



REGIONAL MUNICIPALITY OF NIAGARA
POLICE SERVICES BOARD

PUBLIC MINUTES

Thursday, October 29, 2009

Niagara Police Services Board
Multipurpose Room 1st Floor, 110 James Street, St. Catharines

CALL TO ORDER

The Public Meeting of the Niagara Police Services Board commenced at 8:38 a.m.

ROLL CALL

MEMBERS PRESENT:

Mr. L. Iggulden, Chair
Mr. D. Martin, Vice Chair
Mr. T. Shoalts
Mr. M. Woodhouse

Mr. W.B. McKaig, Board Solicitor (arrived at 10:45 a.m.)
Ms. D. Morton, Executive Director
Ms. S. Taylor, Executive Assistant

OTHERS PRESENT:

Chief of Police W.E. Southall
Deputy Chief of Police J. Matthews
CAO G. Fuentes
Superintendent G. Skafffeld, Central Region
Superintendent B. Symonds, Executive Services
Superintendent R. Wright, Emergency & Investigative Support
A/Superintendent S. McLean, Eastern Region
Inspector B. Eckhardt, Western Region
Inspector G. Ravenek, Duty Office
A/Inspector R. Frayne, Executive Officer to the Chief
D/Sergeant K. McAllister, Executive Officer to the Deputy Chief
Sergeant J. Forgeron, Media Officer
Ms. M. George, Director of Business Services
Mr. A. Askoul, Director Information & Communication Technology
Ms. L. DiDonato-DeChellis, Manager Finance
Ms. A. Hepplewhite, Manager Corporate Records & Information
Management
Ms. D. Stevenson, Manager, Information Services

PRESENTATIONS:

Sergeant P. Blakely, NRPS, and family
Ms. L. Breyer, Niagara Region Public Health/Think & Drive Program
Inspector R. Coulis, Emergency & Investigative Support, “

GUESTS:

Mr. J. Bergsma, RMON Commissioner of Corporate Services
Mr. D. Preston, Policing Services Advisor, Ministry of Community
Safety and Correctional Services

DECLARATIONS OF CONFLICT/PECUNIARY INTEREST

MINUTES OF PREVIOUS MEETINGS

184. Minutes of the Public Board Meeting held Thursday, September 24, 2009.

Moved by: T. Shoalts
Seconded by: M. Woodhouse

That the Minutes of the Public Board Meeting held Thursday, September 24, 2009 be adopted as circulated.

Carried.

REPORTS FROM THE BOARD CHAIRPERSON

Chair Iggulden welcomed Messrs. Preston, Ministry of Consumer Safety and Correctional Services, and Bergsma, RMON Corporate Services Commissioner to the meeting, and reported the following:

OAPSB/OACP Zone 4 Meeting

On October 1 Member Bill Smeaton and Deb Morton, along with Chief Southall and her Executive attended the Ontario Association of Police Services Boards and the Ontario Association of Chiefs of Police quarterly zone meeting, which was hosted by the Niagara Police Service. A special seminar attended by Zone members and police management was held on mental health issues in the workplace prior to the meeting. Special thanks to Member Smeaton for attending this event and bringing greetings on behalf of the Board.

Crime Stoppers of Niagara – GUNS & ROSES Gala Dinner

On October 3 Member Bill Smeaton attended the Crime Stoppers of Niagara *Guns & Roses* Gala Dinner. The event which also involved an annual shooting competition was held in memory of the late NRPS Constable Dan Rothanyi who passed away suddenly on September 15, 2005. All proceeds raised from the event are used to support Crime Stoppers and the NRPS Revolver Club.

Niagara Region Children's Safety Village – Emergency Services Gala

On October 16 Chair Iggulden and Member Woodhouse attended the Niagara Region children's Safety Village Emergency Services Gala held at Club Italia in Niagara Falls. The event raised funds to support the ongoing programming at the education centre which provides safety and injury prevention awareness to school age children.

