

THE CORPORATION OF THE TOWN OF LINCOLN

COUNCIL

A G E N D A

February 21, 2012

7:00 pm

Page

1. CALL TO ORDER

2. ROLL CALL

3. DECLARATIONS OF INTEREST

4. ADOPTION OF PREVIOUS COUNCIL MINUTES

3-5 (a) Minutes of Council's regular meeting of February 6, 2012.

5. BUSINESS ARISING FROM THE MINUTES

6. MAYOR'S REPORT

6 (a) Correspondence to CRTC, re: Local Programming Improvement Fund support to CHCH TV.

7. REGIONAL COUNCILLOR'S REPORT

8. DELEGATIONS

9. CORRESPONDENCE

10. REPORTS

7-9 (a) Infrastructure Committee, minutes of February 8.

10 (b) Community Complex Steering Committee, minutes of February 8.

11 (c) Community Complex Steering Committee, minutes of February 15.

11. CONFIRMATION OF COMPLIANCE WITH S.34 OF THE PLANNING ACT

12. BY-LAWS

12. BY-LAWS

- (a) No. 2012-12, To lay out and dedicate certain lands for public highway purposes as part of the Northgate Village plan of subdivision and to assume the municipal services located therein.

13. NOTICE OF NEW BUSINESS

14. ANNOUNCEMENTS

15. CLOSED SESSION

- (a) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board (a matter pertaining to zoning enforcement).
- (b) A proposed or pending acquisition or disposition of land by the municipality or local board (a matter pertaining to a land matter).

16. BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL

- (a) No. 2012-13, To adopt, confirm and ratify matters dealt with by Council resolution.

17. ADJOURNMENT

Lincoln Chambers
February 6, 2012

The Council of the Town of Lincoln met in regular session on February 6, 2012, at 7:00 p.m. in the Lincoln Chambers.

Members Present:	B. Hodgson	Mayor
	G. Barlow	Councillor
	R. Condotta	Councillor
	R. Foster	Councillor
	D. Rintjema	Councillor
	D. Thompson	Councillor

Regrets	J. Kralt	Councillor
	W. MacMillan	Councillor
	J. D. Pachereva	Councillor

Also Present:	A. L. Heron	Chief Administrative Officer
	J. Pease	Director of Community Services
	W. Kolasa	Director of Corporate Services/Clerk

Mayor Hodgson called the meeting to order at 7:05 pm. Councillor Thompson reiterated an interest that he had declared at the Corporate Priorities Committee meeting of January 23, 2012 and detailed in those minutes. There were no other declarations of interest.

ADOPTION OF PREVIOUS COUNCIL MINUTES

REGULAR COUNCIL, MINUTES OF JANUARY 16, 2012

Motion No. RC-2012-17

Moved by Councillor R. Foster, Seconded by Councillor R. Condotta

THAT the minutes of the January 16, 2012, Regular Meeting of Council, including the confidential addendum thereto, be adopted as circulated.

CARRIED

SPECIAL COUNCIL, MINUTES OF JANUARY 23, 2012

Motion No. RC-2012-18

Moved by Councillor D. Rintjema, Seconded by Councillor R. Condotta

THAT the minutes of the January 23, 2012, Special Meeting of Council, including the confidential addendum thereto, be adopted as circulated.

CARRIED

BUSINESS ARISING FROM THE MINUTES

None.

MAYOR'S REPORT

Mayor Hodgson advised that he would provide a full report regarding items of municipal interest at a future meeting.

REGIONAL COUNCILLOR'S REPORT

None.

DELEGATIONS

None.

CORRESPONDENCE

None.

REPORTS

CORPORATE PRIORITIES COMMITTEE, MINUTES OF JANUARY 23, 2012

Members reviewed the proceedings of the January 23, 2012 meeting of the Corporate Priorities Committee and concluded consideration with the introduction of the following motions.

Motion No. RC-2012-19

Moved by Councillor D. Rintjema, Seconded by Councillor G. Barlow

THAT Motion CP 2012-02 re: attendance at the 2012 ROMA/OGRA conference be amended to also authorize Councillor Condotta to attend.

CARRIED

Motion No. RC-2012-20

Moved by Councillor R. Foster, Seconded by Councillor D. Thompson

THAT Motion CP 2012-03 re: attendance at the 2012 OSUM conference be amended to also authorize Councillor Rintjema to attend.

