

THE CORPORATION OF THE TOWN OF LINCOLN

COUNCIL

**A G E N D A**

February 3, 2014

7:00 pm

Page

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. DECLARATIONS OF INTEREST**

**4. ADOPTION OF PREVIOUS COUNCIL MINUTES**

3-6 (a) Minutes of Council's regular meeting of January 20, 2014.

**5. BUSINESS ARISING FROM THE MINUTES**

**6. MAYOR'S REPORT**

**7. REGIONAL COUNCILLOR'S REPORT**

**8. DELEGATIONS**

**9. CORRESPONDENCE**

**10. REPORTS**

7-8 (a) Community Complex Steering Committee, minutes of January 21.

9-13 (b) Corporate Priorities Committee, minutes of January 27.

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

**12. BY-LAWS**

14 (a) No. 2014-09, To authorize the use of Optical Scanning Vote Tabulators at Municipal Elections.

**13. NOTICE OF MOTION**

**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 a zoning by-law complaint).

**16. BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL**

- (a) No. 2014-10, To adopt, confirm and ratify matters dealt with by Council resolution.

**17. ADJOURNMENT**

Lincoln Chambers  
January 20, 2014

The Council of the Town of Lincoln met in regular session on January 20, 2014, at 7:00 p.m. in the Lincoln Chambers.

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

Staff Present:	A. L. Heron	Chief Administrative Officer
	K. Dale	Director of Planning and Development
	D. Graham	Director of Public Works (departed at 9:00 pm)
	R. Spadoni	Director of Finance
	W. Kolasa	Director of Corporate Services/Clerk

Mayor Hodgson called the meeting to order at 7:00 p.m. Councillor Thompson reiterated an interest declared and detailed in the minutes of the December 16, 2013 meeting of Council. There were no declarations of interest.

#### ADOPTION OF PREVIOUS COUNCIL MINUTES

#### REGULAR COUNCIL, MINUTES OF DECEMBER 16, 2013

##### **Motion No. RC-2014-01**

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

THAT the minutes of the December 16, 2013, Regular Meeting of Council, including the confidential addendum thereto, be adopted as circulated.

**CARRIED**

#### BUSINESS ARISING FROM THE MINUTES

#### MOTION, RE: RECONSIDERATION OF POSSIBLE ACQUISITION OF SURPLUS DSBN PROPERTIES

A recorded vote was requested on the following motion.

##### **Motion No. RC-2014-02**

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

THAT Council reconsider its decision not to pursue the acquisition of school properties declared to be surplus in Lincoln by the DSBN as detailed in Motion No. RC-2013-253.

**CARRIED**

AYES: Councillors: Barlow, Condotta, Kralt, MacMillan, Pachereva, Rintjema, Thompson.

NAYS: Councillor Foster, Mayor Hodgson.

#### RECONSIDERATION OF POSSIBLE ACQUISITION OF SURPLUS DSBN PROPERTIES

Members considered previous deliberations regarding the possible acquisition of surplus District School Board of Niagara properties, including Motion No. RC-2013-253 adopted by Council on December 2, 2013, and noted a need to further consider matters in closed session as they related to the potential acquisition of land. Members directed that deliberations continue in closed session later in the meeting in conjunction with other scheduled matters.

#### MAYOR'S REPORT

Mayor Hodgson advised of a number of matters of municipal interest including Council's annual New Year's Levee, a ribbon cutting at the Upper Deck Youth Centre in Vineland, the

Twenty Valley Winter WineFest held on January 11 and 12, 2014 in Jordan and a new exhibit at the Jordan Historical Museum of the Twenty recognizing the Beamsville School of Aerial Gunnery.

REGIONAL COUNCILLOR'S REPORT

None.

DELEGATIONS

None.

CORRESPONDENCE

None.

REPORTS

INFRASTRUCTURE COMMITTEE, MINUTES OF JANUARY 8, 2014

**Motion No. RC-2014-03**

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

THAT the minutes of the Infrastructure Committee meeting of January 8, 2014, be adopted and the recommendations contained therein be approved and acted upon.

