

**TOWNSHIP OF TYENDINAGA**  
**Minutes of the Regular Council Meeting - NO. 2011-06**

Municipal Council Chambers, 859 Melrose Road, Shannonville  
Monday March 21, 2011 at 7:00 pm

Meeting was called to order at 7:00 p.m.

PRESENT:	Rick Phillips	Reeve
	Iain Gardiner	Deputy Reeve
	Wayne Chadwick	Councillor
	Adam Hannafin	Councillor
	Margaret Walsh	Councillor
	Steve Mercer	Clerk-Treasurer

ABSENT: NONE

Declaration of Pecuniary Interest: None declared

MOVED BY: Deputy Reeve Iain Gardiner  
SECONDED BY: Councillor Wayne Chadwick  
THAT the Agenda of March 21, 2011 be adopted.

**CARRIED**

MOVED BY: Councillor Margaret Walsh  
SECONDED BY: Deputy Reeve Iain Gardiner  
THAT the minutes of the March 7, 2011 Regular Meeting be approved as presented.

**CARRIED**

**STAFF REPORTS**

John Farrell, Roads Supervisor  
Provided written report

Highlights

- winter maintenance – plowing and sanding all roads
- culvert repairs
- gravel patching – Shannon, Harmony
- cold patching – Shannon, Phillips
- numerous water related issues due to heavy rains and quick melt – wash outs, localized flooding and shoulder deterioration
  
- there was a discussion regarding the deterioration of Old Highway # 2 and Deseronto Rd as a result of extremely heavy truck traffic relating to the CN third line project
- the Clerk was directed to write to CN in regards to compensation for this increased level of deterioration
- the clerk was also directed to advance this same point with our MP Daryl Kramp to add more substance to our position that this road rehabilitation be considered along with the other points raised to support our contention that the Federal government be responsible for capital improvements to this road

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MOVED BY: Councillor Margaret Walsh  
SECONDED BY: Deputy Reeve Iain Gardiner

THAT this Council directs the Clerk to write to CN and our MP in order to attempt to obtain compensatory dollars for the road deterioration of Highway # 2 and Deseronto Rd as a result of the federally funded CN/VIA project currently underway in the Township whereby extensive federally funded truck traffic is destroying each of these important roads.

**CARRIED**

- Deputy Reeve Gardiner also raised the point that the Marysville Bridge seems to be becoming more and more deteriorated, now the south side as well
- Deputy Reeve Gardiner also suggested that with heavy rains the past few years, and a year committed to smaller projects, that it may be advisable to look at our culvert and drainage requirements along certain problematic stretches of road

Mandi Buma

Provided written report

Highlights

- March Break camp was cancelled due to insufficient numbers
- Family Day event attracted an estimated 400 people
- Trash Bash Household Hazardous Waste /TV Collection Day is April 16
- Canada Day committee has started to meet, next meeting is April 5 at 4:00pm
- Trillium Application submitted for paving of Rec Hall parking lot
- Next program registration date is April 2 from 11:00am-3:00pm

Stan Laton, Fire Chief

Provided written report

Highlights

- There have been 2 calls for service since the last reporting period
- Russell McFarlane has been promoted to Captain – congratulations
- Ontario Fire Marshall sponsored sessions for Councillors are May 11 and April 13
- It was agreed that the Clerk, Reeve Phillips and Councillor Walsh would attend the May 11 session in Stirling

MOVED BY: Deputy Reeve Iain Gardiner

SECONDED BY: Councillor Wayne Chadwick

THAT this Council accepts the staff reports as presented.

**CARRIED**

The following declarations were provided for items to be added to the agenda under ‘New Business’:

Clerk Steve Mercer	0 items
Deputy Reeve Iain Gardiner	2 items
Councillor Wayne Chadwick	0 items
Councillor Margaret Walsh	1 item
Councillor Adam Hannafin	1 item
Reeve Rick Phillips	2 items

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**CORRESPONDENCE**

MOVED BY: Deputy Reeve Iain Gardiner

SECONDED BY: Councillor Adam Hannafin

That this Council receives the following correspondence:

- Daryl Kramp MP March 7, Deseronto Rd
- Invitation – BQ-RAP April 28 – Gordon Miller, Environmental Commissioner of Ontario
- XCG to Mohawks of the Bay of Quinte March 7, 2011-comments Richmond Landfill discharge
- Poh-Gek Forkert to Mohawks of the Bay of Quinte March 7, 2011-comments Richmond Landfill discharge

**CARRIED**

MOVED BY: Deputy Reeve Iain Gardiner

SECONDED BY: Councillor Margaret Walsh

That this Council receives the following correspondence of concern in relation to the Longs Quarry Application:

- Christina Taylor
- Shirley Campbell & Joe Liotine
- Jim & Jackie Bates
- F. James Taylor

**CARRIED**

**NEW BUSINESS**

MOVED BY: Deputy Reeve Iain Gardiner

SECONDED BY: Councillor Margaret Walsh

That this Council receives the correspondence from CN and the Clerk in relation to the disposal of land to CN to support the building of the third track. Be it further moved that the Council now recognizes that the disposal is of a total of four parcels versus the originally thought two. Be it further moved that the price for these parcels is \$40,000. Be it finally moved that our legal Council is to draw up all the documents to be tabled at Council to authorize such transfer, including documents relating the opening, closure and conveyance of roads allowances that relate to the four parcel transfer.

