



REGULAR COUNCIL AGENDA

For the Corporation of the Town of
Espanola

Council Meeting

To Be Held On

Tuesday, May 8, 2018
Council Chambers

100 Tudhope Street
7:30 pm



Espanola Council AGENDA

*For the Regular Meeting of the Town of Espanola
To Be Held On **Tuesday, May 8, 2018** at 7:30 p.m.
In The Council Chambers, Municipal Building*

6:30 P.M. SPECIAL MEETING OF COUNCIL
Council Chambers, 100 Tudhope Street

7:30 P.M. REGULAR MEETING OF COUNCIL
Council Chambers, 100 Tudhope Street

SPECIAL IN CAMERA MEETING OF COUNCIL
FOLLOWING THE REGULAR MEETING OF COUNCIL
Council Chambers, 100 Tudhope Street

Please note this meeting will be live streamed.

Disclosure of Pecuniary Interest and General Nature Thereof

PUBLIC HEARINGS

Notification under the Provisions of Bylaw No. 2068/08, Notice of Public Hearing

A Meeting for the purpose of receiving comments on the following request from the Knight Cruisers for an exemption to Municipal Bylaws to permit a Car Show on Saturday, May 26th, 2018 from 8:00 am to 4:00 pm at the Track and Field:

- 1) A temporary exemption from Municipal Bylaw No. 751/84, Section 14, being a bylaw to control the use of Municipally and Recreationally owned property 14. d) no person shall park any vehicle in any park, recreational area or on municipal property of the Town of Espanola except in those areas specifically designated by appropriate signs and notices as being areas in which vehicles may be parked.
- 2) Temporarily closing Avery Dr. from the Complex to Hunter St. to traffic with the exception of emergency vehicles on Saturday, May 26, 2018 between the hours of 8:00 am to 4:00 pm to host the Knight Cruisers Car Show.
- 3) A temporary exemption from certain provisions of the Noise Bylaw No. 1189/96, on Saturday, May 26, 2018 between the hours of 8:00 am to 4:00 pm for an event being held outdoors at the Track & Field – The Knight Cruisers Car Show.

DELEGATIONS

1. Yves Carriere, Local resident
2. Ken Niles, AAIO
3. Wayne Ashton, Private Citizen & Assistant Fire Chief
4. Espanola Firefighter's Association

QUESTION PERIOD

PART 1 - CONSENT AGENDA

Resolution Prepared Adopting Resolutions for
Items **A1** to **F2** inclusive contained in the Consent Agenda

- CA-008-18 Be It Resolved That: Items A1 to F2 inclusive contained in Part 1, Consent Agenda be adopted.

Adoption of Minutes

- A1 Special Meeting of Council of April 17, 2018**
- A2 Special Meeting of Council of April 17, 2018**
- A3 Special Meeting of Council of April 17, 2018**
- A4 Special Meeting of Council of April 23, 2018**
- A5 Special Meeting of Council of May 1, 2018**

- 18-0 Be It Resolved That: The following Minutes are hereby accepted; Special Meeting of Council of April 17, 2018; Special Meeting of Council of April 17, 2018; Special Meeting of Council of April 17, 2018; Special Meeting of Council of April 23, 2018; Special Meeting of Council of May 1, 2018.

Board and Committee Reports

- B1 Committee of the Whole Meeting Minutes of May 1, 2018**
- B2 Corporate Services Committee Meeting of May 1, 2018**

- 18- Be It Resolved That: The following board and committee reports are hereby received: Committee of the Whole Meeting Minutes of May 1, 2018; Corporate Services Committee Meeting of May 1, 2018.

Matters arising from the "In Camera Session"

None

Business Arising from Board and Committees

Committee of the Whole Meeting of May 1, 2018

D1 Recommendation regarding RFP for Firehall

- 18- Be It Resolved That: As Recommended by the Committee of the Whole That: A request for proposals for a design-build fire hall project be prepared which will include the functional requirements included in Perry & Perry Architects report of April 20, 2018. Submissions must meet the requirements of the OBC and be able to be accommodated on the existing property. To include space for 2 pumper tankers and 1

rescue and a total area of 6800 – 7200 sq ft.

Corporate Services Committee Meeting of May 1, 2018

D2 Recommendation regarding Fire Marque Inc.

- 18- Be It Resolved That: As Recommended by the Corporate Services Committee That: The Town of Espanola enter into an agreement with Fire Marque Inc. to maximize billing opportunities on behalf of the Town by invoicing insurance companies for costs of fire departments attendance with respect to insured perils and the necessary change to the Tariff of Fees Bylaw be made to support the agreement.

D3 Recommendation regarding Bylaw No 2834/18

- 18- Be It Resolved That: As Recommended by the Corporate Services Committee That: Bylaw 2834/18 be adopted as presented.

Bylaws and Resolutions

The following bylaws will be read and passed.

E1 Bylaw No. 2843/18

- 18- Being a Bylaw of the Town of Espanola to confirm the proceedings of Council at its Meeting of April 24, 2018.

E2 Bylaw No 2807/17

- 18- Being a By-law for Establishing and Maintaining a System for the Collection, Removal and Disposal of Waste Within the Town of Espanola.

E3 Bylaw No 2842/18

- 18- Being a Bylaw of the Town of Espanola to Authorize the Acceptance of the OPP Contract Policing Proposal for the Corporation of the Town of Espanola.

E4 Bylaw No 2844/18

- 18- Being a Bylaw of the Town of Espanola to Enter into an Agreement with the Ministry of Transportation for the Connecting Link Program.

Reports

F1 POA Department Departmental Report for Jan – Mar 2018

F2 Public Health Sudbury & Districts Meeting Minutes of April 19, 2018 -

Unapproved

- 18-0 Be It Resolved That: POA Department Departmental Report for Jan – Mar 2018; Public Health Sudbury & Districts Meeting Minutes of April 19, 2018 – Unapproved.

PART II - REGULAR AGENDA

Bylaws and Resolutions

G1 Recommendation Regarding the Knight Cruisers Car Show

- 18- Be It Resolved That: Council authorizes:
 - 1) A temporary exemption from Municipal Bylaw No. 751/84, Section 14, being a bylaw to control the use of Municipally and Recreationally owned property 14. d) no person shall park any vehicle in any park, recreational area or on municipal property of the Town of Espanola except in those areas specifically designated by appropriate signs and notices as being areas in which vehicles may be parked.
 - 2) Temporarily closing Avery Dr. from the Complex to Hunter St. to traffic with the exception of emergency vehicles on Saturday, May 26, 2018 between the hours of 8:00 am to 4:00 pm to host the Knight Cruisers Car Show.
 - 3) A temporary exemption from certain provisions of the Noise Bylaw No. 1189/96, on Saturday, May 26, 2018 between the hours of 8:00 am to 4:00 pm for an event being held outdoors at the Track & Field – The Knight Cruisers Car Show.

G2 Recommendation regarding Safety Recognition Budget

- 18- Be It Resolved That: Council approve a recognition award budget of \$15/employee for the 42 employees of the 2 departments that achieved zero recordable injuries in 2017, which were the Fire and Administration departments.

G3 Recommendation regarding In-House Counsel

- 18- Be It Resolved That: Council for the Town of Espanola appoint Wishart Municipal Law Group to provide legal services in accordance with WMGs Silver Package 1 effective May 1, 2018 and a Bylaw be prepared to execute an agreement.

Correspondence For Information Only

Information

This information was previously circulated to Council. If required a copy of the information is available at the Municipal Office.

Cheque Register
Township of Southgate resolution re: Landfill Developments

Conference and Conventions

None

Mayor and Councillor Reports and Announcements

Future Council/Committee Meetings

Community Services Committee Meeting of May 15th, 2018 @ 3:00 pm
Regular Meeting of Council of May 22nd, 2018 @ 7:30 pm

Adjournment

Closed Meeting (if required)

April 12th, 2018

The Clerk met with Yves Carriere a resident at 394 Bois Street. He inquired as to why no motorized vehicle signs were put up at the access points to the trail through Sherwood Park. He can understand why ATVs are not permitted but not snowmachines. Prohibiting access to this area means that residents in the area now have to trailer their snowmachines to the designated snowmobile trail as the roads have no snow on them in the winter even though snowmachines are permitted on the road, it would cause issues to the machine.

The Clerk advised that the signs prohibiting ATVs were erected last year following safety concerns for pedestrians and children accessing the park and using the trails. This winter the same concerns were raised as there were unsubstantiated reports that there were some close calls between snowmachines and pedestrians on the trail and staff observed children playing in and around the building in the park adjacent to the trail that was created by the snowmachines.

Under Bylaw 751/84 the Town of Espanola has the authority to erect signs prohibiting uses on municipal and recreation property. This is a safety and risk management issue and the signs were erected to protect children and pedestrians in a municipal park area.

The resident is not in agreement with prohibiting snowmachines in this area all the time and advised would like to address Council, he was advised of the process.

Angela Kelly

APR 27 2018

From: Ken Niles [aaio4taxi@gmail.com]
Sent: April-26-18 1:25 PM
To: Angela Kelly
Subject: Council Meeting
Attachments: Letter_Council.docx

Thank you so much for your email address and pointing me in the right direction.
I hope this email will help in some small way. I am attaching the letter to Mayor - Ron Piche and Council.

Have a GREAT day
Ken Niles

--

This message has been scanned for viruses and dangerous content by

E.F.A. Project, and is believed to be clean.

[Click here to report this message as spam.](#)



April 26 / 2018

FROM:

AAIO - Ken Niles

540 Hardwood Rd, P.O. Box 7089

McKerrow, ON, P0P 1M0

Ph: 249-879-8799

Attn:

Espanola Mayor - Ron Piche

Board Members

I would appreciate to be able to attend the Council Meeting on May 8th.

I would like to bring up concerns about the following:

1- To be able to park at the Rec Centre to pick up disabled people without getting a ticket. There should be a designated area that I can park and go in and get the customer. Sometimes they are not capable of waiting outside and do need help to get to the Taxi. After receiving a ticket from the Espanola Police I see that it is really needed.

2- Because I am a Taxi Shuttle Service in Espanola if the Council would allow me to have designated areas around town that are scheduled hourly we can go and pick up people. Espanola doesn't have this service and I would like to offer it.

Yours truly

Ken Niles

Aaio4taxi@gmail.com

Traci Denault-Roque

From: Cynthia Townsend
Sent: Wednesday, May 02, 2018 9:50 AM
To: Traci Denault-Roque
Cc: Paula Roque
Subject: FW: Presentations to Council

From: Wayne Ashton [<mailto:wayneashton@eastlink.ca>]
Sent: May-02-18 9:42 AM
To: Cynthia Townsend
Cc: Mike Pichor
Subject: Presentations to Council

Dear Cynthia,

Could you please place me, as a private citizen and Assistant Fire Chief, and then the Espanola Firefighter's Association on the agenda for the May 8th, Tuesday's Council meeting. These will be two separate presentations in regard to Fire Department equipment requirements, training requirements and proposed fire hall size.

Thank you,

Wayne

--

This message has been scanned for viruses and dangerous content by E.F.A. Project, and is believed to be clean.
[Click here to report this message as spam.](#)

**SPECIAL MEETING OF COUNCIL
OF THE TOWN OF ESPANOLA**

**Council Chambers
Municipal Office**

**April 17, 2018
6:00 pm**

Deputy Mayor B Foster presided over the meeting.

Present:

Councillors: R. Dufour, K. Duplessis; R. Duplessis, H. Malott, R. Yocom

Staff: P. Roque, Clerk; C. Townsend, CAO/Treasurer; T. Denault-Roque, Recording Secretary

**OPP Costing
Initiatives**

The CAO presented Council with a Power point presentation that included a summary of events from the onset of the OPP proposal to date. The summary also included the process of working through the proposal, the changes in funding, Governance and Police Services Act Changes, a comparison of Community Policing and Integrated Policing, information of the transition contract, onetime costs, the post transition contract and costs that can be expected per household/per property. Council was provided with a handout that provided additional information on civilian governance, OPP vs Municipal Police service, Safer Ontario Act; a list of services and their hours being provided by the Espanola Police Services; a copy of the OPP Proposal, Policing cost comparison as well as a review from KPMG on the cost comparison.

Councillor R Duplessis asked if the severances could affect the figures shown in the presentation. Ms. Townsend advised that could be the case as her figures only include the Chief and civilians as she was assuming all officers transfer over, but cautioned that it could be that they don't. Councillor R Dufour then stated assuming officers do not transfer over, do we have to pay severances on the number of years worked. Ms. Townsend advised that they would, which is equal to 4 weeks for every years served.

A discussion ensued regarding who would occupy the office space at the town location. It was stated the Council had been told by the OPP that two work stations would be available for officers to come in off the field to download or pick up information.

Ms. Townsend was asked if disposal of our vehicles was taken into account, which they may recoup something, which she replied they had not. She further advised that in the past when disposing of these vehicles we have never done well.

B. Foster advised that KPMG reviewed the process used and they were satisfied that the methodology done to calculate the

savings.

Councillor H Malott asked that in the past are the numbers found to be close to the actual numbers used. Councillor B Foster advised he couldn't say because the policing model was relatively new. He then advised that they looked at how the information was collected and use the information and that was a best guess.

Councillor R Yocom asked if the costs of the Police Board was in the figures, Ms. Townsend advised that they were.

Carried

Adjournment

1. H. Malott – K. Duplessis

Be It Resolved That: The Special Meeting of Council is hereby adjourned. Time: 6:25 pm.

Carried

Following the adjournment, Councillor Foster advised that Council would be going in camera for another meeting and they were waiting for a guest to arrive and share additional information.

B. Foster
Deputy Mayor

Paula Roque
Clerk

**SPECIAL MEETING OF COUNCIL
OF THE TOWN OF ESPANOLA**

**Council Chambers
Municipal Office**

**April 17, 2018
6:47 pm**

Deputy Mayor B. Foster presided over the meeting.

