for the amalgamation of the Hydro Electric Commissions of Lincoln, Pelham and West Lincoln dated September 29th, 2000 be received and the recommendations contained therein be approved and acted upon.

CARRIED

Motion:

Moved by Ald. W. MacMillan, Seconded by Ald. B. Davies

That leave be given to introduce the following by-laws:

(a) No. 00-96, to approve the incorporation of a corporation and subsidiaries a under the Business Corporations Act (Ontario) pursuant to Section 142 of the Electricity Act, 1998, and the Ontario Energy Board Act, 1998, as well as an agreement of the shareholders of the foregoing parent company.

(motion continued on next page) (Council, Oct 2/00) -2-

(continued from previous page)

(b) No. 00-97, to transfer the employees, assets, liabilities, rights and obligations of the Lincoln Hydro Electric Commission and of the Corporation of the Town of Lincoln in respect of the transmission, distribution and retailing of electricity to a corporation and its subsidiary corporations to be incorporated under the Business Corporations Act (Ontario) pursuant to Section 142 of the Electricity Act, 1998 (Ontario).

CARRIED

Motion:

Moved by Ald. W. MacMillan, Seconded by Ald. B. Davies

That By-laws Nos. 00-96 and 00-97, read a first time, be now read a second and third time and finally passed, and that the Mayor and Clerk sign and seal the said by-laws.

CARRIED

DOUG BURTON & HORACE BURTON, BEAMSVILLE LIONS CLUB RE: DONATION TO BEAMSVILLE LIONS PARK.

Doug Burton and Horace Burton were in attendance on behalf of the Beamsville Lions Club and presented a cheque to the Town in the amount of \$4,000. The Mayor thanked the Lions Club on behalf of Council for this payment.

**DUNCAN MACFARLANE. SOLICITOR FOR PIERINA DIPAOLO RE:
TEMPORARY USE BY-LAW.**

Duncan MacFarlane was in attendance on behalf of Pierina DiPaolo, and outlined to Council that Ms. DiPaolo expects to be in the house shortly, and as such Council should be in a position to support the temporary use by-law.

MONTY VANDEYAR. CHARLIE PARKER RE: SITE PLAN APPLICATION.

Monty Vandeyar and Charlie Parker were in attendance to speak in support of a site plan application to allow for a farm helphouse on the Parker property. Mr. Vandeyar outlined that they wished to amend the site plan agreement and that the site plan agreement would spell out exactly what the mobile home would be used for. It was stated that this mobile home would not be a principal residence and that it would only be a farm helphouse.

REGIONAL COUNCILLOR JILL HILDRETH

Regional Councillor Hildreth was in attendance and gave a brief presentation regarding the land ambulance transfer and upgrading of ambulance response times. It was noted that the enhancements proposed by the Region were required in order to meet response criteria. It was noted that a station would be moved to Iroquois Trail as well as a possibility of adding a satellite ambulance station in Vineland. Councillor Hildreth also informed Council of a public meeting in Vineland, to be held October 18th, 2000, from 6:00 pm to 8:00 pm, regarding options for the bump-outs located on Regional Road No. 24 (Victoria Avenue).

REPORTS

PUBLIC MEETING

Motion:

Moved by Ald. R. Kelly, Seconded by Ald. W. MacMillan
That the minutes of the Public Meeting of September 19th, 2000, be received.

CARRIED (Council, Oct 2/00)

PLANNING COMMITTEE

Motion:

Moved by Ald. R. Kelly, Seconded by Ald. W. MacMillan
That the Planning committee minutes of September 19th, 2000, be adopted, and the recommendations contained therein be approved and acted upon. CARRIED

PUBLIC MEETING

Motion:

Moved by Ald. R. Kelly, Seconded by Ald. B. Davies
That the minutes of the Public Meeting of September 25th, 2000, be received.

CARRIED

**PARKER APPLICATION FOR SITE PLAN AMENDMENT, SEPTEMBER 25TH -
PLANNING MINUTES.**

Motion:

Moved by Ald. R. Kelly, Seconded by Ald. W. MacMillan
That the motion of Konkle/MacMillan be amended as follows:
That the site plan be approved for amendment.

CARRIED

YEAS: Aid. G. Barlow, Ald. B. Davies, Ald. R. Kelly, Ald. W. MacMillan, Mayor R. Konkle

NAYS: Ald. D. Good

PLANNING COMMITTEE

Motion:

Moved by Ald. R. Kelly, Seconded by Ald. W. MacMillan
That the Planning Committee minutes of September 25th, 2000, be adopted as amended, and the recommendations contained therein be approved and acted upon.

CARRIED

YEAS: Ald. G. Barlow, Ald. R. Kelly, Ald. W. MacMillan, Mayor R. Konkle

NAYS: Ald. B. Davies, Ald. D. Good

FIRE & PUBLIC SAFETY COMMITTEE

Ald. W. MacMillan, Chairman of the Fire & Public Safety Committee requested a special meeting be set to discuss a report on the Campden Fire Station as well as the possible purchase of a new pumper tank. A special meeting of the Fire & Public Safety Committee was tentatively set for October 12th, at 7:30 pm, to be

held in the Beamsville Room.

Motion:

Moved by Ald. W. MacMillan, Seconded by Ald. B. Davies
That the Fire & Public Safety Committee minutes of September 27th, 2000, be adopted, and the recommendations contained therein be approved and acted upon.

CARRIED (Council Oct 2/00) -4-
FINANCE & ADMINISTRATION COMMITTEE

Motion:

Moved by Aid. B. Davies, Seconded by Aid. R. Kelly
That the Finance & Administration Committee minutes of September 27th, 2000, be adopted, and the recommendations contained therein be approved and acted upon.

CARRIED
CONFIRMATION OF COMPLIANCE WITH SECTION 34 OF THE PLANNING ACT

Motion:

Moved by Ald. W. MacMillan, Seconded by Ald. G. Barlow
That Council has considered the requirements of Paragraph 17 of Section 34 of the Planning Act, R.S.O. 1990, and concludes that no further notices of public meeting is required in the matter of the following proposed amendment to Zoning By-law No.93-74-21:

(a) No. 00-99-2216, to amend Zoning By-Law No. 93-14-21, as amended, of the Town of Lincoln (Van Rooyen).

CARRIED
BY-LAWS

Motion:

Moved by Ald. G. Barlow, Seconded by Ald. R. Kelly
That leave be given to introduce the following by-laws:
(a) No. 00-93, to authorize the execution of a site plan agreement with Dirk Walter VanRooyen and Tracy Jane VanRooyen.
(b) No. 00-94, to authorize the execution of a site plan agreement with Stanley Lemstra and Linda May Lemstra.
(c) No. 00-95, to provide for reduced opening hours for polling places at institutions and retirement homes.
(d) No. 00-98, to adopt, confirm and ratify matters dealt with by Council resolution.
(e) No. 00-99-2216, a by-law to amend zoning By-Law No. 93-74-21 as amended, of the Town of Lincoln (VanRooyen).

CARRIED

Motion:

Moved by Ald. B. Davies. Seconded by Ald. G. Barlow
That ~~-law Nos. 00-93, 00-94, 00-95, 00-98 and 00-99-2216 read a first time, be now read a second and third time and finally passed, and that the Mayor and Clerk sign and seal the said by-laws.

CORRESPONDENCE

CARRIED

Motion:

Moved by Ald. R. Kelly, Seconded by Ald. W. MacMillan
That Town of Lincoln Council support the City of Welland and endorse the City of Toronto in its final bid to host the 2008 Summer Olympic Games.

CARRIED (Council, Oct 2/00)

CLOSED SESSION

Motion:

Moved by Ald. B. Davies, Seconded by Aid. W. MacMillan
That Council adjourn to closed session in order to address a ~ersonnel matter about an identifisble individual, including a municipal or local employee.

CARRIED

Motion:

Moved by Ald. W. MacMillan, Seconded by Aid. B. Davies
That Council resume in open session.

CARRIED

Council agreed to purchase three tickets at \$250.00 a ticket to the Twenty Valley Fundraising Dinner for the Acting Chief Administrative Officer, Director of Community Services and the Museum Director to attend.

FOUNDATION PERMITS

Motion:

Moved by Ald. R. Kelly, Seconded by Ald. W. MacMillan
That Council shall be the sole granting authority for foundation permits.

CARRIED

ADOURNMENT

There being no further business to discuss, the Mayor declared the meeting adjourned at 9:35 p.m. Council Chambers October 10, 2000

Minutes of the Public Works Committee of the Town of Lincoln held on Tuesday, October 10, 2000, at 7:00 p.m., in the Council Chambers. Present were: Ald. G. Barlow (Chairman for Year Id. A. Danyluck), Ald. R. Kelly, Ald. B. Davies and Mayor R. Konkle. Also present: Ald. Dave Good, John Kukalis, Director of Public Works, Doug Campbell, Operations & Equipment Manager, and Doug Kerr, Technical Services Manager.

