



**REGIONAL MUNICIPALITY OF NIAGARA  
POLICE SERVICES BOARD**

***PUBLIC MINUTES***

**Thursday, March 26, 2009**

**Niagara Police Services Board  
Board Room 1<sup>st</sup> Floor, 110 James Street, St. Catharines**

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**CALL TO ORDER**

The Public Meeting of the Niagara Police Services Board commenced at 8:37 a.m.

**ROLL CALL**

**MEMBERS PRESENT:**

Mr. L. Iggulden, Chair  
Mr. D. Martin, Vice Chair  
Mr. B. Bentley  
Mr. T. Shoalts  
Mr. B. Smeaton  
Mr. L. Tufford

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 B. Wright, Emergency & Investigative Support  
Superintendent B. Symonds, Executive Services  
Superintendent S. Kenney, Eastern Region  
Superintendent C. Scott, Western Region  
Inspector J. McCaffery, Executive Officer to the Chief  
S/Sergeant J. Maggiolo, Training Unit  
D/Sergeant G. Bench, Executive Officer to Deputy Chief  
D/Sergeant P. McCauley, Executive Officer to the CAO  
D/Sergeant L. Regnier, Issuer of Licences  
P.C. J. Forgeron, Media Officer  
Mr. A. Askoul, Director of Information & Communication Technology  
Ms. M. George, Director of Business Services  
Ms. L. DiDonato-DeChellis, Manager, Finance Unit  
Ms. A. Hepplewhite, Corporate Records  
Dr. P. Divers, Corporate Analyst

**DECLARATIONS OF CONFLICT/PECUNIARY INTEREST**

## MINUTES OF PREVIOUS MEETINGS

44. Minutes of the Public Board Meeting held Thursday, February 26, 2009.

Moved by: D. Martin  
Seconded by: B. Bentley

**That the Minutes of the Public Board Meeting held Thursday, February 26, 2009 be adopted as circulated.**

**Carried.**

## REPORTS FROM THE BOARD CHAIRPERSON

Chair Iggulden reported the following:

### *Fallen Officer Dennis Brown*

The Board was profoundly saddened to learn of the tragic death of Warrant Officer Dennis Brown, a reservist from the Lincoln and Welland Regiment, who also worked as a Special Constable with the Niagara Police Service. Mr. Brown was one of three soldiers killed on March 3 while serving his country in Afghanistan after a roadside bomb exploded near their vehicle northwest of Kandahar City. This is a tragic loss for Niagara, and the Board extended its deepest sympathies to his wife and four children, friends and colleagues at this difficult time.

### *Promotional Ceremony*

On Friday, March 27, the Service will be holding a promotional ceremony to recognize a total of 11 officers recently promoted to the rank of Inspector and Superintendent. The ceremony will take place here in the 1<sup>st</sup> Floor Boardroom at 110 James Street, starting at 10:00 a.m., at which time Chair Iggulden will bring greetings on behalf of the Board. Members Shoalts and Tufford will also be in attendance.

### *Board Award of Excellence*

On February 18 the Board put out a call for nominations for the Board's Award of Excellence to all members of the Service. This Award was created in 2003 and recognizes a member of the Service who has performed an outstanding service by making a significant contribution to the NRPS or to the community, and has demonstrated continued excellence in the performance of their duties. The Award will be presented at the Annual Awards Ceremony being held in May. Nominations close on March 27, at which time the Board will review the submissions and select a recipient.

### *OAPSB Queen's Park Day*

On Monday, April 27 the Ontario Association of Chiefs of Police and the Ontario Association of Police Services Boards will host their annual Queen's Park Day. The day will allow for the opportunity to meet key government Ministers, senior civil servants and other key provincial decision-makers on important issues impacting policing in Ontario. Vice Chair Martin will be representing the Board at this event.

### *OAPSB Conference*

The Ontario Association of Police Services Boards will hold its Annual Conference and General Meeting in Cornwall from April 30 – May 2. Member Smeaton and the Board's Executive Director will be representing the Board at this event.

*Upcoming Police Board Meetings – 1<sup>st</sup> Floor Boardroom, 110 James St.*

- Licencing Committee & Human Resources Committee Meetings – Scheduled for Thursday, April 9 have been cancelled;
- Next Board Meeting – Thursday, April 23 at 8:30 a.m.