**CARRIED**

PLANNING AND DEVELOPMENT COMMITTEE, MINUTES OF JANUARY 13, 2014

**Motion No. RC-2014-04**

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

THAT the Planning and Development Committee minutes of January 13, 2014, be adopted and the recommendations contained therein be approved and acted upon.

**CARRIED**

BRIEFING NOTE FROM DIRECTOR OF PLANNING AND DEVELOPMENT, RE: REVISED TERMS OF REFERENCE FOR SPECIAL EVENTS POLICY DEVELOPMENT COMMITTEE

**Motion No. RC-2014-05**

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

THAT the Briefing Note from the Director of Planning and Development dated January 20, 2014, re: revised Terms of Reference for Special Events Policy Development Committee, be received as information;

AND THAT the revised Terms of Reference be approved and the invitations for Committee Members be initiated.

**CARRIED**

BRIEFING NOTE FROM DIRECTOR OF CORPORATE SERVICES, RE: 2014 INSURANCE PROGRAM

Members reviewed details of the proposed 2014 insurance program, expressed concern regarding the magnitude of the premium increase and requested that staff provide additional information regarding insurance cost drivers and possible solutions regarding insurance cost containment. Consideration concluded as follows.

**Motion No. RC-2014-06**

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

THAT the Briefing Note from the Director of Corporate Services dated January 7, 2014, regarding the 2014 Insurance Program, be received as information;

AND THAT Council accept the 2014 insurance program presented by the Ontario Municipal Insurance Exchange for the period January 1, 2014, to December 31, 2014.

**CARRIED**

**CONFIRMATION OF COMPLIANCE**

None.

**BY-LAWS**

**Motion No. RC-2014-07**

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

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

- (a) No. 2014-01, To provide for borrowing for current expenditures not to exceed \$19,610,000.
- (b) No. 2014-02, To provide for interim tax levies for the year 2014.
- (c) No. 2014-03, To discharge the terms and conditions of a site plan agreement executed under By-law No. 02-13 (788446 Ontario Inc.).
- (d) No. 2014-04, To discharge the terms and conditions of a site plan agreement executed under By-law No. 81-38 (Tivoli Amusements Ltd.).
- (e) No. 2014-05, To amend By-law No. 89-2000, being a By-law regulating traffic and parking on local municipal roads (Fairgrounds Road and Gibson Street).
- (f) No. 2014-06, To amend By-law No. 89-2000, being a By-law regulating traffic and parking on local municipal roads (Lincoln Square).
- (g) No. 2014-07, To amend By-law No. 89-2000, being a By-law regulating traffic and parking on local municipal roads (Maplecrest Estates).

**CARRIED**

**Motion No. RC-2014-08**

Moved by Councillor J. Kralt, Seconded by Councillor W. MacMillan

THAT By-law Nos. 2014-01, 2014-02, 2014-03, 2014-04, 2014-05, 2014-06 and 2014-07, 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 MOTION**

None.

**ANNOUNCEMENTS**

Members noted a number of upcoming events including a Community Complex Steering Committee Meeting on January 21, 2014, the annual Ontario Small Urban Municipalities Conference in Goderich and a Big Brothers and Big Sisters Bowling for Kids Funder. Members also noted the success of the recent Twenty Valley Winter WineFest and extended thanks to all participants and attendees.

**CLOSED SESSION**

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

**Motion No. RC-2014-09**

Moved by Councillor W. MacMillan, Seconded by Councillor J. Kralt

THAT Council adjourn to closed session in order to address:

- (a) The security of the property of the municipality or local board (matters pertaining to the Town of Lincoln Community Complex Project Capital Campaign and a matter pertaining to a work site injury).
- (b) Personal matters about an identifiable individual, including municipal or local board employees (a matter pertaining to a job competition).

- (c) A proposed or pending acquisition or disposition of land by the municipality or local board (a matter pertaining to negotiations regarding a potential acquisition of land by the municipality) and a reconsideration of a potential acquisition of land by the municipality.

**CARRIED**

**Motion No. RC-2014-10**

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

THAT Council resume in open session.

