



Council Meeting Minutes
Tuesday, January 11, 2011
9:30 a.m.
Council Chambers, Town Hall

Mayor M. Morrison
D. Beffort
N. deBoer (left at 2:45 p.m.)
P. Foley
G. McClure
R. Mezzapelli
R. Paterak
A. Thompson
R. Whitehead (Absent – Illness)

Chief Administrative Officer: D. Barnes
Fire Chief: B. Bigrigg
Director of Public Works & Engineering: C. Campbell
Director of Planning & Development: M. Hall
Manager of Communications: L. Johnston
Legislative Administrator: B. Karrandjas
Director/Chief Financial Officer/Deputy CAO: R. Kaufman
Town Counsel/Director: N. Koltun
Manager of Economic & Development: N. Lingard
Director of Human Resources: R. Moore-Whitsitt
Acting Director of Recreation: W. Rowland
Legislative Services Supervisor/Deputy Clerk: D. Thompson

Other Staff Present Specific Items Only

Administrative Assistant: C. Adams
Communications & Programming Co-ordinator Caledon Public Library: L. Anselmi
General Accounting Analyst: J. Baigent
Manager of Parks/Landscape Architect: B. Baird
OPP Inspector: R. DiMarco
Economic Development Officer: S. Dolson
Chief Building Official: G. Middlebrook
Counter Technician: D. Norman
Fire Prevention Inspector: D. Pelayo
Community Development Planner: M. Rajk
Administrative Assistant: F. Ranallo
Administrative Assistant: M. Tennant
Senior Manager, Capital Projects & Property Management: R. Trudeau
Senior Policy Planner: M. Williams
Treasurer: F. Wong

1. **CALL TO ORDER**

Mayor Morrison called the meeting to order at 9:37 a.m.

2. **APPROVAL OF AGENDA**

Moved by A. Thompson - Seconded by N. deBoer

2011-012

That the agenda for the January 11, 2011 Regular Council Meeting be approved.

Carried.

3. **DISCLOSURE OF PECUNIARY INTEREST** – None stated.

4. **COUNCIL WORKSHOP**

Moved by A. Thompson - Seconded by N. deBoer

2011-013

That Council convene into Council Workshop.

Carried.

1. Lauren M. Bernardi, Bernardi Human Resource Law re: Bill 168 Training.

Lauren M. Bernardi, Bernardi Human Resource Law presented the following information:

Respect in the Workplace

Session Overview

- What influences our behaviour at work
- About stereotyping, prejudice and discrimination
- What the law says – discrimination and workplace harassment
- Creating a culture of respect
- Impact of harassment
- Why people are reluctant to complain
- How to respond to harassment
- Internal resolution procedure

Objectives

The objectives of this session are to:

- Learn to understand and appreciate our individual differences
- Increase our understanding of what influences peoples behaviour at work
- Learn how to recognize appropriate and inappropriate workplace behaviour
- Recognize the costs of a failure to achieve respect in the workplace
- Learn how to respond if you are uncomfortable with someone else's behaviour

Discrimination and Harassment

Valuing Individual Differences

Respect in the workplace means valuing individual differences among all employees.

Valuing individual differences does not mean merely tolerating them or expecting assimilation. It means recognizing and welcoming the contribution that a mixture of groups and individuals make.

It is a positive response to our individuality.

Stereotypes, Prejudice and Discrimination

Stereotypes are...

- Generalizations about people based on race, religion, ethnicity, age, gender, sexual orientation, disability, etc.
- Usually based on limited and often inaccurate information (from sources such as television, movies, media reports, second-hand information, beliefs passed down from one's parents, minimal contact with one or more members of the group, etc.)

Prejudice is...

- A judgment or opinion (good or bad) that is formed before the facts are known.

Discrimination is...

- Unfair treatment of a person or group based on prejudice.
- Against the law!

"Prejudice cannot see the things that are because it is always looking for things that aren't."

The Ontario Human Rights Code

Under the *Ontario Human Rights Code* every employee has the right to be free from discrimination or harassment based on his or her:

- Age
- Marital status (including same sex partnership status)
- Family status (being in a parent and child relationship)
- Sex
- Sexual orientation
- Race, colour, place of origin, ethnic origin, ancestry
- Handicap (mental or physical)
- Creed (religion)
- Citizenship
- Record of offences (for which a pardon has been granted)

Discrimination includes the unequal treatment of a person based on one of the protected grounds listed above. Sometimes discrimination is unintentional; it can occur where the employer has a requirement or policy that does not appear to discriminate but which affects people differently based on the protected grounds of discrimination.

Harassment means “engaging in a course of vexatious conduct that is known or ought reasonably to be known to be unwelcome”. Although the phrase “a course of” implies that it must be happen more than once, if the conduct is serious, a single occurrence can constitute harassment.