## REPORTS FROM THE CHIEF OF POLICE

Chief Southall reported the following:

### *Operational Statistics*

#### *Marihuana Grow Operations*

For the period January 1 through March 25, 2009:

Total street value seized \$5,283,000 compared to \$357,000 for 2008;  
Total equipment seized \$90,000 compared to \$15,400 for 2008.

#### *Robberies*

For the period February 26 through March 25, 2009:

16 with 3 cleared, a 19% clearance rate this period.

#### *Traffic Fatality Statistics*

For the period January 1 through March 23, 2009:

3 collisions (6 deceased), compared to  
4 collisions (5 deceased), same period 2008.

#### *Life-Threatening Injury Collisions*

For the period January 1 through March 25, 2009:

8 compared to 3, same period 2008,

(Spike related to traffic signal/stop signs and an increase in alcohol-related collisions.)

#### *Breathalyser Tests – R.I.D.E. Program*

For the period January 1 through March 25, 2009:

158 conducted compared to 81, same period 2008.

### *NRPS Special Constable Dies in Afghanistan*

Chief Southall extended sincere appreciation to those who were able to participate with the funeral of Warrant Officer and Special Constable Dennis Brown. The Chief said that it is with great pride to reflect upon the efforts of the countless sworn, civilian and auxiliary members of the Niagara Regional Police Service who were dedicated to see that the funeral honoured Dennis and supported his family.

Although this was by all accounts a military funeral, Service members participated at every stage in order to show their unwavering support for the family members he left behind.

On March 6 a contingent of NRPS officers attended the Repatriation Ceremony at the Canadian Forces Base – Trenton in order provide an escort to the Coroner's Office in Toronto. A number of officers had attended Toronto in advance of the escort, and upon its arrival were present to show their respect and demonstrate support for the family members.

On March 10 members of the Service escorted Dennis, accompanied by members of his family, home to St. Catharines. Along the route, members of various communities and emergency services showed tremendous support. On arrival in St. Catharines, the procession followed a route past the Courthouse where Dennis had worked. Again, a large group of people, composed of members of the Service, other emergency services and the community at large, had gathered to show their respect.

In particular, members of the NRPS Court Services Unit had formed in front of the Courthouse to salute their peer. Members of Senior Staff were present to salute the procession as it arrived at the Butler Funeral Home shortly thereafter.

Several members of the Service, in conjunction with members of the Lincoln and Welland Regiment, worked tirelessly to organize and plan for the funeral. On March 14 the collaborative efforts culminated in a funeral service that was a fitting tribute to a fallen hero. Clearly, had it not been for the dedication of the NRPS sworn, civilian and auxiliary members who gave freely of their time, a tribute of this nature would not have been possible.

Chief Southall complimented A/Deputy Chief Symonds and all NRPS members. The efforts of the membership did not go unnoticed and will serve to once again demonstrate the level of commitment to the community and to one another.

*Another Large Scale Grow Op Busted*

On March 10 members of the Welland Street Crime Unit and the Guns, Gangs, and Grow Unit broke up another organized marihuana growing operation in Wainfleet, seizing over 1.3 million dollars worth of marihuana and \$20,000.00 worth of marihuana growing equipment. The investigation began in late February of this year with police entering and searching the address in question where an elaborate marihuana growing operation was discovered.

Police seized over 1,300 marihuana plants, and several other items needed to assist in the growing of marihuana. Two Wainfleet residents face a number of Production, and Possession of Controlled Substance charges.

## PRESENTATIONS

## DEPUTATIONS

### A. CONSENT AGENDA

45. **Regional Municipality of Niagara – CL 4-2009 March 5, 2009 CSC 3-2009, February 25, 2009**  
The Board considered a letter dated March 9, 2009 from Pam Gilroy, Regional Clerk, RMON, providing the Board with the March 5 approval by Regional Council of its Corporate Services Committee of the Initiation of Capital Projects ZGG0901 Emergency Capital Levy Included in the 2009 Capital Budget; as well as receipt of Communications CSC 12-2009 and CSC 13-2009 from the Police Services Board.
46. **Annual Report – Criminal Investigation Management and Procedure**  
The Board considered Service report 65/2009 dated March 5, 2009 providing the Board with a summary of the written procedures concerning Criminal Investigation Management and Procedures in compliance with Provincial Adequacy Standards Regulation LE-006 including Service compliance with the said procedures, pursuant to Board By-law 198-2000.
47. **Annual Report – Communications & Dispatch**  
The Board considered Service report 59/2009 dated March 9, 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.

