



**REGIONAL MUNICIPALITY OF NIAGARA
POLICE SERVICES BOARD**

PUBLIC MINUTES

Thursday, May 28, 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 8:35 a.m.

ROLL CALL

MEMBERS PRESENT:

Mr. L. Iggulden, Chair
Mr. D. Martin, Vice Chair
Mr. B. Bentley
Mr. B. Smeaton
Mr. L. Tufford (arrived at 8:40 a.m.)
Mr. M. Woodhouse

Ms. D. Morton, Executive Director

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 C. Scott, Western Region
A/Superintendent S. McLean, Central Region
Inspector J. McCaffery, Executive Officer to the Chief
D/Sergeant G. Bench, Executive Officer to Deputy Chief
D/Sergeant P. McCauley, Executive Officer to the CAO
P.C. J. Forgeron, Media Officer
Ms. D. Stevenson, A/Director of Information &
Communication Technology
Ms. L. Jerome, A/Director of Business Services
Ms. L. DiDonato-DeChellis, Manager, Finance Unit
Dr. P. Divers, Corporate Analyst

Mr. P. DiSimoni, President, Niagara Region Police Association

Ms. Judy Bullis, Publisher, St. Catharines Standard
Mr. Grant LaFleche, Reporter, St. Catharines Standard

DECLARATIONS OF CONFLICT/PECUNIARY INTEREST

MINUTES OF PREVIOUS MEETING(S)

76. Minutes of the Public Board Meeting held Thursday, April 23, 2009.

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

That the Minutes of the Public Board Meeting held Thursday, April 23, 2009 be adopted as circulated.

Carried.

REPORTS FROM THE BOARD CHAIRPERSON

Chair Iggulden reported the following:

OAPSB Queen's Park Day

On April 27th, Vice-Chair Martin attended the Ontario Association of Chiefs of Police and the Ontario Association of Police Services Boards annual Queen's Park Day. They met with key government Ministers, senior civil servants and other key provincial decision-makers on important issues impacting policing in Ontario. Issues discussed included funding for policing, special constable status, suspension of police officers without pay, court security, and legislation to regulate pawnbrokers/second hand goods stores.

Ministry Inspection – Business Plan

On April 28th, Member Woodhouse, as Chair of the Board's Business Planning Committee, met with Mr. Paul Thompson, Policing Services Advisor, from the Ministry of Community Safety and Correctional Services, to discuss our Business Planning process. He discussed the Board's strategic framework used to complete our 2007 to 2009 Business Plan, as part of the ongoing Ministry inspection.

Ministry Inspection - Debriefing

On April 30th, the Ministry of Community Safety and Correctional Services Inspection Team held a debriefing with the Board, Chief and Service members. The Ministry provided the preliminary results of their adequacy compliance check on business planning, prisoner care and control, traffic management, enforcement and road safety as well as use of force. A final report is anticipated within the next 8 weeks.

'Teens Matter to Me' Community Breakfast

On April 29th Chief Southall and I attended the 'Teen's Matter to Me' Breakfast held at the Quality Hotel Parkway in St. Catharines.

This was hosted by Youth Unlimited Niagara which provides a drop-in centre for teenagers ages 13-19 years to promote a positive and safe environment in which to spend time.

OAPSB Conference

The Ontario Association of Police Services Boards held its Annual Conference and General Meeting in Cornwall, Ontario from April 30th to May 2nd. Member Smeaton and the Board's Executive Director represented the Board at this event. The program theme was "Policing: The Art of Navigating Challenging Rivers" and the agenda included presentations from a number of prominent politicians and individuals from the police community. Delegates were present from across the province and much of the value of the conference was acquired through discussion groups, workshops and informal discussions held during the various events. A full conference report will be included on a future agenda.

Grimsby Facility Steering Committee Meeting

On May 7th, Member Tufford attended the Grimsby Project Steering Committee meeting. Member Tufford serves as the Board appointee for specific oversight and approvals for the new 8 District facility project.

Auxiliary Recruit Graduation Ceremony

On May 12th, Member Smeaton attended the Niagara Regional Police Auxiliary Recruit Graduation Ceremony and brought greetings on behalf of the Board. A total of 17 new Auxiliary officers were welcomed to the NRPS. The event was held at Regional Headquarters in Council Chambers where the Board and Service presented certificates to the Auxiliary graduates.