Discriminatory Harassment:

- Vexatious comments or conduct
- Related to a protected ground of discrimination
- That are unwelcome
- Which the respondent knows or should know are unwelcome

Examples of Discriminatory Harassment

- Sexual harassment:
 - Sexual advances or demands that the recipient does not welcome or want
 - Threats, punishment or denial of a benefit for refusing a sexual advance
 - Offering a benefit in exchange for a sexual favour
 - Leering
 - Displaying sexually offensive material such as posters, pictures, calendars, cartoons, screen savers, pornographic or erotic web sites or other electronic material
 - Distributing sexually explicit e-mail messages or attachments such as pictures or video files
 - Sexually suggestive or obscene comments or gestures
 - Unwelcome remarks, jokes, innuendoes, propositions or taunting about a person's body, clothing or sex
 - Persistent, unwanted attention after a consensual relationship ends
 - Physical contact of a sexual nature, such as touching or caressing; and
 - Sexual assault

Racial and Religious Harassment

- Racial epithets, slurs or jokes
- Being subjected to racial name calling or nicknames
- Cartoons or graffiti that are derogatory based on race or religion
- Comments ridiculing individuals because of race-related characteristics, language/accents, religious dress, etc.
- Singling out an individual for teasing or jokes related to race, religion, ancestry, place of origin or ethnic origin
- Being subjected to inappropriate references to racists organizations such as the Ku Klux Klan
- Circulating racially or religious-based offensive jokes, pictures or cartoons by e-mail or having an offensive screensaver
- Excessive monitoring of a racialized person's work
- Applying higher levels of discipline when racialized employees engage in misconduct
- Being quick to judge communications from racialized employees as rude or insubordinate

Harassment Based on Sexual Orientation

- Homophobic epithets
- Comments ridiculing individuals because of their sexual orientation or same-sex partnership status; or
- Singling out an individual for humiliating or demeaning “teasing” or jokes related to sexual orientation or same-sex partnership status

Harassment Based on Pregnancy

- Being overly critical of a pregnant woman's work
- Docking a pregnant woman's time for using the washroom more frequently
- Making a pregnant woman the subject of inappropriate comments or jokes
- Terminating her with or without notice, because of her pregnancy
- Subjecting her to unwanted transfers
- Denying sick leave benefits; and
- Refusing to cooperatively engage in a process to find appropriate arrangements to permit a woman to continue breastfeeding her child.

Workplace Harassment and Bullying

Occupational Health and Safety Act

Workplace harassment (bullying) and workplace violence are health and safety issues that are covered under the *Occupational Health and Safety Act*.

Workplace harassment is defined as “engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome.”

This is the same definition of harassment as set out in the *Human Rights Code* except that it doesn't need to relate to a protected ground of discrimination.

Workplace Harassment:

- Vexatious comments or conduct
- That are unwelcome
- Which the respondent knows or should know are unwelcome

Bullying in the Workplace

All employees have the right to be treated with civility, decency, respect and dignity. Bullying is any behaviour that intimidates, humiliates or demeans a person. Sometimes it's directed at one person in particular; other times it is part of a hostile or poisoned work environment.

Bullying is hostile or abusive behaviour that is generally repetitive, although a single serious incident can be considered bullying. Bullying is not related to discrimination.

Examples of Workplace Harassment and Bullying

Some example of workplace harassment and bullying are:

- Physically abusive or aggressive behaviour such as pushing, hitting, finger pointing or standing close to the victim in an aggressive manner
- Verbally abusive behaviour such as yelling, insults and name calling
- Persistent, excessive and unjustified criticism and constant scrutiny
- Spreading malicious rumours
- Excluding or ignoring the victim
- Undermining the victim's efforts by setting impossible goals and deadlines
- Sabotaging the employee's work
- Impeding an employee's efforts at promotions or transfers
- Making false allegations in memos or other company documents

The Test of Harassment

(i) A Course of Comments or Conduct

Although the phrase “a course of” suggests the conduct must happen more than once, the Ontario Human Rights Commission's policy on sexual harassment suggest that that's not always the case. There may be circumstances when a single incident of unequal treatment may be enough to create a “poisoned environment”.

A poisoned environment is based on the nature of the behaviour rather than the number of times it is repeated.

A poisoned work environment also occurs when an activity or behaviour is not necessarily directed at anyone in particular, but creates a hostile or offensive workplace for those who are exposed to it.

If several employees joke back and forth it is not harassment as long as everyone truly consents to it. However, it is harassment if any employee feels uncomfortable with this behaviour, and

- The behaviour continues even after the person expresses their discomfort; or
- The others involved should have known that the person was uncomfortable.

Comments or conduct do not need to be explicit to be considered harassing. Where a person is singled out and treated differently because of their race, sex, sexual orientation, etc., there may still be a violation of the *Code*, even if the behaviour does not include explicit reference to their status. The Human Rights Commission provides the following example:

In a workplace, the only gay employee is repeatedly made the brunt of practical jokes and is ridiculed by his co-workers for no apparent reason.

The workplace has a history of homophobic attitudes. It may be inferred from the particular circumstances that the treatment is based on sexual orientation although the practical jokes or ridicule may not have contained any direct reference to the employee's sexual orientation.

