

TOWNSHIP OF TYENDINAGA
Minutes of the Regular Council Meeting - NO. 2012-12

Municipal Council Chambers, 859 Melrose Road, Shannonville
Monday June 18, 2012 at 7:00 pm

Meeting was called to order at 7:04 p.m.

PRESENT:	Rick Phillips	Reeve
	Iain Gardiner	Deputy Reeve
	Wayne Chadwick	Councillor
	Margaret Walsh	Councillor
	Steve Mercer	Chief Administrative Officer

ABSENT: Councillor Adam Hannafin - personal matter

Declaration of Pecuniary Interest: None Declared

MOVED BY: Councillor Margaret Walsh
SECONDED BY: Councillor Wayne Chadwick
THAT the Agenda of June 18, 2012 be adopted.

CARRIED

MOVED BY: Deputy Reeve Iain Gardiner
SECONDED BY: Councillor Wayne Chadwick
THAT the minutes of the June 4, 2012 Regular Meeting approved as corrected.

CARRIED

DELGATIONS

Mike Bossio CTE – Robert Peterson - Ecojustice

- Robert Peterson spoke to Council about Ecojustice and their possible legal representation of Council at the upcoming Environmental Rights Tribunal Hearing set to begin on June 25, 2012
- Mr. Peterson provided a personal background and a background of Ecojustice, a national organization with charitable status, funded primarily by individuals with the intent of advancing environmental law for all Canadians
- Ecojustice is offering to take on Tyendinaga Township as a client, pro-bono at the upcoming ERT hearing in regards to the appeal launched by the CTE in regard to the closure and monitoring activities associated with the now closed Richmond Landfill
- The position they would take would be under the area of common law
- They feel they can advance the issue of public nuisance in the area of common law
- They feel that the public nuisance aspect can be advanced as a matter of law as it relates to environmental matters that are before the courts
- They indicated they would also be representing the Green Lights, an environmental group based out of Napanee in the same matter
- Ecojustice feels that if we were to come on board with this sentiment that their argument would carry greater weight when it comes to arguing public nuisance
- There would be little that the Township would be required to do
- Ecojustice would prepare and present all materials and the associated argument

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- Ecojustice also explained that Council would need to decide quickly on this matter as the ERT hearing was coming up shortly
- The Council thanked Mike Bossio and Robert Peterson for their presentation

MOVED BY: Deputy Reeve Iain Gardiner

SECONDED BY: Councillor Margaret Walsh

THAT this Council, in relation to the Ecojustice offer, schedules a Special Closed Meeting for Tuesday June 19 at 7:30 pm to discuss this legal matter and associated offer.

CARRIED

STAFF REPORTS

John Farrell, Roads Supervisor

Provided written report

Highlights

- John provided an overview of the reclaimed asphalt we are receiving from the 401
 - It is unclear from day to day how much material we will receive
 - We have been able to use the material as it comes
 - The Lower Slash is completed
 - We are currently working on the Craig Rd
 - Next will be the McFarlane Rd south, the roads garage parking lot and the access road to the waste transfer station
 - This is all “material permitting”
 - If we can get more we will use more
 - We have had to rent contract trucks and are requesting a casual laborer
 - Although final costs are yet to be determined we are being able to improve our infrastructure at a fraction of what it would otherwise cost
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- Also in this period signage throughout Township was installed
 - Beaver dams removed
 - Grass cutting
 - Grading
 - The speed radar sign has been installed in Melrose in the 60Km zone through the Recreation Complex
 - Work is continuing to improve Enright Rd west of Read

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Stan Laton, Fire Chief
Provided written report

Highlights

- There have been 6 calls for assistance since the last reporting period
- The Tyendinaga Fire Department has selected JJ Sexsmith from St Mary School and Holly Olsen from Holy Name of Mary as Junior Ambassadors
- These students act as student leaders in their schools in matters relating to fire safety education
- The Chief thanked Council for attending the 2012 Recruit Graduation
- The Council in turn thanked the Chief for his hard work on this initiative
- The Chief explained that they were working closely with the Mohawk Fire Department on protocol matters relating to Mutual Aid so that coverage was as extensive as possible

Mandi Buma, Recreation Coordinator
Provided written report

Highlights

- All summer programs are underway and running smoothly
- The business appreciation dinner, held May 31 was very successful with 19 businesses participating
- Canada Day plans are all in order – and will commence at 3:00pm Sunday, July 1
- Mandi is working with Librarian, Tanya Stapley-Wilson to organize a farewell social for Frances Smith scheduled for Saturday July 14 from 11:00am-1:00pm
- The Recreation Coordinator asked Council for a date for our annual Staff Christmas Party and Awards and Recognition evening

MOVED BY: Deputy Reeve Iain Gardiner

SECONDED BY: Councillor Wayne Chadwick

THAT this Council sets Friday, November 16 as our annual Staff Christmas Party and Awards and Recognition evening and asks Small Town Catering to cater the event on receipt of per plate acceptable quotation to be submitted to the Recreation Coordinator.