PUBLIC WORKS ACCOUNTS

Members of Committee asked questions about various accounts to which the staff responded.

Motion:

Moved by Ald. B. Davies, Seconded by Mayor R. Konkle
THAT ~e~artment payments in the amount of \$443,177.21 incurred in accordance with Council Policy A-94-218, having now been audited by Committee be ratified by Council.

CARRIED

RECREATION ACCOUNTS

Motion:

@ Moved by Mayor R. Konkle, Seconded by Ald. B. Davies
THAT Department payments in the amount of \$2,025.14 incurred in accordance with Council Policy ~:94-218, having now been audited by committee be ratified by Council

CARRIED

DELEGATIONS

A. East Avenue Residents

Four residents from East Avenue were in attendance. Residents expressed concerns about the narrow width of the roadway and the hazard to pedestrians that occurred when two vehicles traveling in opposing directions met. Particular concern was noted with large truck & school bus traffic. Concerns were also expressed regarding tractor trailers that utilize East Avenue, as an access route to the Commisso Plaza. In addition, to the narrow roadway, the available turning radius at both King Street and Maple Avenue is too small to accommodate them. As such, they often encroach onto private properties/lawns. One resident spoke in favor of a one-way traffic restriction and one resident was not in favor of it. Residents also rP elieve "super mailboxes" on Maple Avenue opposite Wagner Lane should be relocated.

B. Dick Catteral

Mr. Catteral attended Public Works Committee to address two items.

Firstly, Mr. Catteral informed Public Works Committee of the Jordan Lions Club efforts to help the Town fund the installation of a new sports scoreboard at the Jordan Arena. Under the proposed arrangement the Jordan Lions Club would reimburse the Town \$10,000 towards the clock. In exchange the Jordan Lions Club would sell advertising space on the north wall of the arena to local sponsors to recoup/offset their expenditure.

Motion:

Moved by Ald. R. Kelly, Seconded by Mayor R. Konkle
THAT the Jordan Lions will donate \$10,000 towards cost of a new clock

FURTHER THAT the Town pay the'^^^'.

FURTHER THAT a short agreement be prepared for the Jordan Lions to use to . . sell "space" on the clock for the life of the clock.

CARRIED

*he second part of Mr. Catteralis presentation dealt with a request to the Public Works Committee to change two user groups time slots at the Jordan ~rena to accommodate Minor Hockey & Ringette programming. To summarize, Mr. Catteral had asked Town staff to alter the scheduled time slot of two long time users (is.: Hockey groups from Bethany Church & Dave Woodcock) and have them each start a half an hour later. Town staff approached the users with this request and were told that these groups did not want to give up their current Public Works Committee Minutes of October 10, 2000 Page 2 of 4

time slot, as this would cause them problems/inconvenience. Mr. Catteral felt that the primary focus of the arena was for Minor Sports and requested Committee to alter the other user groups time slots to accommodate the preference of the Minor Hockey & Ringette

Group. 8

Motion:

Moved by Mayor R. Konkle, Seconded by Ald. B. Davies

THAT to facilitate maximum use of ice time at Jordan Arena and to facilitate optimum rentals the various groups & teams be asked and scheduled 1h hour later on Friday evenings.

CARRIED
REPORTS

A. East Avenue Traffic Restrictions, (Deferred from Aug. 14, 2000 & Sept. 11, 2000). PW 00-190

Members of Committee discussed the problems with traffic/truck movements in the core area around Comisso Plaza. In general, Members of Committee felt that the main problem was poor/restricted access to the rear of the Plaza and that no easy options existed to resolve the problem.

Motion:

Moved by Ald. B. Davies, Seconded by Mayor R. Konkle

THAT Public Works Committee recommend to Council this report be received for information.

CARRIED

Motion:

Moved by Ald. R. Kelly, Seconded by Ald. B. Davies

THAT the Director of Public Works complete the following for East Avenue.

(A) Establish a meeting at the next Public Works Committee meeting with Frank Comisso to review the problems of truck traffic.

(9) Review and implement changes to the north end of Wagner Lane to improve the turning radius for trucks onto Maple Avenue.

(C) Have the Clerk prepare a By-law to restrict truck traffic on East Avenue and review this By-law with our legal rep. prior to submitting to Committee for review

CARRIED

B. Trillium Estates Subdivision, Reduction of Letters of Credit, PW 00-245

Member of Committee enquired if enough securities remained to complete the secondary services for the development.

The Director of Public Works indicated that sufficient securities were in place.

Motion:

Moved by Ald. B. Davies, Seconded by Ald. R. Kelly

THAT the Public Works Committee recommend to Council that the letter of credit for Trillium Estates, Subdivision be reduced to an amount not less than \$ 70,418 in accordance with the subdivision agreement.

CARRIED

C. Highland Estates Subdivision, Phase I Final Reduction of Letters of Credit, PW 00-246

Members of Committee enquired if problems related to Storm Water Management and the Storm Water Management pond had been resolved. -8

The Director of Public Works indicated that the concerns expressed by the resident adjacent to the pond had been dealt with, but that the global Storm Water Management issues that affect the entire southwest neighbourhood will not likely be resolved for sometime. Even if the Municipality does eventually obtain the Konkle Creek Valley lands the Director of Public Works is of the opinion that the interim Storm Water Management works approved by the Public Works Committee Minutes of October 10, 2000 Page 3 of 4

Town, as well as, changes to the Ministry of the Environment requirements, will necessitate changes to the Master Drainage Plan.

Motion: @ Moved by Ald. B. Davies, Seconded by Ald. R. Kelly

THAT the Public Works Committee recommend to Council that the letter of credit for Highland Estates, Phase I Subdivision be reduced to an amount not less than \$45,232 in accordance with the subdivision agreement.

CARRIED

Members of Committee also asked the Director of Public Works to examine the feasibility of constructing the unfinished portion of Stadelbauer Drive and recouping the costs from the developer at Highland Estates Phase II.

D. Bartlett Road Watermain, Tender Results, PW 00-247

Members of Committee expressed concern that there was no watermain close by to which a 'loop' could be constructed.

Motion:

Moved by Mayor R. Konkle, Seconded by Ald. B. Davies

THAT Public Works Committee recommend to Council that the contract for the construction of the Bartlett Road watermain project be awarded to O'Hara Trucking and Excavating Inc. at the tender

price of \$44,597.50.

FURTHER THAT the firm of V&S Engineering Group Ltd. be retained for administration and inspection services for this Project.

FURTHER THAT the Mayor and Clerk be authorized to sign and seal the contract documents on behalf of the municipality.

CARRIED

E. Application for Road Closure & Conveyance - Extension of ~3'~ St. Between 5th Ave. & 6th Ave. (Louth), CS 00-250

Members of Committee expressed concern that an easement agreement may be in place for residences that would have no access should the road allowance be closed. Committee requested that the Director of Public Works have the Clerk look into this issue before considering the request.

Motion: a

Moved by Ald. R. Kelly, Seconded by Ald. B. Davies

THAT conditional upon J.R. Wismer reimbursing the Town for all costs in this matter staff initiate procedures required pursuant to the Municipal Act for Council's consideration to close and convey the unopened road allowance on the extension of 23rd Street between 5th Avenue & 6th Avenue (~o;th).

THAT if the abutting land owners, other than the applicant refuse their right to purchase the road allowance abutting their properties that the applicant be required to purchase any portions in order that the unopened road allowance be conveyed in its entirety.

DEFERRED

F. Application for Road Closure & Conveyance - Portion of Extension of Aberdeen Rd., Concession 6 (Clinton)

Members of Committee felt that more information was required pertaining to ownership of the various parcels and the status of the adjacent pieces of the Aberdeen allowance, before a decision could be made.

Motion:

Moved by Ald. R. Kelly, Seconded by Mayor R. Konkle

THAT the application to have the Town close and convey the unopened road allowance between lots 14 & 15, Concession 6, Clinton be denied.

FURTHER THAT staff inform the applicant that a new application would be considered for the closure and sale of the entire unopened road allowance between lots 14 & 15, Concession 6, Clinton.

DEFERRED Public Works Committee Minutes of October 10, 2000 Page 4 of 4

MEMORANDUMS

a) Fourth Avenue Watermain Connections a

Members of Committee expressed support for the memo. The Director of Public Works noted that this was brought to Public Works Committee attention as this would be the last connection permitted until the situation had some resolution.

b) Vineland Watermain Rehabilitation Project

The Director of Public Works informed Committee of some of the problems encountered with this type of project, as well as, a number of things that would be done differently when doing this type of work again. Overall, the project appears to have been successful as the flow conveyance is improved, the water quality is improved and the project was completed within budget.

c) Half Load Restrictions

Members of Committee expressed concern that the proposed start date for half load restrictions was not early enough. After discussing the matter Committee instructed staff to revise the draft By-law to extend the half load season from February 1st to April 30th.

