

TOWNSHIP OF TYENDINAGA
Minutes of the Regular Council Meeting - NO. 2011-20

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

Meeting was called to order at 7:03 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: Councillor Wayne Chadwick
SECONDED BY: Councillor Adam Hannafin
THAT the Agenda of November 7, 2011 be adopted.

CARRIED

MOVED BY: Councillor Adam Hannafin
SECONDED BY: Councillor Wayne Chadwick
THAT the minutes of the October 17, 2011 Regular Meeting be approved as corrected.

CARRIED

STAFF REPORTS

John Farrell, Roads Supervisor
Provided written report

Highlights

- Ditching along Deseronto Rd, Slash Rd and Shannon Rd
- Time spent in the northern gravel pit doing rehabilitation work
- The third CN track will be installed across the Deseronto Rd this coming weekend and arrangements are in place for the road to be closed
- Preparation for the winter season
- More beaver dams are being removed
- Cold patching, grading, shoulder grading and some brushing along local roads
- Plow mounts are being put on the trucks in preparation for winter

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Stan Laton, Fire Chief
Provided written report

Highlights

- The Chief provided a statistical summary of events since the prior reporting period
- The Sparks fire prevention program is fully subscribed and we have had to turn away further applicants
- The program has 25 children and three volunteers
- The Fire Department will be participating in the Deseronto Christmas parade, Saturday, November 26

MOVED BY: Deputy Reeve Iain Gardiner

SECONDED BY: Councillor Adam Hannafin

THAT this Council confirms Judy Mountney's appointment to the Fire Department in the support division to assist in administrative duties.

CARRIED

Mandi Buma, Recreation Coordinator
Provided written report

Highlights

- Flag football has completed its season, congratulations to the league champions, Roslin Rebels
- All preparations are in order for our Remembrance Day ceremonies, to begin at 10:30am Friday November 11 at the Municipal Office with a pot-luck lunch to follow at the Recreation Hall
- Invitations are out, awaiting RSVP's for our staff awards and recognition dinner scheduled for Friday, November 18 beginning at 6pm at the Recreation Hall
- The Recreation Coordinator tabled the new proposed Bar Agreement between the Township and the Volunteer Firefighters Association
- The document has been vetted through and approved by the TVFFA and has their approval
- The Recreation Coordinator reviewed the changes, none substantial and asked Council to approve

MOVED BY: Deputy Reeve Iain Gardiner

SECONDED BY: Councillor Margaret Walsh

THAT this Council approves of the Bar Agreement tabled by the Recreation Coordinator for the period 2011 to December 2014 and approves for the Recreation Coordinator and Clerk to sign on behalf of the Township.

CARRIED

- The Recreation Coordinator tabled a memo from our plumber in relation to Council's concern that the bathroom problems are actually fixed once and for all
- The Council asked for further information, but is hopeful that the problem is solved

MOVED BY: Councillor Wayne Chadwick

SECONDED BY: Councillor Adam Hannafin

THAT this Council accepts the staff reports as presented.

CARRIED

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PASSING OF ACCOUNTS

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

General Government	\$350,370.89
Roads Department	\$90,972.36
Recreation Department	\$10,796.46
Protective Services	\$37,935.20
Fire Department	\$16,510.16

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	0 items
Councillor Wayne Chadwick	1 item
Councillor Margaret Walsh	2 items
Councillor Adam Hannafin	1 item
Reeve Rick Phillips	2 items

CORRESPONDENCE

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

- OMPF – fourth Quarterly Installment
- Ontario Aggregate Resources Corporation – 2010 Annual Report

NEW BUSINESS

MOVED BY: Councillor Margaret Walsh
SECONDED BY: Deputy Reeve Iain Gardiner
That this Council directs the Clerk Treasurer to bring forward to Council the process and mechanics of changing the title to Chief Administrative Officer. Be it further moved that the terms Reeve and Deputy Reeve are to remain.