Present: Councillors: R. Dufour, K. Duplessis; R. Duplessis, B. Foster, H. Malott, R. Yocom

Mary-Lou Mick, EPS Board Chair

Absent: Mayor Piche

Staff: P. Roque, Clerk; C. Townsend, CAO/Treasurer; T. Denault-Roque, Recording Secretary

In Camera

1. H. Malott – K. Duplessis

Under authority of Section 26.1.3 of Bylaw No. 2062/08, Committee goes into an "in camera" session for the purpose stated in Section 239.2 of the Municipal Act.

- Personal matters about an identifiable individual, including municipal or local board employees.

Time: 6:47 pm

Carried

Resume Special Meeting

2. H. Malott – K. Duplessis

Be It Resolved That: The Special Meeting of Council hereby resumes. Time: 7:26 pm

Carried

Ms. Mick provided Council with additional information regarding personal matters.

Adjournment

3. H. Malott – K. Duplessis

Be It Resolved That: The Special Meeting of Council is hereby adjourned. Time: 7:23pm

Carried

B. Foster
Deputy Mayor

Paula Roque
Clerk

**SPECIAL MEETING OF COUNCIL
OF THE TOWN OF ESPANOLA**

**Council Chambers
Municipal Office**

**April 17, 2018
7:23 pm**

Deputy Mayor B. Foster presided over the meeting.

Present: Councillors: R. Dufour, K. Duplessis; R. Duplessis, H. Malott, R. Yocom

Absent: Mayor Piche

Staff: P. Roque, Clerk; C. Townsend, CAO/Treasurer; T. Denault-Roque, Recording Secretary

OPP Proposal Vote Councillor B. Foster stated that Mayor Piche contacted him advising he would like to have the vote on the OPP Proposal delayed until May 8th when he was able to return to Council meetings.
A discussion ensued.
It was discussed that a Notice of Motion had already been submitted and this item was already on the agenda for the next Council meeting, should Council decide to defer this item that decision could be made during that meeting.

Carried

Adjournment

1. H. Malott – K. Duplessis

Be It Resolved That: The Special Meeting of Council is hereby adjourned. Time: 7:23 pm.

Carried

B. Foster
Deputy Mayor

Paula Roque
Clerk

**SPECIAL MEETING OF COUNCIL
OF THE TOWN OF ESPANOLA**

**Main Level Boardroom
Municipal Office**

**April 23, 2018
3:00 pm**

Deputy Mayor B Foster presided over the meeting.

Present: Councillors: R. Dufour, K. Duplessis; R. Duplessis, B. Foster, H. Malott, B. Yocom

T. Zimmerman, Acting Police Chief
Linda Roque, Administrative Assistant; Court Coordinator,
Espanola Police Service

Staff: C. Townsend, CAO/Treasurer; T. Denault-Roque,
Recording Secretary

Absent: Mayor Piche

In Camera

1. H. Malott – B. Yocom

Be It Resolved That: Under authority of Section 26.1.3 of Bylaw No. 2062/08, Committee goes into an "in camera" session for the purpose stated in Section 239.2 of the Municipal Act.

- a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act. 2001, c. 25, s. 239 (3) subsection ((3.1)).

Subject Matter

Education and Training

Time: 3:00 pm

Carried

Resume Special Meeting

2. K. Duplessis – R. Dufour

Be It Resolved That: The Special Meeting of Council hereby resumes. Time: 3:12 pm

Carried

An education session ensued regarding Court Operations.

Adjournment

3. B. Yocom – R. Duplessis

Be It Resolved That: The Special Meeting of Council is hereby adjourned. Time: 3:13 pm

Carried

B. Foster
Deputy Mayor

C. Townsend
CAO/Treasurer

**SPECIAL MEETING OF COUNCIL
OF THE TOWN OF ESPANOLA**

**Council Chambers
Municipal Office**

**May 1, 2018
2:16 am**

Deputy Mayor Foster presided over the meeting.

Disclosure of pecuniary interest and general nature thereof.

Present: Councillors R. Dufour; K. Duplessis, R. Duplessis, H. Malott, B. Yocom

Staff: C. Townsend, CAO/Treasurer, P. Roque, Clerk, T. Zimmeran, Acting Chief Police, M. Mick, Police Board Chair, R. Rae, Chief Librarian; M. Pichor, Fire Chief; T. Denault-Roque, Recording Secretary

Absent: Mayor R. Piche

**2018
Budget
Deliberations**

Ms. Townsend provided an overview of the changes that were made to the 1st draft of the budget. The end result is a .09% increase to the annual levy. Due to the reduction to the Provincial Education rate this will mean an average household with an assessment of approx 139,700 will see a reduction of about \$2.03 per year.

Deputy Mayor Foster called on the CEO of the Library, Ms. Rae to present the 2018 Library budget. Ms. Rae spoke of the challenges the Department has faced over the past couple of years. She advised Council that a Strategic Plan was being worked on and will be guided by the two surveys that are being conducted; once the Plan is complete copies will be forwarded to Council. There were no questions for Ms. Rae and Deputy Mayor Foster thanked her for her presentation.

Acting Police Chief T. Zimmerman then presented the 2018 Police Services Proposed budget. The presentation highlighted the operating budget, the capital reserve rationale, anticipated costs, an operation budget spreadsheet, operating expenditures as well as anticipated revenues.

Fire Chief Pichor highlighted the changes to the Fire Department next which resulted in a decrease to the budget.

He advised Council of the changes to the air compressor needed to fill the new SCBA's. He further advised that the Fire Department has been working with Domtar who has the type of compressor needed and they will be donating it the firehall.

The Fire Chief then stated the only change under Emergency Planning was a small reduction this was due to not keeping a contract for a public alerting program that is now being managed

by the Province.

Deputy Mayor Foster summarized the changes that Council had left open to discuss from the 1st budget deliberations. It was decided that because Council is not going to conferences, Council travel and training should be reduced by \$2,000. Councillor Dufour questioned if a meeting was in Sudbury if it was still wide open. Councillor Foster stated that if it were that close, there wouldn't be much of an impact on the budget.

A discussion ensued regarding the number of summer students being hired. The CAO confirmed that confirmation letter was received that the municipality was approved for a grant for two students for green jobs. Deputy Mayor Foster clarified that the funding received would not be for the full amount to cover all the students. Ms. Townsend stated that she has included the total grant money in the budget to reflect \$11,600. There were no other comments from Council regarding this topic.

2018 Library Board Budget

R. Dufour – R. Duplessis

Be It Resolved That: The 2018 budget as submitted by the Library Board is approved.

Carried

2018 Police Services Budget

K. Duplessis – H. Malott

Be It Resolved That: The 2018 budget as submitted by the Police Service Board is approved.

Carried

Summer Students

R. Yocom – R. Dufour

Be It Resolved That: Public Works Department hire 8 summer students in 2018.

Carried

A discussion ensued regarding reserves to be used to bring the municipal portion of the budget to a 0%. Staff was directed to move money from reserves to bring the budget to 0%.

Adjournment

H. Malott – R. Duplessis

Be It Resolved That: The Special Meeting of Council is hereby adjourned. Time: 3:05 pm

Carried

B. Foster
Deputy Mayor

P. Roque
Clerk

**COMMITTEE OF THE WHOLE
OF THE TOWN OF ESPANOLA**

**Council Chambers
Municipal Building**

**May 1, 2018
1:30 pm**

Deputy Mayor B Foster presided over the meeting.

Present: Councillor R. Dufour; B. Foster; K. Duplessis; R. Duplessis; H. Malott; B. Yocom

Absent: Mayor R. Piche

Staff: P. Roque, Clerk; C. Townsend, CAO/ Treasurer; M. Pichor, Fire Chief; T. Denault-Roque, Recording Secretary

Councillor Foster called the meeting to order and provided a brief summary of the work that has been done thus far. He further stated that this meeting should result in an RFP, therefore they will need to know what equipment they are prepared to put into a new firehall. M. Pichor, Fire Chief was asked to speak to the equipment needed and the difference between having 2 or 3 pumper/tankers. He responded that the equipment needed has been identified in 3 separate surveys. The Department needs a new truck and would like to go with a pumper/tanker from here forward because they are more diverse. He stated there are over 2400 homes, 200 businesses, a huge pulp mill that we need to protect, in addition to our citizens it is also needed to reduce the municipality's liability, to provide fire ground operations, to provide protection to those residents without a nearby fire hydrant being used as a water shuttle service, transporting the fire fighters, it is needed for the tax payers that are out in rural areas and bush fires. He further stated that the other trucks were 20 years + as of next year, therefore there are a lot of reasons for the third truck. Chief Pichor was asked if there were enough fire fighters to man a third truck to which he replied there was. Councillor Yocom said he was in support of keeping the third truck and asked if it were to be kept then could training be done to qualify our department as a shuttle service, M. Pichor agreed it could and clarified that would keep residents insurance from increasing. Councillor Foster stated there is currently 2 pumper/tankers and 1 rescue vehicle and wanted to know the consensus of the committee to add a 3rd pumper/tanker to the design of the firehall. Councillors R. Duplessis advised there will be maintenance costs as well as a bigger firehall needed to house it; with that in mind he wants to stay with 2 pumper/tankers and 1 rescue vehicle. Councillor Malott stated she feels the same way. K Duplessis agreed that there is a cost to have the 3rd pumper/tanker and if a firehall was built to accommodate it then future Councils will put it in rotation to replace it, which is a added cost to the tax payers. Councillor Yocom stated he is in favor of keeping it; he has lived in the country and knows what it is like to not have enough fire protection. He didn't think it will change the cost to the size of the building all that much and asked the committee to think of the future, there is a probability of more construction in the outlying

areas than there is in town, keeping the older pumper will not cost extra and it would serve the residents well to keep it. Councillor Dufour advised that if there was an outside fire in the outlying areas, they would not make it in time anyways if it were 5 or 10 miles away. He then stated it is not the Town's responsibility to fight brush fires and that we are not equipped for that, there are a lot of things they are not equipped with when it comes to bush fires. He stated that the costs associated to keep it were higher than the town was ready to give at this point in time.

M. Pichor stated he was very surprised to be hearing these comments. Discussions ensued. The Fire Chief clarified that they do fight brush fires and they have a contract with the MNR to protect the municipality from bush fires. He further stated that the fire fighters are not asking for a lot they are only asking for a piece of equipment to do their jobs properly.

Councillor Yocom agreed with the fire chief and stated that they will be serving the residents very poorly if the third fire truck is not kept. The costs will be minimal; the town is in fine financial shape as we can tell as we look at the budget. He further stated that there is a substantial amount in the reserves for the fire dept because this has been going on for quite some time. He further advised he thought that several months ago it was decided already to keep the third truck and everything he has done since that has been with that in mind.

Councillor Foster suggested there would be a difference of \$150,000 - \$200,000 to make enough room to keep the 3rd vehicle; the additional maintenance costs would be very minor. He stated that a used vehicle makes a lot of sense when it comes time for replacement. He stated that for approx 10% of the cost of the building they will improve the fire fighting capabilities and that only makes sense.

Councillor R Duplessis stated that there is a Mutual Aid agreement with the surrounding municipalities and that could be utilized more.

Councillor Yocom stated that agreement is not in effect to save money; it is to be used for emergency use only. M. Pichor advised the committee that although there is an agreement in place there is no obligation or guarantee that they respond and mutual aid is designed for fires that are above and beyond the municipality's capabilities. The municipality is responsible for providing fire protection to the entire community and relying on mutual aid is not an option other than for fires that use up all your resources. He further stated that the cost of a truck over a 30 year span works out to about \$13,000/yr which is cheaper than a cruiser, putting the scenario into perspective.

Councillor Foster provided options to the committee on moving forward with the RFP and the amount of pumper/tankers being housed.

Councillor Yocom stated that equipment needs to be decided before the fire hall.

Councillor Foster stated they need to think of the future and not short services for the residents today and in the future. They need to think of more houses moving into the surrounding area in the future. If a decision is made now that makes it difficult to add a bay later on, he does not think this is providing a good service for the community.

A discussion ensued regarding the possibility of growth in the outlying areas and that council needs to make decisions based on what they feel is best for the community.

Councillor Yocom stated that they need to decide on equipment before deciding on the firehall. He feels that it would be a great disservice to the community and the residents today and in the future if the third fire truck was not kept, both financially and for their safety. He stated

that there is obvious some misconceptions of the services being done by the fire department and that wildfire services are provided. When it comes to these types of fires the more water available the better. Councillor Yocom stated that if equipment is not decided on then the town is back to where they were in 2008.

Councillor Foster then took a poll of the committee on how many trucks would be kept; Councillor Yocom:3; Councillor Dufour: 2; Councillor R Duplessis: 2; Councillor Malott: 2; Councillor K Duplessis:2. This will allow direction to be given to staff to prepare an RFP.

A discussion ensued regarding the layout and design of the firehall, the amount of office space and size of training room as well as the amount of lockers being dedicated to women fire fighters.

Councillor Foster amended the resolution to reflect the consensus of the committee.

R. Duplessis – R. Yocom

Be It resolved That: As Recommended by the Committee of the Whole That: A request for proposals for a design-build fire hall project be prepared which will include the functional requirements included in Perry & Perry Architects report of April 20, 2018. Submissions must meet the requirements of the OBC and be able to be accommodated on the existing property. To include space for 2 pumper tankers and 1 rescue and a total area of 6800 – 7200 sq. ft.

Carried

Adjournment

H. Malott – R. Duplessis

Be It Resolved That: The Committee of the Whole is hereby adjourned.

Time: 2:15 pm

B. Foster
Deputy Mayor

Paula Roque
Clerk

CORPORATE SERVICES COMMITTEE MEETING**Tuesday, May 1, 2018****3:06 pm****Main Level Boardroom****Municipal Building****Chair K. Duplessis presided over the meeting.****Disclosure of pecuniary interest and general nature thereof.**

Present: Councillor B. Foster; Councillor R. Duplessis
Municipal Officials, P. Roque, Clerk/Manager of Planning Services;
C. Townsend, CAO/Treasurer; C. Tessier, Manager of Financial
Services; T. Denault-Roque, Recording Secretary

Absent: Mayor Piche

**POA Department
Departmental Report** The Committee received the POA Department Departmental Report
for Jan – Mar 2018. The Committee asked for clarification on the
item listed as Special Trial. The Clerk advised she would follow up
with the Manager of POA.