CORRESPONDENCE 8

a) Darleen Gill-Goosen - Streetlight Reauest

Committee instructed staff to clarify the location and if appropriate add the request to the preliminary 2001 budget. Committee also instructed staff to inform the resident of this.

NEW BUSINESS

a) B. Kelly enquired as to the status of the report on the extension & looping of the Greenlane watermain.

The Director of Public Works indicated that pursuant to the new Ontario Drinking Water Regulations the Town is required to complete a system wide review. This study is currently underway and until it is complete it is not appropriate to consider other modifications.

Members of Committee asked that the Director of Public Works inform the residents Greenlane of this.

b) Mayor Konkle asked staff to review centerline markings in urban areas, and on busier

roads (ie: Balls Falls area, Glen Road, and Jordan Core).

UNSCHEDULED DELEGATIONS

None

ADJOURNMENT

There being no further business to discuss, the Chairman declared the meeting adjourned

CHAIRMAN SECRETARY Beamsville Room

October 12, 2000

Minutes of a special meeting of the Fire and Public Safety Committee held on Thursday, October 12, 2000, at 7:30 p.m. in the Council Chambers. Council present were Ald. Wayne MacMillan (Chair), Mayor Ray A. Konkle, Ald. D. Good, Ald. B. Davies and Ald. G. Barlow (for Ald. B. Culp). Staff present were Fire Chief Gerry Sunstrum; Bruce Peever, CAO; Bill Warren, Fire Prevention Officer; Brigitte Henry, Fire Chief's Secretary; Bill Culp, LFA representative; Wilf Smith; Mike Stevenson; Jack Polsky; John Hamm; Greg Smith; Shawn Stevenson; Jason Bucknall; Jeff Thompson and Fred High.

The meeting was called to order. Chairman MacMillan explained to those present who were not committee members, that their comments would be heard but only committee members would be permitted to vote.

RE PORTS

Proposed Purchase Of New Pumper/Tanker For Station #2,(FI 00-254)

The Chief gave a brief summary of the report describing the proposed truck and informed the Committee that Wilf Smith from Station 2 had accompanied him to view and test drive the truck.

Ald. D. Good questioned if the new unit could be housed in Station 2. A discussion was held regarding the height and weight of the truck in comparison to the clearance of the station doors and ceiling. It was determined that the truck would fit, into Station 2 with minimal clearance.

Mayor Konkle questioned the age of the truck and the company from which the offer has been given. Chief Sunstrum gave a brief history of D'Arch Fire and reported the truck was a 2000 model. Bruce Peever noted that there was an amount allotted in the 1999 budget for the purchase of a fire truck. This amount was not spent and was, therefore, carried into the 2000 budget and would cover the total cost as proposed.

A discussion was held regarding the options not included with the proposed truck. It was noted that should the truck be purchased, with the tanker already at Station 2, there would be a total capacity of 2000 gallons of water.

Wilf Smith commented on his preferences, such as the engine brake, heavier front axle, bend-down ladder and wider steps not included with the proposed truck. Mike Stevenson questioned the difference in equipment on the trucks and Chief Sunstrum explained that both trucks meet ULC Standards and are the same except for a few options.

Don Beal suggested the money be spent to give the fire department what they need and be allowed to maintain the buildings, vehicles and equipment properly to help reduce future costs.

Fred High spoke on the pride factor that should be involved in purchasing a new truck and shared a related quote.

It was determined that a new truck ordered, with all the options previously mentioned by Wilf Smith, would take approximately nine months until delivery.

Ald. D. Good expressed his concern with the unacceptable state of the present truck, and that time was of importance and an immediate purchase was more favourable. Ald. G. Barlow later stated the same opinion.

Ald. B. Davies asked Wilf Smith if he would be willing to accept the purchase of the proposed truck. Mr. Smith responded that it would be better than the present truck.

Bruce Peever affirmed his comfort with Chief Sunstrum's recommendation, based on the Chief's 25 years of experience, and

reminded that the purchase was under budget.

Mayor Konkle expressed his discomfort with making a large purchase from a company unknown to him, until he knew its full history.

Motion:

Moved by Ald. D. Good, Seconded by Ald. B. Davies.

That ~okncil approves the immediate purchase of the pumper and further that the mid-range painting bid by D & R Collision be accepted. CARRIED

New Campden Fire Station, (FI 00-255)

The Chief gave a brief summary of the report and the three options given. He expressed the importance of including a meeting room in the plans should a new station be built.

A discussion was held regarding the current property and the required size and cost of purchasing new land. It was noted that should a new station be built on the current property, a soil analysis would need to be done due to the necessary removal of the tile bed.

Questions were asked regarding the differences in the estimates provided. Chairman MacMillan reminded that Option 3 included all costs, such as demolition of old building, removal of tile bed and back fill, etc.

Ald. G. Barlow expressed the need for a new fire station and felt that the current property was too small to allow for a proper building.

Motion :

Moved by Ald. D. Good, Seconded by Ald. B. Davies - That the Option #2 to buy new land and build a new fire hall be investigated by staff and a report be brought to Committee. CARRIED

ADJOURNMENT

There being no further business, the Chairman adjourned the meeting.

CHAIRMAN SECRETARY Council Chambers

October 12, 2000

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Fred High spoke on the pride factor that should be involved in purchasing a new truck and shared a related quote.

It was determined that a new truck ordered, with all the options previously mentioned by Wilf Smith, would take approximately nine months until delivery.

Ald. D. Good expressed his concern with the unacceptable state of the present truck, and that time was of importance and an immediate purchase was more favourable. Ald. G. Barlow later

stated the same opinion.

Ald. B. Davies asked Wilf Smith if he would be willing to accept the purchase of the proposed truck. Mr. Smith responded that it would be better than the present truck.

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Ald. G. Barlow expressed the need for a new fire station and felt that the current property was too small to allow for a proper building.

Motion :

Moved by Ald. D. Good, Seconded by Ald. B. Davies.

That the Option #2 to buy new land and build a new fire hall be investigated by staff and a report be brought to Committee. CARRIED

ADJOURNMENT

There being no further business, the Chairman adjourned the meeting.

CHAIRMAN SECRETARY Lincoln Chambers

October 16, 2000

The Council of the Town of Lincoln met in regular session on Monday, October

16th, 2000 at 7:00 p.m. in the Lincoln Chambers. All members of Council were present except Ald. H. Bald. Staff present: S. B. Peever (Acting Chief Administrative Officer/Director of Finance), J. Kukalis (Director of Public Works), J. Pease (Director of Community Services), M. Hildebrand (Community Development Officer), T. Tallman (Deputy Fire Chief) and T. McHarg (Director of Corporate Services/Clerk).

Mayor Konkle called the meeting to order

Ald. W. MacMillan declared a conflict of interest with respect to Niagara Under Glass, and subsequently did not take part in any discussions nor vote on any motions related to the matter.

ADOPTION OF MINUTES

Ald. D. Good inquired as to why there was no mention of Council agreeing to purchase three tickets for staff to attend the Twenty Valley Fundraising Dinner. The Clerk was instructed to add this to the minutes.

Motion:

Moved by Ald. B. Davies, Seconded by Ald. A. Danyluck

That the minutes of Council's regular meeting of October 2nd, 2000, be adopted as circulated. CARRIED

DELEGATIONS

JUDY PEASE, DIRECTOR OF COMMUNITY SERVICES, RE: SUMMER PROGRAMS DONATIONS

Judy Pease, Director of Community Services outlined the various summer programs that took place in Lincoln, thanked the sponsors, and gave a slide presentation.

Mayor Konkle generally thanked all sponsors and volunteers for their participation in the programs. The "Gold" sponsors are as follows:

The Fleming Foundation - Mr. Art Fleming Jr.

Beamsville Lions Club - Mr. Steve McNiven, Mr. Doug Burton

Maracay Taro Homes - Mr. Ken Gonyou, Mr. Don Ward

Rotary Club of Lincoln - Mrs. Pat Olson

Ald. W. MacMillan thanked the sponsors and volunteers. The "Silver" sponsors are as follows:

Commisso Food Market - Mr. John Luppino

Lincoln Chamber of Commerce - Debbie Klassen

Westbrook Greenhouses Limited

The "Bronze" sponsors are as follows:

Beamsville Women's Institute - Dorothy Birch, Angella Vali

Optimist Club of Grimsby/Lincoln - Bob Hamilton, Mike Gayos

Konkle Plumbing and Heating - Ted Konkle, Shane Kruse

Beamsville Seniors Club - Keith McIntyre

DBA Financial - David & Elizabeth Akitt

Office Organizer - Pat Olson

Hopkins' Pharmacy - Jennifer Hopkins -2-

(Council minutes, Oct. 16/00)

Mayor Konkle recognized the "Services in Kind", as follows:

M & M Meat Shop of Grimsby - Don & Pat Bowers (food services for special events)

Enduro-Niagara Ltd

John Hopkins Pharmacy

Linwell Gardens

Laidlaw Transportation (Babcock)

Healthy Communities/Healthy Youth

Sweet Treats

Beamsville Lawnbowling Club

Uncle Porky's Farm

Steve DelCol

Bill Berg

Red Cross

Marty Cooper-Brock University

Judy Trussler

Your Hydro Electric Commission of Lincoln

The Links of Rockway Glen

Beamsville Pizza

After a short reception, Council resumed at 7:50 pm.

