

TOWNSHIP OF TYENDINAGA
Minutes of the Regular Council Meeting - NO. 2013-02

Municipal Council Chambers, 859 Melrose Road, Shannonville
Monday January 21, 2013 at 7:00 pm

Meeting was called to order at 7:05 p.m.

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

ABSENT:

Declaration of Pecuniary Interest: None declared

MOVED BY: Councillor Adam Hannafin
SECONDED BY: Councillor Margaret Walsh
THAT the agenda of January 21, 2013 be adopted.

CARRIED

MOVED BY: Councillor Wayne Chadwick
SECONDED BY: Councillor Adam Hannafin
THAT the minutes of the January 7, 2013 Regular Meeting be approved as corrected.

CARRIED

DELEGATIONS

Pat Finnegan – Napanee Detachment Commander - OPP

- The OPP respects the right of everyone to freedom of expression and peaceful assembly.
- The OPP also recognizes the rights of the general public, local residents and businesses to a safe environment.
- The OPP role is to ensure public safety and to keep the peace.
- The OPP has no role to play in the underlying issues (of the event) and is not in a position to resolve them.
- The OPP will work with groups who want to organize an event that provides a safe and peaceful opportunity for demonstrators to exercise their lawful rights.
- The OPP approach will recognize the need to balance individual rights and freedoms with the need to maintain public peace and order.
- Open communication, a reasoned and tempered approach and the proper use of police discretion guide OPP response to major events.
- The OPP asks everyone to be patient and respectful of each other despite potential inconvenience.
- Protest activities may interrupt the normal flow of traffic. The OPP is working with those involved to minimize the impact on the traveling public and to ensure order and public safety.

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- The OPP objective in policing any road closures / blockades is to work to restore the orderly flow of traffic in the safest manner possible
- The OPP calls on everyone involved not to jeopardize public peace or endanger anyone and not to participate in purposefully illegal events.
- The OPP will act to preserve the peace, maintain public safety and investigate criminal wrongdoing, in accordance with legislated responsibilities and in the best interests of all involved.
- Only the level of intervention necessary to ensure the safety of all citizens and to maintain peace, order and security is used. The use of force is always a last resort.
- The proper use of police discretion is a valid, appropriate approach to de-escalating situations. The proper exercise of police discretion should not be confused with lack of enforcement. Police may wait for a lower-risk opportunity to arrest offenders rather than inflame a situation.
- Violence will not be tolerated. The OPP will respond to unlawful events in an appropriate and professional manner.
- Council expressed concern that we make great efforts to market our community as a fine place to live and these events hurt these initiatives
- Pat explained that we are not alone, over 60 protests have occurred in the past few weeks in Ontario and over 300 in Canada since the Idle No More movement started gaining traction

STAFF REPORTS

John Farrell, Roads Supervisor

Provided written report

Highlights

- With the poor weather, winter maintenance is in full swing
- When weather allows, we have been grading the gravel roads
- Bush hog has been out as much as possible, currently working along Belleville and Deseronto Rds.
- Some minor bridge repairs on the Milltown Bridge

Mandi Buma, Recreation Coordinator

Provided written report

Highlights

- Annual snowball tournament will be held on February 16 as part of the Family Day weekend events, 6 teams are registered thus far
- Family Day events will be Monday February 18 from 11:00am-3:00pm
- Our two summer program registration dates are Tuesday March 19 from 5:30-8:00pm and Saturday, April 6 from 9:00am-1:00pm, both at the Recreation Hall

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- This year's Trash Bash will be Saturday April 20 starting at 8:00am and our scope is getting bigger and bigger
 - Trash bash – community clean up
 - Household Hazardous Waste Day
 - Electronics drop off
 - And new this year will be the addition of the Community Trees Program, sponsored by the Hastings Stewardship Council

MOVED BY: Councillor Adam Hannafin
SECONDED BY: Deputy Reeve Iain Gardiner
THAT this Council receives the staff reports as presented.

CARRIED

PASSING OF ACCOUNTS

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

General Government	\$47,297.92
Roads Department	\$53,081.28
Recreation Department	\$5,929.32
Protective Services	\$0.00
Fire Department	\$6,244.79

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 Adam Hannafin	0 items
Councillor Wayne Chadwick	1 item
Deputy Reeve Iain Gardiner	1 item
Reeve Rick Phillips	3 items

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NEW BUSINESS

MOVED BY: Councillor Adam Hannafin

SECONDED BY: Councillor Margaret Walsh

WHEREAS Patrick Isidore Murphy proposes to construct and operate a ground mount solar on North Range LT 35-35 CON 4 Tyendinaga, in the Township of Tyendinaga under the Province's FIT Program; AND WHEREAS the Applicant has requested that Council of Tyendinaga Township indicate by resolution Council's support for the construction and operation of the Project on the Property; AND WHEREAS, pursuant to the rules governing the FIT Program Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other persons applying for FIT Contracts; NOW THEREFORE BE IT RESOLVED THAT: Council of Tyendinaga Township supports the construction and operation of the Project on the Lands.

BE IT FURTHER RESOLVED THAT This resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

CARRIED

MOVED BY: Councillor Adam Hannafin

SECONDED BY: Deputy Reeve Iain Gardiner

THAT this Council sets Tuesday February 19 at 6:00pm to meet with the Concerned Citizens of Tyendinaga and Environs (CCTE) to share information on the latest developments and issues surrounding the Richmond Landfill monitoring regime and the Beachwood Road Environmental Centre (BREC) proposal.