(ii) Vexatious

Vexatious conduct or comment refers to "actions or words that provoke, irritate, threaten, annoy, insult or demean, or result in some other form of discomfort.

(iii) Against a Worker in the Workplace

Employees are protected from harassment that occurs at work as well as outside the usual workplace. This includes:

- Offices, work areas, parking lots and any other premises related to work
- Meeting rooms, conferences
- Work-related social events, such as holiday parties, lunches and sporting events

(iv) Unwelcome

Part of the test for determining if harassment has occurred is whether the person knew or should have known that the comments or conduct were unwelcome.

The test is met if:

- The recipient specifically says the conduct is unwelcome;
- The recipient makes it clear through conduct or body language that the behaviour is unwelcome; or
- A reasonable person would have recognized that his or her behaviour would be unwelcome to that specific recipient under the circumstances (the objective standard).

Bear in mind: many people are reluctant to speak up even if they are uncomfortable. And, even if something is not technically harassment, it may be inappropriate and could be the starting point for a poisoned working environment.

Intention Doesn't Matter

-what matters is the impact on the victim-

What Isn't Workplace Harassment

Managers have the right to fairly evaluate employees, discipline them for misconduct and to ask them to provide medical documents to support an absence from work. This is not considered harassment.

Normal conflict between people at work is also not considered harassment.

Workplace and Domestic Violence

Workplace Violence

Workplace violence is defined as:

- The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker
- An attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker
- A statement or behaviour that is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

Examples of workplace violence include:

- Verbal threats or threatening notes or emails
- Physically intimidating behaviour such as shaking a fist at someone or standing close in an aggressive manner
- Physical or sexual assaults or attempted assaults
- Kicking an object on which someone is standing such as a ladder

Advising of a History of Workplace Violence

Managers and supervisors must take every reasonable precaution to protect employees from workplace violence, including evaluating a person's history of violent behaviour to determine whether and to whom this employee poses a risk. In making this evaluation, consider:

- Whether the person's history of violence was associated with the workplace or work;
- Whether the history of violence was directed at a particular employee or employees in general;
- How long ago the incidence of violence occurred; and
- What measures are currently in place in the workplace violence program.

In certain circumstances, managers and supervisors have a duty to provide information about a risk of workplace violence from a person with a history of violent behaviour if:

- (a) An employee can be expected to encounter that person during the course of his or her work; and
- (b) The risk of workplace violence is likely to expose the employee to physical injury.

Managers and supervisors may only release as much personal information about the person with a history of violent behaviour as is reasonably necessary to protect the employee from physical injury. You should consult with human resources before releasing any information about anyone with a history of violence.

Domestic Violence

Employers have an obligation to protect employees from domestic violence that may occur in the workplace. The Occupational Health & Safety Council of Ontario notes that there are many ways in which an abusive partner may interfere with their victim:

- Repeatedly phoning or e-mailing the victim
- Stalking and/or watching the victim
- Showing up at the workplace and pestering co-workers with questions about the victim
- Threatening co-workers
- Verbally abusing the victim or co-workers
- Displaying jealous and controlling behaviours
- Destroying the victim's or organization's property
- Physically harming the victim and/or co-workers

If you are experiencing domestic violence that would likely expose you, or other workers, to physical injury that may occur in the workplace, you may contact your supervisor/manager or human resources for assistance. They may be able to offer some or all of the following assistance:

- Creating a safety plan
- Contacting the police
- Establishing enhanced security measures such as panic button, code words, and door and access security measures
- Screening calls and blocking certain email addresses
- Setting up priority parking or providing escorts to vehicles or to public transportation
- Adjusting working hours and location so that they are not predictable; and
- Facilitating access counselling through the Employee Assistance Program or other community programs.

Maintaining a Positive Work Environment

Part of a respectful working environment includes taking active, conscious steps to create a positive working environment.

Respect Other People's Comfort Zones

Because of our individual differences, we each have a different comfort zone with respect to what conduct we find offensive. We may even have a different comfort zone when dealing with different people.

A compliment from one co-worker may make someone feel good while the same compliment from another co-worker may make the person feel uncomfortable. This may be because of the relationship between the parties, such as co-worker vs. manager, whether the individuals are friends, the history of their relationship and their individual backgrounds.

Keep the comfort zones in mind and remember that others may not perceive comments the way you intended them/

Have a Positive Attitude

Negative attitudes in the workplace create a toxic environment for everyone. One negative person can affect everyone around them and negativity is often contagious. Complaining can also be habit forming. Although people sometimes feel the need to vent, in the end complaining doesn't make you feel better; It creates a cycle of negativity that feeds on itself and "snowballs".

When you catch yourself complaining, add the word "but" to your complaint and turn it into a positive. For example, "my manager didn't say good morning to me today but I know she is busy and she's always helpful when I have a problem".

Complaints also focus on the problem. To turn it around, think of a solution. If it is a situation that is not within your control, learn to accept it and address the things that you can change.