**CARRIED**

MOVED BY: Councillor Wayne Chadwick

SECONDED BY: Councillor Adam Hannafin

That this Council directs the Clerk to sign the Release of Liability and Permit agreement authored by CN and reviewed by our legal counsel with respect to access to Township property until the legal transfer documents are drawn up and fully executed.

**CARRIED**

The Council thanked the Clerk for his extensive work on this file.

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MOVED BY: Councillor Margaret Walsh

SECONDED BY: Deputy Reeve Iain Gardiner

That this Council approves of the letter written by the clerk to the Ministry of the Environment and CB Demill Holdings as official response to the March 21 comment deadline in relation to the quarry expansion application license under the Aggregate Resources Act

**CARRIED**

MOVED BY: Councillor Wayne Chadwick

SECONDED BY: Deputy Reeve Iain Gardiner

That this Council approves of the Quinte Waste Solutions budget showing operating expenses of \$4,294,151.79 and a Tyendinaga Municipal Levy of \$39,289.29.

**CARRIED**

MOVED BY: Deputy Reeve Iain Gardiner

SECONDED BY: Councillor Adam Hannafin

That Council approves a severance by WHALEN (B9/11), Concession 2, Part Lot 26 & 27 with the following conditions applied:

1. Payment in Lieu of Parkland fee of \$750.00 per new lot created (made payable to the Township of Tyendinaga)
2. The severed lot be rezoned to "RURAL RESIDENTIAL" and proof of completion and approval of same be lodged with the Land Division Office prior to the endorsing of deeds for the severed lot.

**CARRIED**

***Deputy Reeve Iain Gardiner***

- *Briefed Council on a couple of interesting sessions he attended at the recent OGRA ROMA conference held in Toronto*
- *Attended the session with opposition leaders Hudac (PC) and Horvath (NDP) where each gave the audience their vision if their parties were elected in the upcoming fall provincial election*
- *Also attended an Energy Workshop which was worthwhile although it appeared to target larger municipalities'*
- *The information however may dovetail nicely into our upcoming presentation to Council regarding solar power and off the grid revenue potential*
- *At the conference the Deputy Reeve was able to get the ear of the Minister of the Environment and asked that the Richmond landfill site be declared like the Adams mine site a few years ago, an unsuitable location for a landfill, present and future*
  
- *The Deputy Reeve had spoken to Quinte Conservation in regard to some CN related concerns expressed along Highway #2 in regards to dumping*
- *It seems that CN is responsible to Federal law and not Provincial in many of these instances and there is little Quinte Conservation or the MOE or MNR can do in relation to this project other than act in an advisory capacity if requested to do so*

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***Councillor Margaret Walsh***

- *Advised Council that it would be prudent to have someone attend the session being hosted by the Bay of Quinte Remedial Action Plan (BQRAP) whereby Environmental Commissioner Gord Miller will be speaking*
- *It was agreed that Councillor Walsh and Deputy Reeve Gardiner would try to attend Thursday April 28th*

***Councillor Adam Hannafin***

- *Briefed Council at his recent attendance at the Community Emergency Management Committee held Thursday February 24*
- *We are compliant with legislation and have a good program moving forward*
- *Councillor Hannafin advised Council that our program is a leader amongst others and that we have been cited by Emergency Management Ontario for our program excellence relation to our overnight events and upcoming "zombie night"*
- *These special events bring together all the emergency partners and involve the community in a fun and meaningful way*

***Reeve Rick Phillips***

- *Shared with Council an acknowledgement letter from Minister of Transpiration Kathleen Wynne in regards to his recent meeting with the Minister in regards to Old Highway # 2 and Council's position that it be considered for Provincial funding due to its unique nature as a connecting highway, emergency detour route and the prior download from the province*
- *A formal response will be coming from the Ministers office in the next few weeks*
  
- *Briefed Council on his attendance at the Media and Communications seminar held this past Friday March 18 in Kingston*

**MEMBERS REPORTS**

MOVED BY: Councillor Wayne Chadwick  
SECONDED BY: Deputy Reeve Iain Gardiner  
That this Council receives the following Members Report:

- Quinte Waste Solutions –February 7, 2010

**CARRIED**

**BY-LAWS**

MOVED BY: Deputy Reeve Iain Gardiner  
SECONDED BY: Councillor Wayne Chadwick  
That this Council hereby passes By-law 11-07, being a By-law to appoint Members of Council to act from time to time in the absence of the Head of Council for the purposes of declaring and emergency under the Emergency Management Act.

**CARRIED**

MOVED BY: Councillor Wayne Chadwick  
SECONDED BY: Councillor Adam Hannafin  
That this Council hereby passes By-law 11-08, being a By-law to provide for the establishment of Fire Department Service Fees.

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**CARRIED**

**ADJOURNMENT**

MOVED BY: Councillor Margaret Walsh  
SECONDED BY: Deputy Reeve Iain Gardiner  
That this Regular Council Meeting be adjourned at 8:50 pm.

**CARRIED**

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Rick Phillips, Reeve

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Steve Mercer, Clerk - Treasurer