OAPSB Zone 4 Meeting

On May 20th, the Ontario Association of Police Services Boards and the Ontario Association of Chiefs of Police held their quarterly Zone meeting in Hamilton. Chief Southall, Deputy Chief Matthews along with the Board's Executive Director attended the meeting and a copy of the minutes will be circulated on a future Board agenda.

Crime Stoppers Benefit Dinner

On May 22nd, Member Woodhouse and Chief Southall attended the Crime Stoppers Benefit Dinner. This event was held at Club Italia in Niagara Falls in support of Crime Stoppers of Niagara where the Honourable Rob Nicolson, Minister of Justice & Attorney General of Canada was the keynote speaker.

NRPS Annual Awards Day Ceremony

Last evening the Board, Service and Police Associations held our Annual Awards Day Ceremony at Club Italia in Niagara Falls. The evening recognized the outstanding efforts of 11 citizens, 24 civilians, 90 officers, 25 retirees and 2 auxiliary members. Recipients were commended and congratulated for their tremendous dedication to the safety and security of our communities.

'BIG 12' PSB Meeting

On June 1st, Deb Morton and I will attend the Big 12 Police Services Board Chairs meeting, which is being held in the Region of Peel. The purpose of the meeting is to discuss the impact of the OPP settlement on municipal police contracts, issues around the authorization and deployment of special constables and procedural issues to codify the regular meeting of Big 12 Chairs. Following the meeting, there will also be a tour of the new Peel Regional Police 21 Division facility which recently completed construction. This is a joint use facility, which is connected to the existing Region of Peel building.

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

- Licencing Committee Meeting – Thursday, June 11th at 8:30 a.m.
- Human Resources Committee Meeting – Thursday, June 11th at 9:30 a.m.
- Next Board Meeting – Thursday, June 25th, 8:30 a.m.

REPORTS FROM THE CHIEF OF POLICE

Chief Southall reported the following:

NRPS Annual Awards Day Ceremony

Chief Southall thanked the Board for its participation at the NRPS Annual Awards Day Ceremony held on May 27th and Member Smeaton for bringing greetings on behalf of the Board.

Operational Statistics

Marihuana Grow Operations

For the period January 1 through May 27, 2009:

Total street value seized \$5,853,000 compared to \$3,080,000 for 2008;

Total equipment seized \$162,000 compared to \$78,900 for 2008.

Homicides

For the period January 1 through May 27, 2009

No homicides to-date compared to two, same period 2008.

Robberies

For the period April 28 through May 27, 2009:

22 with 6 cleared, a 27% clearance rate this period.

Traffic Fatality Statistics

For the period January 1 through May 27, 2009:

8 collisions (10 deceased), compared to

10 collisions (11 deceased), same period 2008.

Life-Threatening Injury Collisions

For the period January 1 through May 27, 2009:

12 compared to 7, same period 2008,

Breathalyzer Tests – R.I.D.E. Program

For the period January 1 through May 27, 2009:

275 conducted compared to 159, same period 2008.

Operation Roadworthy Targets Unsafe Vehicles

On Saturday, May 16th, 2009 as part of the Canada Road Safety Week, members of the Niagara Regional Police Service assigned to Traffic Services, Special Enforcement Unit and #1 District conducted a Operation "Road Worthy" project in the City of St. Catharines.

Officers stopped 63 motor vehicles, of which 45 were escorted to an inspection site and mechanically examined. Of the 45 vehicles inspected, 17 vehicles were taken off the roadway immediately and their plates seized and 25 vehicles were ordered to have repairs completed or face equipment charges. Officers also issued 12 Provincial Offence Notices for a variety of Highway Traffic Act offences.

Two drivers of the vehicles stopped for examination were arrested for driving with Suspended Licences. Chief Southall noted that while most of Niagara's motor vehicles are maintained with safety in mind, many others continue to be operated in an unsafe state, putting lives and the safety of all users of Niagara's highways at risk. To assist in preventing motor vehicle collisions, Operation "Road Worthy" projects will be conducted throughout the Region in 2009, to remove unsafe vehicles from the Regional highways.

Niagara Spring Seatbelt Campaign Concludes

The Niagara Regional Police Service was an active participant in the Provincial Spring Seatbelt Campaign, which has now concluded. Members of the Niagara Regional police Service conducted numerous seatbelt checkpoints throughout the Region of Niagara during the campaign. The Niagara Regional Police Service conducted this campaign with a zero tolerance policy towards people who committed infractions involving lack of seatbelt/child seat/restraint use or misuse of seatbelts and or child seat/restraints.