Don't Gossip

Malicious or excessive gossip disrupts productivity, lowers morale, destroys relationships and inhibits trust. Gossip and negative comments are embarrassing and humiliating to the subject of the gossip and can hurt their feelings. In fact, gossip can cross the line into harassment, and can become a health and safety or human rights issue. Therefore, you must refrain from gossiping at work.

In addition to refraining from gossip, avoid any temptation to listen to it. Listening to gossip only supports, promotes and encourages more gossip. If you don't listen to it, the gossiper has nowhere to go.

There is a difference between idle chit chat and workplace gossip. If someone gossips or speaks negatively about someone else, ask yourself the following questions:

- What is the intent of the comment?
- Is this helpful information?
- How does this advance the overall working environment?
- Is it negative, hurtful or damaging?
- Is it something I would say in front of the person?
- Is this something I would like being said about me?
- Is it harmless chit chat or hurtful gossip?

The best way to eliminate gossip is for everyone to work together. Here are some helpful tips to deal with gossip:

- Don't participate in, or even listen to gossip
- Let the gossiper know that you are not interested and you consider their behaviour to be disrespectful
- Be direct and confident, saying that such conduct is making you uncomfortable
- Say something positive about the person being gossiped about, which will make it harder for the gossiper to continue the negative commentary
- Go to a supervisor for help.

Follow Proper Business Etiquette

Part of a respectful working environment is to act in a courteous and professional manner towards those with whom you come into contact. The following are some suggestions for how to behave in a polite and respectful manner at work.

Email Etiquette

Be mindful of your email messages and how they are perceived. It is difficult to interpret tone in an email and you should draft them with that in mind. In addition:

- Do not use e-mail to discuss confidential information or to avoid difficult conversations
- Avoid becoming overly familiar or excessively curt in email messages, as they can be easily misunderstood
- Be careful what you say in email messages – they are not private
- Do not write in CAPITALS – it is akin to shouting
- Do not send or forward emails containing defamatory, offensive or obscene remarks

Business Meeting Etiquette

- Be on time or better yet, be early

- Turn off your cell phone, or Blackberry and focus on the subject of the meeting. If you take a call during a meeting you're sending a message to the other people involved that you don't respect them or value their time, or that they aren't as important as the person who has called
- If there is a call you absolutely must take (which should be rare), advise the people you are meeting with in advance that you must take the call. Set the phone to vibrate and when it rings, excuse yourself from the room while you take the call. Keep the call as brief as possible
- Do not have side conversations or pass notes to other people during meetings
- Do not interrupt others
- If you are chairing the meeting, start and end the meeting on time. It will send the message that you respect people's time and it will discourage latecomers to future meetings.

Telephone and Voice Mail Etiquette

- Do not allow your phone to constantly go to voicemail.
- Leave a detailed voicemail message so that the recipient can be prepared when calling you back
- When talking on a cell phone, do not disrupt those around you. Move to a secluded spot and speak in a normal voice. There is no need to shout into the phone.
- Set your phone to a quiet, normal ring.
- Turn off your personal cell phone while you are at work.

There Are No Innocent Bystanders

Many people believe that as long as they don't participate in bullying or gossip, they are not part of the problem. They are wrong. There are no innocent bystanders. Although you may not be directly involved in bullying or negativity, you can encourage such behaviour just by tolerating it. When people do not accept responsibility to help eliminate harassment, their silence or tolerance of the behaviour endorses it and perpetuates it. Even if people withdraw from the situation, the bull may feel a sense of power that will encourage his or her behaviour.

Why this is an Important Issue

Impact on the Victim

Victims May:

- Blame themselves and doubt their self-worth
- Be seen as weaker or less competent by their co-workers
- Be less productive
- Become violent or be victims of violence
- Suffer from stress-related illnesses, such as headaches, inability to concentrate, sleeping and eating disorders; or
- Be fired, miss out on a promotion, or may quit.

Impact on the Employer

- Increased employee absenteeism, and more frequent and longer term sick leaves
- Decreased productivity
- Poor employee morale (not only with the victim, but also with his or her co-workers)
- High employee turnover; and
- Greater risk of legal liability.

Why People are Reluctant to Complain

Sometimes people feel uncomfortable with what is happening but they do not speak up. There are many reasons for this:

- They may be afraid of losing their job or facing other negative consequences.
- They are afraid it will escalate.
- They do not want to be perceived as not having a sense of humour.
- They are afraid of the effect it will have their long-term career prospects.
- They are afraid of the effect that a formal complaint and investigation will have on themselves and their families.
- They do not want anyone to get in trouble.
- They think they are the ones with the problem.
- They believe they will be told they are overreacting.
- They think if they ignore the behaviour it will go away.
- They are too embarrassed to talk about it.
- They don't want to be accused of not being a team player.
- They may feel they have to accept it, because that's the way things are.
- They don't want to be rejected or singled out by their co-workers.

- Another employee complained and nothing was done or the employee suffered negative consequences.
- They don't want to be labelled as troublemakers, especially if they are new on the job.

Although they may be reluctant to be verbally direct, these individuals may express their discomfort in other ways, such as by sighing or walking away.