Fire Marque Inc. **1. B. Foster – R. Duplessis**
Be It Resolved That: As Recommended by the Corporate Services
Committee That: The Town of Espanola enter into an agreement
with Fire Marque inc. to maximize billing opportunities on behalf of
the Town by invoicing insurance companies for costs of fire
departments attendance with respect to insured perils and the
necessary change to the Tariff of Fees Bylaw be made to support
the agreement.

Carried

A discussion ensued. It was clarified by the CAO that only
insurance companies will be invoiced and not residents.

Remuneration Bylaw **2. R. Duplessis – B. Foster**
Be It Resolved That: As Recommended by the Corporate Services
Committee That: Bylaw No 2834/18 be adopted as presented.

Carried

Garbage Bylaw A discussion ensued. The Committee directed Staff to include a
clause for visual screening of garbage in the Property Standards
Bylaw. The Clerk stated that because the Committee has approved
the Garbage Bylaw it will go directly to Council.

In Camera **3. B. Foster – R. Duplessis**
Be It Resolved That: As Recommended by the Corporate Services
Committee That:

1. Under authority of Section 26.1.3 of Bylaw No. 2062/08, Council goes into an "in camera" session for the purpose stated in Section 239.2 of the Municipal Act.

- personal matters about an identifiable individual, including municipal or local board employee

Time: 3:23 pm

Carried

Resume Meeting

4. B. Foster – R. Duplessis

Be It Resolved That: As Recommended by the Corporate Services Committee That:

The Corporate Services Committee meeting hereby resumes.

Time: 3:32 pm

Carried

**Shared Building
Services Agreement**

5. R. Duplessis – B. Foster

Be It Resolved That: As Recommended by the Corporate Services Committee That: Council adopt the amendment to the Shared Building Services Agreement.

Carried

Adjournment

6. R. Duplessis – B. Foster

Be It Resolved That: The Corporate Services Committee Meeting is hereby adjourned.

Time: 3:34 pm

K. Duplessis
Chair

P. Roque
Clerk

COMMITTEE OF THE WHOLE

Moved By: *[Signature]*

Date: May 1, 2018

Seconded By: *[Signature]*

Motion No.: 1

Be It Resolved That: As Recommended by the Committee of the Whole That:

A request for proposals for a design-build firehall project be prepared which will include the functional requirement included in Perry & Perry Architects report of April 20, 2018.

Submissions must meet the requirements of the OBC and be able to be accommodated on the existing property.

To include space for 12 pumper tankers + one rescue and a total area of 6500 - 7200 sq. ft.

CARRIED ☒ DEFEATED ☐

DEFERRED ☐

[Signature]
Chair

	For	Against
Mayor R. Piche	_____	_____
R. Dufour	_____	_____
K. Duplessis	_____	_____
R. Duplessis	_____	_____
B. Foster	_____	_____
H. Malott	_____	_____
B. Yocom	_____	_____

Mayor R. Piche	_____
R. Dufour	_____
K. Duplessis	_____
R. Duplessis	_____
B. Foster	_____
H. Malott	_____
B. Yocom	_____

Department:	General Administration	Form Number:	A99-01370
Subject:	Staff Report	Effective Date:	06/05/17
Policy No:		Revision Date:	13/05/29
Bylaw No:		Version #:	2

STAFF REPORT

DEPARTMENT: Administration	DATE: April 25, 2018
-----------------------------------	-----------------------------

ITEM: Fire Hall

RECOMMENDATION:

As recommended by the Committee of the Whole: Be it resolved that:

A request for proposals for a design-build firehall project be prepared which will include the functional requirements included in Perry & Perry Architects report of April 20, 2018. Submissions must meet the requirements of the OBC and be able to be accommodated on the existing property.

BACKGROUND:

Several design proposals have been reviewed by councils. At the meeting of April 24th, a local contractor made a proposal to council for a "Design-Build" project.

ANALYSIS:

A comparison of the overall space is as follows:

DESCRIPTION	EXISTING	PROPOSED (SF)	REDUCED (SF)
ADMINISTRATION	205.89	620.00	498.62
FIRE PREVENTION	-	150.00	152.85
APPARATUS	1,767.00	5,760.00	3,342.11
TRAINING	686.55	1,100.00	1,062.86
FIREFIGHTING EQUIPMENT	146.34	590.00	655.25
COMMON SPACES	88.00	910.00	803.46
SUPPORT SPACES	948.39	2,298.00	1,576.83
TOTALS	3,842.17	11,428.00	8,091.98

A comparison of costs is attached.

Department: General Administration	Form Number: A99-01370
Subject: Staff Report	Effective Date: 06/05/17
Policy No:	Revision Date: 13/05/29
Bylaw No:	Version #: 2

An RFP for a "Design-Build" project would allow multiple bidders to submit multiple design proposals and ideas, they could include a pre-engineered building or the traditional construction.

EXISTING POLICY: Procurement Policy

STRATEGIC GOAL:

- ☒ 1) Improve and Maintain our Infrastructure
- ☒ 2) Sustainable Economic Growth & Prosperity
- ☒ 3) Excellence in Government
- ☒ 4) Safe and Healthy Community

FINANCIAL COMMITMENT: TBD

IMPLEMENTATION: ASAP

Prepared By:

Cynthia Townsend

Department Manager:

CAO/Treasurer:

Cynthia Townsend

Approval of Recommendation:

Yes ☒ No ☐

Comments:

		8,000 sq-ft	9,600	
		1 Storey	2 Storey	
		Pre-fab	Pre-fab	
		2018	2015	
Site Development	Rate/Lot	Total	Total	Difference
Hard Surfacing	120,000	120,000.00	75,000.00	45,000.00
Site Surfacing	25,000.00	25,000.00	25,000.00	-
Landscaping	15,000.00	-	-	-
OLS Survey	3,000.00	-	-	-
Geotechnical Investigation	15,000.00	15,000.00	15,000.00	-
Environmental Investigation	20,000.00	20,000.00	-	20,000.00
Existing Building Demolition	50,000.00	50,000.00	-	50,000.00 not in 2015
		230,000.00	115,000.00	115,000.00
Construction Costs				
Construction Costs		1,761,847.73	1,731,826.75	30,020.98
Professional Fees & Charges				
Architect/Engineer	8%	159,347.82	147,746.14	11,601.68
Project Management	2%	35,236.95	34,636.53	600.42
Quantity Surveyor	5,000.00	-	-	-
Furnishings and Equipment	0	-	-	-
Voice/Data/Security	10000	10,000.00	10,000.00	-
Contingency	5%	10,229.24	9,619.13	610.11
		214,814.01	202,001.80	12,812.21
Project Contingency	2%	44,133.23	40,976.57	3,156.66
TOTAL PROJECT COST		2,250,794.97	2,089,805.12	160,989.85



CORPORATE SERVICES COMMITTEE

Moved By: Bill Foster

Date: May 1, 2018

Seconded By: R. Duplessis

Motion No.: **1**

Be It Resolved That: As Recommended by the Corporate Services Committee That:

The Town of Espanola enter into an agreement with Fire Marque Inc. to maximize billing opportunities on behalf of the Town by invoicing insurance companies for costs of fire departments attendance with respect to insured perils and the necessary change to the Tariff of Fees Bylaw be made to support the agreement.

CARRIED ✓

DEFEATED

DEFERRED

Chair

**RECORDED VOTE
INTEREST**

For Against

Mayor R. Piche	<u> </u>	<u> </u>
B. Foster	<u> </u>	<u> </u>
K. Duplessis	<u> </u>	<u> </u>
R. Duplessis	<u> </u>	<u> </u>

DECLARATION OF PECUNIARY

Mayor R. Piche	<u> </u>
B. Foster	<u> </u>
K. Duplessis	<u> </u>
R. Duplessis	<u> </u>

AGENDA #1

Department:	General Administration	Form Number:	A99-01370
Subject:	Staff Report	Effective Date:	06/05/17
Policy No:		Revision Date:	13/05/29
Bylaw No:		Version #:	2

STAFF REPORT

DEPARTMENT: Administration

DATE: April 16, 2018

ITEM: Fire Marque Agreement

RECOMMENDATION: Be It Resolved That: As Recommended by the Corporate Services Committee That: The Town of Espanola enter in to an agreement with Fire Marque Inc. to maximize billing opportunities on behalf of the Town by invoicing insurance companies for costs of fire department attendance with respect to insured perils and the necessary change to the Tariff of Fees Bylaw be made to support the agreement.

BACKGROUND:

Fire Marque Incorporated provides a specialty service regarding a new revenue stream for fire departments. The majority of commercial and home insurance policies provide coverage for fire department charges incurred when the fire department is called upon and attends a fire emergency. The amount of insurance coverage can range from \$500 to \$25,000.

Fire Marque Incorporated uses a process referred to as "Indemnification Technology" which requires data collection, review of insured perils, policy wording interpretation, invoicing, follow up and record keeping. The Indemnification Technology program was created by Fire Marque and there are no comparable services offered in the market place. Municipalities are engaging Fire Marque through a sole sourcing process due to lack of other service providers.

Back up information from Fire Marque previously circulated to Council.

ANALYSIS:

Most insurance policies will pay for reasonable fees or charges against buildings being insured for fire protection services received. The Insurance Bureau of Canada requires all home policies to carry minimum coverage for costs relating to fire suppression efforts, these provisions have been in place for many years however fire departments were generally unaware that they existed.

Fire Marque Incorporated as the service provider has the knowledge, staff and infrastructure to perform cost recovery from insurance companies through an agency agreement. They are former insurance professionals who are experienced in insurance policy wording interpretation, data collection, policy review with respect to insured perils, invoicing and record keeping. Fire Marque deals directly with the insurance companies and not the policy holders.

An agency agreement is signed between the municipality and Fire Marque Incorporated who would act as an agent on behalf of the municipality in the recovery of costs related to the provision of fire services. There is no charge to the municipality for this service as any

Department:	General Administration	Form Number:	A99-01370
Subject:	Staff Report	Effective Date:	06/05/17
Policy No:		Revision Date:	13/05/29
Bylaw No:		Version #:	2

Comments: _____



CORPORATE SERVICES COMMITTEE

Moved By: [Signature]

Date: May 1, 2018

Seconded By: Bill Foster

Motion No.: 2

Be It Resolved That: As Recommended by the Corporate Services Committee That:
Bylaw 2834/18 be adopted as presented.

CARRIED ✓ DEFEATED

DEFERRED

[Signature]
Chair

**RECORDED VOTE
INTEREST**

	For	Against
Mayor R. Piche	<u> </u>	<u> </u>
B. Foster	<u> </u>	<u> </u>
K. Duplessis	<u> </u>	<u> </u>
R. Duplessis	<u> </u>	<u> </u>

DECLARATION OF PECUNIARY

Mayor R. Piche	<u> </u>
B. Foster	<u> </u>
K. Duplessis	<u> </u>
R. Duplessis	<u> </u>

AGENDA#2

Department:	General Administration	Form Number:	A99-01370
Subject:	Staff Report	Effective Date:	06/05/17
Policy No:		Revision Date:	13/05/29
Bylaw No:		Version #:	2

STAFF REPORT

DEPARTMENT: Administration

DATE: April 20, 2018

ITEM: Council Remuneration Bylaw

RECOMMENDATION: Be It Resolved: As Recommended by the Corporate Services Committee That: Bylaw 2834/18 be adopted as presented.

BACKGROUND:

On March 27, 2018 a notice of motion was submitted by Councillor Dufour to amend the Remuneration Bylaw. Direction was given to staff to revise the Bylaw and bring to the Corporate Services Committee for review. When presented to the Corporate Services Committee on April 3, 2018 the Committee advised they would like to have stricter penalties regarding honorariums and missed meetings and directed Staff to research other municipalities and bring that back to the next meeting for discussion. The Committee also discussed amending the travel policy to ensure there is no quorum when Councillors are travelling together.

ANALYSIS: Staff was unable to find any provisions in other municipality's remuneration bylaws that went much beyond the provisions in our current bylaw regarding missed meetings and honorariums but that is not to say that the Committee cannot recommend an increase in the amount that is deducted for a missed meeting. Staff were able to find provisions similar to the following, "Members may miss three regular Council or Committee of Council meetings per year without penalty. A penalty of ??? per meeting after that shall apply." The penalty figure varied.

The Committee should just keep in mind that they cannot go over and above what is set out in the Municipal Act:

VACANCIES

Vacant seat

259 (1) The office of a member of council of a municipality becomes vacant if the member,

(c) is absent from the meetings of council for three successive months without being authorized to do so by a resolution of council;

With respect to Councillors travelling together, a clause was added to Item 9 of the attached draft Schedule "A", "*No more than three members of Council, including the Mayor are permitted to travel together, using the same mode of transportation.*" This seemed to be a common provision for a number of municipalities most likely with similar concerns as this Committee.

Department: General Administration	Form Number: A99-01370
Subject: Staff Report	Effective Date: 06/05/17
Policy No:	Revision Date: 13/05/29
Bylaw No:	Version #: 2

EXISTING POLICY: Council Resolution / Bylaw

STRATEGIC GOAL: Excellence in Government

FINANCIAL COMMITMENT: NA

BUDGETED: NA Yes No

IMPLEMENTATION: Council/Staff

Prepared By: Paula Roque

CAO / Treasurer:

Approval of Recommendation: Yes No

Comments:



THE CORPORATION OF THE TOWN OF ESPANOLA

BYLAW NO. 2222/18

Deleted: 2698

Deleted: 6

**BEING A BYLAW RESPECTING REMUNERATION FOR
MEMBERS OF COUNCIL**

WHEREAS Section 283 of the Municipal Act 2001, S.O. 2001, and its amendments, provides that the Council may establish by Bylaw the remuneration and expenses for members of Council for attendance at meetings of Council or for attendance at Committee meetings of Council and that such remuneration and expenses may be determined in any manner that Council considers advisable;

AND WHEREAS, the said Act provides for salary, expenses and allowances paid by local boards to be established by the Council of a Municipality:

NOW THEREFORE, the Council of the Corporation of the Town of Espanola enacts as follows:

1. INTERPRETATION:

In this bylaw and in the attached schedules, the following terms shall apply;

- 1.1 MUNICIPALITY" means the Corporation of the Town of Espanola.
- 1.2 COUNCIL" means the Council of the Corporation of the Municipality.
- 1.3 LOCAL BOARDS" means a Local Board as defined in the Municipal Affairs Act.
- 1.4 OTHER BODY" means any body other than a Local Board, of the Council of a Municipality or a Council Committee.
- 1.5 EX OFFICIO" means and includes a member of a Local Board or other body who, by statute, is entitled to be a member of that Board or Body by virtue of his office as Head of Council or as specified class of Council member, or, who serves as a member of the Board or body pursuant to his appointment under the Municipal Act.
- 1.6 COUNCIL COMMITTEE" means any standing or special committee, thereof, established by Council regardless of the name by which it is identified or the fact that persons other than Council members may be included in its memberships.