NRPS Promotions

On October 19 Chair Iggulden and Members Martin, Shoalts and Smeaton with the Board's Executive Director attended the NRPS Promotional Ceremony to formally recognize the nine (9) Staff Sergeants and twelve (12) Sergeants recently promoted on October 4.

Business Plan Steering Committee

On November 12 the Board/Service Business Plan Steering Committee will meet at 9:30 a.m. in the PSB boardroom. The purpose of the meeting will be to review the business planning process to meet the requirements of the adequacy standards, background materials on policing and organizational priorities, goals and objectives, and to agree on a future direction and strategy. Members Woodhouse, Shoalts and the Board's Executive Director will attend the meeting as representatives of the Board.

Upcoming Meetings – 1st Floor Boardroom, 110 James Street, St. Catharines

- Licencing Committee Meeting – Thursday, November 12 at 8:30 a.m.;
- Human Resources Committee Meeting –
*REMINDER: All monthly meetings are cancelled until further notice;
Human Resources items will be considered at regular monthly Board meetings.*
- Next Board Meeting – Thursday, November 26 at 8:30 a.m.

REPORTS FROM THE CHIEF OF POLICE

Chief Southall reported the following:

Introduction of Sergeant Paul Blakely

Deputy Chief Matthews reported that, at the October 19 promotional ceremony at Club Roma where 8 Staff Sergeants and 12 Sergeants were introduced to the Board, Sergeant Paul Blakely was unable to attend as part of the ceremony. Deputy Chief Matthews provided the Board with the formal introduction of Sergeant Blakely through a brief biography.

Sergeant Blakely began his career as a Constable in 1989, serving in a Uniform capacity in St. Catharines, Niagara Falls and Welland. He has also served in Detective Services in Major Crime as well as in 3 District in both General Assignments and Street Crime functions. In 2008 Sergeant Blakely was named 3 District Police Officer of the year. Before being promoted, Sergeant Blakely was the Officer in charge of the Welland Street Crime Unit, where his unit was awarded the *Respect For Law Award* by the Welland Optimist Club. With this promotion he will now be assigned to the St. Catharines Street Crime Unit. Joining Sergeant Blakely were his wife Donna, his sons Cameron, Lucas, and Noah along with his father-in-law and mother-in-law Tony and Maria Bevilacqua.

Deputy Chief Matthews thanked Sergeant Blakely for his effort and dedication to the Service, and as well, a heartfelt 'thank you' to the family and friends of Sergeant Blakely for their support. The Deputy, in recognizing the tremendous amount of focus, time and effort required to be successful in this process, noted that Sergeant Blakely also recognizes the significant role that family plays in his success. The Service is proud of Sergeant Blakely, and as well the other recent promotees, and noted the anticipation to work together with the new supervisors to meet the needs of the community, the membership and the residents to the Niagara Region.

On behalf of the Board, Chair Iggulden extended congratulations to Sergeant Blakely on his success in the competition, as did Board Members Martin, Woodhouse and Shoalts.

Operational Statistics

Marihuana Grow Operations

For the period January 1 through October 28, 2009:

Total street value seized \$11,115,000 compared to \$19,963,000 for 2008;

Total equipment seized \$507,000 compared to \$596,900 for 2008.

Homicides

For the period January 1 through October 28, 2009:

3 compared to 5, same period 2008.

Robberies

For the period September 24 through October 28, 2009:

20 with 10 cleared, a 50% clearance rate this period.

Traffic Fatality Statistics

For the period January 1 through October 28, 2009:
21 collisions (23 deceased), compared to
26 collisions (28 deceased), same period 2008.

Life-Threatening Injury Collisions

For the period January 1 through October 28, 2009:
27 compared to 26, same period 2008,

Introduction of 'Guns, Gangs & Grow' Van

Chief Southall announced that, at the Confidential meeting of the Board held on August 27, Board Members were presented with a Service Report that requested the Board's acceptance of \$84,735. The funding was directed to our Service through the Civil Remedies for Illicit Activities (CRIA) legislation through the Ministry of the Attorney General's Grant Program.