48. **Acknowledgment**

The Board considered a memorandum dated March 6, 2009 from NRPS Sergeant Paul Webb, Field Audit/Charge Coordination Unit, thanking the Board for its financial assistance from the Special Fund to the NRPS Men's Hockey Team which participated in the International Police Hockey Tournament's *Men's Over 35 Recreational Division* on March 4 and 5, 2009 in Ottawa.

49. **Special Fund – January 1 - 31, 2009**

The Board considered Service report 61/2009 dated February 27, 2009 providing the Board with a summary of the transactions for the Niagara Regional Police Special Funds for the period January 1 to 31, 2009.

50. **Special Fund – February 1 - 28, 2009**

The Board considered Service report 57/2009 dated March 10, 2009 providing the Board with a summary of the transactions for the Niagara Regional Police Special Funds for the period February 1 to 28, 2009.

Moved by: L. Tufford  
Seconded by: T. Shoalts

**That the information be received.**

**Carried.**

**B. OTHER NEW BUSINESS**

51. **Niagara Region – NRPS 2009 Current Budget**

The Board considered the Notice of Motion dated March 17, 2009 from Niagara Region providing:

- i. The Motions of the March 5, 2009 Budget Review Committee of the Whole respecting approval of the Niagara Regional Police Service 2009 Current Budget estimates determined at \$114,827,522;
- ii. Approval of the 2009 Capital Budget determined at \$3,225,950;
- iii. Receipt of Communications BRCOTW 12-2009, BRCOTW 13-2009, BRCOTW 14-2009 and Appendix 1; BRCOTW 15-2009 and BRCOTW 16-2009, and
- iv. Motion of March 5, 2009 respecting Regional Council's approval and adoption of the decisions of the Budget Review Committee of the Whole meeting of March 5, 2009.

CAO Fuentes noted that a recent adjustment to the debt charges has resulted in an updated net expenditure savings of \$1,127,727 (refer to Item 55 for details.)

Moved by: L. Tufford  
Seconded by: T. Shoalts

**That the information be received.**

**Carried.**

52. **Big 12 Police Services Boards/OAPSB – Current Policing Issues**

The Board considered a letter dated March 4, 2009 from Emil Kolb, Chair, Peel Police Services Board, on behalf of the Big 12 Police Services Boards and the Ontario Association of Police Services Boards, requesting support from the Honourable Rick Bartolucci, Minister of Community Safety and Correctional Services, to have the Provincial Anti-Violence Intervention Strategy (P.A.V.I.S.) and Municipal Police Vehicles – Tax Status addressed in the forthcoming provincial budget, and similarly, the Federal Funding – 2,500 Additional Police Officers in partnership with the federal Minister of Security.

Chief Southall noted that the Golden Horseshoe police services have lobbied for continued and increased support from the Province for the above-noted initiatives through the Ontario Association of Chiefs of Police, the Ministry of Community Safety and Correctional Services and local M.P.P.'s.

Moved by: L. Tufford  
Seconded by: B. Bentley

**That the information be received;**

**And further, that the Niagara Police Services Board support and endorse the Peel Police Service Board position on these matters.**

**Carried.**

53. **NRPS Interim Property & Evidence Storage Solution**

The Board considered Service report 54/2009 dated March 11, 2009 requesting the Board approve a sole-source bid for the supply of temporary storage of property for a three year period.

Moved by: T. Shoalts  
Seconded by: L. Tufford

**That the Board proceed with sole source procurement for the acquisition of storage space at Safe-Stor Records Management, Hwy 20, Fonthill, for property, evidence and records for a three-year period at a cost of \$176,250 per year.**

**Carried.**

54. **Request for Sponsorship – NRPA Charity Golf Tournament**

The Board considered a memorandum dated March 2, 2009 from Deb Morton, Executive Director, providing the Board with a letter received from Mr. Rick Gordon, Chair, Charity Golf Tournament, Niagara Region Police Association, requesting a donation to the 'Chip it for Charity' golf tournament in support of various charitable organizations within the community.

Moved by: B. Smeaton  
Seconded by: B. Bentley

**That the Board authorize a donation in the amount of \$300.00 from the Special Fund to the Niagara Region Police Association for the 'Chip it for Charity' Golf Tournament in support of the NRPA Charitable Fund.**

**Carried.**

55. **NRPS 2008 Year-End financial Operating Results - Amended**

The Board considered Service report 73/2009 dated March 23, 2009 requesting the Board approve the allocation of the net surplus in the amount of \$1,127,727 of the 2008 consolidated Service and Board budget to the Sick Leave Reserve Fund and to the Contingency Reserve, to 2009 identified initiatives using the 2007 balance and 2008 operating expenditures, and further, recommending that the Board request the Region to consider that debt charges be booked on monthly actual rather than budgeted expenditures.

