

## THE CORPORATION OF THE DISTRICT OF DURNABY

November 27, 1964.

HIS WORSHIP THE REEVE  
AND MEMBERS OF THE COUNCIL

Gentlemen:

REPORT OF THE POLICY COMMITTEE1. MAGISTRATES

Your Committee has reviewed the employee category of Police Magistrates in Durnaby as a result of the following three actions by the Provincial Government concerning magistrates:

- (a) The granting of one month's vacation to magistrates;
- (b) The recent Order-in-Council establishing the remuneration for magistrates in Durnaby;
- (c) A directive that any future "across the board" increase by the Corporation to its employees not be applied to magistrates.

At the present time, magistrates are classed as employees and receive full advantage of benefits paid to other employees including sick pay and death and disability insurance handled through the Burnaby Welfare Society, and M.S.A. and Separation Trust administered for the Corporation by the Personnel Department.

Following the three aforementioned actions by the Provincial Government, the Municipal Solicitor has given the opinion that the magistrates are not employees of the Municipality for the reasons that the Corporation of Burnaby does not control their appointment, removal or remuneration.

Removing magistrates from the employee category removes any eligibility of those occupying the positions for membership in the Burnaby Welfare Society and the Municipal Treasurer has no authority to expend public funds on M.S.A. and Separation Trust for non-employees. These benefits are therefore being terminated.

Superannuation for magistrates is the subject of a special section of the Municipal Superannuation Act which was amended in 1962 so that a Municipal Council may, by resolution, provide for the superannuation of its magistrates.

Your Committee would recommend that the Council adopt a resolution to qualify the Durnaby magistrates under the Municipal Superannuation Act.

2. BOAT LAUNCHING SITE IN PORT MOODY

The Council recently considered a proposal to construct boat launching facilities on property situated in the City of Port Moody and approved in principle a proposal to construct such facilities on a 50-50 shareable basis with the City of Port Moody. The estimated total cost given was \$50,000.00 and the Council authorized a tentative appropriation of \$25,000.00 in the Parks and Recreation budget.

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2. Boat Launching Site in Port Moody - Continued --

The Municipal Solicitor has given an opinion on the legality of such a proposition and advises that there is power in the Municipal Act to enter into an agreement assuming that the boat launching ramp is a facility for the pleasure, recreation or community use of the public. Any agreement entered into, must be ratified by by-laws which have been adopted by a vote of not less than two-thirds of members of each Council, and must have been approved by the Lieutenant Governor in Council.

A suggestion was made previously that the District of Coquitlam may be interested in entering into such an arrangement; however, there is no indication that this Municipality is entering into the proposal.

Your Committee would recommend that the necessary authority be granted to the Parks and Recreation Commission to negotiate and prepare a suitable agreement with the City of Port Moody to provide for Burnaby and Port Moody to enter jointly into the development, maintenance, and operation of a boat launching facility to be located at the foot of Moody Street in the City of Port Moody.

JHS:mw