PAT BUTCHER, NIAGARA UNDER GMSS

Mrs. Pat Butcher was present, and thanked Council for the recent site meeting. She noted that a date is in place for the road construction and the tourism venture is moving ahead.

Council entered into discussion concerning the development including the road plans, and inquired whether the road construction would begin before the end 2000. Mrs. Butcher indicated that as long as the weather holds out, the construction work would begin as scheduled. It was noted that the tourism facility would be operational by May, 2001.

Motion:

Moved by Ald.R.Kelly. Seconded by Ald.B.Culu

Re: BY-law. Niagara under Glass .

That the clerk be directed to bring forward the by-law dealing with the proposed changes to the Niagara Under Glass property for the next Council meeting of November 6th, 2000. CARRIED

WILF SMITH, FRED HIGH, RE: PURCHASE OF NEW FIRE TRUCK

Mr. Wilf Smith and Mr. Fred High were present and outlined various arguments in favour of purchasing a Superior fire truck as opposed to the recommended fire truck in the October 12th, 2000, Fire & Public Safety Committee minutes.

ST. ALBAN'S CHURCH, RE: REQUEST TO WAIVE THE MINOR VARIANCE APPLICATION FEE

Joyce Morrow and Colin Harrison were present on behalf of St. Alban's Church, and outlined the history of a site plan agreement for St. Alban's Church and requested Council waive the \$400 minor variance fee. (Council minutes, Oct.16100) REPORTS

CEMETERY COMMITTEE

Motion:

Moved by Ald.D.Good, Seconded by Ald.G.Barlow

That the Cemetery Committee minutes of September 27th, 2000, be adopted, and the recommendations contained therein be approved and acted upon. CARRIED

PUBLIC WORKS COMMITTEE

Motion:

Moved by Ald.G.Barlow. Seconded by Ald.D.Good

That the Public Works committee minutes of October 10th, 2000, be adopted, and the recommendations contained therein be approved and acted upon. CARRIED

FIRE & PUBLIC SAFETY COMMITTEE

Motion:

Moved by Ald.A.Danyluck, Seconded by Ald.W.MacMillan

Re: FI 00-254, Fire truck purchase

That the motion of Ald.Good and Ald.Davies not be acted upon. Further, that the Superior Fire pumper tanker be purchased as it meets all specifications as required. Further, the truck be purchased at the approximate price of \$235,000 before taxes. CARRIED AYES: Ald.Barlow, Ald.Culp, Ald.Danyluck, Ald.Davies, Ald.Kelly, Ald.MacMillan,

Mayor Konkle. NAYS: Ald.Good.

Motion:

Moved by Ald.W.MacMillan, Seconded by Ald.R.Kelly

That the Fire & Public Safety Committee minutes of October 12th, 2000, as amended, be adopted, and the recommendations contained therein be approved and acted upon. CARRIED

MEMORANDUM FROM ACTING CAO, RE: ST. ALBAN'S REQUEST TO WAIVE THE MINOR VARIANCE APPLICATION FEE

Motion:

Moved by Ald.R.Kelly, Seconded by Ald.A.Danyluck

Re: St.Alban's request to waive the Minor Variance Application fee.

That Council of the Town of Lincoln waive the Minor variance application fee of \$400.00. CARRIED

CONFIRMATION OF COMPLIANCE WITH SECTION 34 OF THE PLANNING & J-

Motion:

Moved by Ald.R.Kelly, Seconded by Ald.A.Danyluck

That council has considered the requirements of Paragraph 17 of Section 34 of the Planning Act, R.S.O. 1990, and concludes that no further notices of public meeting is required in the matter of the following proposed amendment to

Zoning By-law No. 93-14-21 :

(a) No. 00-100-2217, to authorize the temporary use of certain lands for a use prohibited by Zoning By-law No. 93-14-21, as amended, of the Town of Lincoln (DiPaolo). CARRIED -4-
(Council minutes, Oct.16/00)

BY-LAWS

Motion:

Moved by Ald.A.Danvluck. Seconded by Ald.R.Kelly

That leave be given to introduce the following by-law:

(a) No. 00-100-2217, to authorize the temporary use of certain lands for a use prohibited by Zoning By-law No. 93-14-21, as amended, of the Town of Lincoln (DiPaolo). CARRIED

Motion:

Moved by Ald.R.Kelly, Seconded by Ald.A.Danyluck

That leave be given to introduce the following by-law:

(a) No. 00-101, to adopt, confirm and ratify matters dealt with by Council resolution. CARRIED

Motion:

Moved by Ald.A.Danyluck, Seconded by Ald.R.Kelly

That By-law No. 00-100-2217, read a first time, be now read a second and third time and finally passed and that the Mayor and Clerk sign and seal the said by-laws. CARRIED m: Ald.Barlow, Ald.Culp, Ald.Kelly, Ald.MacMillan, Mayor Konkle. m: Ald.Danyluck, Ald.Davies, Ald.Good.

Motion:

Moved by Ald.R.Kelly, Seconded by Ald.A.Danyluck

That By-law No. 00-101 read a first time, be now read a second and third time and finally passed, and that the Mayor and Clerk sign and seal the said by-laws. CARRIED

NOTICE OF NEW BUSINESS

Motion:

Moved by Ald.R.Kelly. Seconded by Ald.A.Danyluck

Re: ~incoln Hydro Proposed ~amalgamation (west LincolnPelham)

Whereas, the proposal for the amalgamation of the three (3) hydro commissions has been completed.

Whereas, the report has demonstrated and outlined in detail the need for a 5% increase in the hydro rates to meet the proposed business plan.

Whereas, the said Business Plan outlines that there will be no further increases to the hydro rates to the year 2007.

Be it resolved that the Town of Lincoln advise the proposed amalgamated Board of the new Hydro Commission that we will not entertain additional increases to the hydro rates beyond the proposed 5% as outlined in the report.

Further, that the Town of Lincoln advise the new Board that they must meet all of their obligations within the proposed 5% increase until the year 2007 as outlined in the report. CARRIED

Motion:

Moved by Ald.R.Kelly. Seconded by Ald.A.Danyluck

Re: ~incoln Hydro proposed amalgamation (west LincolnPelham)

Whereas, the proposal for the amalgamation of the three (3) hydro commissions has been completed.

Whereas, the report has demonstrated and outlined that there would be no impact on the Town of Lincoln.

Whereas, the report has outlined the need for the funding of approximately \$12,000,000. in debt at the time of the amalgamation and a possible additional \$8,400,000 for the purchase of additional area in Pelham in the future.

Whereas, it has been advised that there will be no impact on the Town of Lincoln due to this need to fund the new Commission.

(resolution cont'd on next page) -5-

(Council minutes, Oct.16/00)

(resolution cont'd from previous page)

Be it resolved that the Town of Lincoln advise the new Hydro Board (Amalgamated Board of West LincolnPelhamLincoln) that the Town will not provide any guarantees, and/or encumber the Town's future borrowing position in any way to provide the necessary funds for the new Hydro Commission.

Further, that staff be directed to question our legal counsel on the possible future

impacts on the Corporation of the Town of Lincoln as the major shareholder of the newly incorporated company with a debt of between \$12120,000,000, and to report back to this Council. CARRIED

CLOSED SESSION

Motion:

Moved by Ald.G.Barlow, Seconded by Ald.D.Good
That council adjourn to closed session in order to address a personnel matter about an identifiable individual, including a municipal or local employee.

CARRIED

Motion:

Moved by Ald.D.Good, Seconded by Ald.G.Barlow
That Council resume in open session and report as follows.

CARRIED

Motion:

Moved by Ald.A.Danluck. Seconded by Ald.W.MacMillan
That Council of the Town of Lincoln approve the following staff recommendation to be implemented immediately:

1. Split the Environmental Services Foreman into two positions: Water/Waste Water Foreman and Parks/Facilities Foreman and recruit a new Parks/Facilities Foreman, and that internal applications be considered.
2. And Senior Staff take action as directed in Committee of the Whole.

CARRIED

Motion:

Moved by Ald.A.Danluck, Seconded by Ald.B.Davies
Re: Peninsula West Utilities, Board of Directors
That Council appoint Miss Merlyn Reghelini to the Board of Directors to the New Peninsula West Utilities for a one year term. CARRIED

ADJOURNMENT

There being no further business to discuss, the Mayor declared the meeting adjourned at 10:45 pm.