2. REMUNERATION

- 2.1 Members of Council:
Council members shall receive remuneration as determined according to the provisions of Schedule "A" appended to and forming part of this Bylaw for their services as Council members or officers of the Municipality.

3. ADMINISTRATION

Notwithstanding any other provision of this Bylaw, where a person is entitled to receive remuneration or expenses under this Bylaw from the Municipality in respect of his/her membership on an "other body" in respect of a certain period or certain items of expenditures and

where he/she has received or is entitled to receive remuneration or expenses from that "other body" in respect of the same period or for the same items of expenditure. The remuneration and expense he/she has received from the other body will not be duplicated from the expenses that but for this clause would be payable to him/her under this Bylaw in respect of his membership on the board for that period excepting those items and the amounts remaining, if any, shall be the amounts to which he/she is entitled under this Bylaw as remuneration or expenses for that period and those items.

- 3.1 The remuneration provided for in Schedule "A" of this Bylaw shall be paid by the Treasurer of the Municipality from the funds provided by Council. The Treasurer shall pay the said remuneration outlined in Section 1 and 2 of Schedule "A" monthly, in respect of the services rendered during the period just ending.
- 3.2 Notwithstanding Clause 3.2, where a person who has been appointed by the Council as a member of a local board or other board fails to submit any information or documentation required to be submitted in support of a claim for remuneration or expenses, the Treasurer may pay such portion as may be authorized without supporting documentation being submitted.
- 3.3 The Municipal Treasurer shall on or before the 31st day of March in each year, submit to the Council an itemized statement of the remuneration and expenses paid pursuant to this bylaw and Section 284 of the Act in the preceding year.

- 3.4 That Bylaw No. 2698/16 is hereby repealed.

Deleted: 2606/14

- 3.5 This Bylaw shall be deemed to have been in force and effect immediately.

READ A FIRST, SECOND and THIRD TIME AND PASSED IN OPEN COUNCIL
THIS DAY OF 2018.

Deleted: 8th

Deleted: FEBRUARY

Deleted: 6

Ron Piché
Mayor

Paula Roque
Clerk



SCHEDULE "A"

REMUNERATION OF COUNCIL MEMBERS

1. An annual remuneration of Thirteen Thousand Nine Hundred Fifty-Eight Dollars and Fifty-Two cents (13,958.52) shall be paid to each member of Council of the Town of Espanola, and one-third of such amount shall be deemed to be for expenses incidental to the discharge of his duties as member of Council.
2. An annual remuneration of Thirteen Thousand Nine Hundred Fifty-Eight Dollars and Fifty-Two cents (13,958.52) shall be paid to the Mayor as Head of Council, and one-third of such amount shall be deemed to be for expenses incidental to the discharge of his duties as a Member of Council.
3. An annual remuneration of Two Thousand Nine Hundred-Seven Dollars and Ninety-Six cents (2,907.96) shall be paid to the Deputy Mayor and one-third of such amount shall be deemed to be for expenses incidental to the discharge of his duties as a Member of Council.
4. A member of Council being absent from a Regular Council meeting without advising administration or Mayor and/or a Council Member, shall have deducted from their remuneration payable under this bylaw, the sum of \$150.00 for each absence from regular meetings of Council. The CAO is required to facilitate the deduction through the normal payroll process.
5. Members of Council absent from Committees as appointed to by Council without advising administration or Mayor and/or a Council Member on the corresponding Committee, shall have deducted from their remuneration payable under this bylaw the sum of \$50.00 for each absence from the scheduled committee meeting.
6. Members of Council absent from a Committee or Council meeting due to attendance at a duly certified municipal function as defined by Council or absent due to extenuating circumstances and are unable advise as outlined in Item 4 or 5 shall not be deducted.
7. At Council's discretion, an annual increase to Council's base compensation using either a 12 month annual Consumer Price Index (CPI) increase (December 12 month rate) or the annual adjustment provided to non-union Staff whichever is less, to be effective January 1 of each year.

Deleted: regular

Deleted: c

8. A comprehensive comparison and review of Council remuneration for 10 municipalities is to be completed in the second year of a Council term.

Council can choose to amend Council remuneration based on the comparison.

9. Elected Officials are entitled to attend conferences and conventions during each year as follows and as the budget permits:

Deleted: ¶

Page Break

Mayor 2 conferences or conventions
Councillor 1 conference or convention

A Councillor may attend a second conference or convention if approved by a resolution of Council.

In addition to the above clause, all of Council is encouraged to attend Council conferences and conventions that are held in the Sudbury District.

Item 9. does not apply to specific Council Training and Workshops.

No more than three members of Council, including the Mayor are permitted to travel together, using the same mode of transportation.

Formatted: Indent: First line: 0"

All expenses for the conference, conventions, training and workshops, including travel, parking, lodging, meals (if they are not included in registration fees) are to be reimbursed in accordance with Policy F09-01285 Travel and Training Expenses.

10. A verbal report for information sharing purposes on the conference/convention/training or workshop shall be presented at a public meeting by at least one (1) member of Council who attended the event within a month of attending. A hard copy of the report shall be submitted to the Administrative Assistant to be kept on file with the meeting agenda.

223.23 Testimony
223.24 Regulations

PART VI
PRACTICES AND PROCEDURES
MUNICIPAL ORGANIZATION AND ADMINISTRATION

224. Role of council
225. Role of head of council
226. Substitution
226.1 Head of council as chief executive officer
227. Municipal administration
228. Clerk
229. Chief administrative officer

FIRST MEETING

230. First council meeting
231. Deemed organization
232. Declaration of office
233. Appointment of head
234. Timing of appointments
235. Term, upper-tier members

LOCATION OF MEETINGS AND PUBLIC OFFICES

236. Location

QUORUM

237. Quorum

PROCEDURE BY-LAW

238. Procedure by-law

MEETINGS

239. Meetings open to public
239.1 Investigation
239.2 Investigator
240. Calling of meetings
241. Head of council
242. Absence of head
243. Voting
244. Open voting
245. Tie votes
246. Recorded vote

BY-LAWS

247. Language of by-laws
248. Municipal code
249. Seal
250. By-laws upon application

RECORDS

253. Inspection of records
254. Retention of records
255. Retention periods

ELIGIBILITY

256. Eligibility, local municipality
257. Eligibility, upper-tier municipality
258. Ineligible

VACANCIES

259. Vacant seat
260. Resignation as member
261. Restriction
262. Declaration
263. Filling vacancies
264. Term
265. Application to court
266. Minister's order
267. Temporary vacancy
268. Temporary replacement, member of upper-tier council

POLICIES

269. Interpretation

ELIGIBILITY

Eligibility, local municipality

256 Every person is qualified to be elected or to hold office as a member of a council of a local municipality,

- (a) who is entitled to be an elector in the local municipality under section 17 of the *Municipal Elections Act, 1996*; and
- (b) who is not disqualified by this or any other Act from holding the office. 2001, c. 25, s. 256.

Eligibility, upper-tier municipality

257 Every person is qualified to be elected or to hold office as a member of a council of an upper-tier municipality,

- (a) who is entitled to be an elector in a lower-tier municipality within the upper-tier municipality under section 17 of the *Municipal Elections Act, 1996*; and
- (b) who is not disqualified by this or any other Act from holding the office. 2001, c. 25, s. 257.

Ineligible

258 (1) The following are not eligible to be elected as a member of a council or to hold office as a member of a council:

1. Except in accordance with section 30 of the *Municipal Elections Act, 1996*,
 - i. an employee of the municipality,
 - ii. a person who is not an employee of the municipality but who is the clerk, treasurer, Integrity Commissioner, Auditor General, Ombudsman or registrar referred to in section 223.11 or an investigator referred to in subsection 239.2 (1) of the municipality, or
 - iii. a person who is not an employee of the municipality but who holds any administrative position of the municipality.
2. A judge of any court.
3. A member of the Assembly as provided in the *Legislative Assembly Act* or of the Senate or House of Commons of Canada.
4. Except in accordance with Part V of the *Public Service of Ontario Act, 2006* and any regulations made under that Part, a public servant within the meaning of that Act. 2001, c. 25, s. 258 (1); 2006, c. 32, Sched. A, s. 110; 2006, c. 35, Sched. C, s. 86.

Disqualification

(2) A member of council of a municipality is disqualified from holding office if, at any time during the term of office of that member, he or she,

- (a) ceases to be a Canadian citizen;
- (b) is not a resident, the owner or tenant of land or the spouse of an owner or tenant of land in the municipality, in the case of a member of council of a local municipality, or in a lower-tier municipality within the upper-tier municipality, in the case of a member of council of an upper-tier municipality; or
- (c) would be prohibited under this or any other Act from voting in an election for the office of member of council of the municipality if an election was held at that time. 2001, c. 25, s. 258 (2); 2005, c. 5, s. 44 (3).

Section Amendments with date in force (d/m/y)

2005, c. 5, s. 44 (3) - 13/06/2005

2006, c. 32, Sched. A, s. 110 - 01/01/2007; 2006, c. 35, Sched. C, s. 86 - 20/08/2007

VACANCIES

Vacant seat

259 (1) The office of a member of council of a municipality becomes vacant if the member,

- (a) becomes disqualified from holding the office of a member of council under section 256, 257 or 258;
- (b) fails to make the declaration of office before the deadline in section 232;

- (c) is absent from the meetings of council for three successive months without being authorized to do so by a resolution of council;
- (d) resigns from his or her office and the resignation is effective under section 260;
- (e) is appointed or elected to fill any vacancy in any other office on the same council;
- (f) has his or her office declared vacant in any judicial proceeding;
- (g) forfeits his or her office under this or any other Act; or
- (h) dies, whether before or after accepting office and making the prescribed declarations. 2001, c. 25, s. 259 (1).

Exception

(1.1) Clause (1) (c) does not apply to vacate the office of a member of council of a municipality who is absent for 20 consecutive weeks or less if the absence is a result of the member's pregnancy, the birth of the member's child or the adoption of a child by the member. 2017, c. 10, Sched. 1, s. 30.

Exception

(2) Clause (1) (e) does not apply to vacate the office of a member of an upper-tier council when the member is appointed head of council if the composition of council requires or permits the member to hold both offices. 2001, c. 25, s. 259 (2).

Dual vacancies

(3) If one of the offices of a person who is a member of council of both a local municipality and its upper-tier municipality becomes vacant under this section, the other office also become vacant. 2001, c. 25, s. 259 (3).

Exception

(4) Subsection (3) does not apply to vacate an office of a member when another office of the member becomes vacant if the composition of the councils does not require the member to hold both offices. 2001, c. 25, s. 259 (4).

Section Amendments with date in force (d/m/y)

2017, c. 10, Sched. 1, s. 30 - 30/05/2017

Resignation as member

260 (1) A member of council of a municipality may resign from office by notice in writing filed with the clerk of the municipality. 2001, c. 25, s. 260 (1).

Restriction

(2) Despite subsection (1), a resignation is not effective if it would reduce the number of members of the council to less than a quorum and, if the member resigning from office is a member of the councils of both a local municipality and its upper-tier municipality, the resignation is not effective if it would reduce the number of members of either council to less than a quorum. 2001, c. 25, s. 260 (2).

Restriction

261 (1) Except where otherwise provided, no person may hold more than one office governed by the *Municipal Elections Act, 1996* at the same time anywhere in Ontario. 2001, c. 25, s. 261 (1).

Election void

(2) If a person is nominated for and his or her name appears on the ballots for more than one office and he or she is elected to any of those offices, his or her election is void and the office is vacant. 2001, c. 25, s. 261 (2).

Declaration

262 (1) If the office of a member of a council becomes vacant under section 259, the council shall at its next meeting declare the office to be vacant, except if a vacancy occurs as a result of the death of a member, the declaration may be made at either of its next two meetings. 2001, c. 25, s. 262 (1).

Upper-tier declaration

(2) If an upper-tier municipality declares the office of one of its members who also holds office on the council of a local municipality to be vacant, the upper-tier municipality shall immediately forward a copy of its declaration to the council of the local municipality. 2001, c. 25, s. 262 (2).



THE CORPORATION OF THE TOWN OF ESPANOLA

BYLAW NO. 2843/18

**Being a bylaw of the Town of Espanola to Adopt
the Minutes of Council for the Term Commencing
December 1st, 2014, and Authorizing
Taking of any Action Authorized Therein and Thereby**

WHEREAS Section 101 of the Municipal Act, R.S.O. 1990, C. M45, as amended, requires a municipal council to exercise its powers by bylaw, except where otherwise provided;

AND WHEREAS in many cases, action which is taken or authorized to be taken by a Council or a Committee of Council does not lend itself to an individual bylaw;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF ESPANOLA ENACTS AS FOLLOWS:

1. That the Minutes of the meetings of the Council of the Town of Espanola for the term commencing December 1st, 2014, held on: April 24, 2018 and the same are hereby adopted.
2. That the taking of any action authorized in or by the Minutes mentioned in Section 1 hereof and the exercise of any powers by the Council or Committees by the said minutes be and the same are hereby ratified, authorized and confirmed.
3. That where no individual bylaw has been or is passed with respect to the taking of any action authorized in or by the Minutes mentioned in Section 1 hereof or with respect to the exercise of any powers by the Council or Committees in the above mentioned Minutes, then this bylaw shall be deemed for all purposes to be the bylaw required for approving and authorizing the taking of any action authorized therein or thereby or required for the exercise of any power therein by the Council or Committees.
4. That the Mayor and proper officers of the Corporation of the Town of Espanola are hereby authorized and directed to do all things necessary to give effect to the recommendations, motions, resolutions, reports, action and other decisions of the Council or Committees as evidenced by the above mentioned Minutes in Section 1 and the Mayor and Clerk are hereby authorized and directed to execute all necessary documents in the name of the Corporation of the Town of Espanola and to affix the seal of the Corporation thereto.