Resolving Harassment

Informal Procedure

One of the first things you should do is tell the harasser that you do not like what they are doing. The person may be totally unaware that his or her behaviour is offensive to you. When confronting the harasser, follow these guidelines:

- Identify what is bothering you – use specific terms to refer to the harasser's actions
- Use honest and direct statements – be serious and straightforward. Don't swear, threaten or become emotional
- State that the harassing behaviour must stop
- Do not get into a debate or respond to excuses
- Use strong, confident body language – do not allow your message to be undermined by timid body language.

What you can say to stop unwelcome behaviour:

- “You're conduct is hurtful.”
- “I don't want you to do that.”
- “Please stop doing or saying...”
- “It makes me uncomfortable when you...”
- “I don't find it funny when you...”
- “I don't like what you are doing. Please be respectful.”

If the harassment continues after you have confronted the individual, you may want to provide him or her with a written statement of the situation. Include specific details of the behaviours you consider to be harassing, your request to the harasser to stop and your expectations that he or she will stop. Provide details of the next steps you plan to take if the harassment does not stop, e.g. filing a formal complaint. Make sure you keep a copy of this statement for yourself.

If that doesn't work, you may wish to speak to your supervisor, manager, union representative or human resources for assistance in resolving the matter on an informal basis.

It helps to keep a record of any incident(s) that you experience. This includes when the harassment started, what happened, whether there were any witnesses and what was your response.

Formal Complaint Procedure

If you cannot resolve the matter speaking directly to the other person or are uncomfortable doing so, you may wish to file a formal complaint under the Workplace Harassment and Discrimination policy.

If you file a formal complaint, human resources may need to conduct an investigation. This will involve speaking to the respondent and relevant witnesses, and reviewing any relevant documents, such as e-mails.

Out of fairness to anyone who is the subject of a complaint, anonymous complaints cannot be investigated.

Freedom from reprisals

You have the right to be free from reprisals (punishment) or threats of reprisals for exercising your rights, including filing an internal complaint or reporting suspected harassment to the Human Rights Commission or to the Minister of Labour.

Corrective Action

If you are found to have harassed someone else you may face corrective action. This may range from oral reprimand to termination of employment. It may also include a referral for counselling, a demotion, denial of promotion, reassignment, temporary suspension with or without pay of financial penalties.

Respect is a Shared Responsibility

Respect others

Everyone has the right to be treated fairly and with respect. Everyone is responsible to treat co-workers in a way that respects individual differences. No matter what position you hold, showing mutual respect and consideration will make work easier for everyone.

When in doubt, don't

If you have doubts about whether a joke, comment or other behaviour is inappropriate, don't do it.

Speak up

If you are offended by someone's behaviour, tell them.

Report harassment

If speaking to the person doesn't stop the behaviour or you observe someone else engaging in inappropriate behaviour, report it. You can play a valuable role in eliminating harassment at work.

Conclusion

Complying with the law and internal policies does not mean an end to fun and humour in the workplace. What it means is that everyone should respect the dignity and self-worth of all employees when working together.

Responsibility of Managers and Supervisors

Employers must provide a violence and harassment-free workplace.

The Town of Caledon has an obligation to provide and maintain a workplace free of harassment. As a supervisor or manager, you are responsible to help meet this obligation.

Duties of Managers and Supervisors

Your role in helping create a violence and harassment-free workplace includes:

Being familiar with the Workplace Harassment and Discrimination policy and complaint procedure

Complying with the supervisory duties provisions of the *Occupational Health and Safety Act*, including protecting employees from workplace violence and advising of a history of violence

Educating and advising your staff about the applicable policies and procedures

Watching for and eliminating discriminatory, harassing or violent behaviour as soon as it occurs

Taking all harassment and violence complaints seriously, including counselling the parties or referring the matter to human resources, as necessary

Taking initiative to address and eliminate harassment even if you have not received a complaint directly; and

Acting as a role model and refraining from engaging in conduct that may be perceived as harassment or unprofessional conduct, or condoning harassment or unprofessional conduct by others.

(i) Educate your staff

There is a lot of confusion and frustration over what people can do or say in the workplace. Educating your staff and allowing them to come to you with questions and concerns goes a long way to preventing harassment.

(ii) Monitor the work environment

Monitor the work environment and speak to anyone who behaves inappropriately. In some circumstances, you may need to take the initiative and speak to someone if you suspect that he or she is being harassed. Sometimes victims of harassment are reluctant to come forward, and need encouragement.

(iii) Not knowing is not an excuse

If a reasonable person should have known that harassment was taking place, you could be personally liable if you failed to address the situation.

The following things should alert you to potential problems:

- An unexplained change in an employee's performance
- A sudden increase in absenteeism by one or several employees
- An employee isolating him or herself, seeming distracted and not participating in normal office socializing
- Rumours or suggestions of problems; or
- Awkwardness or discomfort between two or more employees.

Speak to the employee about whom you are concerned. Sometimes just having someone listen can help an employee deal with a problem.