During the seatbelt campaign Niagara Regional Police Service officers, issued 824 Provincial Offence Notices for various seatbelt and child seat/restraint offences. Officers also issued numerous additional Provincial Offence Notices for a variety of other traffic offences and made several arrests, including 2 arrests for Impaired Operation of Motor Vehicle. These arrests were made during the morning rush hour.

NRPS Annual Tug-of-War

On Saturday May 9th over 35 members of the service took part in the annual tug of war against our American law enforcement counterparts. This yearly event, which started over forty-seven years ago, has always been a source of pride for the members of our Service and promotes lasting relations with our American friends. This year was no exception with members of our team being escorted to the Rainbow Bridge by not only the NRPS Pipes and Drum Band but also by uniform and civilian members from all ranks of the Service.

Chief Southall proudly announced that the NRPS team made quick work of the competition winning the first two pulls, in record time. She informed the Board that the team continues to participate in numerous charity and police sponsored events throughout the year with the goal of enhancing the image of the NRPS in other communities as well as at home.

Awards Presented to Niagara Regional Police

Chief Southall advised the Board that the Service will be receiving two prestigious awards. The first is a 'Traffic Award' presented by the Ontario Association of Chiefs of Police for the "Think and Drive" campaign and the second is a 'Torch Award' to recognize the ongoing support of the Niagara Regional Police of the torch run for the Special Olympics.

PRESENTATIONS

DEPUTATIONS

UNFINISHED BUSINESS

77. **Niagara Regional Police Male Chorus – Annual Funding**

The Board considered Service report 115/2009 dated May 5, 2009 providing the Board with additional information requested at its April 23 meeting in order to approve a donation in the amount of \$6,000 to the Niagara Regional Police Male Chorus for the 2009 calendar year. (*Previous Board donations: 2006-\$3,500; 2007-\$3,500; 2008-\$6,000.*) NRPS Male Chorus President Joe McDonald was in attendance at the Board meeting.

The Board requested further details about their 2009 budget with respect to the donations made to charitable organizations, plans for the projected profits, equipment and uniform costs. Mr. McDonald advised that the operation of the Male Chorus exists on community engagements and CD sales. Current budget challenges are related to unforeseen expenditures, which include the search for a new Music Director and the equipment purchase of a new keyboard. Members of the Chorus are provided and fitted with old issue police uniforms at minimal cost to the Service. He also noted that the trailer was in a state of disrepair. With respect to charitable donations made by the Male Chorus, Mr. McDonald advised that members of the Male Chorus pay a \$25.00 membership fee and those monies are used for charitable donations. This practice has been part of the 13-year history of the Male Chorus and he indicated the Male Chorus may look at reviewing this practice in the near future.

Chief Southall stated that the Male Chorus is a great part of the Service's history, which serves as an ambassador of the Niagara Regional Police. They perform at many police ceremonies and events and she strongly recommends the Board support funding this organization.

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

That the Board authorize a donation of \$6,000 from the Special Fund to the Niagara Regional Police Male Chorus for the year 2009.

Carried.

