



THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN
SPECIAL COUNCIL MINUTES

MEETING NO. FIVE

March 19, 2024, 5:41 p.m.

Township Administration Building

318 Canborough Street, Smithville, Ontario

Council: Mayor Cheryl Ganann
Councillor Shelley Bradaric
Councillor Joann Chechalk
Councillor William Reilly
Councillor Jason Trombetta

Absent: Councillor Mike Rehner
Councillor Terry Bell

Staff: Donna DeFilippis, Chief Administrative Officer
Brian Treble, Director of Planning and Building
Nancy Fiorentino, Director of Legislative Services/Clerk
Justin Paylove, Deputy Clerk
Roberta Keith, Information Technology Manager
Tom Hanrahan, Solicitor, Sullivan Mahoney LLP

1. LAND ACKNOWLEDGEMENT STATEMENT

The Township of West Lincoln, being part of Niagara Region is situated on treaty land. This land is steeped in the rich history of the First Nations such as the Hatiwendaronk, the Haudenosaunee, and the Anishinaabe, including the Mississaugas of the Credit First Nation. There are many First Nations, Métis, and Inuit people from across Turtle Island that live and work in Niagara today. The Township of West Lincoln, as part of the Regional Municipality of Niagara, stands with all Indigenous people, past and present, in promoting the wise stewardship of the lands on which we live.

2. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST

There were no declarations of pecuniary interest or conflict of interest declared.

3. CONFIDENTIAL MATTERS

Moved By Councillor Joann Chechalk

Seconded By Councillor Jason Trombetta

That the next portion of this meeting be closed to the public to consider the following pursuant to Section 239(2) of the Municipal Act 2001:

3.1 Township Solicitor (Tom Hanrahan, Sullivan Mahoney)

Re: Legal/Solicitor-Client Privilege Matter - OPA 63 - OLT Mediation Settlement (OLT Appeal No. OLT-23-000470)

Applicable closed session exemption(s):

- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- advice that is subject to Solicitor-client privilege, including communications necessary for that purpose.

3.2 Township Solicitor (Tom Hanrahan, Sullivan Mahoney)

Re: Legal/Solicitor-Client Privilege Matter - Township of West Lincoln vs Jonker

VERBAL UPDATE

Applicable closed session exemption(s):

- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- advice that is subject to Solicitor-client privilege, including communications necessary for that purpose;
- personal matters about an identifiable individual, including municipal or local board employees.

Carried

The meeting resumed in closed session at 5:45 p.m.

4. Public Disclosure

Confidential Item 3.2

Township Solicitor (Tom Hanrahan, Sullivan Mahoney)

Re: Legal/Solicitor-Client Privilege Matter - Township of West Lincoln vs Jonker

Moved By Councillor William Reilly

Seconded By Councillor Joann Chechalk

1. That the verbal update on Confidential Item 3.2 regarding "Township of West Lincoln vs Jonker" be received for information; and
2. That the Ontario Superior Court of Justice Divisional Court Decision dated February 28, 2024, regarding Jonker and the Township of West Lincoln, be received.

Carried

Confidential Item 3.1

Township Solicitor (Tom Hanrahan, Sullivan Mahoney)

Re: Legal/Solicitor-Client Privilege Matter - OPA 63 - OLT Mediation Settlement (OLT Appeal No. OLT-23-000470)

Confidential direction was provided to Township Solicitor Tom Hanrahan, Sullivan Mahoney, in closed session.

5. BY-LAWS

Moved By Councillor Jason Trombetta

Seconded By Councillor Joann Chechalk

1. That, leave be granted to introduce By-law 2024-15 and that the same shall be considered to have been read a first, second, and third time with one reading, and is hereby adopted; and,
2. That, the Mayor and Clerk be and are hereby authorized to sign and affix the Corporate Seal thereto, any rule of this Council to the contrary notwithstanding.

5.1 BY-LAW 2024-15

A By-law to adopt, confirm and ratify matters dealt with by Council Resolution.

Carried

6. ADJOURNMENT

The Mayor to declare this meeting adjourned at the hour of 7:54 p.m.

NANCY FIORENTINO, CLERK

MAYOR CHERYL GANANN