In the fall of 2008, the Service's 'Gang, Gun & Grow' Unit, previously led by Inspector George Ravenek made an application specifically for the purchase of a 'takedown' vehicle. In April the Service was advised that it had been chosen to receive the funding. Since August 27, the vehicle has been purchased and outfitted for the specific usage in dismantling marihuana grow operations throughout Niagara.

The van is equipped with removable signage that will be mounted at the appropriate times to provide a high profile message for the media to carry to the community, and as well, to those involved in illicit activity.

Chief Southall requested that all present to take a brief viewing of the van parked on the street, and stated that the van will now become one more piece of the Police Service's arsenal in the eradication of illegal marihuana growing operations in Niagara.

PRESENTATIONS

185. **"Think & Drive Road Safety Campaign Evaluation Report"**

Linda Breyer, Niagara Region Public Health, and NRPS Inspector Richard Coulis, presented the 2009 campaign evaluation results from the Regional Niagara Road Safety Committee (RNRSC) as a further analysis of the program to promote a comprehensive injury prevention approach addressing road safety through education/evaluation, enforcement, engineering and advocacy over a projected five-year strategy to reduce fatal and serious injury collisions in Niagara.

Moved by: D. Martin
Seconded by: T. Shoalts

That the presentation be received.

Carried.

DEPUTATIONS

A. CONSENT AGENDA

186. **Bill 103 – Independent Police Review Act - Ontario Civilian Police Commission**
The Board considered a letter dated October 16, 2009 from Mr. Murray Chitra, Chair, Ontario Civilian Police Commission, providing notice of the proclamation of Bill 103, the *Independent Police Review Act*, which re-introduces the Ontario Civilian Police Commission (the former Ontario Commission on Police Services) and a brochure explaining the Commission's full range of oversight and quasi-judicial powers within the new complaint system established under the Act.
187. **Niagara Parks Police Service – 2008 Annual Report**
The Board considered a letter dated October 5, 2009 from Chief of Police Douglas Kane providing the Board with the 2008 Annual Report of the Niagara Parks Police Service, pursuant to the Policing Agreement between the Niagara Police Services Board and the Niagara Parks Commission.
188. **City of St. Catharines – Mayor's Au Marché**
The Board considered a letter dated October 15, 2009 from Mayor Brian McMullan acknowledging the Board's 2009 donation from the Special Fund to the *Investing in St. Catharines Youth Fund*.
189. **Annual Report – Sponsorships**
The Board considered Service report 244/2009 dated October 9, 2008 providing the Board with the annual Service report indicating there was no Service program funded through sponsorships that are carried out by the Service which would have compromised the integrity, objectivity or impartiality of the Service, pursuant to Board By-law 179-1999.
190. **Annual Report – Private Sector Funding**
The Board considered Service report 243/2009 dated October 9, 2009 providing the Board with the annual Service report indicating there was no public sector funding from the private sector which would have comprised the integrity, objectivity or impartiality of the Service, pursuant to Board By-law 180-1999.
191. **Annual Report – Communications & Dispatch**
The Board considered Service report 265/2009 dated October 16, 2009 providing the Board with an overview of the NRPS Communications Unit relevant to the Provincial Adequacy Standards Regulation LE-002; statistical analysis for Primary Public Safety Answering Point (P-PSAP) and Police call taking and dispatch centre; staffing, training; Service compliance in the summarized written procedures and audit procedures, pursuant to Board By-law 194-2000.
192. **Annual Report – Witness Protection**
The Board considered Service report 256/2009 dated June 25, 2009 providing the Board with a summary of the written procedures concerning witness protection, witness security and witness assistance as outlined in NRPS General Orders 122.05 *Witness Protection and Security Program* and 115.03 *Victim/Witness Assistance*; the status of Service compliance with Provincial Adequacy Standard Regulation LE-018 *Witness Protection*; and an anonymous summary on the cost of witness protection and assistance, pursuant to Board By-law 210-2000.
193. **Annual Report – Collection, Preservation and Control of Evidence and Property**
The Board considered Service report 237/2009 dated September 25, 2009 providing the Board with Service compliance to the adequacy standard respecting the collection, preservation and control of evidence and property; a summary of the written procedures and Service compliance; itemized concerns to be alleviated in part by a new interim storage facility, and the verification of the annual audit of the property and evidence held by the Service, pursuant to Board By-law 212-2000.

