

**MINUTES OF THE HAMILTON  
POLICE SERVICES BOARD**

**4.2**

Thursday, November 22, 2018  
2:04 pm  
Hamilton City Hall  
Council Chambers

The Police Services Board met.

There were present: Lloyd Ferguson, Chair  
Donald MacVicar, Vice Chair  
Fred Eisenberger  
Madeleine Levy  
Patricia Mandy

Absent: Walt Juchniewicz  
Terry Whitehead

Also Present: Chief Eric Girt  
Deputy Chief Dan Kinsella  
Deputy Chief Frank Bergen  
Anna Filice, Chief Administrative Officer  
Superintendent Jamie Anderson  
Superintendent Ryan Diodati  
Superintendent Nancy Goodes Ritchie  
Superintendent Greg Huss  
Superintendent Will Mason  
Superintendent Michael Worster  
Inspector Shawn Blaj  
Inspector David Hennick  
Inspector Treena MacSween  
Staff Sergeant Andrea Torrie  
Detective Sergeant Dave Dunbar  
Marco Visentini, Legal Counsel  
Dan Bowman, Manager, Fleet & Facilities  
Victoria Choe, Labour Relations  
Jackie Penman, Corporate Communicator  
John Randazzo, Manager, Finance  
Susan Double, Coordinator, Victim Services  
Lois Morin, Administrator

Chair Ferguson called the meeting to order.

- Additions/Changes to Agenda
  - Addition of Presentation Item 2.5: 2019 – 2021 Business Plan
  - Consent Item 4.4(h) – Correspondence from Correspondence from Celia Lieu, Registrar, Ontario Civilian Police Commission (OCPC) with respect to OCPC Investigation in Hamilton.
  - Consent Item 4.4(i) – Correspondence from Correspondence from Celia Lieu, Registrar, Ontario Civilian Police Commission (OCPC) with respect to a public complaint regarding the conduct of Terry Whitehead a member of the Hamilton Police Services Board, as well as the Board's handling of the complaint regarding Mr. Whitehead's conduct during its in camera session of its September 13, 2018 meeting.

- Consent Item 4.4(j) – Correspondence from Correspondence from Celia Lieu, Registrar, Ontario Civilian Police Commission (OCPC) with respect to the OCPC decision to investigate the complaint against Terry Whitehead a member of the Hamilton Police Services Board to determine whether Mr. Whitehead engaged in conduct that violated the Members of Police Services Boards – Code of Conduct, O. Reg. 412/97.
- New Discussion Item 5.5: Ontario Association of Police Services Board 2019 Membership Renewal
- New Discussion Item 5.6: Ontario Association of Police Services Board Zone 4 2019 Membership Renewal

After discussion, the Board approved the following:

Moved by: Member Levy  
Seconded by: Member Mandy

That the Agenda for the Hamilton Police Services Board Public meeting be adopted, as amended.

**Carried.**

## Presentations

### 2.1 Member of the Month

No Member of the Month

### 2.2 PRIDE Award

The Hamilton Police Service recognized and congratulated with the PRIDE Award Inspector Paul Hamilton, Detective Angie Abrams, Detective Sergeant Ben Thibodeau, Detective Sergeant Gary Heron and Detective David Palmer from Durham Regional Police Service. The dedication, tireless effort and commitment demonstrated by all are what finally gave some closure to the Page family. Inspector Hamilton, Detective Abrams and Detective Palmer, Detective Sergeant Thibodeau and Detective Sergeant Heron should be recognized for their outstanding effort and accomplishment.

### 2.3 Chief's Commendation Award

The Hamilton Police Service recognized and congratulated with the Chief's Commendation award Special Constable Ryan Harker, Special Constable Richard Parkinson, Constable Paul Dekker, Sergeant Annette Huys, Detective Richard Wouters and Crown Attorney Andrew McLean. Special Constable Harker, Special Constable Parkinson, Constable Dekker, Sergeant Huys, Detective Wouters and Crown Attorney McLean were commended for the professionalism and teamwork displayed during a complicated and sensitive case.

**2.4 Sex Assault Review (See Consent Item 4.4b Sexual Assault Review PSB 18-103 below)**

Inspector Hennick, Detective Sergeant Dunbar, Ms. Double, Ms. Lukasik-Foss and Ms. Tikasz provided a presentation to the Board with respect to the Sex Assault Review.

Moved by: Member Levy  
Seconded by: Member Eisenberger

That the presentation with respect to Sexual Assault Review be received as provided and a report back to the Board in one year on the progress of the recommendations presented.

**Carried.**

**2.5 2019 – 2021 Business Plan (See Discussion Item 5.3 2019 – 2021 Business Plan PSB 18-106 below)**

Deputy Chief Bergen provided a presentation to the Board with respect to the 2019-2021 Business Plan.