**CARRIED**

Closed session deliberations concluded without report regarding the Community Complex Project Capital Campaign matter, the work site injury matter and the negotiations regarding a potential acquisition of land. Confidential direction was provided to staff in closed session regarding the job competition matter. Reconsideration of a potential acquisition of land matter in closed session concluded with the introduction of the following motion in open session, for which a recorded vote was requested.

**Motion No. RC-2014-11**

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

THAT Council confirm the original decision detailed in Motion No. RC-2013-253 to not pursue the acquisition of school properties in the Town of Lincoln declared to be surplus by the DSBN.

**AYES:** Councillors: Barlow, Condotta, Foster, Kralt, MacMillan, Pachereva, Rintjema, Thompson, Mayor Hodgson.

**CARRIED**

**BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL**

**Motion No. RC-2014-12**

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

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

No. 2014-08, To adopt, confirm and ratify matters dealt with by Council resolution.

**CARRIED**

**Motion No. RC-2014-13**

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

THAT By-law No. 2014-08, 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 9:50 p.m.

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MAYOR: BILL HODGSON

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CLERK: WILLIAM J. KOLASA

The Community Complex Steering Committee of the Town of Lincoln met in regular session on January 21, 2014 at 7:00 p.m. in the Council Chambers.

Members Present:	R. Condotta	Councillor (Chair)
	G. Barlow	Councillor
	B. Hodgson	Mayor
	J. Kralt	Councillor
	W. MacMillan	Councillor
	J. D. Pachereva	Councillor
	D. Rintjema	Councillor
	D. Thompson	Councillor
Regrets:	R. Foster	Councillor
Staff Present:	A. L. Heron	Chief Administrative Officer
	C. Judson	Manager of Parks and Facilities
	G. DalBianco	Deputy Clerk
Also Present:	Margaret Andrewes	Campaign Management Team

Chair Condotta thanked the Members for attending the tour of the Community Complex Construction Site earlier in the evening and called the meeting to order at 7:05 p.m. There were no declarations of interest.

#### DELEGATIONS

##### Farm Credit Canada, re: Agri Spirit Fund Grant

The Chief Administrative Officer (C.A.O.) advised that presentation from Derek Emond from Farm Credit Canada has been rescheduled to the February 5, 2014, meeting.

#### REPORTS

##### AD 14-01, TOWN OF LINCOLN COMMUNITY COMPLEX PROJECT UPDATE # 15

The Chief Administrative Officer (C.A.O.) provided an overview of Report AD 14-01 outlining the progress of the Town of Lincoln Community Complex (TLCC) project to date, noting that the building is closed in and partially heated. The C.A.O. provided the Members with sample boards of the exterior cladding materials and noted that at this time of year the completion of the exterior cladding is dependent on the weather. The Members discussed the various methods and products available to curb graffiti and noted that video surveillance is also a deterrent to the spread of graffiti. The C.A.O. noted that she will be signing off on the furniture, fixtures and equipment (FF&E) component of the project within the next couple of days and that the requested cooling unit and fans will be modelled to ensure that no strobe effects or shadows are created on the arena floor. The C.A.O. advised the Members of upcoming key dates in the project including the demolition of the old arena scheduled for early April and the ongoing monitoring of the traffic and parking issues at the arena and construction site. The Committee discussed the inspection process and processes in place to address any deficiencies.

The CAO introduced Margaret Andrewes who provided an update on the fundraising campaign including the progress of the "Seat and Shelf" fundraising campaign which now has approximately 200 donors. Margaret Andrewes advised that an announcement will likely be made in the next couple of weeks regarding fundraising campaign pledges to date and that that efforts are being made with the local health care professionals interested in securing the naming rights for the walking/running track.

##### Motion No. CCSC-2014-01

Moved by Councillor J. D. Pachereva, Seconded by Councillor D. Thompson

THAT Report AD 14-01, Town of Lincoln Community Complex Project Update #15, be received for information.

CARRIED

ADJOURNMENT

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

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CHAIR: COUNCILLOR ROB CONDOTTA

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DEPUTY CLERK: GARY DAL BIANCO

The Corporate Priorities Committee of the Town of Lincoln met in regular session on January 27, 2014, at 7:00 p.m. in the Lincoln Chambers.

