

TOWN OF AYLMER  
POLICE SERVICES BOARD  
Thursday, October 29, 2020  
Special Meeting - Virtual  
5:30 p.m.

Minutes

This meeting is taking place at the Call of the Chair

1. Roll Call  
Sheri Andrews, Chair  
Pete Barbour, Member  
Bill Ungar, Member  
Tobi Siew, Vice-Chair  
Jack Couckuyt, Member  
Zonk Horvat, Chief  
Nick Novacich, Acting-Inspector  
Bobbi Irwin, Secretary
2. Disclosure of Interest  
None.
3. Confirmation of Agenda  
Moved by Bill Ungar and Seconded by Tobi Siew Resolution 78 2020  
That the Aylmer Police Services Board approves the Agenda for October 29, 2020 as presented.  
All in favour, Carried.
4. Chief Horvat – Update on Legislation – Gatherings Limits  
Z. Hovvat notes that a Freedom March was held last Saturday as an anti-mask protest. Information was received last Friday about the March planned for Sunday commencing at the Bandshell. N. Novacich put together an operational plan as Incident Commander in order to maintain an orderly flow of vehicular and pedestrian traffic.  
  
N. Novacich states that the plan implemented involved Aylmer day shift Officers and Auxiliary members, along with MEU, everyone met at the police station for a briefing. With approximately 150 persons in attendance at the Freedom March only one incident occurred in which someone protested by playing loud music to drown out the speeches taking place at the Bandshell.  
  
Z. Horvat states that there were a number in attendance not wearing masks. Charges were not laid at the Freedom March, there are a couple of issues which restrict charges from being laid; the first being the Charter of Rights in particular Section 2 (b) which is the Freedom of Expression and the second issue is under Section 2 (c) the Freedom for peaceful assembly which does not limit the number of persons in attendance.  
The Charter of Rights would take precedence over By-Laws or Temporary Orders.  
  
N. Novacich notes that our job is to ensure there is no breach of peace, and the face mask issue is a challenge to enforce as people can say they have a medical exemption however they are not require to provide proof of such.

Z. Horvat states that it should not be any different than not wearing a mandatory seat belt or utilizing a handicap parking space. If you are exempt you have legal documentation to prove you are exempt. This is not the case with face masks, as well we don't want to see doctor's offices burden with an influx of requests for medical exemptions.

There was a similar event last weekend in Toronto with over 4000 people in attendance and also Windsor with approximately 200 plus participants.

We have citizens that plan on abiding by the laws and those who only challenge it. We cannot enforce the anti-face mask as it would not be prosecutable in court.

This is our position and will maintain it moving forward unless other factors come into play.

Chair S. Andrews ask if the Board members have any questions.

P. Barbour notes that it sounds like provincial legislation does not have any value as far as enforcement goes, but what about the municipality.

Z. Horvat states that the organizer of the event did not make application to the Town for the use of the Bandshell, however we were not informed about this until after the fact. We can include this as part of an overall review of the evidence. We had an Operational Plan, we had resources that we were comfortable with in terms of making sure there was no breach of the peace.

N. Novacich notes that he had spoken with the event organizer as did Southwest Public Health.

5. Closed Session

- a) Personal matters about an identifiable individual, including municipal or local board employees.

Moved by Bill Ungar and Seconded by Tobi Siew Resolution 79 2020  
That the Aylmer Police Services Board does now adjourn to Closed Session at 5:45 p.m.  
for personal matters about an identifiable individual, including municipal or local board employees.  
All in favour, Carried.

Moved by Bill Ungar and Seconded by Jack Couckuyt Resolution 80 2020  
That the Aylmer Police Services Board does now rise from Closed Session at 6:31 p.m.  
with direction being to the Secretary regarding personal matters about an identifiable individual, including municipal or local board employees.  
All in favour, Carried.

Moved by Pete Barbour and Seconded by Tobi Siew Resolution 81 2020  
That the Aylmer Police Services Board approves Chief Horvat's recommendation to hire a 4<sup>th</sup> Class Constable to commence with the Aylmer Police Services on December 14, 2020.  
All in favour, Carried.

6. Adjournment

Moved by Tobi Siew and Seconded by Pete Barbour Resolution 82 2020  
That the Aylmer Police Services Board do now adjourn at 6:32 p.m.  
All in favour, Carried.