



The Corporation of the City of St. Catharines
Niagara Compliance Audit Committee Meeting
Tuesday, March 19, 2024

Members Present: Murray Christie (Chair), Margo Pinder, Heather Salter, Dinesh Parakh, Larry Peebles

Absent:

Officials

Present: Kristen Sullivan, City Clerk
Philip Riley, Assistant City Solicitor
Donna Delvecchio, Deputy City Clerk
Evan McGinty, Deputy City Clerk

1. Call to Order

The Chair called the meeting to order in the Council Chambers at 5:07 p.m.

2. Land Acknowledgement

The land on which the Committee meets today is the traditional territory of the Haudenosaunee and Anishinaabe peoples, many of whom continue to live and work here today. This territory is covered by the Upper Canada Treaties and is within the land protected by the Dish with One Spoon Wampum agreement. Today this gathering place is home to many Indigenous peoples, made up of First Nation, Inuit and Metis. The Dish with One Spoon Wampum agreement should remind us of our responsibility to ensure the Dish, the territories on which we live and work, is never emptied, and that we take care of the land and its inhabitants in a way that ensures its future sustainability.

3. Disclosures of Pecuniary Interest

No disclosures of pecuniary interest were declared.

4. Opening Statement of the Chair

Chair Christie provided opening remarks and advised that the purpose of this meeting is to consider the Auditor's Report for the Jason Benoit campaign.

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5. Auditor's Report

5.1 Overview of the Auditor's Report

Josh Epstein, Auditor, MNP, provided an overview of the audit of Jason Benoit's campaign. Mr. Epstein noted that corrections were made to the audit after it was published on February 26, 2024 to update the misspelling of the applicant's name, on pages 2 and 18, from "Anne-Marie Zammit" to "Ann-Marie Zammit" and the footer on pages 14-19, from "Niagara Catholic District School Board Elections Compliance Audit – Mr. Benoit" to "Niagara Compliance Audit Committee Compliance Audit – Mr. Benoit". Mr. Epstein explained the scope of work, process that was followed and a summary of the findings and apparent contraventions of the *Municipal Elections Act*.

Members of the Compliance Audit Committee asked questions of the auditor for further clarification.

5.1.2 Comment from the Applicant – Ann-Marie Zammit

The Applicant, Ann-Marie Zammit, provided remarks and a slide presentation citing specific sections of the audit and highlighted sections of the candidate registration package that each candidate received when they file their nomination to run for office. Ms. Zammit requested the committee uphold the principles of the *Municipal Elections Act* and commence legal proceedings against the candidate.

Members of the Compliance Audit Committee asked questions of the applicant and the City Clerk for further clarification.

5.1.3 Comment from the Candidate – Jason Benoit

The Candidate, Jason Benoit, raised concerns about the motives behind the filing of the compliance audit application. Mr. Benoit explained that his family was under duress at the time the Financial Statement was filed and acknowledged that errors were made.

Members of the Compliance Audit Committee asked questions of the candidate for further clarification.

5.1.4 Committee Consideration of Auditor's Report

All members of the Compliance Audit Committee and the City Clerk went into closed session for the members to deliberate at 5:45 p.m. and rose from closed session at 6:35 p.m.

Jason Benoit exited the meeting at 6:18 p.m.

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The Assistant City Solicitor advised the Committee that Mr. Benoit was called away from the meeting due to a family emergency.

6. Decision

6.1 Motion

Moved by: Margo Pinder

BE IT RESOLVED THAT the Niagara Compliance Audit Committee for the City of St. Catharines hereby decides to commence a legal proceeding against the candidate, Jason Benoit, for the apparent contraventions of the campaign finance rules, pursuant to Subsection 88.33(17) of the *Municipal Elections Act*.

A recorded vote was requested by Chair Christie.

For the motion: Murray Christie, Margo Pinder and Larry Peebles

Against the motion: Dinesh Parakh and Heather Salter

CARRIED

7. Adjournment

Moved by: Larry Peebles

The meeting be hereby adjourned at 6:39 p.m.

CARRIED

Certified Correct:

Confirmed by:



Kristen Sullivan, City Clerk



Murray Christie, Chair, Niagara
Compliance Audit Committee