194. **Annual Report - Criminal Harassment**

The Board considered Service report 255/2009 dated October 6, 2009 providing the Board with Service compliance to the Provincial Adequacy Standards Regulation LE-028 pertaining to Criminal Harassment through the listed summary of written procedures outlined in the revised General Order 021.04; confirmation of Service compliance through monitoring of calls for service by Communications staff, the uniform patrol supervisor, review by the uniform platoon staff sergeant followed by the divisional CIB sergeant or staff sergeant, further review by the Coordinator of the Domestic Violence Victim Services Unit for deficiencies, supported through enhanced mandated training as part of the mandated Advanced Patrol Training and Domestic Violence Investigators Course, pursuant to Board By-law 220-2000.

195. **Annual Report – Illegal Gaming Investigations**

The Board considered Service report 253/2009 dated October 14, 2009 providing the Board with a summary of the written procedures concerning Illegal Gaming Investigations including NRPS General Order 162.04 *Illegal Gaming Investigations* detailing the dissemination and sharing of investigative information in compliance with Provincial Adequacy Standard Regulation LE-032; Service compliance to regulations, liaison with the Provincial Illegal Gambling Unit to the Provincial Asset Forfeiture Unit of the OPP to assist on an 'as needed' basis for illegal gambling investigations led through the Criminal Intelligence Unit and the OPP, Joint Services Casino Unit Intelligence Unit, pursuant to Board By-law 224-2000.

196. **Annual Report – Marked General Patrol Vehicles**

The Board considered Service report 264/2009 dated September 23, 2009 providing the Board with Service compliance with Provincial Adequacy Standards Regulation AI-008 concerning Marked General Patrol Vehicles and NRPS procedures and processes invoked through the Service's General Orders, pursuant to Board By-law 257-2003.

197. **Quarterly Report – Suspect Apprehension Pursuits**

The Board considered Service report 252/2009 dated October 15, 2009 providing the Board with the statistical analysis of all Suspect Apprehension Pursuit reports submitted for the period July 1 to September 30, 2009, pursuant to Board By-law 237-2000.

198. **Quarterly Report – Policing Standards Unit – Administration of the Public Complaints System**

The Board considered Service report 249/2009 dated October 5, 2009 providing the Board with information relating to the administration of complaints made by members of the public against the police for the second quarter, period July 1 through September 30, 2009 and statistical yearly comparison, pursuant to Board By-law 173-1997.

Chief Southall advised that Service report 249/2009 will be amended for the November meeting to show corrected calculations.

199. **Special Fund – August 1 - 31, 2009**

The Board considered Service report 267/2009 dated September 25, 2009 providing the Board with a summary of the transactions for the Niagara Regional Police Special Funds for the period August 1 through 31, 2009.

Moved by: D. Martin
Seconded by: T. Shoalts

That the information be received.

Carried.

B. OTHER NEW BUSINESS

200. **NRPS 2010 Proposed Current/Operating Budget**

The Board considered Service report 270/2009 dated October 26, 2009 requesting the Board approve the proposed combined 2010 current budget for the Police Service and the Board resulting in a total net expenditure budget of \$120,835,193, representing a total net expenditure budget increase of 4.55%.

After a general discussion, the Board suggested that the Service report and budget presentation be forwarded to the Region to assist Regional staff in determining preliminary budget numbers. The Board will continue the deliberations on the draft 2010 Police budget at the November 26 Board meeting.

Moved by: D. Martin
Seconded by: T. Shoalts

That the information be received;

And further, that the draft Niagara Regional Police Service 2010 Current/Operating Budget for the Police Service and the Board be forwarded to the Regional Council for its information.

Carried.