CLERK: TROY J.McHARG / October 18. iOLJi

Beamsville Room

Minutes of a meeting of the Fire and Public Safety Committee held on Wednesday, October 18, 2000, at 7:00 pm, in the Beamsville Room. Present were Ald. W. MacMillan (Chairman), Ald. B. Davies, Ald. B. Culp, Ald. G. Harlow. Staff present were Deputy Chief Tim Tallman; Bill Warren, Fire Prevention Officer; Bill Culp, Lincoln Firefighters' Association and Brigitte Henry, Fire Chief's Secretary.

Ald. Barlow inquired about the amount paid to Baylis & Associates. Ald. MacMillan expressed his understanding that all departments shared the cost of the service.

Motion:

Moved by Ald. B. Culp, Seconded by Ald. B. Davies -. That Department payments in the amount of \$7,330.96 incurred in accordance with Council Policy A-94--218, having now been audited by committee be ratified by Council. CARRIED

Ald. MacMillan welcomed Deputy Chief Tim Tallman and informed the Committee that he was the Fire Chief's designate for the meeting.

REPORTS

2000 Pump Operator Course (FI 00-256j --

The Deputy Chief gave a brief summary of the report and explained to Committee members that this training would be ongoing but not an annual requirement.

A brief discussion was held regarding the requirements for a fire department in regards to operators.

Motion:

Moved by Ald. B. Culp, Seconded by Ald. B. Davies
That Committee accepts this report as information.

CARRIED

First Response First Aid Kits, (FI 00-257j

The Deputy Chief gave a brief summary of the report. He explained that the goal in purchasing these kits was standardization. Now all four stations would be equipped with identical medical bags containing the same quantity of supplies.

Sition:

Moved by Ald. B.Culp, Seconded by Mayor R. Konkle
That the Committee accepts this report as information.

CARRIED

UNSCHEDULED DELEGATIONS

None.

NEW BUSINESS

None. ADJOURNMENT

There being no further business to discuss the Chairman declared
the meeting adjourned.

CHAIRMAN SECRETARY Lincoln Chambers

Monday, October 23, 2000

Memorandum of Public Meetings regarding Amendments to the Town's Zoning By-
law, held in the Council Chambers of the Town of Lincoln Municipal Offices
on Monday, October 23, 2000 at 7:00 p.m. Committee Members in attendance:

Ald. R. Kelly (Chairman), Ald. W. MacMillan, Ald. B. Davies, Ald. A.

Danyluck and Mayor R. Konkle. Staff in attendance: Kathleen Dale

(Director of Planning and Development) and Craig Larmour (Senior Planner) .

Also present: Ald. G. Barlow

PUBLIC MEETINGS

(A) FILE 10-16/00 - ZONING BY-LAW AMENDMENT APPLICATION - FERGUSON-
NEUDORF GLASS INC. , NORTH SERVICE RD. , BTN. TUFFORD RD & MERRITT RD,
PT LTS 9 & 10, CON 1 & BF (C)

The Chairman opened the Public Meeting and outlined the procedures under
The Planning Act and the purpose of the application.

There was no one in attendance representing the applicant, nor did anyone
sign the attendance sheet.

A Committee member questioned if the applicant was notified of the meeting.
The Planning and Development Director advised that a Public Notice was sent
to the applicants themselves and all assessed property owners within 120 -0
metres of the property boundaries.

The Chairman asked if there were any further comments or questions from the
public. There being no further comments or questions from the public, the
Chairman declared the Public Meeting closed.

(B) FILE 10-07/99 - ZONING BY-LAW AMENDMENT APPLICATION NOW UNDER APPEAL
BEFORE THE OM8 - CUESTA ESTATES & WINERY CORPORATION (APPLICANT: JOHN
BELANGER) , (AGENT: TOM SMART, BLS PLANNING ASSOCIATES INC.) , N/S NR
81, TO THE WEST OF BROOKSIDE DRIVE, PT LTS 21 & 22, CON 4, (L)

The Chairman opened the Public Meeting and explained the procedures under
The Planning Act and the purpose of the application.

Those in attendance and/or who signed the attendance sheet: Tom Smart,
Dick Ballinger, Marion Ballinger, Enzo Persia, Barry Katzman, John
Giesbrecht, Rowan Shirke, Andy Wilson, Mary Mikolich, Judy Chamberlain, D.
Beaird, R. Adams, and Steve Mitchinson.

Mr. Tom Smart attended the meeting representing the applicant and provided
a brief outline of the events during the past eight months at which time
Council last made a decision regarding the application. Mr. Smart
indicated that they have held numerous meetings with Town staff and with
neighbours concerned about this particular development. Mr. Smart outlined
the revisions to the site plan proposed, including the removal of tanks and
other outside equipment from the site by harvest time next year. Mr. Smart
made reference to the Town's new Official Plan policies and revisions
regarding wineries and indicated that Cuesta has decided to proceed under
the estate winery provisions. Mr. Smart indicated that the purpose of
proceeding in this direction is to accommodate their proposal to accept
grapes and/or juice from other sites. Mr. Smart informed that the revised
site plan addresses traffic movement on-site, servicing, building location
and proximity of parking to adjacent residential properties.

Mr. Smart made specific reference to the Regional Planning and Development
Department comments, noting that the Department is no longer in objection.

Stoney Ridge agrees with the limitations and restrictions requested by the
Region in terms of maximum floor area. Mr. Smart also indicated that the
site has now been planted in Pinot Noir arawes and that the orchard has & been left along the easterly property line
for buffering and screening

purposes for adjacent property owners.

Marion Ballinger advised the Committee that she and her husband provided their own circulation of information to owners in the general area. Based on door-to-door conversations with the neighbours, they noted much less objection to the proposal at this time. Mrs. Ballinger noted that she and Planning & Development Committee
Minutes Page 2 of 3
October 23, 2000

A Committee member questioned the location of tanks as addressed on page 8 of the planning report. Tom Smart indicated that there will be absolutely no tanks outside of the buildings and that a minimal number of tanks will be used inside.

A Committee member stated that there are a number of unresolved issues regarding the development of this property and questioned why they are not specifically addressed in the recommendation. The Director advised that the by-law is intended to implement an (H) holding provision and that the holding provision will not be removed until such time as each of the outstanding issues are addressed through the application for Site Plan Approval. The Director informed that the required Site Plan Agreement will address the outstanding agency concerns and the concerns of the Town specifically. The Committee member stated their preference for the conditions to be addressed specifically in the Committee recommendation. A Committee member questioned the likelihood of Ministry of the Environment approval for the new storage disposal system. The Director advised that the amount of sewage effluent has not yet been determined and that the Planning and Development Department cannot comment on the regulations of the Public Health Department or the Ministry of the Environment. The Committee member expressed concern that the commitments made by the proponent would not necessarily be addressed to the satisfaction of the neighbours. The Director advised that the Site Plan will be specific to the commitments made by the developer and the parameters associated with the recommendation of staff.

A Committee member stated that though the distrust has been eliminated to some extent, the Town is still concerned and would like to see the By-law amended to reflect the commitments made by Stoney Ridge.

After considering report PL 00-249, the Committee adopted the following recommendation:

Motion

Moved by Mayor R. Konkle, Seconded by Ald. B. Davies
Re: PL 00-249 - Cuesta Estates & Winery Corporation, N/S Regional Road 81, PT LTS 21 & 22, CON 4 (L)

THAT, for the reasons outlined in PL 00-249, it is recommended that the revised Zoning By-law Amendment application 10-07/99, in the name of Cuesta Estates and Winery Corporation, BE APPROVED.

FURTHER, THAT the site plan come back to Committee for discussion and approval.

FURTHER, THAT a list of concerns as they relate to this application - - be listed by staff to this motion and the completed motion be presented to Council.

CARRIED

(C) PL 00-244 - FILES 38-02/00 & 10-13/00 - ZONING BY-LAW AMENDMENT AND DRAFT PLAN OF SUBDIVISION - VICTORIA SHORES DEVELOPMENTS INC., VICTORIA SHORES PHASE 2, (AGENT: MARACAY TARO HOMES), PRUDHOMMES AREA, BLOCKS 35, 36, 40, 41, 42, 43, 44 & 45, PLAN 30M-279 (L)

The Mayor advised that the matter of the Waterfront Trail as it relates to this development is an item of discussion on the agenda for the Regional Planning and Development Services Committee scheduled for Wednesday, October 25th. The Mayor advised that a decision at that meeting will facilitate a decision by Lincoln Council on November 6th.

After considering report PL 00-244, the Committee adopted the following recommendation:

Motion

Moved by Mayor R. Konkle, Seconded by Ald. B. Davies
THAT the matter be tabled until such time as the issue of the Waterfront Trail is put to rest as it relates to this proposal.