Be sensitive to the rights and dignity of the people to whom you speak. As much as you can, keep these discussions confidential.

(iv) Take complaints seriously and respond to them immediately

If you receive a complaint, either directly or through a third party, respond immediately. Advise the complainant of his or her rights, including the rights to file a formal complaint, and refer the matter to human resources.

(v) Protect Complainants from retaliation

Ensure that the complainant does not suffer any retaliation from the harasser or other employees, and take steps to discourage a similar problem from occurring in the future.

(vi) Act as a role model

Because you are in a position of power and authority over employees, you will be held to a higher standard if there is any suggestion that you have condoned harassment or have harassed an employee yourself. You are also more likely to intimidate employees, even though you may not intend to do so.

Do not engage in conduct that can in any way be perceived as harassment. Act professionally and courteously in all your dealings with staff, customers or ratepayers. Address complaints immediately and respond to allegations of harassment, even if you do not receive a direct or formal complaint.

Moved by R. Mezzapelli – Seconded by G. McClure 2011-014

That Council rise out of Council Workshop. Carried.

5. CLOSED MEETING

Council was in Closed Meeting from 9:37 a.m. to 10:54 a.m.

Moved by A. Thompson – Seconded by P. Foley 2011-015

That Council shall go into closed session under Section 239 of the *Municipal Act* for the purpose of:

- A proposed or pending acquisition or disposition of land by the municipality or local board; and
- Labour relations or employee negotiations.

Carried.

Moved by P. Foley – Seconded by N. deBoer 2011-016

That Council move into open session. Carried.

Council was in Closed Meeting from 4:05 p.m. to 4:47 p.m.

Moved by R. Mezzapelli – Seconded by A. Thompson 2011-017

That Council shall go into closed session under Section 239 of the *Municipal Act* for the purpose of:

- A proposed or pending acquisition or disposition of land by the municipality or local board.

Carried.

Moved by R. Mezzapelli – Seconded by D. Beffort

2011-018

That Council move into open session.

Carried.

6. MATTERS ARISING FROM CLOSED MEETING

1. Confidential Verbal Report from Corporate Services and Legal Services re: A proposed or pending acquisition of land by the municipality or local board – Renewal of EMG lease.

Moved by D. Beffort – Seconded by A. Thompson

2011-019

That Confidential Verbal Report from Corporate Services and Legal Services regarding a proposed or pending acquisition of land by the municipality or local board – Renewal of EMG lease, be received; and

That correspondence from Ian Sinclair dated January 10, 2011 regarding Council Meeting Tuesday, January 11, 2011: Confidential Verbal Report from Corporate Services and Legal Services re: A proposed or pending acquisition of land by the municipality or local board – Renewal of EMG lease, be received; and

That staff proceed as directed.

Carried.

2. Confidential Verbal Report from Human Resources re: Labour relations or employee negotiations – CAO Performance.

Moved by D. Beffort – Seconded by R. Paterak

2011-020

That Confidential Verbal Report from Human Resources regarding labour relations or employee negotiations - CAO Performance, be received; and

That staff proceed as directed.

Carried.

7. PRAYER AND O CANADA

Councillor deBoer opened the meeting with a prayer.

8. SUMMARY OF ADDENDUM ITEMS – None.

9. DISCLOSURE OF PECUNIARY INTEREST – None Stated.

10. INTRODUCTIONS OF NEW STAFF

1. Glenn Middlebrook introduced David Norman, Counter Technician.

11. DELEGATIONS

1. Erich Genseberger, CEO and Gary Dolson, Director of Public Relations, EcoMedia Direct Inc. re: Recycling Units throughout the Town.

Moved by A. Thompson – Seconded by P. Foley

2011-021

That the delegation of Erich Genseberger, CEO and Gary Dolson, Director of Public Relations, EcoMedia Direct Inc. regarding Recycling Units throughout the Town, be received.

Carried.

NOTE: Erich Genseberger and Gary Dolson will work with Councillors to identify where bins can be located in each ward. Also work with staff to update contract regarding the increase of bins.

2. Marisa Williams, Caledon United Way Chair and Shelley White, Executive Director Peel United Way re: United Way 2010 Campaign Wrap-up.

Moved by A. Thompson – Seconded by P. Foley

2011-022

That the delegation of Marisa Williams, Caledon United Way Chair and Shelley White, Executive Director Peel United Way regarding United Way 2010 Campaign Wrap-up, be received.

Carried.

3. Bob Shirley, Dave Dyce and Bill Lidster, Credit Valley Conservation re: Island Lake Community Trails Project and Fundraising Efforts.

Moved by A. Thompson – Seconded by P. Foley

2011-023

That the delegation of Bob Shirley, Dave Dyce and Bill Lidster, Credit Valley Conservation regarding Island Lake Community Trails Project and Fundraising Efforts, be received; and

That consideration of financial support for the completion of the boardwalk/trail expansion at Island Lake be included in the 2011 Operating Budget discussions.

Carried.