CARRIED

Motion No. RC-2012-21

Moved by Councillor R. Foster, Seconded by Councillor R. Condotta

THAT the minutes of the Corporate Priorities Committee meeting of January 23, 2012, including the confidential addendum thereto, be adopted as amended and the recommendations contained therein be approved and acted upon.

CARRIED

COMMUNITY COMPLEX STEERING COMMITTEE, MINUTES OF FEBRUARY 1, 2012

Motion No. RC-2012-22

Moved by Councillor R. Condotta, Seconded by Councillor D. Rintjema

THAT the minutes of the Community Complex Steering Committee meeting of February 1, 2012, be adopted and the recommendations contained therein be approved and acted upon.

CARRIED

COMMUNITY SERVICES COMMITTEE, MINUTES OF FEBRUARY 1, 2012

Motion No. RC-2012-23

Moved by Councillor D. Rintjema, Seconded by Councillor R. Condotta

THAT the minutes of the Community Services Committee meeting of February 1, 2012, be adopted and the recommendations contained therein be approved and acted upon.

CARRIED

CONFIRMATION OF COMPLIANCE

None.

BY-LAWS

At this point in the meeting, the following motions were introduced.

Motion No. RC-2012-24

Moved by Councillor G. Barlow, Seconded by Councillor R. Foster

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

- (a) No. 2012-07, To authorize execution of agreement with the Lincoln County Humane Society, to provide for the provision of animal care and control and humane services in the municipality.
- (b) No. 2012-08, To authorize execution of agreement with Talk Wireless Inc., to operate a wireless telecommunications tower from municipally owned lands.

- (c) No. 2012-09, To discharge Heritage Designation By-law No. 06-59, from Part of Lot 10, Registered Plan M-14, Town of Lincoln, being Part 3, Plan 30R-11441.
- (d) No. 2012-10, To appoint a Municipal By-law Enforcement Officer for the Town of Lincoln.

CARRIED

Motion No. RC-2012-25

Moved by Councillor D. Thompson, Seconded by Councillor G. Barlow

THAT By-law Nos. 2012-07, 2012-08, 2012-09, and 2012-10, 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

None.

ANNOUNCEMENTS

Members noted the recent appointment of Gregory Hudson as the Town's new Fire Chief and provided details regarding a number of upcoming Town of Lincoln Community Complex Steering Committee meetings to be held on February 8th and 15th, 2012.

CLOSED SESSION

None.

BYLAW TO CONFIRM THE PROCEEDINGS OF COUNCIL

Motion No. RC-2012-26

Moved by Councillor R. Foster, Seconded by Councillor G. Barlow

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

- (a) No. 2012-11, To Adopt, Confirm and Ratify matters dealt with by Council resolution.

CARRIED

Motion No. RC-2012-27

Moved by Councillor G. Barlow, Seconded by Councillor D. Thompson

THAT By-law No. 2012-11 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-law.

CARRIED

ADJOURNMENT

There being no further business to discuss, the Mayor declared the meeting adjourned at 7:35 pm.

MAYOR: BILL HODGSON

CLERK: WILLIAM J. KOLASA



TOWN OF LINCOLN

4800 South Service Road
Beamsville, ON L0R 1B1
TEL: 905-563-8205
FAX: 905-563-6566

February 14, 2012

Fax: (819) 994-0218

Mr. Leonard Katz
Acting Chairman
Canadian Radio-television
and Telecommunications Commission
Ottawa, Ontario
Canada, K1A 0N2

Dear Mr. Katz:

The Town of Lincoln recognizes and values CHCH TV's contribution as an integral part of our community communication network. The TV station is an active community entity dedicated to providing accurate and current reports and featuring community cultural and recreation events. CHCH TV is also a public discussion hub.

CHCHTV has been recognized for its ongoing commitment to local broadcasting with far more local broadcasting (80 plus hours per week) than any other conventional television station in North America.

The Town encourages the CRTC to support the continuum of the Local Programming Improvement Fund (LPIF).

The Town also respectfully requests that significant consideration be given to the ongoing provision of LPIF for 2190015 Ontario Inc. (Channel Zero), operating as CHCH-TV, in Hamilton, as CHCH is an essential part of the Niagara Peninsula community and heavily relied upon by our residents.

