

The Corporation of the Municipality of Brockton



By-Law 2023-055

Being a By-Law to Adopt Amended Terms of Reference for the Brockton Child Care Centre Committee

Whereas the *Municipal Act, 2001, S.O. 2001, c. 25*, Section 5(3), as amended, provides that a municipal power, including a municipality's capacity rights, powers and privileges under section 9; shall be exercised by By-Law;

And Whereas the Council for The Corporation of the Municipality of Brockton has established a Brockton Child Care Centre Committee to support the goals of the Brockton Child Care Centre in creating an environment which helps young children get the best start in life by ensuring high quality early learning experiences and is desirous in adopting Terms of Reference for the Committee;

And Whereas the Council for the Corporation of the Municipality of Brockton adopted Terms of Reference for the Brockton Child Care Centre Committee on April 13, 2021 as per By-Law 2021-048;

And Whereas the Council for the Corporation of the Municipality of Brockton desires to amend the Terms of Reference for the Brockton Child Care Centre Committee;

Now Therefore the Council of the Corporation of the Municipality of Brockton **Enacts as Follows:**

- 1.0 That the Amended Terms of Reference for the Brockton Child Care Centre Committee as attached as Schedule "A" and forming part of this By-Law be hereby adopted.
- 2.0 That this By-Law shall come into effect upon final passage.
- 3.0 This By-Law may be cited as the "Amend Brockton Child Care Centre Committee Terms of Reference By-Law".

Read, Enacted, Signed and Sealed this 9th day of May, 2023.

Mayor – Chris Peabody

Director of Legislative and Legal Services (Clerk) –
Fiona Hamilton



Brockton Child Care Centre Committee –Terms of Reference

Mandate

The aim of the Brockton Child Care program is to provide an environment where each child is given the opportunity to experience social, emotional, physical and intellectual growth. The Brockton Child Care Centre Committee (the “Committee”) is committed to supporting the goals of the Brockton Child Care Centre in creating an environment which helps young children get the best start in life by ensuring high quality early learning experiences.

The Committee acts in an advisory and promotional capacity to the administration, in working with all levels of government and in building links with education, public health, the community and parents, with the aim of helping children to be successful in school and later in life.

Definitions

For the purposes of this By-Law, the following definitions shall apply and have the following meanings:

“Act”

shall mean the *Municipal Act, 2001* S.O. 2001, c. 25 as amended.

“Assistant Supervisor”

Shall mean the Assistant Supervisor of the Brockton Child Care Centre.

“Brockton”

Shall mean the Corporation of the Municipality of Brockton

“Committee”

Shall mean persons appointed by Council to the Brockton Child Care Centre Committee.

“Council”

Shall mean the Council of the Corporation of the Municipality of Brockton consisting of the Mayor, Deputy Mayor and five Councillors.

“Councillor”

Shall mean a person elected or lawfully appointed to the Council of the Corporation of the Municipality of Brockton, but does not include the Mayor or Deputy Mayor.

“Chair”

Shall mean the member who presides at the Brockton Child Care Centre Committee meeting.

“Clerk”

Shall mean the Municipal Clerk or Deputy Clerk or designate duly appointed by Brockton Council as prescribed in Section 228 of the Act and designated by By-Law.

“Delegation”

Shall mean a person or group of persons who are not Members of Council or Brockton staff who have requested and are permitted to address the Committee, individually or on behalf of a group.

“Minutes”

Shall mean a record of the proceedings and decisions of the Committee at the meeting, and shall be made by the Secretary of the Committee without note or comment.

“Secretary”

Shall be the Assistant Supervisor of the Brockton Child Care Centre or a person designated by the Supervisor.

“Supervisor”

Shall mean the Supervisor of the Brockton Child Care Centre.

Structure

The Committee shall consist of no less than three (3) and no more than seven (7) voting members appointed by By-law and shall be Brockton residents over the age of 18. The majority of Committee members (up to five (5) members) will consist of parents of children attending the Brockton Child Care Centre, and at least one (1) member of Council will sit on the Committee. Council may allow for at least one (1) other member at large. If advertising for community members fails to generate sufficient membership then Council may appoint individual Councillors to sit on the Committee.