Members Present:	J. Kralt	Councillor (Chair)
	R. Condotta	Councillor (arrived at 7:02 pm)
	R. Foster	Councillor
	B. Hodgson	Mayor
	W. MacMillan	Councillor
	D. Rintjema	Councillor
Regrets	G. Barlow	Councillor
	J. D. Pachereva	Councillor
	D. Thompson	Councillor
Also Present:	A. L. Heron	Chief Administrative Officer
	G. DalBianco	Deputy Clerk (departed at 7:30 pm)
	R. Spadoni	Director of Finance
	W. Kolasa	Director of Corporate Services/Clerk

Chair Kralt called the meeting to order at 7:00 p.m. There were no declarations of interest.

#### DELEGATIONS

None.

#### CORRESPONDENCE

##### CS 14-03, SUMMARY OF CORRESPONDENCE REPORT

Members reviewed Report CS 14-03 and considered the appropriateness of supporting items of correspondence from the City of St. Catharines regarding policing, the Region of Niagara regarding the designation of the Welland Canal as a National Historic Site, the City of Port Colborne regarding endorsement of the FCM housing campaign, the City of Port Colborne regarding a Call2Recycle Battery Industry Stewardship Plan and the Member of Provincial Parliament for Perth-Wellington regarding joint and several liability insurance reform for Ontario Municipalities. Members concluded consideration with direction to support the indicated items of correspondence with the introduction of the following motion.

##### Motion No. CP-2014-01

Moved by Councillor R. Foster, Seconded by Councillor W. MacMillan

THAT Report CS 14-03, the summary of correspondence report, be adopted, and the recommendations contained therein be approved, as amended, and acted upon.

**CARRIED**

##### 2014 CONFERENCES: ROMA/OGRA; OSUM; AMO AGM

##### Motion No. CP-2014-02

Moved by Councillor W. MacMillan, Seconded by Councillor D. Rintjema

THAT the following Councillors be authorized to attend the ROMA/OGRA Combined Conference, February 24 – 26, 2014, with usual expenses to apply: Mayor Hodgson and Councillors Condotta, Thompson and Pachereva.

**CARRIED**

##### Motion No. CP-2014-03

Moved by Mayor B. Hodgson, Seconded by Councillor D. Rintjema

THAT the following Councillors be authorized to attend the OSUM Conference and Trade Show, April 30, May 1 & 2, 2014, with usual expenses to apply: Councillors Foster, Condotta, Rintjema, Pachereva, Thompson and Kralt.

**CARRIED**

##### Motion No. CP-2014-04

Moved by Mayor B. Hodgson, Seconded by Councillor D. Rintjema

THAT the following Councillors be authorized to attend the AMO Conference, August 17 – 20, 2014, with usual expenses to apply: Mayor Hodgson and Councillors Thompson, Rintjema, MacMillan, Foster, Condotta, Kralt and Pachereva.

**CARRIED**

**TWENTY VALLEY TOURISM ASSOCIATION, RE: WINTER WINEFEST, REQUEST TO USE MUNICIPAL PROPERTY FOR HELICOPTER TOURS**

**Motion No. CP-2014-05**

Moved by Councillor D. Rintjema, Seconded by Councillor W. MacMillan

THAT the letter from the Twenty Valley Tourism Association, re: Winter WineFest, request to use the municipal property for helicopter tours, be received as information;

AND THAT staff prepare a report for Corporate Priorities Committee consideration at a future meeting.

**CARRIED**

**NOTICE FROM THE OFFICE OF THE REGIONAL CLERK, RECEIVED JANUARY 22, 2014, RE: PUBLIC MEETING ON REGIONAL TRANSIT REFERENDUM QUESTION**

**Motion No. CP-2014-06**

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

THAT the Notice from the Office of the Regional Clerk, received January 22, 2014, re: Public Meeting on Regional Transit Referendum Question, be received as information.

**CARRIED**

**REPORTS**

**AD 14-02, EVERGREEN REPORT – 2013 SUMMARY**

**Motion No. CP-2014-07**

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

THAT Report AD 14-02, "Evergreen Report – 2013 Summary", be received for information.