CARRIED

MOVED BY: Councillor Margaret Walsh
SECONDED BY: Councillor Wayne Chadwick
That this Council receives the concern, dated October 16, 2011, in relation to drainage issues at 334 Shannon Rd.

CARRIED

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MOVED BY: Councillor Margaret Walsh

SECONDED BY: Councillor Wayne Chadwick

That this Council receives the Source Water Protection – Pre-consultation on Draft Quinte Region Source Protection Policies with a comment deadline of November 30 for Municipal comment.

CARRIED

MOVED BY: Councillor Adam Hannafin

SECONDED BY: Councillor Wayne Chadwick

That this Council approves the request in principle from the Shannonville Agricultural Society as per the letter from Glenn Sherwin – President tabled at this meeting. Be it further moved that the SAS is to take out all necessary permits and supply the Recreation Coordinator with a schematic diagram at conclusion of the project for the purpose of future locates and development. Be it finally moved that the SAS is to confer with Hydro One regarding available capacity of the transformers used to carry the load from Melrose Rd so that the Council is not restricted for future use without assuming costs for a transformer upgrade.

CARRIED

Deputy Reeve Iain Gardiner asked to be excused to attend to a family matter at 8:35pm

MOVED BY: Councillor Margaret Walsh

SECONDED BY: Councillor Wayne Chadwick

That Council approves a severance by HAAN (B73/11), Concession 4, Part Lot 31 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 a safe sight entryway be approved by the Roads Supervisor

CARRIED

MOVED BY: Councillor Wayne Chadwick

SECONDED BY: Councillor Adam Hannafin

That Council approves a severance by HASSAN (B74/11) & (B75/11), Concession 1 NOR, Part Lot 31 with the following conditions applied:

1. Payment in Lieu of Parkland fee of \$750.00 per new lot created (=\$1,500) (made payable to the Township of Tyendinaga)
2. That a safe sight entryways for each severed portion be approved by the Roads Supervisor.
3. The **proposed severed lots and retained parcel** be rezoned to meet the intent of the Preliminary Planning Report, County of Hastings, October 17, 2011 and proof of completion and approval of same be lodged with the Land Division Office prior to the endorsing of deeds for the severed and retained lots. (See Township for rezoning procedure)

CARRIED

MOVED BY: Councillor Margaret Walsh

SECONDED BY: Councillor Wayne Chadwick

THAT the Livestock Valuer Report for the following be approved as presented:

Fred Lang	Angus X Bull	\$525.00
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CARRIED

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Councillor Wayne Chadwick

- *Updated Council on his recent attendance at the Quinte Waste Solution Board meeting*
- *The Waste Service Board appears to be in sound financial shape*
- *A bundle of recycle goods is now worth approximately \$200*
- *There are two years remaining on the haulage contract with Waster Management – staff is starting to research next steps*

Councillor Margaret Walsh

- *Advised Council that the CCTE would be meeting at the Municipal Office tomorrow Tuesday, November 8 where Leona Dombrowsky will be a special guest*
- *Councillor Walsh also wished to congratulate the office staff in assuring that all our reporting and financials were in good order for 2010 as all items in that regard have now closed*

Councillor Adam Hannafin

- *Asked for an update on the solar panel installation at the Blessington Yd*
- *The Clerk explained that the installation was done this past week and that the ESA is scheduled to review and approve the work this coming Friday (November 11)*
- *After that Hydro will hook us into the grid*
- *All appearances are that all is well in order for the December 4 OPA deadline and that we will be well inside of the deadline*
- *Councillor Hannafin asked that the Clerk please contact Anything Electric so that they can review the suggestions regarding switching cut-off to address potential fire matters.*

Reeve Rick Phillips

- *Indicated to Council that he recently attended an information session sponsored by Waste Away*
- *They are in the business of taking waste and turning it into a product called fluff which can be used as an energy source*
- *They are an international company with some interest in the Quinte area*
- *The project would need many partners and a large amount of capital backing*
- *The project is still at the information stage*