CARRIED

MOVED BY: Councillor Wayne Chadwick

SECONDED BY: Deputy Reeve Iain Gardiner

THAT this Council receives the staff reports as presented.

CARRIED

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PASSING OF ACCOUNTS

MOVED BY: Councillor Margaret Walsh
SECONDED BY: Deputy Reeve Iain Gardiner
THAT the following accounts be approved as presented:

General Government	\$43,509.91
Roads Department	\$10,545.51
Recreation Department	\$15,646.79
Protective Services	\$2,321.68
Fire Department	\$2,635.45

CARRIED

- There were some questions for staff for clarification purposes on certain expenditures

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

Clerk Steve Mercer	0 items
Councillor Margaret Walsh	0 items
Councillor Wayne Chadwick	1 item
Deputy Reeve Iain Gardiner	3 items
Reeve Rick Phillips	1 item

CORRESPONDENCE

MOVED BY: Councillor Margaret Walsh
SECONDED BY: Councillor Wayne Chadwick
That this Council receives the following correspondence:

- Thank You Card – Shannonville Agricultural Society
- Canadian Association of Community Television Users and Stations
- Legal Matters – Summer 2012

CARRIED

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NEW BUSINESS

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

That this Council receives and approves of the recommendation in the CAO's memo of June 14, 2012 regarding a new option for our tandem disposal. Be it further moved that Council intended to, in 2012, dispose of the 2003 Volvo tandem instead of the scheduled 2000 Stirling tandem. Be it further moved that the better box on the 2003 was to be placed on the 2000 and for approximately \$12,000 and the 2003 hopefully sold for at least \$5,000. Be it further moved that Council now approves as follows:

- To sell the 2003 with its existing box for approximately \$20,000
- To buy a new box for approximately \$40,000

Be it further moved that the intention now for 2015 replacement be

- Retire the 2000 Stirling tandem
- To purchase a new tandem for approximately \$160,000
- To not purchase a new box for the new tandem
- To switch the three year old box from the 2000 Stirling to the new tandem for approximately 12,000

Be it finally moved that there appears to be a savings of at least \$15,000 with this new approach.

CARRIED

MOVED BY: Deputy Reeve Iain Gardiner
SECONDED BY: Councillor Wayne Chadwick

That this Council defers the request from Grid Cloud Solutions to pass a resolution of support for their proposed Solar project in the Township until such time as the proponent attends Council so that Council can gain a further understanding of what they are in fact being asked to support

CARRIED

MOVED BY: Councillor Wayne Chadwick
SECONDED BY: Councillor Margaret Walsh

That this Council supports the construction of a wireless telecommunications tower at 3023 Harmony Rd, by Xplornet as part of the long-term Eastern Ontario Broadband Network project, designed to bring high-speed internet service to all of Eastern Ontario

CARRIED

MOVED BY: Deputy Reeve Iain Gardiner
SECONDED BY: Councillor Wayne Chadwick

THAT this Council supports the South Hastings Trail routing within Tyendinaga Township as described in the Recreation Coordinator's memo dated June 18, 2012 and asks that a by-law be brought forward to confirm the Trail routing

CARRIED

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MOVED BY: Deputy Reeve Iain Gardiner

SECONDED BY: Councillor Wayne Chadwick

THAT this Council receives and accepts and approves of the Ownership Document, Machine Safety Document and Machine Operation Document authored by the Baseball Committee in conjunction with Councillor Adam Hannafin and Recreation Coordinator Mandi Buma, in relation to operation of the pitching machine at the baseball grounds. Be it further moved that this now allows the pitching machine at the Recreation Complex be used in a safe and responsible fashion

CARRIED

MOVED BY: Deputy Reeve Iain Gardiner

SECONDED BY: Councillor Margaret Walsh

THAT this Council declines the offer from the County of Hastings to bid on surplus vehicles