**CARRIED**

**TR 14-01, 2014 STATUTORY HOLIDAYS**

**Motion No. CP-2014-08**

Moved by Mayor B. Hodgson, Seconded by Councillor D. Rintjema

THAT Report TR 14-01, regarding the 2014 Statutory Holidays be received as information.

**CARRIED**

**TR 14-02, REQUEST FOR DONATION – BEAMSVILLE & DISTRICT LIONS CLUB**

**Motion No. CP-2014-09**

Moved by Mayor B. Hodgson, Seconded by Councillor R. Foster

THAT TR 14-02 regarding a request for a donation from the Beamsville & District Lions Club, be received as information;

AND THAT a donation to the Beamsville & District Lions Club representing the fees associated with the rental of the Lincoln Centre for the organization's Pancake Breakfasts held throughout the year in the amount of \$813.60, be approved to be funded from Council's discretionary grant account.

**CARRIED**

**TR 14-03, REQUEST FOR DONATION – LINCOLN MINOR HOCKEY ASSOCIATION**

**Motion No. CP-2014-10**

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

THAT Report TR 14-03 regarding a request for a donation from the Lincoln Minor Hockey Association, be received as information;

AND THAT a donation to the Lincoln Minor Hockey Association, on behalf of the Lincoln Atom AE Hockey team, representing a sponsorship toward costs of attending the International Silver Stick Hockey Tournament to be held on January 9 to 12, 2014, in St. Catharines, Ontario, in the amount of \$100.00 be approved to be funded from Council's discretionary grant account.

**CARRIED**

TR 14-04, 2014 ANNUAL REPAYMENT LIMIT (ARL)

**Motion No. CP-2014-11**

Moved by Councillor D. Rintjema, Seconded by Councillor W. MacMillan

THAT Report TR 14-04 regarding the 2014 Annual Repayment Limit be received as information.

**CARRIED**

TR 14-05, 2014 INFORMATION TECHNOLOGY UPGRADE

**Motion No. CP-2014-12**

Moved by Councillor D. Rintjema, Seconded by Mayor B. Hodgson

THAT Report 14-05 regarding the 2014 Information Technology Upgrade be received as information;

AND THAT Council approve the purchase of the required equipment at a total cost of \$23,691.32, as outlined in Report TR 14-05.

**CARRIED**

TR 14-06, FINANCIAL REPORT – DECEMBER 2013 (PRELIMINARY)

**Motion No. CP-2014-13**

Moved by Mayor B. Hodgson, Seconded by Councillor D. Rintjema

THAT Report TR 14-06, the Financial Report as at December 31, 2013 (Preliminary), be received as information.

**CARRIED**

BRIEFING NOTE FROM DIRECTOR OF FINANCE, RE: PENINSULA WEST POWER INC. DIVIDEND

**Motion No. CP-2014-14**

Moved by Councillor D. Rintjema, Seconded by Councillor W. MacMillan

THAT the Briefing Note from the Director of Finance, dated January 27, 2014, re: Peninsula West Power Inc., Dividend, be received as information.

**CARRIED**

CS 14-01, AUTOMATED VOTE TABULATION EQUIPMENT

**Motion No. CP-2014-15**

Moved by Councillor D. Rintjema, Seconded by Mayor B. Hodgson

THAT Report CS 14-01 regarding Automated Vote Tabulation Equipment be received;

AND THAT Council accept the proposal from Dominion Voting Systems for the leasing of vote tabulators and associated software for the 2014 Municipal Elections as outlined in the report.

AND THAT a by-law authorizing the use of vote tabulators in the 2014 Municipal Elections be presented to Council for ratification.

**CARRIED**

CS 14-02, REVIEW OF MUNICIPAL SIGN BY-LAWS

Members reviewed Report CS 14-02 regarding sign by-laws in effect within the Town, considered the recent enactment of a new sign by-law by the Regional Municipality of Niagara and concluded consideration with direction to staff to proceed with a review of Town By-laws. The following motion resulted.