- *Reeve Phillips advised Council that he received a request from Gerry Boyce who is writing a history of the Belleville/South Hastings area*
- *He is asking the Reeve for his vision of the community over the next two generations*
- *Reeve Phillips asked for Council input into his response*
- *The Council indicated that we liked our “place” in the Hastings fabric and maintaining what we have is as important as new ventures*
- *We would just like to be a bit better at everything we do and grow at a controlled rate so that Tyendinaga Township continues to be Rural Living at its Best*
- *Our agricultural heritage will continue to be protected and be the celebrated*
- *The Reeve and Clerk will pen something along these lines in response to Mr. Boyce’s request*

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MEMBERS REPORTS

MOVED BY: Councillor Margaret Walsh

SECONDED BY: Councillor Adam Hannafin

Whereas it is the understanding that municipalities have no jurisdiction over green energy projects such as solar panels and wind turbines;

And Whereas such green energy projects are exempt from all local zoning provisions as related to zoning type, setbacks and accessory use;

And Whereas safety concerns are apparent pertaining to structural firefighting as it may be unknown where disconnects are located for these sources during a fire;

Now Therefore be it resolved that the *Township of Tyendinaga* petition the Province of Ontario to allow municipalities jurisdiction over such projects through applicable zoning provisions and that the Province take into consideration any potential safety hazards as may exist with green energy projects in order to ensure the safety of municipal workers and the residents of the Province of Ontario.

BY LAWS

MOVED BY: Councillor Adam Hannafin

SECONDED BY: Councillor Margaret Walsh

WHEREAS the Canadian National Railway Company Limited (CN) may, upon request, provide their operators an exemption from the Canadian Rail Operating Rule 14 (L) to prohibit the sounding of engine whistles of trains in respect of highway crossings;

AND WHEREAS the Council for The Corporation of the Township of Tyendinaga (the Township) deems it desirable to prohibit the sounding of engine whistles in respect to certain highway crossings within the Township of Tyendinaga;

AND WHEREAS the Township has contacted CN requesting an exemption from the sounding of engine whistles at certain highway crossings;

AND WHEREAS the Township and CN have agreed to follow Transport Canada's guideline, Procedures and Conditions for Eliminating Whistling at Public Crossings;

NOW THEREFORE, the Council for The Corporation of the Township of Tyendinaga resolves as follows:

1. That the sounding of engine whistles of trains operated by or along rails controlled by the Canadian National Railway Company Limited is prohibited at the following street crossing(s), notwithstanding Canadian Rail Operating Rule 14 (L):
 - a. SHANNONVILLE ROAD CROSSING - Mile 213.5 – Kingston Subdivision
2. Nothing in this resolution prevents a train operator from sounding an engine whistle for safety reasons, if, in the operator's discretion, it is required at any particular time.
3. This resolution shall not come into full force and effect until the necessary approvals have been granted by the Canadian National Railway Company Limited and Transport Canada and the necessary bulletin to their operators has been issued.

CARRIED

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MOVED BY: Councillor Wayne Chadwick
SECONDED BY: Councillor Adam Hannafin
THAT this Council passes by-law 2011-28, being a by-law to rezone a portion of property in Pt Lot 21 Concession 4, its short title being the Hanley by-law

CARRIED

IN CAMERA

MOVED BY: Councillor Margaret Walsh
SECONDED BY: Councillor Wayne Chadwick
THAT Council agreed to continue with the Council Meeting in camera as the subject matter deals with a potential legal matter where confidentiality requires protection.

CARRIED

MOVED BY: Councillor Adam Hannafin
SECONDED BY: Councillor Wayne Chadwick
THAT Council has completed the discussion dealing with a potential legal matter where confidentiality requires protection.

CARRIED

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

CARRIED

ADJOURNMENT

MOVED BY: Councillor Margaret Walsh
SECONDED BY: Councillor Adam Hannafin
That this Regular Council Meeting be adjourned at 10:20 pm.

CARRIED

Rick Phillips, Reeve

Steve Mercer, Clerk - Treasurer