Read a First, Second and Third Time and Passed this 8th day of May 2018.

R. Piche
Mayor

Paula Roque
Clerk



Bylaw 2807/17

A By-law for Establishing and Maintaining a System
for the Collection, Removal and Disposal of Waste
Within the Town of Espanola

1. Section 10(1), paragraph 7 of subsection 10(2) of the Municipal Act, 2001, S.O.2001, c.25 authorizes a municipality to pass By-laws dealing with Waste Management.
2. Section 391 of the Municipal Act, 2001, S.O.2001, c.25 authorized municipalities to impose fees or charges for services rendered.
3. Council considers it advisable to collect, remove and dispose of waste generated within the Town of Espanola.

Accordingly, the Council of the Corporation of the Town of Espanola enacts as follows:

4. Definitions

- a) "TOWN" shall mean the Corporation of the Town of Espanola.
- b) "DWELLING" shall mean any building or place occupied or used as a place of abode, other than a hotel, restaurant, apartment house, tenement, or building in which more than two families dwell, abide or live, or which contains more than two separate places of dwelling abode, or living.
- c) "MANAGER" shall mean the Manager of Public Works.
- d) "GARBAGE" shall mean waste other than recyclable materials, yard trimmings, bulky items, prohibited waste and on-collectible waste.
- e) "APPROVED CONTAINER" means a garbage or a recycling container see Section 7.
- f) "ASHES" shall mean the solid residue of any household fuel after such fuel has been consumed by fire and includes soot, but shall not include ashes which accumulate as a result of building construction or demolition.
- g) "BULKY ITEMS" include refrigerators, ovens and stoves, washers, dryers, dishwashers, freezers, air conditioning units, microwave ovens, hot water tanks, barbeques, large furniture items and items so designated by the MANAGER.
- h) "CURBSIDE BAG TAG" means a curbside garbage bag tag sold in accordance with this By-law;
- i) "HOUSEHOLDER" shall mean and include an owner, occupant, lessee, tenant or any person in charge or occupation of any dwelling, hotel, restaurant, apartment house, office building, public institution, shop store or other building or any portion utilizing any curbside collection service.
- j) "NON-COLLECTIBLE WASTE" shall mean any waste or matter other than GARBAGE AND ASHES and shall include the following:
 - i. Manufacturer's waste.

- ii. Celluloid cuttings, moving picture film, oil soaked or gasoline soaked rags and explosive or highly combustible material of any nature whatsoever.
- iii. Broken plaster, lumber or other waste or residue resulting from the construction, alteration, repair, demolition or removal of any building or structure.
- iv. Sawdust and/or shavings.
- v. Swill and other organic matter not properly drained and wrapped.
- vi. Liquid Waste.
- vii. Hay, straw and manure.
- viii. Carcass of any animal.
- ix. Live animals or birds.
- x. Furniture.
- xi. Stock of any wholesaler, which shall be regarded as manufacturers waste.
- xii. Any material, which has become frozen to the receptacle and cannot be removed by shaking.
- j) "GARBAGE BAG" means any coloured bag;
- k) "SCAVENGE" means to sort through and collect materials from waste that has been placed out for collection;
- l) "STREET" shall mean any public highway, road, street, lane, alley, square, place, thoroughfare or way within the Town of Espanola;
- m) "TRANSIENT WASTE" means any waste carried into the Town of Espanola from outside its boundaries by any person;
- n) "WASTE" means anything for which the holder has no further use and which the holder has discarded and includes, but is not limited to: garbage, recyclable materials, bulky items, yard trimmings, household hazardous waste, non-collectible waste and such materials as may from time to time be designated by the Manager of Public Works as waste.

5. Prohibitions

No household shall:

- a) Unless authorized by the Manager of Public Works and his or her designate, scavenge, salvage, pick over, interfere with, remove or scatter or any like or similar activity in relation to any waste or recyclable materials set out for curbside collection;
- b) Cover waste or recyclable materials with animal deterrents such as bleach or cayenne pepper;
- c) Permit any animal owned by him or her or under his or her control to pick over, interfere with collection, remove or scatter any waste or recyclable materials placed out for curbside collection;
- d) Cast or otherwise deposit or permit any contractor, agent or employee of such user or owner to throw, cast or otherwise deposit any waste or recyclable materials whatsoever on or in any street, public property or private property without the prior consent of the owner, except as expressly authorized by this By-law;

- e) Deposit waste or recyclable materials generated on private property into public waste receptacles located on public streets;
- f) Place waste for municipal curbside collection that includes hazardous or liquid industrial waste, construction and demolition waste, flares, ammunition, needles and syringes and/or dead animals.
- g) Except where permitted in this By-law, no householder shall dispose or cause to dispose any waste or recyclable materials within Town limits other than in authorized landfill sites.

6. General Provisions for Curbside Collection

- a) Every householder putting out waste for curbside collection shall meet the specifications as set out in Section 7 Curbside Garbage Schedule, Provisions, Limits & Approved Containers;
- b) The registered owner of every property shall ensure that the requirements of this By-law are met as it relates to waste from the owner's property;
- c) The owner of every rental unit shall ensure that the waste material for collection is placed at the approved location for collection and is responsible for every other requirement of this By-law when it applies to apartment buildings;
- e) The owner of every rental unit shall ensure that a sufficient number of covered containers are provided for each apartment and such other equipment as may be necessary for the orderly disposal of garbage. Provided that all such containers so supplied for each apartment unit shall bear a number on the outside of such containers, which number shall correspond to the number of the designated apartment unit. Provided further that the person and/or **householder** receiving rent for such apartment accommodation shall provide and secure a proper place where the covered metal containers shall be stored and available for the tenants' use and collection as hereinafter provided by the appropriate agency;
- f) Every **householder** shall prepare and properly place for disposal all garbage, ashes and other waste for the disposal of which he is under this By-law responsible in the manner set forth;
 - i) Ensure garbage is drained of all liquids, placed in a garbage bag and deposited in a properly covered container supplied by the **householder**, which container and garbage bag shall conform to the specifications as set out in Section 7 Curbside Garbage Schedule, Provisions, Limits & Approved Containers of this By-law.
 - ii) Ashes which are put out for curbside collection are to be:
 - (1) Cold
 - (2) Separated from flammable waste
 - (3) Are considered waste and part of the weekly four bag waste limit.
- g) Non-Collectable waste, as defined in this By-law, shall be removed by the **householder**.
- h) COVERED containers containing waste shall be placed for curbside collection in the following manner:

- i) All residential garbage cans or containers shall be placed on the property at a point no farther from the street or lane than the nearest line of the house and shall be easily accessible at the time of collection.
- ii) All commercial garbage cans or containers shall be placed at the curb.
- iii) Where rules i) and ii) of this section cannot be reasonably observed the Manager or anyone acting under his direction shall have the power to designate the precise point at which the covered containers shall be placed for collection.
- i) NO person shall obstruct any street, as defined in this By-law, or other public place by placing thereon a vehicle of any description or any building material, trade waste, garbage cans, refuse of any sort, branches of trees, or other encumbrances, provided however a householder may place covered garbage containers when designated on the day of collection pursuant to Section 7 of this By-law.
- j) After curbside collection, householders shall ensure that all approved containers and any uncollected or refused waste or recyclable materials, are returned to the users or owners property.
- k) Materials classified as non-collectible waste, materials placed for collection in such manner or in such containers as to be at variance with the terms and conditions set forth in this By-law shall be refused by the collector and must be removed and disposed of by the owner at his own expense.
- l) UNDER no condition shall any person acting under the direction of the Manager enter any private dwelling, apartment house, hotel, or tenement, or ascend, or descend any stairway or enter any elevator or hoist for the purpose of carrying out or returning thereto any container nor shall he demand any gratuity, gift, or consideration for services rendered beyond his regular wage.
- l) NO refuse of the consistence of swill shall be collected from any premises whatsoever. Where refuse of this class is encountered the collectors shall leave the same and report immediately to the Manager who shall cause the same to be removed by the householder at his own expense.
- m) ALL persons employing or using carts, wagons, or other vehicles, making excavations for building purposes and in conveying earth, rubbish, or other material from such excavations, or from any public place where the same may be deposited, all earth, rubbish, or other material that may fall from the wheels of, or from such carts, wagons or vehicles shall, before the removal thereof over Municipal Streets, lanes or sidewalks, apply to the Manager for permission to remove and dispose of such material as herein before described. The Manager shall arrange as soon as may be convenient, a system and/or scheme for the removal and disposal of such material and all charges that may occur as a result thereof shall be paid by the applicant forthwith upon demand being made therefore by the Manager.
- n) WHERE there is a troublesome dog on the premises, owners or caregivers shall provide all necessary protection to the collectors during the removal of garbage etc.

7. Curbside Garbage Schedule, Provisions, Limits & Approved Containers

- a) Every householder who puts waste out for curbside collection shall maintain the area around the curbside collection location including containers and storage boxes in a clean, not visually obstructed, accessible for collection, sanitary condition and free of vermin.
- b) Curbside Garbage Collection shall be done once weekly for residents and twice weekly for businesses in the Town. When the day fixed for removal of garbage is a statutory holiday, the removal shall take place the next regular business day. Pick up days are as set out by the Municipal Waste Collection Contractor. Place your garbage at the curb no later than 6:00 am on collection day.
- c) Every person setting out residential garbage for curbside garbage collection shall meet the following requirements:
 - i) Allowed to place four (4) untagged garbage bags of garbage for each curbside collection. If more than four (4) bags of garbage are placed out for curbside collection in any one (1) curbside collection period the additional garbage must have a bag tag affixed to each additional bag at the users or owners cost;
 - ii) Use of standard size opaque waste bag with dimensions of approximately 33" (83cm) x 41" (104cm);
 - iii) Each garbage container or garbage bag shall not weigh more than 40 lbs (18 kg);
- d) Every person setting out commercial garbage shall meet the following requirements:
 - i) Allowed to place eight (8) untagged garbage bags of waste for each curbside collection. If more than eight (8) garbage bags are placed out for curbside collection in any one (1) curbside collection period the additional waste must have a bag tag affixed to each additional bag at the users or owners cost;
 - ii) Use of standard size garbage bag with dimensions of approximately 33" (83cm) x 41" (104cm);
 - iii) Each garbage container or bag shall not weigh more than 40 lbs (18 kg);
 - iv) Garbage storage bins shall be permitted and shall be placed in an area on the property agreed to by the property owner and the contractor for waste collection.

e) Approved Containers

For the purpose of this By-law an approved container shall include:

- i) A waste container is a form of approved container designed and used to hold garbage at a property entitled to receive Town waste collection services.
- ii) For the purposes of a property entitled to receive waste collection services for waste, a waste container shall take the form of:
 - a. A rigid container:
 - In good working order;
 - With a maximum capacity of 77 litres;
 - Which weighs no more than 40lbs (18 kg)
 - With a lid which may be easily and completely removed to facilitate collection and has any device used to tie down the lid completely removed prior to collection; and
 - With handles which are set above the midpoint on both sides of the garbage container.

- b. A plastic garbage bag which
 - Is not torn, punctured or ripped;
 - Is in good working order;
 - Has a maximum capacity of 77 litres;
 - Has dimensions of approximately 33" (83cm) x 41" (104cm);
 - Weighs no more than 40 lbs (18 kg);
 - Is closed and securely tied.

f) Curbside Bag Tags

Garbage bag tags can be purchased if you have to put out more than four bags of garbage on collection day. Up to two additional bags are permitted and shall be properly tagged and meet the provisions set out in this Schedule.

Tags are sold in groups of five for \$10 at the Municipal Office or can be ordered by mail using the corresponding Form, E99-01859.

- i) Tie your garbage bag with a knot or twist-tie.
- ii) Peel the garbage tag off the sheet. Place the tag around the neck of the garbage bag, ensuring the ends are pressed together. Do not use the garbage tag as a twist-tie.
- iii) The tag may also be applied flat to the top bag of garbage.
- iv) Make sure the tag and its serial number are easily visible to waste collection staff.

8. The following Schedules and Forms attached hereto form a part of this By-law:

Schedule "A" – Form E99-01859 Purchase Bag Tags by Mail
 Schedule "B" – Household Hazardous Waste
 Schedule "C" – Yard & Leaf Trimmings
 Schedule "D" – Set Fines

10. Enforcement

- a) This By-law may be enforced by every municipal law enforcement officer or the Manager of Public Works and his or her designate.
- b) No user or owner shall hinder or obstruct, or attempt to hinder or obstruct, any person exercising a power or performing a duty under this By-law.

11. Offence and Penalty

- a) It is an offence for a user or owner to contravene any provision of this By-law and any person who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act.
- b) Every user or owner who is convicted of an offence under any provision of this Bylaw is liable to a penalty as set out in Municipal Act, 2001, S.O. 2001, c.25, as amended from time to time, or any successor thereof.

12. This By-law shall come into effect on ????, 2018.

13. Bylaw 251/66 is hereby repealed.

ENACTED AND PASSED IN OPEN COUNCIL THIS xx DAY OF , 2018.

Ron Piche
Mayor

Paula Roque
Clerk

DRAFT



TO PURCHASE BAG TAGS BY MAIL

MAIL WITH PAYMENT TO:

Town of Espanola
100 Tudhope St, Ste 2
Espanola, ON
P5E 1S6
ATTN: Curbside Bag Tags

Name: _____

Please Print

Mailing Address: _____

Phone Number: _____

Number of Sheets (5 tags per sheet) _____ Payment Enclosed: (\$10/sheet) _____

Signature: _____

For More Information call:

P (705) 869-1540

Schedule "B"

HOUSEHOLD HAZARDOUS WASTE

**A household hazardous waste day is held in the spring of each year at the Espanola Public Works Yard
596 Second Avenue.**

No PCB's, commercial, agricultural, industrial, pathological, explosives, infectious or radioactive waste will be accepted.