12. COUNCIL COMMUNICATIONS/INQUIRIES AND ANNOUNCEMENTS

12.1 Announcements - None.

12.2 Urgent Business - None.

12.3 Notices of Motion – printed with the agenda:

- i) Councillor Thompson re: Parking in residential subdivisions.

Moved by A. Thompson - Seconded by G. McClure

2011-024

Whereas parking for vehicles in our residential subdivisions in Caledon is an ongoing challenge; and

Whereas future transit in these subdivisions is not sustainable in the near future; and

Whereas parking in the new development of Southfields in Mayfield West is already becoming a significant challenge,

Therefore be it resolved that Council request staff to report back on the Town parking policies, standards and requirements as well as potential resolutions to the parking challenges being experienced in our Rural Service Centres; and

That a report be brought back to Council in April, 2011.

Carried.

12.4 Notices of Motion – presented at meeting – None.

12.5 Council Inquiries:

- i) Mayor Morrison discussed the grant requests and whether or not a Grant Committee should be established.

13. REGULAR BUSINESS

1. ADM-2011-001 re: Post Election Accessibility Report.

Moved by N. deBoer – Seconded by R. Paterak

2011-025

That Report ADM-2011-001 regarding the Post Election Accessibility Report, be received.

Carried.

NOTE: Council requested that the wages be more competitive.

NOTE: Herb Campbell needs to be more accessible – discuss with Trustee.

NOTE: Need polling stations in Seniors buildings – short two hour advance polls to take place in Seniors Centres.

NOTE: Council requested information on the challenges faced by the By-law department during the election to be presented during the Election Sign Workshop.

2. ADM-2011-002 re: Caledon Economic Development Advisory Committee (CEDAC) - Annual Report.

Moved by A. Thompson – Seconded by P. Foley 2011-026

That Report ADM-2011-002 regarding the Caledon Economic Development Advisory Committee (CEDAC) – Annual Report, be received. Carried.

3. ADM-2011-004 re: Amendment to 2011 Council Meeting Schedule.

Moved by A. Thompson – Seconded by R. Paterak 2011-027

That Report ADM-2011-004 regarding an amendment to the 2011 Council Meeting Schedule, be received; and

That Council adopt the amended 2011 Council Meeting Schedule, attached as Appendix “A” to Report ADM-2011-004; and

That the amended 2011 Council Meeting Schedule be circulated to the Region of Peel for information purposes and posted on the Town’s website. Carried.

4. ADM-2011-005 re: Staff Appointment By-law Update.

Moved by A. Thompson – Seconded by N. deBoer 2011-028

That Report ADM-2011-005 regarding the Staff Appointment By-law Update, be received; and

That Council enact a by-law to appoint David Norman as Building Inspector and remove Biljana Petrovic-Jovanov as Acting Deputy Chief Building Official and Building Inspector. Carried.

5. CS-2011-001 re: 2011 Temporary Borrowing By-law.

Moved by N. deBoer – Seconded by A. Thompson 2011-029

That Report CS-2011-001 regarding 2011 Temporary Borrowing By-law, be received; and

That Council enact a By-law authorizing external temporary borrowings of \$5,000,000 in 2011. Carried.

6. CS-2011-002 re: 2011 Interim Tax Levy.

Moved by N. deBoer – Seconded by R. Paterak 2011-030

That Report CS-2011-002 regarding the 2011 Interim Tax Levy, be received; and

That Council enact a by-law for the levy and collection of the 2011 Interim Tax Levy. Carried.

7. CS-2011-003 re: Caledon OPP 2011 Budget and 2012 to 2014 Projections.
Moved by R. Paterak – Seconded by P. Foley 2011-031
That Report CS-2011-003 regarding Caledon OPP 2011 Budget and 2012 to 2014 Projections, be received; and
That the Ontario Provincial Police (OPP) 2011 budget and projections for 2012 and 2014 be approved and communicated to the Region of Peel; and
That the Region of Peel be requested to phase-in the projected increase to the Caledon OPP budget by drawing \$2,040,000 (\$1,010,000; \$690,000; \$340,000 in 2011, 2012, 2013 respectively) from the OPP Stabilization Reserve Fund, held at the Region; and
That the OPP Caledon 2011 Budget Presentation (attached as Schedule 1 to Report CS-2011-003) be received; and
That the OPP Caledon Quarterly Report for the fourth quarter 2010 (attached as Schedule 2 to Report CS-2011-003) be received.
Carried.
- NOTE: Council requested that a report on creating a reserve fund for PACC, either at the Town of Caledon or at the Region of Peel come to Council.
8. LS-2011-001 re: Amendments to the Construction Lien Act.
Moved by A. Thompson – Seconded by R. Paterak 2011-032
That Report LS-2011-001 regarding Amendments to the Construction Lien Act, be received; and
That Staff be directed to submit comments to the Attorney General of Ontario prior to February 28, 2011 stating the Town's position in opposition of the proposed amendments to the *Construction Lien Act*, particularly in regard to the continuation of liens.
Carried.
9. PD-2011-003 re: Update on Highway 410 Servicing Road Naming.
Moved by A. Thompson – Seconded by G. McClure 2011-033
That Report PD-2011-003 regarding Update on Highway 410 Service Road Naming, be received; and
That Council be advised that the Ministry of Transportation has installed the new road signs.
Carried.
10. PW-2011-001 re: Renewal of Stewardship Agreements.
Moved by R. Mezzapelli – Seconded by P. Foley 2011-034
That Report PW-2011-001 Renewal of Stewardship Agreements, be received; and
That current Stewardship Agreement be renewed for the 2011 season only with the Bolton Wanderers Soccer Club, Caledon East Tennis Club, Belfountain Community Tennis Association and the Bolton Tennis Club; and
That Council enact a By-law authorizing the Mayor and Clerk to execute renewal agreements with the Bolton Wanderers Soccer Club (BWSC), Caledon East Tennis Club, Belfountain Community Tennis Association and the Bolton Tennis Club for the 2011 year; and
That Council direct Staff to develop an Outdoor Sport User Group Strategy; reviewing fee structures, cost recovery policies, facility access, cost sharing on capital improvements, and stewardship agreements, to be implemented for the 2012 season.
Carried.