CARRIED

MOVED BY: Deputy Reeve Iain Gardiner

SECONDED BY: Councillor Margaret Walsh

THAT this Council directs the administration office be closed Thursday, June 28, 2012 from 9:30am-11:30am so that staff can attend the Inaugural Session of County Council where Reeve Rick Phillips will be sworn in as Warden of Hastings County

CARRIED

MOVED BY: Deputy Reeve Iain Gardiner

SECONDED BY: Councillor Margaret Walsh

That Council approves two severances (lot additions) by JONES, LAURA & STEVE (B37/12 & B38/12), Concession 5, Part Lot 1, Thrasher Rd 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. That each resulting lot once the additions are considered are to be rezoned to Special Marginal Agriculture to recognize the final lot sizes and frontages of each resultant lot.
3. That an entrance suitable to the roads Supervisor be confirmed for the lot associated with B37/12

CARRIED

NEW BUSINESS

Deputy Reeve Iain Gardiner

- *Wished to express his thanks to Chief Laton in coordinating both the Recruit Graduation and the Sparks Graduation held recently*
- *Wished to express his condolences to the family of Councillor Adam Hannafin on the passing of his father, and knows that staff will take appropriate steps to demonstrate our respect*

- *On June 11 attended a library vision session led by our SOLS representative Peggy Malcolm*
- *The Library Board is discussing staffing levels and hours of operation*
- *Various possibilities have been discussed but nothing yet is firmed up*

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- *Asked the CAO for information surrounding costs of our Occupational Health & Safety Program*
- *The Library has difficulty when H&S orders are made of them as there is no budgeted money for this purpose*
- *The CAO explained that this is the same for all departments and that the Health & Safety budget is to run the program only, and that departments pay with their own budgets the improvements that are directed*
- *The CAO was asked to try to get a costing of what these amounts are over the last couple of years*

Councillor Wayne Chadwick

- *Reported as our Member on the Quinte Waste Solutions Board*
- *The Municipality has received a levy rebate of \$2,130 due to revenues for recyclables being higher than expected*
- *QWS has over \$2,000,000 in reserves and is investigating implementation a lending model*
- *This initiative requires significant research and the findings will be brought back to the Board*
- *Advised that Reeve Rick Phillips will be attending the July QWS meeting on our behalf*

Reeve Rick Phillips

- *Attended the June 28th meeting of Quinte Conservation*
- *The Source Water Protection initiative was discussed and who pays for implementation*
- *The Reeve was clear that this should not come from additional levy and that the costs should be borne by the Province*

MEMBERS REPORTS

MOVED BY: Councillor Wayne Chadwick

SECONDED BY: Councillor Margaret Walsh

That this Council receives the following reports:

- BISC Report – May 2012
- Quinte Waste Solutions – Board Meeting – May14, 2012

BY-LAWS

MOVED BY: Councillor Margaret Walsh

SECONDED BY: Councillor Wayne Chadwick

THAT this Council passes By-law 2012-16, being a By-law to rezone a portion of property in Pt. Lot 11 & 12 Concession 5, its short title being the Mayo by-law.

CARRIED

IN CAMERA

MOVED BY: Deputy Reeve Iain Gardiner

SECONDED BY: Councillor Margaret Walsh

THAT Council agreed to continue with the Council Meeting, in camera, as the subject matter deals with personnel matters where confidentiality requires protection.

CARRIED

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MOVED BY: Deputy Reeve Iain Gardiner
SECONDED BY: Councillor Margaret Walsh
THAT Council has completed the discussion dealing with personnel matters where confidentiality requires protection.

CARRIED

MOVED BY: Councillor Margaret Walsh
SECONDED BY: Councilor Wayne Chadwick
THAT this Council confirms the discussion of the in-camera portion of the meeting.

CARRIED

MOVED BY: Councillor Margaret Walsh
SECONDED BY: Deputy Reeve Iain Gardiner
THAT this Council hires Nick Walsh and Jake McFarlane as Roads Helpers to help facilitate the application of the asphalt the Municipality is receiving from the 401 project at a wage rate agreed to in camera.

CARRIED

ADJOURNMENT

MOVED BY: Councilor Wayne Chadwick
SECONDED BY: Deputy Reeve Iain Gardiner
That this Regular Council Meeting be adjourned at 9:41 pm.

CARRIED

Rick Phillips, Reeve

Steve Mercer, CAO