Yours sincerely

Mayor Bill Hodgson

Copy:
Rita Cugini, Regional Commissioner for Ontario
Tom Pentefountas, Vice Chairman, Broadcasting

Lincoln Chambers
Wednesday, February 8, 2012

Minutes of a meeting of the Infrastructure Committee held in the Council Chambers of the Town of Lincoln Municipal Offices on Wednesday, February 8, 2012 at 8:25 p.m. The Committee Members in attendance: Councillor J.D. Pachereva (Chair), Mayor B. Hodgson, Councillor D. Rintjema, Councillor R. Condotta, Councillor D. Thompson for Councillor W. MacMillan and Councillor G. Barlow. Town of Lincoln staff in attendance: Dave Graham (Director of Public Works), Anne Louise Heron (Chief Administrative Officer), Andrea Clemencio (Manager of Water and Wastewater) and Laura Ecker (Administrative Assistant).

CALL TO ORDER

Councillor J.D. Pachereva called the meeting to order at 8:25 pm. There were no declarations of interest.

DELEGATIONS

None.

CORRESPONDENCE

- (A) AECOM re: Reece Bridge (structure No. 069205) Municipal Class Environmental Assessment – Notice of Public Information Centre #2

Motion No. IN-2012-01

Moved by Mayor Hodgson, Seconded Councillor Rintjema

1. THAT the Correspondence dated January 9, 2012 from AECOM, regarding the Reece Bridge (Structure No. 069205) Municipal Class Environmental Assessment - Notice of Public Information Centre #2, be received as information.

CARRIED

- (B) Niagara Region, Transportation Services re: Tender Advertisement for Regional Road 81, Phase 1 – Silt Control and Vegetation Clearing

Motion No. IN-2012-02

2. THAT the Correspondence dated December 21, 2011 from the Niagara Region, Transportation Services, regarding tender advertisement for Regional Road 81 between Ninth Street and Seventh Street Phase 1 – Silt Control and Vegetation Clearing be received as information.

CARRIED

REPORTS

- (A) **PW 12-01, Summary Report for Beamsville Distribution System; Period: January 1, 2011 to December 31, 2011**

The Director of Public Works provided a brief summary of the report for Committee. Consideration concluded with the introduction of the following motion.

Motion No. IN-2012-03

Moved by Councillor Condotta, Seconded by Councillor Thompson

1. THAT PW 12 – 01, Summary Report for Beamsville Distribution System; Period: January 1, 2011 to December 31, 2011, be received as information.

CARRIED

(B) **PW 12-02, – Jordan-Vineland Distribution System; Period: January 1, 2011 to December 31, 2011**

The Director of Public Works provided a brief summary of the report for Committee. Consideration concluded with the introduction of the following motion.

Motion No. IN-2012-04

Moved by Councillor Thompson, Seconded by Councillor Condotta

1. THAT Report PW 12 – 02, Jordan-Vineland Distribution System; Period: January 1, 2011 to December 31, 2011, be received as information.

CARRIED

(C) **Briefing Note - Konkle Creek Remediation, Municipal Class Environmental Assessment – Public Information Centre #1 Summary Update**

The Director of Public Works provided a summary of the briefing note for Committee. Consideration concluded with the introduction of the following motion.

Motion No. IN-2012-05

Moved by Councillor Condotta, Seconded by Councillor Thompson

1. THAT the briefing note regarding the Konkle Creek Remediation, Municipal Class Environmental Assessment – Public Information Centre #1 Summary Update be received as information.

CARRIED

(D) **Briefing Note – Resident Concerns – Konkle Creek between the Q.E.W. and Lake Ontario**

The Director of Public Works provided a summary of the briefing note for Committee. Consideration concluded with the introduction of the following motion.

Motion No. IN-2012-06

Moved by Councillor Thompson, Seconded by Councillor Condotta

1. THAT the briefing note regarding Resident Concerns for Konkle Creek between the Q.E.W. and Lake Ontario be received as information.

CARRIED

(E) **Briefing Note – Crescent Avenue Road Reconstruction Project – Summary of Public Information Centre Comments and Concerns**

The Director of Public Works provided a summary of the briefing note for Committee. Consideration concluded with the introduction of the following motion.

Motion No. IN-2012-07

Moved by Councillor Rintjema, Seconded by Mayor Hodgson

1. THAT the briefing note regarding a Summary of Public Information Centre Comments and Concerns for the Crescent Avenue Road Reconstruction Project be received as information.

