



## Legal and Clerks Services

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January 2, 2018

Niagara Peninsula Conservation Authority  
250 Thorold Road West, 3rd Floor  
Welland, ON  
L3C 3W2  
sent via email: [mbrickell@npca.ca](mailto:mbrickell@npca.ca)

### **Re: Niagara Peninsula Conservation Authority – Disclosure of Legal Costs**

Please be advised that the City of St. Catharines Council, at its meeting of December 11, 2017, passed the following resolution:

WHEREAS on November 23, 2017, Judge James Ramsay dismissed the NPCA's \$100,000 lawsuits against retired Air Force major Ed Smith and, in his ruling, Judge Ramsay stated the NPCA, as a government agency, had no right to sue a citizen for criticizing it; and

WHEREAS the NPCA, citing attorney-client privilege, has refused to disclose the amount incurred in legal costs for suing Ed Smith and for other related costs; and

WHEREAS although the details of legal invoices, accounts, dates and specific work performed is subject to solicitor-client privilege, the total amount is not privileged; and

WHEREAS with an annual contribution of approximately \$1.7 million, the residents of the City of St. Catharines are the largest Niagara Region contributors of public funds to the Niagara Peninsula Conservation Authority's funding;

THEREFORE BE IT RESOLVED that Council request that the NPCA Board disclose the total amounts spent on the lawsuits, including the suit by the NPCA's then CAO, which the NPCA also funded; and

BE IT FURTHER RESOLVED that the Regional Municipality of Niagara, all Niagara municipalities, all Niagara Members of Provincial Parliament, the City of Hamilton, Haldimand County, the Premier, the Minister of Natural Resources and Forestry, the Auditor General, and the Ombudsman be notified of Council's request.

Should you have any questions, please do not hesitate to contact the Office of the City Clerk at Extension 1506.

A handwritten signature in cursive script, appearing to read 'Bonnie Nistico-Dunk'.

Bonnie Nistico-Dunk  
City Clerk

cc: Premier of Ontario  
Minister of Natural Resources and Forestry  
Auditor General of Ontario  
Ombudsman  
MPP Jim Bradley  
MPP Cindy Forster  
MPP Wayne Gates  
MPP Sam Oosterhoff  
City of Hamilton  
Haldimand County  
Region of Niagara  
Local Area Municipalities