CARRIED

Ken Gonyou, representing the applicant, noted that the Waterfront Trail issue was resolved in Phase 1 of Victoria Shores and that the matter of parkland dedication and the location of the Waterfront Trail should not be opened up for renegotiation at this particular point. Planning & Development Committee Minutes Page 3 of 3
October 23, 2000

(D) PL 00-248 - FILE 38-01/96(2) - WITHDRAWAL OF DRAFT PLAN APPROVAL, CHERRY HEIGHTS EXTENSION SUBDIVISION

A Committee member indicated that the proponent has not moved forward on this particular development for a number of reasons, including some that are outside of the proponent's control. The Committee member questioned the legality of Council extending draft approval regardless of the provisions of The Planning Act. The Director informed that the provisions of The Planning Act have changed somewhat over the past number of years and that the provisions applicable at the time of receipt of this particular application do not permit the extension after such time as draft approval has lapsed.

It was agreed that the Town Solicitor would be contacted for an opinion in regard to the provisions of The Planning Act and the opportunity for Council to extend draft approval for this particular proposal.

After considering PL 00-248, the Committee directed that Staff obtain a legal position from the Town Solicitor as soon as possible.

(E) PL00-258 -FILE38-86(2) WITHDRAWAL OF DRAFT PLAN APPROVAL, VINEWOOD PARK EXTENSION 3 SUBDIVISION

Cec Bovaird and Larry Bilkszto attended the meeting representing the application and provided a brief history of the project and difficulties encountered, specifically regarding archeological matters. General discussion then took place regarding the merits of extending draft approval for this particular proposal.

After considering report PL 00-258, the Committee adopted the following recommendation:

Motion

Moved by Ald. A. Danyluck, Seconded by Ald. W. MacMillan
Re: PL 00-258 - Extension of Draft Plan Approval, Vinewood Park Extension 3 (Regional) File 262-91001)

It is hereby recommended that the Town extend draft approval for the Vinewood Park Extension 3 plan of subdivision for one year.

CARRIED

NOTICE OF NEW BUSINESS

Future Planning and Development Committee Meeting Schedule:

Monday, October 30, 2000

Tuesday, November 28, 2000 (due to potential Federal Election)

CORRESPONDENCE

1. Letter dated September 25, 2000 from Regional Niagara Planning and Development Department - re Housing Sites Inventory for the Niagara Region as of December 31, 1999 R&F -

2. Appeals by Isabel Hansen, Ted Lizak and Jim Goodfellow - re By-law 00-80-2213 (Westbrook) R&F -

3. Ontario Municipal Board Decision dated October 5, 2000, re Committee of Adjustment Decision A01/2000 - Max and Judith Shevchik R&F -

UNSCHEDULED DELEGATIONS

There were none.

ADJOURNMENT

There being no further business to discuss, the Chairman adjourned the meeting.

SECRETARY CHAI WN Lincoln Chambers

Monday, October 23, 2000

Minutes of a meeting of the Planning and Development Committee held in the Council Chambers of the Town of Lincoln Municipal Offices on Monday, October 23, 2000, at approximately 8:30 p.m.. Commi-tee Members in attendance: Ald. R. Kelly (Chairman), Ald. W. MacMillan, Ald. B. Davies, ~ld. A. Danyluck and Mayor R. Konkle. Staff in attendance: Kathleen Dale (Director of Planning and Development) and Craig Larmour (Senior Planner). Also present: Ald. G. Barlow

SCHEDULED DELEGATIONS

The Chairman indicated that Mr. Carrigan was scheduled as a delegation, however, Mr. Carrigan contacted the Chairman prior to the meeting to inform that he was unable to attend. The Chairman indicated that Mr. Carrigan will be scheduled as a delegation to Council directly.

ACCOUNTS

Motion

Moved by Ald. Mayor R. Konkle, Seconded by Ald. B. Davies

"THAT, Department payments in the amount of \$2,630.93 incurred in accordance with Council Policy A-94-218, having now been audited by Committee be ratified by Council."

CARRIED

REPORTS

(A) PL 00-252 - FILE 10-16/00 - ZONING BY-LAW AMENDMENT APPLICATION - FERGUSON-NEUDORF GLASS INC., NORTH SERVICE RD., BTN. TUFFORD RD & MERRITT RD, PT LTS 9 & 10, CON 1 & BF (C)

A Committee member questioned how zoning has been implemented in the Zoning By-law that does not reflect the actual use of the property. The Director indicated that the 1993 Zoning By-law did not recognize a manufacturing use on this particular property. The Director further indicated that this zoning issue was not recognized until the applicant came in for an application to expand the existing facility. The Committee member questioned why the applicant was not notified of the zoning deficiency at the time they established the facility. The Director indicated that the lawyer acting on the purchase of the property would have been notified of the deficiency in zoning and that perhaps the lawyer did not pass on the information to the applicant.

A Committee member expressed concern with respect to outside storage and that materials being stored outside of the building were not kept in a neat and tidy fashion. A Committee member requested that the matter be given specific consideration in a subsequent application for site plan approval.

After considering report PL 00-252, the Committee adopted the following recommendation:

Motion

Moved by Ald. A. Danyluck, Seconded by Ald. W. MacMillan

Re: PL 00-252 - ROLL Part of 2622-010-003-15800-0000

North Service Rd, PT LTS 9 & 10, CON 1 & BF (C)

Ferguson-Neudorf Glass Inc.

For the reasons and conditions outlined in PL 00-252, it is hereby recommended:

1. That Zoning By-law Amendment Application 10-16/00, in the name of Ferguson Neudorf Glass Inc., BE APPROVED.
2. That a by-law be prepared for Council approval, for the execution of a Site Plan Agreement between the Town and Ferguson Neudorf Glass Inc.

CARRIED

(B) PL 00-249 - FILE 10-07/99 - ZONING BY-LAW AMENDMENT APPLICATION NOW UNDER APPEAL BEFORE THE OMB - CUESTA ESTATES & WINERY CORPORATION (APPLICANT : JOHN BELANGER) , (AGENT : TOM SMART, BLS PLANNING ASSOCIATES INC.), N/S NR 81, TO THE WEST OF BROOKSIDE DRIVE, PT LTS 21 & 22. CON 4. (L) Public Meeting Minutes Page 2/4 October 23, 2000

her husband were initially members of the committee objecting to the expansion of Stoney Ridge. She noted however, that since the May meeting with representatives of Stoney Ridge, they now consider the proposal in a more favourable standing. Mrs. Ballinger indicated that the grapes have now been planted and no outdoor events were held during the past summer chat caused a negative impact on the adjacent owners. Based on the revised plan, the Ballingers are in agreement with the proposal provided there are binding agreements incorporated.

A Committee member questioned if the Ballingers recognized that the proposed 570 square metre floor area was in excess of the maximum 500 square metre limitation. Mrs. Ballinger indicated that they were indeed aware and that they are not concerned provided the development does not become larger at some future point.

A Committee member questioned Mrs. Ballinger regarding events taking place

on the site. Mrs. Ballinger indicated that while some activity may have taken place in terms of events, they were not impacted in terms of noise. Mrs. Ballinger also indicated that they were not impacted by traffic to the same extent that they were during the 1999 season. The Committee member further questioned if Stoney Ridge is processing grapes at this time and if there is any impact as a result. Mrs. Ballinger responded by indicating that grapes were being pressed at this time, however, she noted that the noise is minimal, especially in relation to the noise of the seasons. - John Giesbrecht noted that the tank area has been fenced and that the associated cost would seem to indicate that the fence and tanks would remain for some time. Mr. Smart responded by indicating that the fence was necessary in order to avoid another act of vandalism and that the tanks will certainly be removed by July of next year. Mr. Giesbrecht noted that the area depicted as parking on the new site plan appears to conflict with the area that is presently being used by the tanks. Mr. Smart indicated that the area of the tanks occupies approximately 3 parking spaces as proposed in the site plan. Mr. Giesbrecht indicated that Mr. Belanger had previously told him that he would have the opportunity to discuss parking location and that to this point he has not been involved. Mr. Giesbrecht questioned whether or not options are available to him to have some input. Mr. Barry Katzman advised that they would discuss and consult Mr. Giesbrecht on the final design. Mr. Giesbrecht questioned as to what surface would be used for the construction of the parking lot. Mr. Katzman advised that the parking area would be paved in asphalt. Mr. Giesbrecht concluded by stating that, provided these matters are addressed, he is satisfied with the proposal.

Diane Baird indicated that the committee in opposition to Stoney Ridge has run into some difficulty. While some of the members of the committee are satisfied at this point, there are a number who are not. Ms. Baird indicated that she is not satisfied and that she is still impacted by traffic. Ms. Baird also indicated that there are a number of spill problems that the Ministry of the Environment is still pursuing. Ms. Baird is concerned that if they are granted this application, that Stoney Ridge will come back with expansion proposals at some point in the future.