Moved by: Member Mandy  
Seconded by: Member Levy

That the presentation with respect to the 2019 – 2021 Business Plan be received, as provided.

**Carried.**

**General**

**3.1 Declarations of Interest**

None

**Consent  
Agenda**

**4.1 Approval of Consent Items**

Moved by: Vice Chair MacVicar  
Seconded by: Member Mandy

That the Board approve and receive the consent items as amended.

**Carried**

**4.2 Adoption of Minutes – October 11, 2018**

The minutes of the meeting held Thursday, October 11, 2018, be adopted as printed.

**4.3 Auction Account Fund**  
Support / Upcoming Events  
**RECOMMENDATION(S)**

- That the Board approve the purchase of tickets to attend the Week of Child and Youth 39<sup>th</sup> Annual Community Awards Luncheon, scheduled for Thursday, November 15, Waterfront Banquet & Conference Centre, at a cost of \$30 per ticket, to be paid from the auction account.
- That the Board approve the purchase of tickets to attend the Catholic Children's Aid Society of Hamilton Serendipity Auction, scheduled for Thursday, November 15, Carmen's Banquet Centre, at a cost of \$100 per ticket, to be paid from the auction account.
- That the Board approve the purchase of tickets to attend the Good Shepherd Women's Luncheon, scheduled for Wednesday, November 28, Carmen's Banquet Centre, at a cost of \$50 per ticket, to be paid from the auction account.

**4.4 For the Information of the Board:**

- a) Budget Variance Report as at September 30, 2018 (PSB 18-107)
- b) Sex Assault Review (PSB 18-103)
- c) Board Member Travel and Expense Reimbursement Report (PSB 18-090c)
- d) Correspondence from Patrick J. Daly, Chairperson of the Board, and David Hansen, Director of Education, Hamilton-Wentworth Catholic District School Board thanking the Hamilton Police Service for the excellent service and assistance during the 15<sup>th</sup> Annual Pilgrimage "Walk with Christ, Justice for the Poor".
- e) Memorandum from Lori Colman, Director of Operations, Safety, Licensing Appeals and Standards Tribunals Ontario (SLASTO) with respect to SLASTO's Public Hearing Rooms.
- f) Email from Mr. Shekar Chandrashekar with respect to Hamilton Police Service Budget(s).
- g) Outstanding Issues as of November 8, 2018
- h) Correspondence from Correspondence from Celia Lieu, Registrar, Ontario Civilian Police Commission (OCPC) with respect to OCPC Investigation in Hamilton.
- i) Correspondence from Correspondence from Celia Lieu, Registrar, Ontario Civilian Police Commission (OCPC) with respect to a public complaint regarding the conduct of Terry Whitehead a member of the Hamilton Police Services Board, as well as the Board's handling of the complaint regarding Mr. Whitehead's conduct during its in camera session of its September 13, 2018 meeting.

- j) Correspondence from Correspondence from Celia Lieu, Registrar, Ontario Civilian Police Commission (OCPC) with respect to the OCPC decision to investigate the complaint against Terry Whitehead a member of the Hamilton Police Services Board to determine whether Mr. Whitehead engaged in conduct that violated the Members of Police Services Boards – Code of Conduct, O. Reg. 412/97.

**Discussion  
Agenda****5.1 Lease Amendment and Renewal 7 Innovation Drive (PSB 11-112b)  
(See also PSB 11-112 and PSB 11-112a Community Policing Centre /  
Patrol Officer Office Relocation to the Hamilton Technology Centre  
in Flamborough)**

As recommended by Chief Eric Girt, in PSB 11-112b dated November 8, 2018, the Board approved the following:

Moved by: Member Eisenberger  
Seconded by: Vice Chair MacVicar

- a) That the Hamilton Police Services Board approve the renewal of the Lease Agreement between the City of Hamilton (Tenant) and 2563789 Ontario Inc. Hamilton Technology Centre (HTC), (Landlord) for the purposes of providing a location for the Hamilton Police Service (HPS) to operate a Patrol Officer office located at 7 Innovation Drive, Flamborough, Suite 235;
- b) That the Hamilton Police Services Board request that the Mayor and the City Clerk, of the City of Hamilton, execute a Lease Agreement renewal between the City of Hamilton (Tenant) and 2563789 Ontario Inc. Hamilton Technology Centre (HTC), (Landlord) in a form satisfactory to the City of Hamilton Legal Services, for the premises located at 7 Innovation Drive, Flamborough, Suite 235.