A. CONSENT AGENDA

78. **Regional Municipality of Niagara – CL 6-2009 April 16, 2009 CSC 5-2009, April 8 & 16, 2009**
The Board considered a letter dated April 17, 2009 from Janet Pilon, A/Regional Clerk, RMON, providing the Board with the April 16 approval by Regional Council of its Corporate Services Committee recommendations of the Approval of Increase to the 2009 Police Capital Budget, Project ZGG0901 Emergency Capital Levy Program included in the 2009 Capital Program.
79. **Regional Municipality of Niagara – CL 7-2009 May 7, 2009 CSC 6-2009, April 29, 2009**
The Board considered a letter dated May 13, 2009 from Janet Pilon, A/Regional Clerk, RMON, providing the Board with the May 7 approval by Regional Council of a further detailed report regarding its Corporate Services Committee recommendation of the Initiation of Projects in the 2009 Facilities Capital Program, ZGG0901 Emergency Capital Levy Included in the 2009 Capital Budget.
80. **Regional Municipality of Niagara – CL 7-2009 May 7, 2009 CSC 6-2009, April 29, 2009**
The Board considered a letter dated May 8, 2009 from Janet Pilon, A/Regional Clerk, RMON, providing the Board with the May 7 approval by Regional Council of Year End Results and Final Report on Required Transfers for the Year Ended December 31, 2008 – Current Operations, and approval of CSD 74-2009 ZPO0910 Wireless Broadband System.
81. **Peel Regional Police Services Board – Crime Prevention Initiative**
The Board considered a letter dated April 29, 2009 from Emil Kolb, Chair, Peel Police Services Board, providing the Board with information regarding the Peel Region's newest crime prevention initiative designed to combat its escalating 2008 homicide rate through a public input strategy encompassing a website to provide an interactive forum for dialogue, and further, an offer to share Peel's experience and assist other jurisdictions as a solution to end violence.
82. **Niagara Parks Police – First Quarter 2009 Report on Special Constables**
The Board considered Report 95/2009 dated April 2, 2009 submitted by Mr. John Kernahan, General Manager, Niagara Parks Commission, providing the Board with the Niagara Parks Police Service's first quarter 2009 report containing information relating to public complaints, use of force, discipline and arrests made by the Special Constables employed through the Niagara Parks Police, period January 1 to March 31, 2009.
83. **Annual Report – Fraud & False Pretence Investigations**
The Board considered Service report 101/2009 dated April 21, 2009 providing the Board with Service compliance to the Provincial Adequacy Standards Regulation LE-038 regarding the NRPS Fraud and False Pretence Investigations; written procedures set out in the relevant General Orders; the successful centralization of Fraud investigators and implementation of the Versaterm RMS; the 2008 statistical summary of fraud complaints, pursuant to Board By-law 230-2000.

84. **Annual Report – Police Action at Labour Disputes**

The Board considered Service report 102/2009 dated May 1, 2009 providing the Board with Service compliance to the Provincial Adequacy Standards Regulation PO-002 regarding Police Action at Labour Disputes; the summary of NRPS response to 2008 labour disputes both actual and averted, pursuant to Board By-law 240-2000.

85. **Acknowledgment – Kidney Foundation of Canada**

The Board considered a letter dated May 8, 2009 from Lindsay Burham, Campaign Coordinator, Kidney Foundation of Canada Niagara & District Unit, acknowledging the April 23, 2009 donation by the Board toward the inaugural Ladies Golf Classic.

86. **Special Fund – March 1 - 31, 2009**

The Board considered Service report 99/2009 dated April 24, 2009 providing the Board with a summary of the transactions for the Niagara Regional Police Special Funds for the period March 1 through 31, 2009.

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

That the information be received.

Carried.

B. OTHER NEW BUSINESS

87. **R.I.D.E. 2009/2010 Program – Grant Program Application Schedule E**

The Board considered Service report 118/2009 dated May 11, 2009 requesting the Board to authorize its Chair to execute the required R.I.D.E. grant application, Schedule E, relevant to the 2009/2010 provincial grant covering the program from April 2009 through February 2010.

Moved by: M. Woodhouse
Seconded by: B. Smeaton

That the Board Chair be authorized to execute required application, Schedule E, to the 2009-2010 R.I.D.E. Grant to be submitted to the Ministry of Community Safety and Correctional Services.

Carried.

88. **Capital Project ZPO0905 - Digital Video Recorder (DVR) – 2009 IT Equipment Replacement**

The Board considered Service report 107/2009 dated May 11, 2009 requesting the Board approve the initiation of Capital Project ZPO0905 – 2009 IT Equipment Replacement to enable the procurement process of the Digital Video Recording replacement project to record activities in cell holding facilities along with external and internal perimeter surveillance of police facilities.

CAO Fuentes strongly recommended the Board proceed with the purchase of the new digital recording system. Hewlett Packard has offered a provincial government reduction of 50% to purchase the system, which expires the end of June 2009. He reiterated that the existing video system is antiquated, doesn't have the proper backups and is not networked across the Region. However, the Service is facing significant challenges as there is no electrical capacity at 68 Church Street to support this type of system. The Service is now exploring other options for installing, housing and piping signals between locations and will make a further report to the Board.