201. **NRPS 2010 Capital Budget and 9-Year Capital Forecast**

The Board considered a Service report 261/2009 (revised) dated October 9, 2009 providing the Board with the 2010 Police Service Capital Budget and 9-year forecast.

Moved by: D. Martin
Seconded by: T. Shoalts

That, subject to approval by Regional Council of the Consolidated Capital Budget, the Police Services Board approve the following with regard to the 2010 Police Service Capital Budget and forecast:

1. **A total Capital expenditure budget for the projects in the 2010 Police Service Capital Program of up to \$15,262,244;**
2. **Capital Financing for the 2010 Capital Program to be comprised of transfers from the Police Capital Levy Reserve and Vehicles and Equipment Replacement Reserve Fund of \$1,550,244 and \$1,500,000 respectively, and debenture financing of \$12,212,000 with allocations by project as indicated on Appendix 1;**
3. **The 9-Year Capital Forecast is received as a guideline for the development of future Capital Budgets.**

Carried.

202. **Police Service Capital Projects - 2009 Update**

The Board considered Service report 258/2009 dated October 9, 2009 requesting the Board approve the recommendations by the Service to ensure an accurate record of capital works in progress.

Moved by: T. Shoalts
Seconded by: D. Martin

That the Board approve:

1. **Capital Budget Adjustments as shown on Appendix 1 to reallocate Capital Expenditure Budgets and associated sources of funding among previously approved Capital Projects;**
2. **The transfer of \$110,000 and \$75,000 of financing from PO0904 (MWS Data Radio System) to the Vehicles and Equipment Replacement Reserve Fund and Capital Levy Reserve, respectively;**
3. **Transfers of funds to and from the Police Capital Levy Reserve to projects designated for closure as denoted on Appendix 1 resulting in a net transfer of revenues from the Police Capital Levy of approximately \$2,589 and from the Vehicles and Equipment Replacement of \$47,557;**
4. **The reduction of the Capital expenditure budget remaining for Project PO9802 (SPIRIT) to \$325,000 and the write-off of the resulting outstanding unused debenture debt approvals of \$1.75 million;**
5. **The cancellation of PO0607 (AVL/GIS) and write-off of the outstanding unused debenture debt approvals of \$820,645;**
6. **The renaming of the remaining active capital projects as follows:**
 - a. **PO0619: VOIP,**
 - b. **PO0907: 2-Factor Authentication/Single Sign-On, and**
 - c. **PO0706: Radio/Data System Infrastructure and Equipment.**

Carried.

203. **NRPS Pandemic Influenza Business Continuity: Actual & Potential Costs Associated with Business Planning**

The Board considered Service report 268/2009 dated October 16, 2009 requesting the Board approve an additional \$200,000 over and above the \$300,000 allocated to date be directed to a Pandemic Influenza Reserve Account to cover recent expenditures on purchased supplies, to replenish existent stock as it is depleted and to guard against unforeseen pandemic related over-time costs that may occur before the pandemic plan deployment strategy.

CAO Fuentes reported that at this time the Service is not recommending any additional funding the Pandemic Influenza Reserve Account. He advised that a cost tracking mechanism has been implemented and further report will be submitted.

Moved by: M. Woodhouse
Seconded by: T. Shoalts

That the information be received.

Carried.

204. **NRPS Variance Report – to September 30, 2009**

The Board considered Service report 251/2009 dated October 14, 2009 providing the Board with a financial overview and year-end forecast for both the Service and the Board for the period ending September 30, 2009.

Moved by: D. Martin
Seconded by: T. Shoalts

That the information be received.

Carried.

205. **Fee Schedule – Record Searches**

The Board considered Service report 245/2009 dated October 14, 2009 requesting the Board approve the adoption of fee waivers for police background checks to streamline policies.

Moved by: T. Shoalts
Seconded by: M. Woodhouse

That the Board approve the recommendations outlined in Service report 245/2009.

Carried.