Dan Rinker attended the meeting and read a letter previously submitted by his wife, Joan Rinker. A Committee member requested that the Director provide a response to the "grandfather" issue addressed in Ms. Rinker's correspondence. Ms. Dale indicated that the "grandfather" clause was implemented at which time a 4 hectre minimum parcel size was being proposed by staff. In consideration of the fact that Council ultimately decided to reduce the lot area requirement to 3.2 hectares, all of the existing wineries were in excess of that minimum requirement; consequently, the use of the term "grandfather" was no longer required. A Committee member advised that if anyone is responsible for this as implied by Mr. Rinker's - . comments, it is both staff and Council, as Council made the final decision.

Rita Adams advised that she is satisfied with the proposal now that Stoney Ridge has made a commitment with respect to the proposed development.

John Giesbrecht referencing Ms. Rinker's letter, expressed concern that affective "teeth" are implemented to ensure that agreements establish parameters for development. Public Meeting Minutes Page 3/4

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Judy Chamberlain expressed concern regarding sewage spills and questioned which actions the applicant would take in order to ensure that additional spills did not occur. Tom Smart advised that the previous spills have been cleaned up to the satisfaction of the Ministry of the Environment. Mr. Smart also indicated that waste water is being stored in holding tanks, pumped to the sewage treatment plant to the satisfaction of the Ministry of the Environment. Mr. Smart indicated that there is no guarantee that a spill would never occur again, however, the applicant is employing measures that reduce the likelihood of another spill. Ms. Chamberlain indicated that works are taking place in the valley including the installation of stone and some type of fabric and questioned for what purpose these works have been completed. Mr. Smart indicated that these works have been ordered by the Ministry of the Environment as part of the cleanup in an

effort to reduce erosion.

Brian Hoadley indicated that he is around the valley all the time with his dog and kids. Mr. Hoadley indicated that he does not notice the presence of the winery except in the fall at which time the leaves are off the trees at such time as the crush is on.

Enzo Persia noted that he did notice the smell at the time of the spill, however, he has not noticed any odour since that time.

Steve Mitchinson indicated that he has not noticed an odour, however, he believes that that is a function of the amount of distance he is from the source. Mr. Mitchinson recognizes the concern and hopes that it does not happen again. Mr. Mitchinson noted that he does get a fair number of turnarounds in his driveway and would appreciate Stoney Ridge implementing the use of a sign in order to reduce the number of people passing by and turning around on his property.

Dick Ballinger noted that a sign other than 'no exit' on Brookside Drive may reduce the number of people backing onto Regional Road 81.

A Committee member questioned the neighbour's familiarity with the time line provided by Stoney Ridge this past spring. Mrs. Ballinger indicated that she is familiar with the time line and with the exception of the four-month delay in Council endorsement, there have been no serious deviations from the time line.

Mr. Smart indicated that rather than the tanks being removed in May of 2001, they may be removed in July of 2001 depending on site preparation.

Ms. Ballinger indicated that she does not personally have an issue with respect to a two-month delay in the removal of the tanks. The Committee member further questioned Mr. Smart if pressing and fermentation are to take place here and at the KEW site in the future. Mr. Smart responded by indicating that it is necessary for licensing purposes to retain some degree of this function at the Vineland site.

A Committee member questioned Mr. Smart as to why the proponent is pushing the estate winery provisions and not pursuing a farm winery. Mr. Smart indicated that the estate winery provision is required in order to permit the sourcing of grapes from off-site.

A Committee member questioned the capacity for processing at the Stoney Ridge site. Mr. Smart indicated that it is difficult to describe in terms of volume. Mr. Smart informed that the facilities are to be downscaled including the removal of the tanks and the large crane which would limit the amount of crushing that could take place as a result. Mr. Smart indicated that the long-term plan in terms of capacity is to be limited to the number of grapes that could be grown on this particular site.

A Committee member questioned Mr. Smart as to the status of permits for the KEW site. Tom Smart indicated that the Niagara Escarpment Commission has already granted exemption to the KEW proposal. Mr. Smart indicated that permits are not to be issued until all drawings are in place. At this point, Mr. Smart is unable to give any projection as to when permits will be in place as he is not involved in the design of the buildings, however, he is aware that they are in the works and that construction will commence in the spring. The Committee member further questioned where bottling will

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take place. Mr. Smart advised that the bottling cannot take place at the KEW vineyard site in consideration of the NEC regulations, however, he expects that the NEC will be presented with an application to permit bottling at some point in the future.

Mrs. Ballinger advised that Stoney Ridge had previously promised to submit building plans to the Town by July. Mrs. Ballinger indicated that she met with Stoney Ridge last week and was advised that permits were available at this time. Mr. Smart indicated that a permit was promised provided this matter would have been resolved. On this basis, they do not consider it appropriate to advance another proposal given the fact that the matter is of yet unresolved. Mr. Smart indicated that the time line was based on the assumption that this matter would have been addressed by Council in June, understanding that that did not happen, it is necessary to jig all other dates in the time line.

Mr. Rinker expressed concern that too many conditions are being proposed to

facilitate development. Mr. Smart indicated that Stoney Ridge is willing to accept any and all restrictions imposed by the Town and that they do not plan on being before Council to permit additional development on this property again.

The Chairman asked if there were any further comments or questions from the public. There being no further comments or questions from the public, the Chairman declared the Public Meeting closed.

SECRETARY CHAIRMAN Lincoln Chambers

Monday, October 30, 2000

Minutes of a meeting of the Planning and Development Committee held in the Council Chambers of the Town of Lincoln Municipal Offices on Monday, October 30, 2000, at 7:00 p.m. Committee Members in attendance: Ald. R. Kelly (Chairman), Ald. A. Danyluck, Ald. W. MacMillan, Ald. B. Davies, and Mayor R. Konkle. Staff in attendance: Kathleen Dale (Director of Planning and Development), John Kukalis (Director of Public Works), Bruce Peever (Acting Chief Administrative Officer) and Craig Larmour (Senior Planner). Also in attendance: Ald. G. Barlow and Ald. B. Culp.

SCHEDULED DELEGATIONS

There were none

ACCOUNTS

Motion

Moved by Mayor R. Konkle, Seconded by Ald. W. MacMillan
THAT, Department payments in the amount of \$86.28 incurred in accordance with Council Policy A-94-218, having now been audited by Committee be ratified by Council.

CARRIED

REPORTS

(A) PL 00-261 - FILE 38-97/92(2)

EXTENSION OF DRAFT APPROVAL, HILLSIDE ESTATES

A Committee member questioned the status of the pumping station that is required, in part, to service Phase 2 of Hillside Estates. John Kukalis indicated that the pumping station is under construction and will be commissioned in time for Phase 2 to proceed.

After considering PL 00-261, the Committee passed the following recommendation.

Motion

Moved by Mayor R. Konkle, Seconded by Ald. B. Davies
Re: PL 00-261 - Extension of Draft Plan Approval, Hillside Estates

"THAT, for reasons outlined in PL 00-261, it is hereby recommended:

1. That draft plan approval for Hillside Estates (Regional File 26T-92014), BE EXTENDED for a period of one year; and
2. That item 1 above not be acted upon until the Regional Planning and Development Department has advised that they support an extension to draft approval ."

CARRIED

(B) PL 00-260 - FILE 12-18/00

APPLICATION FOR SITE PLAN APPROVAL, NIAGARA CATHOLIC DISTRICT SCHOOL BOARD (AGENT: MACDONALD ZUBEREC ENSSLEN ARCHITECTS INC .) . W/S . . MOUNTAIN ST, TO THE SOUTH OF ELIZABETH ST.

Mr. Amadio, Agent for the Niagara District Catholic School Board, provided to the Committee a brief description of the development including specific reference as to how this particular parcel of land fits into the development of the Southwest Neighbourhood. Mr. Amadio indicated that for a number of reasons, the ideal situation would be for this parcel of land to be developed in conjunction with the residential subdivision located to the south, however there are a number of circumstances that prevent a concurrent development from occurring at this time. With respect to the report, Mr. Amadio advised that his client has no objections to the Staff comments, except for the provision of sidewalks along Mountain Street. It is Mr. Amadio's position that Mountain Street will be reconstructed at some point in the future at which time sidewalks are likely to be provided. Mr. Amadio proposes a resolution to the matter at this time through the provision of a walkway at the northeasterly corner of the parcel at its 9 metre frontage.

Discussion ensued between the Committee, Staff and the applicant regarding sidewalks and servicing generally. Planning & Development Committee Minutes Page 2 of 5
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A Committee member questioned the Public Works comments regarding conflict with the Master Drainage Plan for the general area. John Kukalis advised that the Master Drainage Plan has been updated on two occasions since its creation and that the drainage area is designed to outlet to a location that is not practically feasible; consequently, plans for development must be massaged. The Director advised that the stormwater management conflict in this particular situation is not unique to the Catholic School Board.

