

TOWN OF NEWMARKET COUNCIL - EXTRACT - MONDAY, MARCH 5, 2012

	REF'D TO	COPY TO		REF'D TO	COPY TO
Mayor Tony Van Bynen			Community Services, Commissioner of		
Reg. Councillor Taylor			• Chief Building Officer		
Councillor Vegh			• Engineering Services, Director of		
Councillor Kerwin			• Planning, Director of		
Councillor Twinney			• Public Works Services, Director of		
Councillor Hemen			• Recreation & Culture, Director of		
Councillor Sponga			Corporate Services, Commissioner of		
Councillor Di Muccio			• Financial Services, Director of		
Councillor Emanuel			• Information Technology, Director of		
			• Legal Services, Director of		
CAO			• Town Clerk and Legislative Services, Director of		
Communications, Director of			• Purchasing Manager		
Human Resources, Director of					
Strategic Initiatives, Director of			OTHER:		
PENDING AGENDAS: COW					
COUNCIL			ORIGINAL REPORT IN DEPARTMENT BINDER	√	
JCC			Letter: File:		

34. COMMITTEE OF THE WHOLE (CLOSED SESSION MINUTES)

Committee of the Whole (Closed Session) Minutes of February 27, 2012.

**Moved by Councillor Sponga
Seconded by Councillor Twinney**

THAT the Special Committee of the Whole (Closed Session) Minutes of February 27, 2012 be received and the following recommendations be adopted:

The meeting of the Committee of the Whole (Closed Session) was held on Monday, February 27, 2012 at 3:21 p.m. in the Council Chambers, 395 Mulock Drive, Newmarket.

Members Present: Mayor Van Bynen
Regional Councillor Taylor
Councillor Di Muccio
Councillor Emanuel
Councillor Hempen
Councillor Kerwin
Councillor Sponga
Councillor Twinney
Councillor Vegh

Staff: R. Shelton, Chief Administrative Officer
R. Dixon, Commissioner of Corporate Services
R. Prentice, Commissioner of Community Services
E. Armchuk-Ball, Director of Legal Services/Municipal Solicitor
A. Moore, Director, Legislative Services/Town Clerk
L. Moor, Council/Committee Co-ordinator

The meeting was called to order at 3:21 p.m.

Mayor Van Bynen in the Chair.

1. **COMMITTEE OF THE WHOLE (CLOSED SESSION) MINUTES
FEBRUARY 27, 2012 – ITEM 1
MAIN STREET – (PROPERTY MATTER)**

Deputation:

Mr. Bob Forrest, Forrest Group addressed the Committee with respect to a property matter. Concept plans were provided and the proponent identified that part of the proposal which includes the necessity of the [REDACTED] Town owned lands.

**Moved by Councillor Sponga
Seconded by Councillor Di Muccio**

THAT the deputation by Mr. Bob Forrest, Forrest Group regarding a property matter be received.

CARRIED

The Committee recessed at 4:07 p.m.

The Committee reconvened in Committee of the Whole (Closed Session) at 6:10 p.m.

**2. COMMITTEE OF THE WHOLE (CLOSED SESSION) MINUTES
FEBRUARY 27, 2012 – ITEM 2 – CORPORATE SERVICES (CLOSED SESSION)
REPORT – FINANCIAL SERVICES 2012-10 - TAXES (PERSONAL MATTER)**

Corporate Services (Closed Session) Report – Financial Services 2012-10 dated February 15, 2012 regarding [REDACTED] – 040 187 62480, 505 Ainsworth Drive. The Director of Financial Services provided a verbal summary regarding the report and discussion ensued.

**Moved by Councillor Emanuel
Seconded by Councillor Kerwin**

THAT Corporate Services (Closed Session) Report – Financial Services 2012-10 dated February 15, 2012 regarding [REDACTED] – 040 187 62480, 505 Ainsworth Drive be received and the following recommendation be adopted:

THAT our current policy be upheld.

CARRIED

**1. COMMITTEE OF THE WHOLE (CLOSED SESSION) MINUTES
FEBRUARY 27, 2012 – ITEM 1 (CONTINUED)
MAIN STREET – (PROPERTY MATTER)**

Main Street Property Matter. Discussion ensued with respect to the merits of the proposal and the request for access rights to Town property.

**Moved by Councillor Sponga
Seconded by Councillor Di Muccio**

THAT staff be directed to advise the proponent that Committee generally supports the proposed use of municipal lands as set out, subject to a satisfactory technical and feasibility review, and the establishment of acceptable processes to determine compensation to the municipality, including demonstration that parking requirements are adequately met;

AND THAT staff report back to Committee of the Whole on these matters.

CARRIED

3. **COMMITTEE OF THE WHOLE (CLOSED SESSION) MINUTES
FEBRUARY 27, 2012 – ITEM 3 – CORPORATE SERVICES JOINT LEGAL AND
LEGISLATIVE SERVICES (CLOSED SESSION) REPORT 2012-01
2011 LITIGATION AND INSURANCE REPORT – (LITIGATION MATTER)**

Corporate Services Joint Legal and Legislative Services (Closed Session) Report 2012-01 regarding 2011 Litigation and Insurance. The Director of Legal Services/Municipal Solicitor provided a verbal update regarding aspects of the report. She proposed an amendment to Recommendation 2 by including the following words at the end:

“and that in the event the preliminary motion is not successful that staff be directed to defend Council’s adoption of the plan of subdivision at the Ontario Municipal Board.”

**Moved by Councillor Sponga
Seconded by Councillor Hempen**

THAT Corporate Services Joint (Legal and Legislative Services) Closed Session Report 2012-01 dated February 17, 2012 regarding 2011 Litigation and Insurance matters be received for information purposes and the following recommendations, as amended, be adopted:

1. **THAT staff be directed to negotiate and finalize a settlement with Spruce Inc. relating to RFP 2010-36 for an amount not to exceed \$75,000.00;**
2. **AND THAT staff be directed to bring a preliminary motion to request that the Ontario Municipal Board dismiss the Nunn appeal without the necessity of a full hearing; and that in the event the preliminary motion is not successful that staff be directed to defend Council’s adoption of the plan of subdivision at the Ontario Municipal Board.**

CARRIED

The Director of Legal Services/Municipal Solicitor provided a verbal update regarding the Daniels LR Corporation Ontario Municipal Board hearing decision.

**Moved by Councillor Sponga
Seconded by Councillor Hempen**

THAT the Committee resume into public session.

CARRIED

The Committee resumed into public session at 6:58 p.m.



Mayor Van Bynen, Chair



Anita Moore, Town Clerk