NOTICE OF NEW BUSINESS

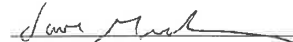
None.

ANNOUNCEMENTS

None.

ADJOURNMENT

There being no further business to discuss the Chair declared the meeting adjourned at 9:58 p.m.



SECRETARY

CHAIRMAN

Beamsville Room
February 8, 2012

The Community Complex Steering Committee of the Town of Lincoln met in regular session on February 8, 2012, at 7:00 p.m. in the Beamsville Room.

Members Present: R. Condotta Councillor (Chair)
G. Barlow Councillor
R. Foster Councillor
B. Hodgson Mayor
J. Kralt Councillor
J. D. Pachereva Councillor
D. Rintjema Councillor
D. Thompson Councillor

Regrets: W. MacMillan Councillor

Also Present: A. L. Heron Chief Administrative Officer
J. Pease Director of Community Services
G. DalBianco Deputy Clerk

Chair Condotta called the meeting to order at 7:06 p.m. There were no declarations of interest.

REPORTS

REVIEW OF DRAFT CONCEPTUAL DESIGNS, NORTHWEST NEIGHBOURHOOD COMMUNITY PARK, BY HUGH HANDY, GSP GROUP INC.

Chair Condotta introduced Mr. Hugh Handy, Associate Planner and Ms. Patty Lynes, Associate Landscape Architect from the GSP Group, who in accordance with Committee's direction developed two revised conceptual designs incorporating the Committee's February 1, 2012 comments and suggestions.

At this point, Mr. Handy provided the Committee with an overview of each revised conceptual site plan including the pros' and cons' of each design. The members discussed each design in turn, stating the reasons for their preferred design. Popular design elements considered included the provision of one large green space area for future park purposes, a main entrance across from Fairgrounds Road, a drop off zone with covered entrance, plaza space, parking lots adjacent to the existing commercial properties located to the south and the orientation of the building to capture as much natural light as possible. The Members also reviewed the revised designs with regard to compliance with the Community Complex Project Principles established by Council at the onset of the project.

After much deliberation, the Committee adopted the following motion.

Motion No. CCSC-2012-05

Moved by Councillor J. D. Pachereva, Seconded by Councillor R. Foster

THAT the Community Complex Steering Committee approves Concept #3/4 with the changes as proposed for the general placement of the Town of Lincoln Community Complex within the Northwest Neighbourhood Park.

CARRIED

ADJOURNMENT

There being no further business to discuss, the Chair declared the meeting adjourned at 8:20 pm.

CHAIR: ROBERT CONDOTTA

DEPUTY CLERK: GARY DALBIANCO

Council Chambers
February 15, 2012

The Community Complex Steering Committee of the Town of Lincoln met in regular session on February 15, 2012, at 7:00 p.m. in the Lincoln Chambers.

Members Present:	R. Condotta	Councillor (Chair)
	G. Barlow	Councillor
	R. Foster	Councillor
	B. Hodgson	Mayor
	J. Kralt	Councillor
	W. MacMillan	Councillor
	J. D. Pachereva	Councillor
	D. Rintjema	Councillor
	D. Thompson	Councillor

Also Present:	A. L. Heron	Chief Administrative Officer
	S. Hutchison	Community Services Co-ordinator
	C. Judson	Manager, Facilities and Parks
	J. Makepeace	Community Services Co-ordinator
	J. Pease	Director of Community Services
	G. DalBianco	Deputy Clerk

Chair Condotta called the meeting to order at 7:10 p.m. There were no declarations of interest. Chair Condotta and Mayor Hodgson welcomed the citizen appointees of the Design Advisory, Fundraising and Communications workgroups, established to assist the Steering Committee in the development and promotion of the proposed new community complex in Beamsville.

CLOSED SESSION

At this point in the meeting, the following motions were introduced:

Motion No. CCSC-2012-06

Moved by Councillor R. Foster, Seconded by Councillor J. D. Pachereva

THAT Committee adjourn to closed session in order to address Education and Training (orientation session for members of the Community Complex Steering Committee and members of associated Work Groups).

CARRIED

Motion No. CCSC-2012-07

Moved by Councillor D. Thompson, Seconded by Councillor G. Barlow

THAT Committee resume in open session.

CARRIED

Consideration of the subject matter in closed session concluded with confidential direction to the members and notice that the next meeting be scheduled for March 21, 2012.