COMMON HOUSEHOLD HAZARDOUS WASTE

<input checked="" type="checkbox"/>	Ammonia
<input checked="" type="checkbox"/>	Solvents
<input checked="" type="checkbox"/>	Oven Cleaner
<input checked="" type="checkbox"/>	Drain Cleaner
<input checked="" type="checkbox"/>	Waxes
<input checked="" type="checkbox"/>	Herbicides
<input checked="" type="checkbox"/>	Pharmaceuticals
<input checked="" type="checkbox"/>	Swimming Pool Chemicals

<input checked="" type="checkbox"/>	Cosmetics
<input checked="" type="checkbox"/>	Anti-freeze
<input checked="" type="checkbox"/>	Bleach
<input checked="" type="checkbox"/>	Paint
<input checked="" type="checkbox"/>	Pesticides
<input checked="" type="checkbox"/>	Fluorescent Bulbs
<input checked="" type="checkbox"/>	Engine Oils & Fuel
<input checked="" type="checkbox"/>	Propane Tanks
<input checked="" type="checkbox"/>	Car & Household Batteries

<input checked="" type="checkbox"/>	Metal Polish
<input checked="" type="checkbox"/>	Disinfectants
<input checked="" type="checkbox"/>	Art Supplies
<input checked="" type="checkbox"/>	Flea Powder
<input checked="" type="checkbox"/>	BBQ Starter
<input checked="" type="checkbox"/>	Rat Poison
<input checked="" type="checkbox"/>	Insecticides
<input checked="" type="checkbox"/>	Wood Preservatives

Schedule "C"

LEAF AND YARD WASTE PROGRAM

1. The leaf and yard waste program includes leaves, grass clippings, brush and branches to be chipped & prepared for mulch. Wood 4" diameter or larger, or garbage is not accepted.
2. The site is located at the snow dump across from 926 Mead Blvd, the ski hill.
3. The collection site is open to the public to drop off leave and yard waste in paper bags. It shall be in operation early April to mid-November annually as advertised. If residents use plastic bags for their waste collection, they must empty the bags at the site and not leave any plastic bags behind.

DRAFT

Schedule "D"



Bylaw 2807/17 – Collection, Removal and Disposal of Waste

PART I Provincial Offences Act

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision creating or defining offence	COLUMN 3 Set Fine
1	Scavenge, salvage, pick over, interfere with, remove or scatter items	5. a)	\$150.00
2	Cover items set out for curbside collection with animal deterrents	5. b)	\$150.00
3	Permit animal to pick over, interfere with, remove or scatter items	5. c)	\$150.00
4	Cast, deposit or permit to cast or deposit waste or recyclable materials on or in any street, public property or private property	5. d)	\$150.00
5	Deposit material generated on private property into public waste receptacles	5. e)	\$150.00
6	Place waste that includes hazardous or liquid industrial waste, construction and demolition waste, flares, ammunition, needles and syringes and/or dead animals	5. f)	\$150.00
7	Dispose or cause to dispose waste or recyclable material other than in authorized landfill sites	5. g)	\$150.00
8	Fail to ensure that the waste material is placed at the approved location	6. c)	\$150.00
9	Fail to ensure covered containers are provided	6. e)	\$150.00
10	Fail to prepare and properly place for disposal	6. f)	\$150.00
11	Fail to remove non-collectable waste	6. g)	\$150.00
12	Fail to place on the property at a point no farther from the street or lane than the nearest line of the house and easily accessible	6. h) i.	\$150.00

NOTE: The penalty provision for the offences indicated above is Section 11.b) of Bylaw 2807 /17, a certified copy of which has been filed.

Bylaw 2807/17 – Collection, Removal and Disposal of Waste

PART I Provincial Offences Act

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision creating or defining offence	COLUMN 3 Set Fine
13	Fail to place at the curb	6.h) ii.	\$150.00
14	Obstruct a street or public place	6.i)	\$150.00
15	Ensure all containers are returned to property	6.j)	\$150.00
16	Fail to apply for permission	6.m)	\$150.00
17	Fail to provide all necessary protection	6.n)	\$150.00
18	Fail to maintain the area	7.a)	\$150.00
19	Fail to meet requirements	7.c)	\$150.00
20	Fail to meet requirements	7.d)	\$150.00
21	Hinder or obstruct or attempt to hinder or obstruct any person exercising a power or duty under this Bylaw	10.a)	\$500.00

NOTE: The penalty provision for the offences indicated above is Section 11.b) of Bylaw 2807 /17, a certified copy of which has been filed.



The Corporation of the Town of Espanola

Bylaw No. 2842/18

Being a Bylaw to Authorize the Acceptance of the OPP Contract Policing Proposal for the Corporation of the Town of Espanola

WHEREAS Section 4 (1) of the Police Services Act, R.S.O. 1990, c.P.15 as amended, states that a municipality is required to provide adequate and effective police services in accordance with its need;

AND WHEREAS Section 5 (5) of the said Police Services Act provides that a Council may enter into an agreement, under Section 10 of the Act, alone or jointly with one or more other council, to have police services provided by the Ontario Provincial Police;

AND WHEREAS Section 8 (1) and 9 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues and has the capacity, rights, powers and privileges of a natural person of the purpose of exercising its authority under this or any other Act, 2006, c. 32, Schedule. A, s.8;

AND WHEREAS Council for the Corporation of the Town of Espanola requested a Police Costing Proposal from the Ontario provincial Police (OPP) by resolution number 15-007 which was passed at the meeting held on January 13, 2015;

AND WHEREAS the OPP presented their Contract Policing Proposal to Council for the Corporation of the Town of Espanola at the September 20, 2017 meeting;

AND WHEREAS a Public Forum was held on April 19, 2018 to receive comments and questions from the resident of the Corporation of the Town of Espanola regarding the OPP Contract Policing Proposal;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF ESPANOLA ENACTS AS FOLLOWS:

1. That the OPP Contract Policing Proposal, dated September 20, 2017 be accepted;
2. That this Bylaw shall come into full force and effect upon the day it is passed.

ENACTED AND PASSED THIS 8TH DAY OF MAY, 2018 AS WITNESSED BY THE SEAL OF THE CORPORATION AND THE HANDS OF ITS PROPER OFFICERS.

Read a first, second and third time in open Council on this 8th day of May 2018.

Ron Piche
Mayor

Paula Roque
Clerk



The Corporation of the Town of Espanola

Bylaw No. 2844/18

**Being a Bylaw to Execute An Agreement
Between the Town of Espanola and
The Ministry of Transportation**

THAT the Council of the Corporation of the Town of Espanola enacts as follows;

1. That the Mayor and Clerk Treasurer/Administrator are hereby authorized to execute an agreement between the Corporation of the Town of Espanola and The Ministry of Transportation under the Connecting Links Programs
2. That the agreement shall be attached to and become part of the bylaw.

Read a first, second and third time in open Council on this 8th day of May, 2018.

Ron Piche
Mayor

Paula Roque
Clerk

Department: General Administration	Form Number: A99-01371
Subject: Departmental Report	Effective Date: 06/05/17
Policy No:	Revision Date: 08/04/27
Bylaw No:	Version #: 2

APR 20 2018

DEPARTMENTAL REPORT

DEPARTMENT: POA	MONTH: January - March 2018
Project Status: 146 new charges were received in Espanola in January. 222 new charges were received in Elliot Lake in January. 162 new charges were received in Espanola in February. 174 new charges were received in Elliot Lake in February. 225 new charges were received in Espanola in March. 172 new charges were received in Elliot Lake in March. <u>(Please see attached charts for comparison to previous years)</u> <ul style="list-style-type: none"> For the month of January, there was 1 regular POA court and 1 special trial in Espanola, 1 regular POA court in Elliot Lake and 2 in Blind River. For the month of February, there were 2 POA courts in Espanola, 1 POA court in Elliot Lake and 1 in Blind River. For the month of March, there were 2 POA court in Espanola, 1 in Elliot Lake and 1 in Blind River. <p>Meeting was held with the Crown Attorney in Espanola on March 1st, regarding the transfer of Part 3 matters for Espanola court. The meeting involved discussions for what will transpire and what will be downloaded to municipality. No dates have been determined at this point.</p>	
Complaints / Compliments:	
Employee Status:	
Visitors:	

Department Manager: C. Wejand Submitted on: April 19, 2018

Types of charges received 2018 - Espanola																												
	242	342	508	513	516	519	530	544	551	552	554	565	570	580	581	600	725	753	763	766	789	815	894	BLO	BLP	HTA	LLA	TOTAL
January			11			2	7			2	1			2												117	4	146
February			19				2	3			2												1			133	2	162
March			12				4	1			1															206	1	225
April																												0
May																												0
June																												0
July																												0
August																												0
September																												0
October																												0
November																												0
December																												0

242 Small Vessels Regulation

342 Competency/Pleasure Craft Regulations

508 Compulsory Automobile Insurance Act

513 Dangerous Goods Transportation Act

516 Dog Owner's Liability Act

519 Environment Protection Act

530 Highway Traffic Regulation

544 Motorized Snow Vehicle Act

551 Occupational Health and Safety Act

552 Off Road Motor Vehicle Act

554 Ontario Fishery Regulation

565 Provincial Offences Act

570 Public Lands Act

580 Tobacco Tax Act

581 Trespass to Property Act

600 Forest Fires Prevention Act

725 Forest Fires Prevention Regulation

753 Fire Protection/Prevention Act

763 Fish & Wildlife Conservation Act

766 Fish & Wildlife Conservation Regulation

789 Ontario Society for the Prevention of Cruelty to Animals

815 Provincial Parks and Conservation Reserves Act

894 Smoke Free Ontario Act

BLO By-laws (other)

BLP By-laws (parking)

HTA Highway Traffic Act

LLA Liquor Licence Act

Types of charges received 2018 - Elliot Lake																												
	242	508	513	530	544	551	552	554	557	559	565	570	580	581	717	725	753	763	766	789	822	833	850	894	BLP	HTA	LLA	TOTAL
January		10		1	2			2																5	4	190	8	222
February		7		4	9	5	4	8		1								3							1	125	7	174
March		11		5	3			3						1										4	3	142		172
April																												0
May																												0
June																												0
July																												0
August																												0
September																												0
October																												0
November																												0
December																												0

242 Small Vessels Regulation	717	Motorized Snow Vehicle Regulation
508 Compulsory Automobile Insurance Act	725	Forest Fires Prevention Regulation
513 Dangerous Goods Transportation Act	753	Fire Protection/Prevention Act
530 Highway Traffic Regulation	763	Fish & Wildlife Conservation Act
544 Motorized Snow Vehicle Act	766	Fish & Wildlife Conservation Regulation
551 Occupational Health & Safety Act	789	Ontario Society for the Prevention of Cruelty to Animals
552 Off Road Motor Vehicle Act	822	Fire Protection/Prevention Regulation
554 Ontario Fishery Regulation	833	Environment Protection Act
557 Ontario Water Resources Act	850	Ontario College of Trades and Apprenticeship Act
559 Pesticides Act	894	Smoke Free Ontario Act
565 Provincial Offences Act	BLO	By-laws (other)
570 Public Lands Act	BLP	By-laws (parking)
580 Tobacco Tax Act	HTA	Highway Traffic Act
581 Trespass to Property Act	LLA	Liquor Licence Act

POA Charges Received for Elliot Lake

[illegible]

[illegible][illegible]



**UNAPPROVED MINUTES – THIRD MEETING
BOARD OF HEALTH
PUBLIC HEALTH SUDBURY & DISTRICTS, BOARDROOM, SECOND FLOOR
THURSDAY, APRIL 19, 2018 – 1:30 P.M.**

BOARD MEMBERS PRESENT

Maigan Bailey
James Crispo
Jeffery Huska
René Lapierre

Monica Loftus
Thoma Miedema
Ken Noland
Rita Pilon

Mark Signoretti
Nicole Sykes
Carolyn Thain

BOARD MEMBERS REGRETS

Janet Bradley

Robert Kirwan

Paul Myre

STAFF MEMBERS PRESENT

Nicole Frappier
Stacey Laforest

Rachel Quesnel
France Quirion

Dr. P. Sutcliffe
Dr. A. Zbar

RENÉ LAPIERRE PRESIDING

1. CALL TO ORDER

The meeting was called to order at 1:35 p.m.

2. ROLL CALL

3. REVIEW OF AGENDA/DECLARATIONS OF CONFLICTS OF INTEREST

There were no declarations of conflict of interest.

4. DELEGATION/PRESENTATION

i) Oral Health Program Update

- Charlene Plexman, Manager, Clinical Services Division
- Jodi Maki, Health Promoter, Clinical Services Division
- a. Oral Health Program Update, 2018 Report

Dr. Sutcliffe introduced Dr. Ariella Zbar, Associate Medical Officer of Health, who will co-present on behalf of C. Plexman, along with Health Promoter, Jodi Maki.

In recognition of Oral Health Month, the Board received an update on oral health programming in 2017. The key priority areas covered included school screening and surveillance program, the Healthy Smiles Ontario program, Early Childhood Caries prevention, and Indigenous oral health.

An update was also provided on the modernized standards and the implications on our work going forward. Local data was presented as it relates to self-reported access to dental care and self-reported oral health status and highlighted the income-related inequities that exist in our catchment area.

An accompanying Public Health Sudbury & Districts report in today's Board package *Oral health program update 2018*, concludes that progress has been made in providing equitable opportunities and enabling more children and youth to attain and sustain optimal oral health. We will continue to focus on identifying and addressing inequities in oral health through collaborations with community partners and working with our communities to promote oral health and create healthier communities for all. The report will be made available through the Public Health Sudbury & Districts website.

Questions were entertained and further details were provided regarding follow-up that is conducted for children who are screened in schools. Referral processes for low-income families, including families on Ontario Works and Ontario Disability Support Program were explained. It was also shared that there are reporting limitations with the provincial database that we access.