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

That the Board approve:

1. **That the Director of Information and Communication Technology proceed with the selection of Pinder's Lock and Security Inc. as the successful vendor to replace the current Digital Video Recorder (DVR) technology, funds allocated in PO0813 Digital Video Recording project in the amount of \$239,049 exclusive of applicable taxes;**
2. **The initiation and Capital budget allocation of \$500,000 for Project ZPO0905 – 2009 IT Equipment Replacement from the approved 2009 Information Systems Capital program;**
3. **Financing for Project ZPO0905 to be funded with Police Capital Levy approval of up to \$500,000;**
4. **The HP Canada purchase of SAN (Storage Area Network) and server equipment in the amount of \$549,000 plus applicable taxes, funds allocated from Capital account PO0810 Enterprise Content Management System in the amount of \$300,000, with the balance of funds allocated from the 2009 IT Equipment Replacement Project ZPO0905.**

Carried.

89. **Capital Project ZPO0901 – 2009 Replacement Vehicles**

The Board considered Service report 106/2009 dated May 11, 2009 requesting the Board approve the initiation of the balance of Capital Project ZPO0901 to facilitate the timely deployment of 2009 replacement vehicles for the Service.

Moved by: L. Tufford
Seconded by: M. Woodhouse

That the Board approve the initiation of ZPO0901, the parent project for 2009 vehicle purchases with a budget of up to \$1,210,000 with funding from the Vehicles and Equipment Replacement Reserve Fund.

Carried.

90. **NRPS Variance Report - to April 30, 2009**

The Board considered Service report 110/2009 dated May 12, 2009 providing the Board with a financial overview and year-end forecast for both the Service and the Board for the period ending April 30, 2009.

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

That the information be received.

Carried.

91. **Request for Sponsorship – Niagara Region Sexual Assault Centre**

The Board considered a memorandum dated April 16, 2009 from Deb Morton, Executive Director, providing the Board with a letter received from the Niagara Region Sexual Assault Centre requesting a donation to the 12th *Tournament of Kindness* in support of the Child Assault Prevention (CAP) Program.

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

That the Board authorize a donation in the amount of \$125.00 from the Special Fund to the Niagara Region Sexual Assault Centre for the ‘12th Annual Tournament of Kindness’ in support of the Child Assault Prevention Program.

Opposed: **Carried.**
Member Woodhouse

92. **Funding Request – Donation to the Colin Millar Annual Golf Classic – Constable Jeff Lennox, Hamilton Police Service**

The Board considered a memorandum dated May 6, 2009 from Deb Morton, Executive Director, providing the Board with a letter received from Superintendent Ken Bond, Division #3, Hamilton Police Service, requesting a donation to the Colin Millar Annual Golf Classic to benefit Constable Jeff Lennox, Hamilton Police Service.

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

That the Board authorize a donation in the amount of \$500.00 from the Special Fund to the Colin Millar Golf Classic in support of Constable Jeff Lennox, Hamilton Police Service.

Opposed: **Carried.**
Member Woodhouse

93. **Request for Sponsorship – St. Catharines’ Mayor’s Au Marché**

The Board considered a memorandum dated May 19, 2009 from Deb Morton, Executive Director, providing the Board with the May 11 letter from Mayor Brian McMullan, City of St. Catharines, requesting a donation to the 6th Annual Mayor’s Au Marché in support of the ‘Investing in St. Catharines Youth Fund’.

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

That the information be received;

And further, that the Board authorize a donation in the amount of \$600.00 from the Special Fund as a ‘table sponsor’ at the 6th Annual Mayor’s Au Marché.

Opposed: **Carried.**
Member Woodhouse

94. **Financial Control By-law – Proposed Amendments**

The Board considered a memorandum dated May 12, 2009 from Deb Morton, Executive Director, providing to the Board a revised by-law to regulate the financial reporting, control and procurement of goods and services for the Niagara Regional Police Service to address requirements under the *Police Services Act*, Adequacy and Effectiveness Regulations and the *Municipal Act*.

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

That the item be deferred to the June Board meeting.

Carried.

IN CAMERA REPORTS

C. **Special Investigations Unit Report #SIU-18-08 –**
119. **Custody Injury Allegation – December 28, 2008**
2009

At the Confidential Meeting of the Niagara Police Services Board held on Thursday, April 23, 2009, the Board considered Service report C.92/2009 dated April 8, 2009 providing the Board with the decision of the SIU Director following the SIU investigation into alleged injuries to a suspect in custody, that the Director found no reasonable grounds to believe that the named subject officer committed a criminal offence in relation to the injuries suffered by 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: L. Tufford

That the information be received.

Carried.

ADJOURNMENT

The meeting adjourned at 9:15 a.m.

Chairperson

Executive Director