ADJOURNMENT

There being no further business to discuss, the Chair declared the meeting adjourned at 9:35 pm.

CHAIR: ROBERT CONDOTTA

DEPUTY CLERK: GARY DALBIANCO

THE CORPORATION OF THE TOWN OF LINCOLN

BY-LAW NO. 2012-12

A BY-LAW TO LAY OUT AND DEDICATE CERTAIN
LANDS FOR PUBLIC HIGHWAY PURPOSES AS
PART OF THE NORTHGATE VILLAGE PLAN OF
SUBDIVISION AND TO ASSUME THE MUNICIPAL
SERVICES LOCATED THEREIN

WHEREAS the Town is the owner of certain land acquired pursuant to Subdivision Agreement registered at the Registry Office for Niagara North on April 8, 2005, as Instrument No. NR 60069 for the purposes of a public highway;

AND WHEREAS the two (2) year Maintenance Period contemplated by the said Subdivision Agreement has concluded and after considering Report PW 11-21, the Town has determined that there are no deficiencies in the municipal works and services provided for therein.

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF LINCOLN ENACTS AS FOLLOWS:

- 1 That the land described as Northgate Crescent, Frances Crescent and Weltman Way on Registered Plan 30M-348, registered and deposited in the Registry Office for the Land Titles Division of Niagara North No. 30, is hereby laid out and dedicated for public highway purposes.
- 2 That the Municipal Services located therein are hereby assumed by the Town of Lincoln.
- 3 That this By-law shall come into force and effect on the date of passing.

BY-LAW read a FIRST time this 21st day of February, 2012.

BY-LAW read a SECOND time this 21st day of February, 2012.

BY-LAW read a THIRD time and FINALLY PASSED this 21st day of February, 2012.

MAYOR: BILL HODGSON

CLERK: WILLIAM J. KOLASA

THE CORPORATION OF THE TOWN OF LINCOLN

BY-LAW NO. 2012-13

A BY-LAW TO ADOPT, CONFIRM AND RATIFY
MATTERS DEALT WITH BY COUNCIL RESOLUTION

WHEREAS:

1. Section 5.(1) of the Municipal Act, S.O. 2001, c.25, as amended, provides that the powers of a municipality shall be exercised by its Council.
2. Section 11.(2) of the said Act provides that a lower tier municipality may pass by-laws respecting matters within the spheres of jurisdiction as set out in the said Act.
3. Section 8 of the said Municipal Act provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act.
4. Section 5.(3) of the said Act provides that a municipal power, including a municipality's capacity, rights, powers and privileges under Section 8, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise.
5. In many cases action which is taken or authorized to be taken by Council does not lend itself to the passage of an individual by-law.

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF LINCOLN ENACTS AS FOLLOWS:

1. That the minutes of the regular meeting of the Municipal Council of the Corporation of the Town of Lincoln, held February 6, 2012, be and the same are hereby adopted, ratified and confirmed.
2. That the actions of the Council at its meeting of February 21, 2012, in respect of which recommendations contained in the reports of the committees considered at each meeting and in respect of each motion, resolution and other action taken by the Council at its meeting are, except where the prior approval of the Ontario Municipal Board or other authority is required by law, hereby adopted, ratified and confirmed as if all such proceedings were expressly embodied in this By-law.
3. That where no individual by-law has been or is passed with respect to the taking of any action authorized in or by the above mentioned minutes or with respect to the exercise of any powers by the Council in the above mentioned minutes, then this By-law shall be deemed for all purposes to be the By-law required for approving and authorizing and taking of any action authorized therein and thereby or required for the exercise of any powers therein by the Council.
4. That the Mayor and the proper officers of the Corporation of the Town of Lincoln are hereby authorized and directed to do all things necessary to give effect to the said action of the Council or to obtain approvals where required and except otherwise provided, the Mayor, the Clerk and the Treasurer are hereby directed to execute all documents necessary on behalf of the Corporation of the Town of Lincoln and affix thereto the Corporate Seal of the Corporation of the Town of Lincoln.

BY-LAW read a FIRST time this 21st day of February, 2012.
BY-LAW read a SECOND time this 21st day of February, 2012.
BY-LAW read a THIRD time and FINALLY PASSED this 21st day of February, 2012.

MAYOR: BILL HODGSON

CLERK: WILLIAM J. KOLASA