J. Maki and Dr. Zbar were thanked for their presentation.

5. CONSENT AGENDA

- i) Minutes of Previous Meeting**
 - a. Second Meeting – February 15, 2018
- ii) Business Arising From Minutes**
 - None
- iii) Report of Standing Committees**
 - None
- iv) Report of the Medical Officer of Health / Chief Executive Officer**
 - a. MOH/CEO Report, April 2018
- v) Correspondence**

- a. Income Security: A Roadmap for Change
 - Letter from the Association of Local Public Health Agencies and the Ontario Public Health Association to the Minister of Community and Social Services dated January 5, 2018
- b. Repeal of Section 43 of the Criminal Code Refresh 2017
 - Resolution from the Board of Health for the Haliburton, Kawartha, Pine Ridge Board of Health dated December 7, 2017
- c. Ontario Public Health Standards – Implementation Work Plan
 - Memo from the Assistant Deputy Minister, Population and Public Health Division, Ministry of Health and Long-Term Care dated February 16, 2018
- d. Chief Medical Officer of Health 2016 Annual Report
 - Email and 2016 Annual Report, *Improving the Odds: Championing Health Equity in Ontario*
 - Letter from the alPHA President to the Chief Medical Officer of Health dated March 13, 2018
- e. Food Insecurity/Nutritious Food Basket Costing
 - Board of Health motion #48-17*
 - Letter from Carol Hughes, MP Algoma-Manitoulin-Kapuskasing, to Dr. Sutcliffe dated February 5, 2018
 - Letter from the Grey Bruce Board of Health to the Premier dated February 15, 2018
 - Letter and Resolution from the Municipality of St-Charles to Dr. Sutcliffe dated March 26, 2018
- f. Alcohol Retail Sales
 - Letter from the Grey Bruce Board of Health dated February 15, 2018
- g. Smoke-Free Modernization
 - Letter from the Grey Bruce Board of Health dated February 15, 2018
- h. Publically Funded Vaccine for Childcare Workers
 - Letter from the Grey Bruce Board of Health dated February 15, 2018
- i. 2018 Annual Service Plan
 - Letter from the Haliburton, Kawartha, Pine Ridge Board of Health Unit dated March 13, 2018
- j. New Minister of Health and Long-Term Care
 - Letter from the alPHA President dated February 27, 2018
 - Letter from the COMOH Chair dated February 28, 2018
- k. Minister's Expert Panel on Public Health
 - Letter from Minister Hoskins to alPHA President dated February 23, 2018

- l. Additional One-Time Funding for 2017-2018
 - Letter from the Minister of Health and Long-Term Care to the Board Chair dated March 22, 2018
- m. Cannabis Sales Taxation Revenue
 - Letter from Hastings Prince Edward Board of Health to the Premier dated March 28, 2018
- n. Amendments to the Health Protection and Promotion Act (HPPA) and the Immunization of School Pupils Act (ISPA) and New Regulations Made Under the HPPA
 - Email from the Assistant Deputy Minister, Population and Public Health Division, Ministry of Health and Long-Term Care dated April 5, 2018

vi) Items of Information

- o. Health Canada News Release *Government Launches Food Consultations to Help Canadians Make Healthy Choices* February 9, 2018
- p. Government of Ontario News Release *Premier's Statement on Changes to the Executive Council* February 26, 2018
- q. News radio article *Northwestern Ontario Municipal Association Against Proposal to Merge Health Units* February 26, 2018
- r. alPHA's Response to the 2018 Ontario Budget April 3, 2018
- s. MOHLTC News Release *Ontario Moving Quickly to Expand Life-Saving Overdose Prevention Programs* March 7, 2018
- t. Government of Ontario News Release *Throne Speech Announces Major Investments Guided by a Commitment To Care and Creating Opportunity* March 19, 2018
- u. Northern Ontario Health Equity Strategy, *A plan for achieving health equity in the North, by the North, for the North* April 13, 2018
- v. alPHA Information Break Newsletter April 12, 2018

Dr. Sutcliffe clarified that there are still many unknowns and questions from the public health field as it relates to the new Child Visual Health and Vision Screening Protocol, including the evidence-base for this program.

The Board Chair commented positively on the Public Health Sudbury & Districts' previous support to Algoma Public Health (APH), including providing Acting MOH and Acting CEO coverage, as he noted that APH is not among the boards of health with a vacant MOH position as per the Chief Medical Officer of Health's annual report.

13-18 APPROVAL OF CONSENT AGENDA

MOVED BY MIEDEMA – LOFTUS: THAT the Board of Health approve the consent agenda as distributed.

CARRIED

6. NEW BUSINESS

i) Business Name Registration

- Briefing Note from the Medical Officer of Health and Chief Executive Officer dated April 12, 2018

When the Board endorsed the 2018 – 2022 Strategic Plan and Visual Identity (motion 02-18), the new business name, Public Health Sudbury & Districts, had not been included in the motion due to the pending unveiling; however, a motion is required in order to clearly identify and document our new name in order to be registered and be compliant with legislation. It was pointed out that some health units have not formally registered; however, upon solicitor recommendation, the following motion is recommended.

14-18 BUSINESS NAME REGISTRATION

MOVED BY LOFTUS – MIEDEMA: THAT WHEREAS the Sudbury & District Health Unit proposes to identify itself to the public under the business name Public Health Sudbury & Districts; and

WHEREAS the Business Names Act (Ontario), provides that no corporation shall carry on business or identify itself to the public under a name other than its corporate name unless the name is registered by that corporation;

THEREFORE BE IT RESOLVED THAT the Board of Health for Sudbury & District Health Unit adopt the business name Public Health Sudbury & Districts and that its solicitors be instructed to take all required steps to register the aforesaid business name pursuant to the Business Names Act (Ontario).

CARRIED

i) alPHa Conference

- a. Winter Meetings – February 2018
 - Boards of Health Section Meeting
 - Verbal Report from Board Member, James Crispo

Board member, J. Crispo, provided highlights regarding the Board of Health Section meeting he attended in Toronto on February 23, 2018. He noted that the meeting was excellent with 23 out of the 36 health units being represented and was particularly informative for newer Board members such as himself. Several relevant and timely topics were covered including health equity, built environment, public health priorities in light of upcoming elections, and healthy tensions.

- Council of Ontario Medical Officers of Health (COMOH) Section Meeting

Dr. Sutcliffe and Dr. Zbar attended a face-to-face COMOH Section meeting on February 23, 2018, which has traditionally been held the same day as the Board of Health Section meeting. Dr. Sutcliffe shared that Tim Arnold who spoke about healthy tensions at the Board of Health Section meeting was recommended to alPHa by the Public Health Sudbury & Districts following work he had done with our management teams.

- b. Annual General Meeting (AGM) and Conference – June 2018

The Board Chair encouraged Board members to consider attending the June alPHa AGM and Conference.

15-18 ALPHA CONFERENCE

MOVED BY BAILEY – HUSKA: WHEREAS Public Health Sudbury & Districts has a modest travel budget to cover remuneration, registration, travel, meals, and accommodation as per the Board Manual Policy and Procedure I-I-10, permitting Board members to attend official Board of Health functions; and

WHEREAS the Public Health Sudbury & Districts is allocated four votes at the alPHa Annual General Meeting;

THEREFORE, BE IT RESOLVED THAT in addition to the Medical Officer of Health and the Associate Medical Officer of Health, the following Board member(s) attend(s) the 2018 alPHa Annual General Meeting as voting delegates for the Board of Health.

CARRIED

Board members will check their availability and contact the Board Secretary if interested in attending.

Dr. Sutcliffe noted that she participated in a meeting of the conference planning committee and the conference promises to be cover important topics such as public

health system sustainability and engagement and liaison with LHINs as well as Indigenous engagement.

It was pointed out that the alPHa AGM and conference is the venue at which medical officers and board members meet together in addition to their separate section meetings. Separate section face to face meetings are generally held annually in the fall and the winter.

7. ADDENDUM

16-18 ADDENDUM

MOVED BY PILON – SYKES: THAT this Board of Health deals with the items on the Addendum.

CARRIED

DECLARATION OF CONFLICT OF INTEREST

There were no conflicts of interest declared for the addendum item.

i) Ministry Funding

- Letter from the Minister of Health and Long-Term Care dated April 13, 2018
- Letter from the Board Chair to the Minister of Health and Long-Term Care dated April 16, 2018
- Letter from the President of the Association of Local Public Health Agencies to the Minister of Health and Long-Term Care dated April 17, 2018

Dr. Sutcliffe shared that the Ministry has announced a 2% increase to base funding for Public Health across province and a 1% increase for those boards who demonstrated a need in their Annual Service Plan. Our Board will be one of the Boards who meets the 1% criteria as our Annual Service Plan demonstrated the need and beyond. No further details are known at this point such as will the 1% increase be ongoing or one-time; however, we anticipate receiving additional details shortly. If additional information is known in time, this will be brought forward at the Board Finance Committee meeting on May 7, 2018.

The thank you letter from our Board Chair to the Minister recognizes and appreciates this investment while it also identifies that we continue to have funding pressures.

8. ANNOUNCEMENTS / ENQUIRIES

Board members were asked to complete the board meeting evaluation for today's meeting.

Board members were reminded to complete the annual MOH/CEO performance appraisal survey in BoardEffect by May 3.

A sympathy card was circulated for Board members to sign and service details will be shared with the Board for Paul Myre's mother who tragically died in a motor vehicle collision this week.

9. ADJOURNMENT

17-18 ADJOURNMENT

MOVED BY THAIN – CRISPO: THAT we do now adjourn. Time: 2:19 p.m.

CARRIED

(Chair)

(Secretary)

Department: General Administration	Form Number: A99-01370
Subject: Staff Report	Effective Date:
Policy No:	Revision Date: 06/05/17
Bylaw No:	Version #: 1

STAFF REPORT

DEPARTMENT: Administration

DATE: April 11, 2018

ITEM: Knights Cruisers Car Show

RECOMMENDATION: Be It Resolved That: Council authorizes:

- 1) A temporary exemption from Municipal Bylaw No. 751/84, Section 14, being a bylaw to control the use of Municipally and Recreationally owned property 14. d) no person shall park any vehicle in any park, recreational area or on municipal property of the Town of Espanola except in those areas specifically designated by appropriate signs and notices as being areas in which vehicles may be parked.
- 2) Temporarily closing Avery Dr. from the Complex to Hunter St. to traffic with the exception of emergency vehicles on Saturday, May 26, 2018 between the hours of 8:00 am to 4:00 pm to host the Knight Cruisers Car Show.
- 3) A temporary exemption from certain provisions of the Noise Bylaw No. 1189/96, on Saturday, May 26, 2018 between the hours of 8:00 am to 4:00 pm for an event being held outdoors at the Track & Field – The Knight Cruisers Car Show.

BACKGROUND:

The Town of Espanola has always provided the Track & Field free of charge. The PWD provides barricades, garbage cans and blue boxes.

The side door to the Complex will remain open to allow for the use of washroom facilities. This worked well during past Car Shows.

ANALYSIS:

EXISTING POLICY: Council Resolution

FINANCIAL COMMITMENT: NA

STRATEGIC GOAL: Safe and Healthy Community

IMPLEMENTATION: Clerk

Prepared By:

Traci Denault-Roque

Department Manager:

Clerk Treasurer/Administrator:

Cynthia Townsend

Approval of Recommendation:

Yes ☒ No ☐

Department: General Administration	Form Number: A99-01370
Subject: Staff Report	Effective Date:
Policy No:	Revision Date: 06/05/17
Bylaw No:	Version # : 1

Comments: _____

Department:	General Administration	Form Number:	A99-01370
Subject:	Staff Report	Effective Date:	06/05/17
Policy No:		Revision Date:	13/05/29
Bylaw No:		Version #:	2

STAFF REPORT

DEPARTMENT: Public Works Dept.

DATE: April 13, 2018

ITEM: Safety Recognition Budget for 2017

RECOMMENDATION: That Council approve a recognition award budget of \$15/employee for the 42 employees of the 2 departments that achieved zero recordable injuries in 2017, which were the Fire and Administration departments.

BACKGROUND: The Recognition Program provides the framework for employee, departmental and corporate-wide recognition for the achievement of zero recordable injuries each calendar year. Individual employee recognition is by 5-year intervals. The first eligibility for individual recognition will be 2020.

In 2017 the Fire and Administration departments achieved the goal of zero recordable injuries throughout the year for all of their employees. This totals 42 employees. Departmental recognition is due to these employees for their achievement. According to the program, Council sets the budget for a recognition token/award.

As there were recordable injuries in the other departments in 2017, corporate-wide recognition was not achieved nor was departmental recognition for those departments.

ANALYSIS: At \$15/person the total cost would be \$630. The Joint Health and Safety Committee budget will cover this cost.

EXISTING POLICY: Health & Safety Policy and Recognition Program H04-01716. Council recognizes safe work achievements each year and sets the recognition award budget.

STRATEGIC GOAL:

- ☐ 1) Improve and Maintain our Infrastructure
- ☐ 2) Sustainable Economic Growth & Prosperity
- ☒ 3) Excellence in Government
- ☒ 4) Safe and Healthy Community

FINANCIAL COMMITMENT: \$630.00

IMPLEMENTATION: 2018 safety recognition event in June

Department:	General Administration	Form Number:	A99-01370
Subject:	Staff Report	Effective Date:	06/05/17
Policy No:		Revision Date:	13/05/29
Bylaw No:		Version #:	2

Prepared By:

Dave Parker

Department Manager:

Clerk Treasurer/Administrator:

Cynthia Townsend

Approval of Recommendation:

Yes ☒ No ☐

Comments:

Department: General Administration	Form Number: A99-01370
Subject: Staff Report	Effective Date: 06/05/17
Policy No:	Revision Date: 13/05/29
Bylaw No:	Version #: 2

STAFF REPORT

DEPARTMENT: Administration	DATE: May 1, 2018
-----------------------------------	--------------------------

ITEM: In-House Counsel

RECOMMENDATION: Be It Resolved That: Council for the Town of Espanola appoint Wishart Municipal Law Group to provide legal services in accordance with WMGs Silver Package 1 effective May 1, 2018 and a Bylaw be prepared to execute an agreement.