**Area:** Approximately 278 square feet of space for use as a Patrol Officers' report writing office and lunch room

**Term:** A period commencing on December 1, 2018 and expiring November 30, 2019 with two (2) one year options to renew.

**Rental Rate:** \$7,182.00 per annum plus H.S.T. The payments will be made from Account #55358-376614.

**Carried.**

**5.2 Reward for Information – Ongoing Homicide Investigation – Angelo Musitano (PSB 18-104)**

As recommended by Chief Eric Girt, in PSB 18-104 dated November 8, 2018, the Board approved the following:

Moved by: Member Levy  
Seconded by: Member Mandy

- a) That the Board authorizes a Reward in the amount of \$50,000.00 for information leading to the arrest and/or conviction of persons both known and unknown, who were responsible for the death of Angelo Musitano.
- b) That 20% of the reward money offered be transferred to Police Reward Reserve Account #11225, for a total of \$10,000.00.

**Carried.**

**5.3 2019 – 2021 Business Plan (PSB 18-106)**

As recommended by Chief Eric Girt, in PSB 18-106 dated November 8, 2018, the Board approved the following:

Moved by: Member Levy  
Seconded by: Vice Chair MacVicar

That the Board adopts the 2019-2021 Business Plan as presented, so implementation can begin on January 1, 2019.

**Carried.**

**5.4 HPS Projected Capital Expenditures: 2019 – 2028 (PSB 18-108) (See also PSB 15-002, PSB 15-002a, PSB 15-002x, PSB 16-113, PSB 17-122)**

After discussion, the Board approved the following amendment:

Moved by: Vice Chair MacVicar  
Seconded by: Member Mandy

1. That the Hamilton Police Service Board approves the list of 2019-2028 Projected Police Capital Expenditures.
2. That the Hamilton Police Service Board approves **Items 2 and 3 1 through 4** to be considered by the City of Hamilton for funding in 2019.
3. That the Hamilton Police Service Board forward the approved plan to the City of Hamilton for inclusion in the 2019-2028 Capital Budget Plan.

After discussion, the Board approved the following as amended:

Moved by: Member Mandy  
Seconded by: Vice Chair MacVicar

1. That the Hamilton Police Service Board approves the list of 2019-2028 Projected Police Capital Expenditures.
2. That the Hamilton Police Service Board approves Items 1 through 4 to be considered by the City of Hamilton for funding in 2019.
3. That the Hamilton Police Service Board forward the approved plan to the City of Hamilton for inclusion in the 2019-2028 Capital Budget Plan.

**Carried.**

**5.5 Ontario Association of Police Services Board 2019 Membership Renewal**

After discussion, the Board approved the following:

Moved by: Member Eisenberger  
Seconded by: Member Levy

That the Board approve payment of the 2019 Membership fee in the amount of \$6,339.17.

**Carried.**

**5.6 New Discussion Item 5.6: Ontario Association of Police Services Board Zone 4 2019 Membership Renewal**

After discussion, the Board approved the following:

Moved by: Member Levy  
Seconded by: Vice Chair MacVicar

That the Board approve payment of the 2019 Membership fee in the amount of \$70.00.

**Carried.**

**New Business**

Chair Ferguson commented that this was his last meeting and expressed his thanks to Board Members and Senior Command saying that he had enjoyed working with everyone. Chair Ferguson noted some of the accomplishments over the past few years – hiring of a New Chief, Deputies and Chief Administrative Officer; the lowest budget in 20 years; new investigative services building amongst the many. He encouraged Board Members to support the service and front line officers announcing that it was very difficult to work in policing.

Member Levy thanked Chair Ferguson and provided a token of appreciation from the Board.

Chief Girt stated that he has appreciated working with Chair Ferguson and the Board and agreed that there was a need to remember those in the field both sworn and civilian.

**Chair Ferguson made the following comments:**

- On behalf of the Board I would like to congratulate and thank the Hamilton Police Service Crime Prevention Branch for a great Crime Prevention Week. Starting with “take your kids to work day”, the Crime Prevention week Launch with the announcement of the winners of the Elementary School Poster Contest and the BBQ that followed, Citizens’ Police College Graduation Congratulations and well done!!

**Next Meeting of the Board**

Chair Ferguson announced that the next meeting of the Board is scheduled for Thursday, December 20, 2018, 2:00pm, at Hamilton City Hall, Council Chambers.

**Adjournment**

Moved by: Member Levy  
Seconded by: Member Mandy

There being no further business, the public portion of the meeting then adjourned at 4:14pm.

**Carried.**

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The Board then met in camera to discuss matters of a private and confidential nature.

Taken as read and approved

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Lois Morin  
Administrator

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Donald MacVicar, Vice Chair  
Police Services Board

November 22, 2018  
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