The Supervisor and Assistant Supervisor shall attend all Committee meetings and act as staff resources on the Committee in a non-voting capacity. The Supervisor or Assistant Supervisor shall act as Committee Secretary, or appoint a designate.

A member of the Committee shall be Chair of the Committee to be elected by the committee at the first meeting following a new term of Council.

The Mayor may attend all Committee meetings as an ex-Officio member and shall be entitled to vote, but shall not form part of the quorum unless he or she is already an appointed member. The selection process of the members appointed to the Committee is at the sole discretion of Council and Council's decision is final.

Committee members are expected to adhere to the Brockton Council Code of Conduct. Failing to abide by the Council Code of Conduct may result in the Committee member being immediately dismissed from the Committee, following written notice.

Term

The Committee shall be appointed for the term of Council, but shall continue until such time as new Committee members are appointed by a new Council following an election.

Every Member shall be eligible for re-appointment to the Committee; he or she must express their intent to continue on the Committee to the Clerk's office, in writing in an election year, if applicable.

Council has the right to not re-appoint a Member, in its sole and absolute discretion, and to seek out new members as Council may see fit at any time.

Resignations from the Committee must be in writing.

The Committee may also allow members to serve on the Committee in a hybrid-term format, allowing five (5) parent seats to serve for specified terms:

- Three (3) parent seats to serve for a two (2) year term
- Two (2) parent seats to serve for a four (4) year term

Administration

1. The Committee will adhere to all aspects of Brockton's Procedural By-Law. Committee members are expected to adhere to the Brockton Council Code of Conduct. Failing to abide by the Council Code of Conduct may result in the Committee member being immediately dismissed from the Committee, following written notice.
2. Minutes shall be kept of all Meetings and forwarded to the Clerk by the Committee Secretary, once adopted.
3. The Committee shall hold at least six (6) meetings a year at Brockton's office on the third Tuesday of the month, or as otherwise scheduled at the call of the Chair.
4. The meeting schedule and agendas will be posted on the Brockton website.
5. Where the Chair has advised the Secretary that he or she shall not be present at the meeting, the Vice Chair shall be advised of the Chair's absence by the Secretary as soon as practicable.
6. A Quorum of Members shall be a majority of Committee members and shall be required to conduct any Committee business.
7. If no Quorum is present within fifteen (15) minutes after the hour appointed for a Meeting, the Secretary shall record the names of those present and the Meeting shall

stand adjourned until the next meeting. Those present may choose to continue meeting for discussion purposes only, but no decisions to advance the business of the committee shall be made.

8. Council, on the recommendation of the Committee, may declare vacant the seat of any Member who has missed three (3) or more consecutive Committee meetings without submitting regrets to the Secretary.
9. A person who would like to appear as a delegation or make a presentation at a meeting of the Committee must submit a copy of their delegation report or presentation to the Supervisor by 1:00 p.m. one week prior to a Committee meeting.
10. The subject matter of the delegation or presentation must be a matter within the committee's mandate, as determined by the Supervisor, who may refuse a delegation when the subject matter is beyond the jurisdiction of the Committee.
11. No person other than the designated spokesperson may speak on the matter and not for more than ten (10) minutes, unless an extension is permitted by the Chair.
12. The Supervisor shall have the authority to determine whether sufficient detail has been provided in preparation for a delegation or presentation and to request additional information as required from the presenter.
13. All Committee meetings are open to the public. The Committee may enter into a closed session only for the reasons enumerated in Section 239 (2) of the Act. The Secretary or the Supervisor shall take minutes of the closed session and provide these minutes to the Clerk of the Municipality once approved. The Secretary or the Supervisor may advise the Chair if, in his or her opinion, the item to be discussed does not meet the criteria in Section 239 (2) of the Act.

Financial

1. All purchasing, handling of revenue and issuing of cheques shall be done in accordance with the applicable Brockton policies and shall be done only by the Supervisor or designated staff. All accounting for the Committee shall be centralized in the office of the Treasurer of Brockton.
2. Financial information pertaining to the Committee shall be made available to Members at regularly scheduled meetings.