Moved by: B. Smeaton  
Seconded by: T. Shoalts

1. **That, subject to approval of Regional Council of the Consolidated Regional Year-End Transfer Report, the Board approve the following:**

- I. **A transfer to the Accumulated Sick Leave Reserve Fund in the amount of \$455,174 representing the budgeted amount not expended in 2008 for retirement sick leave payouts;**
- II. **A transfer to the Contingency Reserve in the amount of \$348,619 representing the budgeted amount not expended in 2008 for debt charges, pending the outcome of the OCCPS hearings;**
- III. **The transfer of the net expenditure savings of approximately \$323,934 to the Police Contingency Reserve. This includes the balance of the unspent 2007 Budget allocation for one-time expenditure totaling \$351,724 of the original \$1.8 million;**
- IV. **Budget allocations totaling \$770,434 for 2009 One-Time expenditures as follows:**

**Preapproved 2009 One-Time Expenditures totaling \$495,434:**

- \$220,822 for Domestic Violence Coordinator Pilot Project;
- \$110,668 for 2 District Detective Office Pilot Project;
- \$110,668 for School Resource Officer Pilot Project;
- \$ 53,276 for Intelligence Job Shadow.

**Additional 2009 One-Time Expenditures totaling \$275,000:**

- \$150,000 for the Cadet Program;
- \$ 50,000 for a Diversity Committee;
- \$ 75,000 for the Task Force.

2. **That the Board request that the Region book actual and not budgeted debt charges on a monthly basis.**

**Carried.**

**IN CAMERA REPORTS**

C.  
35.  
2009

**Capital Project Funding for UPS & Emergency Generator Systems Repair - 68 Church Street**  
At the Confidential Meeting of the Niagara Police Services Board held on Thursday, February 26, 2009, the Board considered Service report C.16/2009 dated February 6, 2009 requesting the Board approve capital project budget funding to obtain a reliable emergency power back-up system for the critical police systems located at the 68 Church Street facility, St. Catharines,

The following Motion was duly passed:

**‘That the Board approve:**

1. **Police and Regional staff to establish a joint Capital Project for the unscheduled replacement of an Emergency Power Generator, an Uninterruptible Power Supply system and related components at 68 Church Street, St. Catharines;**
2. **A project allocation of \$300,000 funded with \$150,000 from the Police Capital Levy Reserve and (subject to Regional Niagara) \$150,000 from the Region of Niagara Emergency Capital Levy Program;**
3. **The initiation of these funds and consent to commence the necessary Engineering Specifications and Tendering.**
4. **And further, that the Board decision be reported back on the Public Agenda. Carried.**

Moved by: L. Tufford  
Seconded by: D. Martin

**That the information be received.**

**Carried.**

C.  
44.  
2009

**Special Investigations Unit Report #SIU-08-08 – Custody Injury Allegation – May 15, 2006**  
At the Confidential Meeting of the Niagara Police Services Board held on Thursday, February 26, 2009, the Board considered Service report C.30/2009 dated January 20, 2009 providing the Board with the decision of the SIU Director following the SIU investigation into an alleged injury to a suspect in custody, that the Director found no reasonable grounds to believe that the named subject officer committed the criminal offence of assault with respect to this incident.

The following Motion was duly passed:

**‘That the information be received;**

**And further, that the Board make the report available to the public. Carried.**

Moved by: B. Bentley  
Seconded by: D. Martin

**That the information be received.**

**Carried.**

C.  
45.  
2009

**Special Investigations Unit Report #SIU-09-08 – Custody Injury – August 18, 2008**

*At the Confidential Meeting of the Niagara Police Services Board held on Thursday, February 26, 2009, the Board considered Service report C.38/2009 dated January 22, 2009 providing the Board with the decision of the SIU Director following the SIU investigation into an injury to a suspect during the arrest that the officer deliberately attempted to cause physical injury to the complainant.*

*The following Motion was duly passed:*

***‘That the information be received;  
And further, that the Board make the report available to the public. Carried.’***

Moved by: B.Smeaton  
Seconded by: T. Shoalts

**That the information be received.**

**Carried.**

**ADJOURNMENT**

The meeting adjourned at 9:00 a.m.

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Chairperson

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Executive Director