A Committee member requested clarification regarding the cost-sharing arrangement. Ms. Dale advised that the Town Solicitor has been contacted and that the agreement anticipated would be similar to the agreement with Plateau Estates and Highland Estates wherein the developer provided funds in advance for works required to be completed by the Town.

A Committee member questioned the School Board regarding the calculation of need for a number of students. Mr. Amadio advised that there is a complex and accurate process that the School Board uses to derive the capacity of a school. The Committee member advised that he is concerned regarding the use of the portables. Mr. Amadio advised that there are situations where the population grows more rapidly than that anticipated by the school and, in such case, portables are required to provide suitable classroom space.

The Committee member further questioned the availability of lands for recreational use by the citizens of the Town. Mr. Amadio advised that it is the School Board's practice to allow the public to use the lands for a recreational purposes. The Committee member then questioned the temporary nature of the independent access from Mountain Street. Mr. Amadio advised that access to the property will be changed from Mountain Street to the new road to be constructed at the southerly limit of the property at such time as that road is constructed. The Committee member also questioned whether fencing would be provided at the proposed northeast access to Mountain Street. Mr. Amadio advised that fencing is proposed on both sides of the walkway.

A Committee member questioned the need for a traffic study. Mr. Amadio advised that only four buses are anticipated to access the site and that a study was not completed as there is no problem anticipated. The Committee member further questioned Mr. Kukalis regarding the mention of a traffic study in the Public Works Department's comments. Mr. Kukalis advised that the Public Works Department would require a traffic study if this access were intended to be maintained as a permanent access. However, understanding that this road access is temporary and will be relocated to the road to be constructed at the southerly limit of the property in the future, a traffic study is not required at this time. The Committee member questioned whether the agreement would contain clauses regarding the a removal of direct access. Mr. Kukalis advised that it is his intention to implement such a clause.

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A Committee member questioned the School Board regarding what will become of the St. John's School. Mr. Reich, Administrator for the School Board, advised that portables will be removed from St. John's and that the school will be returned to its original state, being occupied by 280 to 300 students.

A Committee member questioned the School Board if they had any concerns regarding the Staff recommendation and conditions regarding a foundation permit. Mr. Bob Martin, Consulting Engineer, advised that the Public Works concerns addressed in the conditions are anticipated to be addressed inside of the next two weeks and that the conditions recommended by Staff do not pose a problem to the School Board.

After considering PL 00-260, the Committee passed the following recommendation.

Motion

Moved by Ald. A. Danyluck, Seconded by Ald. W. MacMillan

Re: PL 00-260 - Application for Site Plan Approval Niagara Catholic District School Board,

For the reasons outlined in PL 00-260 it is hereby recommended:

1. That Site Plan Application File No. 12-18/00 by the Niagara Catholic District School Board be approved subject to the following issues being resolved: Planning & Development Committee Minutes Page 3 of 5 October 30, 2000

(a) Parts 1 and 2 being merged in title so that all the lands are under single ownership;

(b) The southwest corner of the lands next to the Town's park being dedicated to the Town for park purposes;

(c) The 3.048 Regional Road widening being dedicated to the Region;

(d) The servicing issues being resolved to the satisfaction of the Public Works and Fire Departments;

(e) The Landscape Plan being revised to the satisfaction of the Fire Department;

(f) The Town's Solicitor preparing cost sharing and upfront costing agreements;

(g) The Planning and Development Department being advised by Delplain Ventures that satisfactory arrangements have been made relating to the installation of services within St. George's Drive; and

(h) The School Board extending the sidewalks along Mountain Street.

2. That the Catholic School Board be exempted from paying the balance of the cash in lieu of parkland payment.

3. That a foundation permit be issued prior to final approval of the plans subject to the following:

(a) The Public Works Department have approved all the servicing and grading plans and supporting documentation; and

(b) The School Board submits the required letter of credit; and

(c) The School Board enters into an agreement with the Town that the property be restored to the original state if site plan approval and final permits are not approved.

CARRIED

(C) PL 00-262 - FILES 9-03/00 & 10-11/00 - REGIONAL POLICY PLAN AMENDMENT AND AMENDMENTS TO THE TOWN'S OFFICIAL PLAN AND ZONING BY-LAW - NEW SECONDARY PLAN FOR CAMPDEN

The Director of Planning and Development provided a brief description regarding Regional Planning and Development Services Committee's decision to exclude lands adjacent to the feed mill and quarry and regarding the Ministry of Environment comments concerning the provision of municipal piped water supply.

Michael Benner, agent for the Timmers, provided a brief description of comments submitted in writing in support of inclusion of this parcel of land to the southeast of the intersection of Campden and Fly Roads.

Regarding servicing, Mr. Benner reiterated IMS comments that the sanitary sewer would need to be deepened by 4 metres in order to accommodate the proposed development of the Timmers lands. Mr. Benner further informed that their own consultant, Niagara Engineering, advises that servicing is possible without revising the system. Mr. Benner advised that the benefits of including the Timmers lands included the provision of a natural southerly boundary in the Gavora ditch, that the Timers lands are not located in the Niagara Escarpment Commission Area, and that the inclusion of additional units would lower the cost per unit for the Campden Area.

A Committee member questioned if the independent engineers' calculations included the provision of basements for development of residential units on the Timers lands. Mr. Benner indicated that he was unsure of the engineer's calculations. Mr. Kukalis advised that he had a number of questions regarding the submission of Niagara Engineering and that the feasibility of connecting to the proposed system is questionable.

The Committee member questioned the impact of approving the proposal and adding the Timmers lands later if deemed appropriate. Ms. Dale advised that the Notices of Public Meeting that have been provided to this point have included only the lands outlined in Option 2 and have not included the Timmers lands, as the proposal was presented following the Public Notice. Consequently, the Town and the Region would have difficulty including the Timers lands in any recommendation without first going back and re-issuing

Public Notice. Ms. Dale advised that the Timmers do have the option of pursuing approval of their development separately. Planning & Development Committee Minutes Page 4 of 5 October 30, 2000

General discussion ensued regarding costs that will be incurred to the Town through the General Tax Levy in part and the distribution of costs to residents of Campden, to the Town generally, to the Region and Province. The Committee members also discussed the availability of Federal and ---. . Provincial funding in support of the proposed servicing plan.

A Committee member questioned the position of the Niagara Escarpment Commission in relation to Option 2. Ms. Dale indicated that it is difficult to provide comment in this respect as their position has become more complex as the application has progressed.

A Committee member questioned the maximum capacity of the Vineland system to accommodate development in Campden. Mr. Kukalis advised that because of the implementation of the pumping station for Campden, the limitation put in place is associated to the size and cost of construction of the pumping station.

A Committee member questioned the additional costs associated with the provision of water for Campden and whether a single trench for the accommodation of both sewer and water was possible. Mr. Kukalis advised that the Ministry of the Environment would unlikely approve of a single trench, however, if water is to be provided, the construction of two trenches concurrently would be more feasible than the construction of sewer at this time and water at some time point in the future. At this point, Mr. Kukalis advised that the preliminary cost of providing water at this time would be \$1.8 Million.

A Committee member questioned if the winery connections proposed by Mr. Howard and Mr. Johnson, external to the Campden system, could be accommodated. Mr. Kukalis advised that external connections could technically be accommodated, however, it would be necessary for Council to address the issue specifically and that the primary issue at this point is the servicing of Campden.

After considering PL 00-262, the Committee passed the following recommendation.

Motion

Moved by Ald. A. Danyluck, Seconded by Ald. W. MacMillan

Re: PL 00-262 - Regional Policy Plan Amendment and Amendments to the Town's Official Plan and Zoning By-law - New Secondary Plan for Campden

For the reasons outlined in PL 00-262 it is hereby recommended:

1. The Region be requested to approve Policy Plan Amendment No. 151 as outlined in DPD 131-2000;
2. That the Campden Secondary Plan BE APPROVED as outlined in Attachment NO. 7.

3. That the Region defer approval of those portions of the Secondary Plan Area currently within the Niagara Escarpment Commission Plan

Area until the NEC has considered an amendment to their plan.

4. That an amendment to the Town's Zoning By-law BE APPROVED as outlined in Attachment No. 8.

5. That the zoning of lands within the NEC area not be passed by Council until the NEC has considered an amendment to their Plan.

6. That Staff and Council/Mayor send a letter to the NEC and Commission Members justifying the need for the amendment to the NEC Plan.

YEAS: Aldermen A. Danyluck, B. Davies, R. Kelly, W. MacMillan and Mayor R.

CARRIED

CORRESPONDENCE

1. Letter dated August 16, 2000 from Vineland Estate Winery regarding connecting to the sanitary sewer and water system. Planning & Development Committee Minutes October 30, 2000

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2. Letter dated October 10, 2000 regarding connecting to the sanitary sewer svstem.

R&F

UNSCHEDULED DELEGATIONS

There were none.

ADJOURNMENT

There being no further business to discuss, the Chairman adjourned the meeting.

SECRETARY CHAIRMAN