CARRIED

MOVED BY: Councillor Adam Hannafin

SECONDED BY: Councillor Margaret Walsh

THAT this Council sets the following dates and times in relation to upcoming Council meetings outside the regular schedule

1. Monday, March 18, 1:00pm – First Budget Session – Managers presentations
2. Tuesday, April 2, 3:00pm – Second Budget Session
3. Monday, July 15, 7:00pm – July Council Meeting
4. Monday, August 12, 7:00pm – August Council Meeting
5. Monday, December 9, 7:00pm – December Council meeting

CARRIED

MOVED BY: Deputy Reeve Iain Gardiner

SECONDED BY: Councillor Wayne Chadwick

THAT this Council approves the special levy from Quinte Conservation attributed to the Deerock Dam Safety Study at \$232 and the James Lazier Dam Safety Study at \$850, but defers decision on the Climate Change Project at \$2,034 until further information is received by Council as to the actual nature of planned expenditures.

CARRIED

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NEW BUSINESS

Deputy Reeve Iain Gardiner

- *Wished to congratulate Reeve Rick Phillips of his recent election as the Chairman of the Eastern Ontario Wardens Caucus (EOWC), by virtue of his position as Warden of Hastings County*
- *Spoke as a Library Board Member*
 - *Operations are running well and the Board is satisfied that the transition with the new CEO has gone smoothly*
 - *The Board is looking at offering more evening hours without increasing costs*
 - *The entire schedule is being reviewed so that operation can be best taken advantage of*

Reeve Rick Phillips

- *Advised Council that he had been speaking with Chisholm's Lumber regarding the offer of some property for free at the north end of the Township if the Council wished to pursue the idea of a substation at the north end*
- *It appears that we would also be able to get the building supplies at a lower cost*
- *Asked Council if we should contact the other three municipalities in the area of Roslin (Tweed, Centre Hastings and Belleville) to ascertain interest in a joint/shared venture*
- *It was agreed that we would wait for the new Fire Chief to start, find his feet and then this idea could be explored in more detail*
- *If we are not interested in the lot(s) Chisholm would like to be advised so that they can make alternate plans*
- *We will attempt to get back with an answer by late spring*

- *Advised Council that in further discussion with Chisholm's that they have been approached to consider a hydroelectric project at the Chisholm's dam*
- *As the municipality has some experience in alternate energy, they had approached the Reeve for further insights into process and what may be involved*
- *The Reeve advised Chisholm's to write a letter to CAO, Steve Mercer who has been most involved and added that he would be able to provide as much information as he could*

- *Brought up to Council the ongoing matter of a dilapidated and abandoned house in the Township and what could be done*
- *The neighbours are concerned about a potential fire and also the unsightliness*
- *The CAO explained that our property standards by-law is not satisfactory to deal with this, it is a matter of private property rights, the owner pays their taxes in full, and all utilities such as hydro have been disconnected*
- *If youth enter the home it is a matter of trespass, and hence an OPP matter*
- *This leaves us with few options*
- *The CAO did offer though that once our new By-Law Officer was in place that we would revisit the file and see what can be done*

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BY-LAWS

MOVED BY: Deputy Reeve Iain Gardiner

SECONDED BY: Councillor Wayne Chadwick

That this Council passes rezoning by-law 2013-01 being a Zoning Amendment to by-law 03-16 and will be commonly referred to as the Haire & Vanags By-law.

CARRIED

MOVED BY: Deputy Reeve Iain Gardiner

SECONDED BY: Councillor Margaret Walsh

That this Council passes by-law 2013-02 being a by-law to set Recreation Rates for 2013

CARRIED

MOVED BY: Councillor Wayne Chadwick

SECONDED BY: Councillor Margaret Walsh

That this Council passes by-law 2013-03 being a bylaw to enter into a contribution agreement with the Government of Canada regarding resurfacing of the 3rd Concession and other upgrades in the amount of \$105,000 where the total project values is estimated at \$315,000.

CARRIED

MOVED BY: Deputy Reeve Iain Gardiner

SECONDED BY: Councillor Adam Hannafin

That this Council passes by-law 2013-04 By-Law to Appoint Michael Boyd as Fire Chief for Tyendinaga Township affective January 28, 2013

CARRIED

MOVED BY: Councillor Wayne Chadwick

SECONDED BY: Councillor Margaret Walsh

That this Council passes by-law 2013-05 By-Law to Appoint Michael Boyd as By-Law Officer for Tyendinaga Township affective January 28,2013

CARRIED

MOVED BY: Councillor Margaret Walsh

SECONDED BY: Councillor Wayne Chadwick

That this Council passes by-law 2013-06 By-Law to appoint Michael Boyd as Community Emergency Management Coordinator (CEMC) for Tyendinaga Township affective January 28, 2013

CARRIED

IN CAMERA

MOVED BY: Deputy Reeve Iain Gardiner

SECONDED BY: Councillor Adam Hannafin

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

CARRIED

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

CARRIED

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

CARRIED

MOVED BY: Councillor Adam Hannafin
SECONDED BY: Councillor Wayne Chadwick
THAT this Council defers decision on award of the Canteen tender at this time until the Building Department has had opportunity to review and comment on the designs submitted. Be it further moved that the Recreation Coordinator is to also provide a total costing inclusive of all chattels. Be it finally moved that both responses are asked to be brought to the Council meeting of February 4, 2013 so that Council can make an informed decision and an application be put forward to Trenval for %50 funding based on a total project estimate of approximately \$100,000

CARRIED

ADJOURNMENT

MOVED BY: Deputy Reeve Iain Gardiner
SECONDED BY: Deputy Reeve Iain Gardiner
That this Regular Council Meeting be adjourned at 9:40pm

CARRIED

Rick Phillips, Reeve

Steve Mercer, CAO