206. **Request for Fee Waiver – Child Advocacy Centre of Niagara**

The Board considered a memorandum dated October 20, 2009 from the Board's Executive Director providing the Board with a request from the Child Advocacy Centre of Niagara to the Niagara Regional Police Service to formalize the existing arrangement to waive the fees for completion of police clearance certificates for its volunteers.

Ms. A. Hepplewhite, Manager of Corporate Records, reported that the Service will continue to charge \$15.00 for clearance certificates requested by volunteers with no exceptions.

Moved by: M. Woodhouse
Seconded by: T. Shoalts

That the Board deny the request from the Child Advocacy Centre of Niagara for a fee waiver for services related to police records checks.

Carried.

207. **Use of NRPS Logo - Fundraising by Service Related Organizations**

The Board considered Service report 238/2009 dated September 3, 2009 requesting the Board authorize the use of the Service logo in promotional materials relating to a 2010 conference in Niagara Falls of interest and training to those parties in health, justice and educational fields by the Community Living Welland/Pelham and Brock University with NRPS representation, pursuant to Board By-law 186-99 being a By-law respecting Fundraising for Service-Related Organizations.

Moved by: D. Martin
Seconded by: T. Shoalts

That the information be received;

And further, that the Board authorize the use of the Niagara Regional Police Service logo for the intended use as per Service report 238/2009.

Carried.

208. **NRPS Organizational Review – Information & Communications Technology (ICT)**
The Board considered Service report 260/2009 dated October 13, 2009 requesting the Board approve, subject to budget approval, two permanent positions to reduce workload resulting in decreased overtime and operating costs and increasing the quality of work and workplace wellness.

Moved by: D. Martin
Seconded by: M. Woodhouse

That the Board approve:

1. **Consideration for early approval of two positions (subject to budget approval) due to the pressing need for immediate assistance and lead time required to fill the positions;**
2. **The addition of two (2) authorized positions as follows:**
 - a. **Network Infrastructure Security Administrator;**
 - b. **Technology Support Analyst.**

Carried.

209. **OMERS 2010 Contribution Rates**
The Board considered Service report 259/2009 dated October 9, 2009 providing the Board with changes to the OMERS 2010 contribution rates as announced by the OMERS Sponsors Corporation to impact the 2010 Benefits Budget by approximately \$185,000.

Moved by: T. Shoalts
Seconded by: M. Woodhouse

That the information be received.

Carried.

210. **Ontario Association of Police Services Boards (OAPSB)**
The Board considered a memorandum dated October 19, 2009 from the Board's Executive Director requesting the Board renew its membership in the Ontario Association of Police Services Board for the 2010 year to ensure strength and continuity in civilian police governance in Ontario.

Moved by: D. Martin
Seconded by: T. Shoalts

That the Board renew its membership in the OAPSB for the year 2010.

Carried.

211. **Board – By-law No. 171-1997**

The Board considered a memorandum from the Board's Executive Director dated October 1, 2009 requesting the Board rescind By-law No. 171-1997 Respecting Governance Guidelines Regarding Development of Operation Procedures which have been superseded by the Adequacy Standards Regulation developed by the Ministry of Community Safety and Correctional Services to meet minimum standards for adequate and effective policing.

Moved by: M. Woodhouse
Seconded by: D. Martin

That the Board rescind By-law No. 171-1997 enacted and passed October 23, 1997.

Carried.

212. **Regional Municipality of Niagara – CL 14-2009 October 22, 2009; CSC 13-2009 October 14, 2009**

The Board considered a letter dated October 23, 2009 from Kevin Bain, Regional Clerk, RMON, providing the Board with the October 22 approval by Regional Council of its Corporate Services Committee recommendations respecting financing approval of Initiation of Capital Project ZPO0509 Long-Term Accommodations CSD 139-2009; receipt of Correspondence CSC 38-2009 Capital Project PO05015 Central Accommodations – HQ/Admin – Project Initiation, and approval of Confidential matter CSD 135-2009.

Moved by: D. Martin
Seconded by: M. Woodhouse

That the information be received.

Carried.

ADJOURNMENT

The meeting adjourned at 11:44 a.m.

Chairperson

Executive Director