BACKGROUND: The attached documentation outlines the legal services Wishart Municipal Law Group (WMG) provides to municipalities. The Town of Espanola has engaged the services of Paul Cassan, Gord Acton and Tim Harmar, lawyers with Wishart over the last year. The municipality can reduce legal fees with an agreement that offers the services outlined.

ANALYSIS: Wishart Law Group offers a number of services beyond legal advice and opinions that can assist the Corporation day to day, some of those services being, bylaw/policy development and drafting workshops and contract analysis.

WMG also offers a Councillor Add-on that offers 275 minutes for Councillors to ask a lawyer for advice about Councillor rolls, responsibilities, liabilities and other questions that may arise, this can be included in the agreement for an additional \$1,500/yr.

With the number of changes to municipal legislation over the past couple of years and moving in to the future, ie. Bill 68 Modernizing Ontario's Municipal Legislation, the need for legal advice and guidance has become inevitable for most municipalities. WMG is a law firm located in Northern Ontario that specializes in the needs of small municipalities. Being a member of WMG gives the municipality access to a team of experts specializing in the all areas of municipal law.

EXISTING POLICY: Council resolution/bylaw

STRATEGIC GOAL: Excellence in Government

FINANCIAL COMMITMENT: \$6,000

BUDGETED:	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
------------------	-----	-------------------------------------	----	--------------------------

IMPLEMENTATION: Administration

Prepared By: Paula Roque

CAO / Treasurer: Cynthia Townsend

Approval of Recommendation: Yes ☒ No ☐

Comments:



IN-HOUSE COUNSEL FOR MUNICIPALITIES

Providing legal services to municipalities for a fraction of the cost of a full-time lawyer

ASK A LAWYER

Ask A Lawyer is our solution to allow municipal staff access to our team to help with their day to day issues including:

- preventative advice
- assistance with report writing for Council
- by-law development
- human resources advice
- contract analysis
- enforcement advice

Hands-on drafting of a municipal product, such as by-law or policy ready for presentation to council.

SILVER

PACKAGE 1

- \$6,000 plus HST for a 1 yr term
- 700 lawyer minutes
- 1% discount on other legal fees
- Drafting Workshop
- Cost sharing with other members
- Member Alert

PACKAGE 2

- \$12,000 plus HST for a 1 yr term
- 1,450 lawyer minutes
- 2% discount on other legal fees
- Drafting Workshop
- Cost sharing with other members
- Member Alert

GOLD

PACKAGE 1

- \$15,000 plus HST for a 3 yr term
- 725 lawyer minutes per year
- 2% discount on other legal fees-
- Drafting Workshop
- Cost sharing with other members
- Member Alert

PACKAGE 2

- \$30,000 plus HST for a 3 yr term
- 1,500 lawyer minutes per year
- 5% discount on other legal fees
- Drafting Workshop
- Cost sharing with other members
- Member Alert

\$1,500 plus HST per 1 yr term

275 minutes for Councillors to "ask a lawyer" for advice about Councillor's roles, responsibilities, liabilities and other questions that may arise.

Every time Municipalities:

- Have to interpret legislation
- Have to draft documents that could be challenged in court (by-laws, contracts, policies etc.)
- Negotiate collective agreements or employment contracts
- Enforce a by-law
- Defend a matter at the Ontario Municipal Board
- Defend a matter at the Assessment Review Board
- Defend a civil matter

They NEED a lawyer to provide advice and guidance BEFORE their decisions/actions are challenged in court or result in lawsuits with large cash pay outs.

Municipalities:

- Must be accountable governments
- Must comply with many pieces of legislation
- Must enforce certain legislation
- Act as employers
- Provide many different services
- Enter into contracts
- Establish "Local Laws"
- Are responsible to protect municipal assets

They NEED a lawyer to provide advice and guidance on a variety of matters.

MEMBERSHIP INCLUDES

- A dedicated lead lawyer who oversees the municipality's legal service
- Access to periodic pooled cost, members only drafting workshops
- Priority scheduling of meetings both in your office and in ours
- Flexible payment terms
- Regular "checkup call" from legal counsel
- Legislation change alert
- Discounted travel rates for in-person council meetings
- Periodic membership usage reports
- Unlike cell phone minutes, membership minutes never expire
- Access to Emergency Legal Response Team at discounted rates
- Immediate access to a team member to help you with your questions

THE VALUE OF MEMBERSHIP

- We are your solution to high cost in house legal services
- You capitalize on the expertise of a team of lawyers that have successfully defended municipalities on a number of challenging issues
- You benefit from the experiences of other WMG members
- Our 'ask a lawyer' minutes will allow municipal staff to get immediate advice or guidance on how to deal with issues on a daily basis preventing the municipality from incurring "crisis" legal costs
- Your minutes never expire - unused minutes are an investment for when you really need them
- The membership fee allows you to budget more effectively
- Discounts on those legal services you may need above and beyond the "ask a lawyer" program
- Webinars and other training materials relevant to the municipality's needs
- Member Alert will advise members of upcoming changes

SMALL MUNICIPALITIES

Small municipalities typically:

- Rely on employees, who are not lawyers, to provide advice and guidance on legal matters
- Rely on advice and guidance from Provincial Ministry staff who are not lawyers and should not be giving legal advice
- Acquire by-laws and policies from other municipalities to be compliant with Provincial regulations not understanding the content or how to follow the by-law/policy
- Expect employees who are already overburdened to keep up on regulatory changes and compliance matters
- Do not provide proper training to employees to draft by-laws, policies, contracts etc.
- Do not have the financial resources to have a lawyer on staff
- Do not seek legal advice and guidance until they are facing a crisis/court challenge

AT WISHART WE PRIDE OURSELVES ON BEING CLIENT FOCUSED AND FORWARD THINKING. IT MEANS SOMETHING TO US TO PROVIDE OUR CLIENTS WITH EXCELLENT SERVICE EVERY TIME. OVER THE YEARS WE HAVE SEEN MUNICIPALITIES STRUGGLE WITH VERY CHALLENGING SITUATIONS THAT MIGHT HAVE BEEN PREVENTED WITH EARLY LEGAL ADVICE. SO WE NOW OFFER A NEW WAY OF DEALING WITH MUNICIPAL LEGAL PROBLEMS.

WMG HAS BEEN CREATED SPECIFICALLY FOR YOUR SMALL MUNICIPALITY WITH LIMITED FINANCIAL AND HUMAN RESOURCES - JOIN US TODAY

LAWYER BIOGRAPHIES

PAUL CASSAN

Paul is a lawyer called to the bar in 1997 and focusing his practice on Municipal and Labour/Employment law. Paul is a regular keynote speaker at AMCTO Zone 7 meetings and is a member of AMCTO. Paul was lead Counsel in the Elliot Lake Mall Inquiry proudly acting for the City of Elliot Lake and the Elliot Lake Fire Department. Paul successfully prosecuted and convicted the Mall Owner pursuant to charges under the Fire Prevention and Protection Act. Paul is a dynamic speaker and regularly visits his municipal clients, attending council meetings and providing advice and training on various issues as they arise. Paul has acted on MANY assessment appeals and provides advice to Municipalities on dealing with assessment matters. He presently is acting on the oldest assessment appeals in the province and with luck will in fact be the lawyer who settles these matters for his municipal clients. Paul has appeared before all levels of Court in Canada including the Supreme Court of Canada as well as a host of municipal related administrative tribunals including the Ontario Municipal Board, The Assessment Review Board, The Boundaries Act Tribunal, the Ontario Drainage Tribunal, the Ontario and Canada Human Rights Tribunals, the Ontario Labour Relations Board and many others. With experience as a volunteer firefighter, and acting on various Police matters, Paul has a significant breadth of experience in emergency response and responder matters. Paul is a father of two amazing kids, is an experienced outdoorsman and an avid motorcyclist. He wants to ride to YOUR COUNCIL MEETING!!

GORDON P. AGTON

As Senior Business Partner, Gord's area of emphasis is on business problem solving and prevention, asset acquisitions, financing and sale, for corporations, municipalities, educational institutions, hospitals and non profit corporations. This includes creditor protection, insolvency work-outs and collection, as well as issues arising from operations in the area of labour/ employment and contracts.

He has regularly appeared before the Superior Court of Justice, the Federal Court of Canada, the Divisional Court, the Ontario Court of Appeal, the Ontario Municipal Board and the Ontario Labour Relations Board as well as arbitrators and mediators.

Professional memberships include the Canadian Bar Association, the Association of American Trial Lawyers, the Ontario Trial Lawyers Association and the Advocate's Society. Gord served as a Director of the Algoma District Law Association for two terms.

A former racer with Canada's Alpine Ski Team and a former director of the Sault Ste. Marie Chamber of Commerce, Gord acts as an advisor to several charitable organizations. He is fluent in both English and French.

LAWYER BIOGRAPHIES

ORLANDO M. ROSA

Presently the firm's Managing Partner, Orlando built an impressive depth and variance in a practice particularly focused on civil and commercial litigation.

A veteran advocate, Orlando handles a variety of large and complex litigation cases including class actions, insurance, environmental, contractual and municipal matters. He regularly appears before all levels of trial and appellate courts.

His professional memberships include the American Trial Lawyers Association, the Railroad Trial Lawyers of America and the Canadian Italian Advocates Organization.

Orlando is valued at Wishart for his unique sense of client needs, his political savvy and his articulate mind. He is fluent in English and Italian.

STEVEN G. SHOEMAKER

Steven Shoemaker is an Associate with the Wishart Law Firm LLP, practising in the area of advocacy. His practice focuses on litigation and commercial transactions.

Steven has represented clients before the courts and administrative tribunals. He is fluent in French and conversational in Italian.

Steven was called to the bar in New York State in 2006. He was called to the Ontario Bar in June 2010 and now is a member of the Canadian Bar Association as well as the Algoma District Law Association.

Steven attended Lake Superior State University on a full academic scholarship and upon graduation, was recognized as the top Finance and Economics graduate. He was also awarded a full academic scholarship to attend Michigan State University Law School.

ABOUT US

- Over 115 years of service to Northern Ontario
- Lawyers and staff proficient in municipal law
- Pride ourselves in client service

STAY CONNECTED

Visit our website to learn more:
www.wishartlaw.com/municipal

LAWYER BIOGRAPHIES

MATTHEW M. SHOEMAKER

Matthew is an Associate at Wishart Law Firm, LLP. He completed his Bachelor of Arts in Political Science and History at Algoma University in 2009. He then attended the University of Ottawa Faculty of Law where he successfully completed his LL.B. in 2012. Matthew is fluent in French and conversational in Italian.

While at Algoma U, Matthew was awarded the Award of Excellence in History for the highest average in the B.A. History program. At uOttawa Matthew was awarded the Justice Gilles Létourneau & Colonel Michel Drapeau Prize for Canadian Military Law Studies for the highest grade in Canadian Military Law. Matthew was also published in the Summer 2012 edition of the Canadian Parliamentary Review and the July 2013 edition of the Journal of Parliamentary and Political Law for his essay 'Bilingualism and Bijuralism at the Supreme Court of Canada'.

Matthew previously worked as a summer student at both the Provincial Offences office and the Sault Ste. Marie Legal Department. There he gained valuable experience with provincial offences and, alongside the City Prosecutor, conducted trials of provincial offences. As a student in the Sault Ste. Marie Legal Department, Matthew was mentored by a City Solicitor with over forty years of municipal law experience. This mentorship provided Matthew a wealth of knowledge in the area of Municipal Law. The knowledge gained in his time at the Sault Ste. Marie Legal Department served Matthew well as a member of the four-lawyer team representing the City of Elliot Lake in the Elliot Lake Mall Collapse Inquiry. This 8-month inquiry greatly expanded Matthew's knowledge in the area of Municipal Law. In addition to his experience from a Municipal Law perspective, Matthew was elected to Sault Ste. Marie City Council in 2014 and continues to serve as a City Councillor. This experience has provided Matthew with a wealth of knowledge on the challenges facing municipalities and an understanding of the practical realities facing municipal corporations.

**PROUD OF OUR PAST,
EXCITED ABOUT OUR FUTURE**

LAWYER BIOGRAPHIES

TIM J. HARNAR

Tim is an Associate at Wishart Law Firm LLP. He completed his Juris Doctor degree at the University of Windsor in 2013. While at the University of Windsor Tim was awarded the Samia Rose Shaheen Memorial Award for Legal Writing in 2011. Tim also holds a Bachelor of Arts (Honor's) degree in Political Science with General Psychology, a Master of Business Administration (Specialization in Finance and Accounting) degree, and a Master of Laws degree in Banking and Financial Services Law. Currently, Tim is completing a Master of Laws degree in Business Law and Postgraduate Diploma in Justice System Administration from York University.

His professional memberships include the Intellectual Property Institute of Canada (IPIC) and the International Association of Privacy Professionals (IAPP) with which he is a current candidate for the Certified Information and Privacy Professional (CIPP/C) designation.

Tim previously worked as Business Development Manager at the Sault Ste. Marie Innovation Centre. In this capacity Tim worked closely with both the public and private sectors to drive business growth, facilitate research and commercialize innovation in the areas of science and technology. In addition to this experience, Tim has worked closely with municipal and industrial clients while employed with a local environmental consulting firm specializing in the areas of water, waste water, waste management, and regulatory compliance.

In keeping with Tim's commitment to working with entrepreneurs, Tim has been enthusiastically involved in the community as a volunteer and has previously been a member of the Sault Ste. Marie Renewable Energy Committee, the Sault Ste. Marie Chamber of Commerce Business Development and Technology Committee, and the Canadian Youth Business Foundation Loan Review Committee. Currently, Tim continues to actively volunteer as a member of the Sault College of Applied Arts and Technology Accounting/Business Advisory Committee.

J. Paul R. Cassan
Wishart Law Firm LLP
390 BAY ST SUITE 500
SAULT STE MARIE, ON
P6A 1X2

P: 705-949-6700
F: 705-949-2465
pcassan@wishartlaw.com
WWW.WISHARTLAW.COM