14. RECEIPT OF MINUTES

Moved by A. Thompson – Seconded by R. Paterak 2011-035

That the minutes of the following meetings be adopted as written and distributed:

- Council Meeting held December 7, 2010, December 14 and 15, 2010 and December 15, 2010.
- Closed Council Meeting held December 14 and 15, 2010.

And that the minutes of the following meetings be received as written and distributed:

- Seniors Advisory Committee Meeting held December 6, 2010.

Carried.

15. PROCLAMATIONS – None

16. CORRESPONDENCE PACKAGE

Moved by A. Thompson – Seconded by R. Mezzapelli 2011-036

That the correspondence items as listed in the correspondence package for the January 11, 2011, Council meeting, be received.

Carried.

1. ROMA re: Request for Nominations for the 2011-2015 ROMA Board to be elected at the 2011 Annual Conference.

Moved by P. Foley – Seconded by R. Paterak 2011-037

That the correspondence from Rural Ontario Municipal Association dated November 25, 2010 requesting nominations for the 2011-2015 ROMA Board, be received; and

That Council hereby nominates Councillor Thompson as the Zone 4 representative to the Rural Ontario Municipal Association for the 2011-2015 Board of Directors.

Carried.

2. Ontario Good Roads Association re: Report of the OGRA Nominating Committee.

Moved by A. Thompson – Seconded by R. Mezzapelli 2011-038

That the correspondence from Ontario Good Roads Association dated December 21, 2010 requesting nominations for the South Central Zone Board of Directors, be received; and

That Council supports the nomination of Councillor Beffort to the South Central Zone of the OGRA Board of Directors.

Carried.

3. Peel Newcomer Strategy Group re: Request for Town of Caledon Council Representation on the Peel Civic Participation Project Advisory Group.

Moved by A. Thompson – Seconded by P. Foley 2011-039

Whereas the Peel Newcomer Strategy Group is establishing an advisory committee to guide the implementation of the Peel Civic Participation Project, a project that seeks to facilitate full and equitable participation of newcomers, immigrants and other diverse populations in the civic life of the Region of Peel; and

Whereas the Peel Civic Participation Project will achieve this by stimulating meaningful dialogue between newcomers and municipal officials about ways to enhance their role in the decision-making processes within their community; and

Whereas the Peel Newcomer Strategy Group is seeking the participation of the Council of the Town of Caledon on the Peel Civic Participation Project Advisory Committee to be made up of members from the immigrant community; elected representatives; government staff; community leaders; educational facilities; and community service agencies;

Therefore be it resolved that the Council appoints Mayor Marolyn Morrison as their representative on the Peel Civic Participation Project Advisory Committee.

Carried.

17. **PUBLIC QUESTION PERIOD** – No one in attendance came forward.

18. **BY-LAWS**

Moved by P. Foley – Seconded by A. Thompson

2011-040

That the following by-laws be taken as read three times and finally passed in open council:

2011-002 To amend By-law 2007-128 with respect to the appointment of a Building Inspector.

2011-003 To authorize the borrowing of money to meet current expenditures.

2011-004 To provide for an interim tax levy and the collection thereof.


2011-005 To authorize the Mayor and Clerk to execute the renewal agreements with the Bolton Wanderers Soccer Club, Caledon East Tennis Club, Belfountain Community Tennis Association and the Bolton Tennis Club.

2011-006 To confirm the proceedings of the January 11, 2011 Council Meeting.

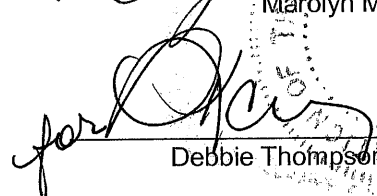
Carried.

19. **ADJOURNMENT**

On verbal motion moved by Councillor Thompson and seconded by Councillor Mezzapelli, Council adjourned at 4:50 p.m.



Marolyn Morrison, Mayor



Debbie Thompson, Deputy Clerk