**Motion No. CP-2014-16**

Moved by Councillor D. Rintjema, Seconded by Mayor B. Hodgson

THAT Report CS 14-02 regarding a review of municipal sign by-laws be received.

**CARRIED**

**BEAMSVILLE BIA, MINUTES OF NOVEMBER 14 AND DECEMBER 12, 2013**

**Motion No. CP-2014-17**

Moved by Mayor B. Hodgson, Seconded by Councillor D. Rintjema

THAT the Beamsville BIA minutes of November 14 and December 12, 2013, be received.

**CARRIED**

**MUNICIPAL HERITAGE COMMITTEE, MINUTES OF NOVEMBER 14 AND DECEMBER 12, 2013**

**Motion No. CP-2014-18**

Moved by Councillor W. MacMillan, Seconded by Mayor B. Hodgson

THAT the Town of Lincoln Municipal Heritage Committee minutes of November 14 and December 12, 2013, be received.

**CARRIED**

**LINCOLN PUBLIC LIBRARY BOARD, MINUTES OF SEPTEMBER 17 AND OCTOBER 16, 2013**

**Motion No. CP-2014-19**

Moved by Mayor B. Hodgson, Seconded by Councillor R. Foster

THAT the Town of Lincoln Public Library Board minutes of September 17 and October 16, 2013, be received.

**CARRIED**

**COUNCILLOR ENQUIRIES**

None.

**ANNOUNCEMENTS**

Members noted that the annual Rural Ontario Municipalities/Ontario Good Roads Association Conference conflicted with the regularly scheduled February Corporate Priorities Committee Meeting and that the possibility of rescheduling of the February Meeting would be further considered at the Council meeting of February 3, 2014.

**CLOSED SESSION**

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

**Motion No. CP-2014-20**

Moved by Councillor R. Foster, Seconded by Councillor W. MacMillan

THAT Committee adjourn to closed session in order to address litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board (a matter pertaining to a by-law prosecution).

**CARRIED**

**Motion No. CP-2014-21**

Moved by Councillor W. MacMillan, Seconded by Mayor B. Hodgson

THAT Committee resume in open session.

**CARRIED**

Consideration of the subject matter in closed session concluded with the provision of confidential direction to staff in closed session regarding the by-law prosecution matter.

ADJOURNMENT

There being no further business to discuss, the Chair declared the meeting adjourned at 8:50 p.m.

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CHAIR: COUNCILLOR JOHN KRALT

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CLERK: WILLIAM J. KOLASA

THE CORPORATION OF THE TOWN OF LINCOLN

BY-LAW NO. 2014-09

A BY-LAW TO AUTHORIZE THE USE OF OPTICAL  
SCANNING VOTE TABULATORS AT MUNICIPAL  
ELECTIONS

WHEREAS Section 42 of the Municipal Elections Act, 1996 provides, inter alia, that the Council of a municipality may, by by-law, authorize the use of optical scanning vote tabulators for the purpose of counting votes at municipal elections;

AND WHEREAS the Council of the Corporation of the Town of Lincoln considers it desirable to pass such a by-law;

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

1. The Council of the Corporation of the Town of Lincoln hereby authorizes the use of Optical Scanning Voting Tabulators, for the purpose of counting votes at the 2014 Municipal Elections.
2. This By-law shall come into force and take effect as of the date of its passing.

BY-LAW read a FIRST time this 3rd day of February, 2014.

BY-LAW read a SECOND time this 3rd day of February, 2014.

BY-LAW read a THIRD time and FINALLY PASSED this 3rd day of February, 2014.

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MAYOR: BILL HODGSON

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CLERK: WILLIAM J. KOLASA

THE CORPORATION OF THE TOWN OF LINCOLN

BY-LAW NO. 2014-10

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 January 20, 2014, be and the same are hereby adopted, ratified and confirmed.
2. That the actions of the Council at its meeting of February 3, 2014, 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 3rd day of February, 2014.  
BY-LAW read a SECOND time this 3rd day of February, 2014.  
BY-LAW read a THIRD time and FINALLY PASSED this 3rd day of February, 2014.

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MAYOR: BILL HODGSON

\_\_\_\_\_  
CLERK: WILLIAM J. KOLASA