

TOWNSHIP OF TYENDINAGA
Minutes of the Regular Council Meeting - NO. 2012-05

Municipal Council Chambers, 859 Melrose Road, Shannonville
Monday March 5, 2012 at 7:00 pm

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

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

ABSENT:	Rick Phillips	Reeve - vacation
	Wayne Chadwick	Councillor - vacation

In the absence of the Reeve the Council meeting was Chaired by Deputy Reeve Iain Gardiner

Declaration of Pecuniary Interest: None Declared

MOVED BY: Councillor Margaret Walsh
SECONDED BY: Councilor Adam Hannafin
THAT the Agenda of March 5, 2012 be adopted.

CARRIED

MOVED BY: Councillor Margaret Walsh
SECONDED BY: Councilor Adam Hannafin
THAT the minutes of the February 21, 2012 Regular Meeting and February 21, 2012 Public Meeting be approved as corrected.

CARRIED

DELEGATIONS

Rose & Harold Enright – Marysville Rd

- Approached Council regarding capital plans for the Marysville Rd
- They approached Council in 2005 to lobby for upgrades to the Marysville north
- They felt there was an understanding that one section per year would be improved
- Work has been sporadic since 2005
- Presently the road is only improved to 1km north of the Shannon Rd

- Council indicated that circumstances change over time
- We have earmarked \$150,000 of expenditures for 2013 to finish reconstruction of the Marysville Rd from Shannon to Naphan Rds.
- There are currently no plans at this time to surface treat this portion
- The Enright's would like to see this portion resurfaced
- Council explained that resurfacing is a cost greater than the initial expenditure
- Resurfaced roads have a life span of approximately 8 years at a cost of \$20,000 per km
- Also surface roads require salt and gravel roads don't

TOWNSHIP OF TYENDINAGA
Minutes of the Regular Council Meeting - NO. 2012-05

- Council indicated that this may possibly go forward to the next Council as a recommendation but at this term of Council the \$150,000 designated for the Marysville Rd in 2013 is the only planned major expenditure

Mary O'Neill – Craig Rd

- Attended Council as a result of their decision on February 21
- Council elected not to maintain the Craig Rd south of the present spot
- Mary indicated that the road was open and should be maintained the entire length
- Mary would like to sever a residential lot to the south but it must be on an open AND maintained road
- Council indicated that maintenance standards were determined by the municipality and that all owners presently had access
- John indicated that the road was very poor southerly and that significant work would need done to bring it up to any standard
- Council did not wish to expend capital funds on this purpose
- Also, Belleville would need to be consulted as this would be a cost share arrangement as this is a shared road
- Mary indicated that she would be willing to do the work
- Council was not interested in pursuing this option as they were concerned about liability and dead end traffic issues
- Council asked Mary to contact the County given the current circumstances to see if there were other options for her to sever the property given that the status quo would be maintained

STAFF REPORTS

John Farrell, Roads Supervisor

Provided written report

Highlights

- The Roads Crew was required to work quite extensively on winter maintenance activities due to poor conditions related to weather throughout the Township
- We have been grading the roads as required
- The bush hog has been down and is in for repairs
- Half load signs were put up Wednesday, February 22, 2012
- John indicated that OGRA was a success, but the trade show was a bit smaller than usual
- Adam indicated he attended a session concerning 70% waste diversion but felt that its value was limited
- Our contingent agreed that networking and sharing of success and frustrations is the most valuable element of the conference
- Councillor Walsh asked if there was anything that can be done to improve the most westerly section of McCullough Rd
- John will investigate
- Deputy Reeve Gardiner asked if a road counter could be used in the event of 401 detours to ascertain the incremental amount of traffic on Township Roads

TOWNSHIP OF TYENDINAGA
Minutes of the Regular Council Meeting - NO. 2012-05

Stan Laton, Fire Chief - not in attendance

Provided written report

Highlights

- There were three calls for service in the last reporting period
- The Fire Chief in his role as By-Law Enforcement Officer asked for some clear direction on how to proceed in this role
- By-laws are outdated and basically unenforceable
- We do not have a defined set of progressive measures
- No training is in place
- The relationship between by-law and the courts is not clear
- Council wishes to proceed on a warning and letter first approach to achieve compliance but realizes in certain cases we will need full legal enforcement
- Council requested that a costing come forward that would put these measures in place

MOVED BY: Councillor Margaret Walsh

SECONDED BY: Councilor Adam Hannafin

THAT this Council accepts the staff reports as presented.

CARRIED

PASSING OF ACCOUNTS

MOVED BY: Councillor Margaret Walsh

SECONDED BY: Councilor Adam Hannafin

THAT the following accounts be approved as presented:

General Government	\$14,343.44
Roads Department	\$39,086.99
Recreation Department	\$3,538.23
Protective Services	\$490.00
Fire Department	\$6,816.27

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	2 items
Deputy Reeve Iain Gardiner	2 items
Councillor Margaret Walsh	1 item
Councillor Adam Hannafin	0 items

TOWNSHIP OF TYENDINAGA
Minutes of the Regular Council Meeting - NO. 2012-05

CORRESPONDENCE

MOVED BY: Councillor Margaret Walsh

SECONDED BY: Councilor Adam Hannafin

That this Council receives the following correspondence:

- Source Water Protection – Meeting Summary – February 2012
- Ministry of the Environment, Municipal Notice of Approval – Terms of Reference – BREC Facility
- AMO – February 16, 2012 – Drummond Recommendations that may have a municipal impact or interest

CARRIED

NEW BUSINESS

MOVED BY: Councillor Margaret Walsh

SECONDED BY: Councilor Adam Hannafin

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

MOVED BY: Councillor Margaret Walsh

SECONDED BY: Councilor Adam Hannafin

That this Council receives for information the e-mail dated February 18, 2012 from Lindsay Fedchyshyn regarding the excavated material presently sitting on the old Short property at Mile 211.4 Kingston Subdivision

CARRIED

TOWNSHIP OF TYENDINAGA
Minutes of the Regular Council Meeting - NO. 2012-05

MOVED BY: Councilor Adam Hannafin

SECONDED BY: Councillor Margaret Walsh

That this Council receives the information and program guidelines from TRENVAL in regards to upcoming potential funding whereby Tyendinaga Township is tentatively allocated \$25,000 to be obtained if the Council can put forward a proposal which meets program guidelines and demonstrates a matching amount in the municipal budget. Be it further moved that the CAO is to move forward as indicated with two proposals, one for a shading project at the Recreation Centre and a contribution to the planned hose tower at the fire hall.

CARRIED

MOVED BY: Councillor Margaret Walsh

SECONDED BY: Deputy Reeve Iain Gardiner

That Council approves a severance by NOBEL/WILSON (B17/12), Concession 5, Part Lot 39 & 40 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 the severed land be rezoned to Rural Residential.

CARRIED

Deputy Reeve Iain Gardiner

- *Indicated to Council that the Library Board would be presenting a budget with an increase of 2% as directed by Council*
- *This was achieved by eliminating the Library Board portion of the summer literacy program*
- *Hopefully the Friends of the Library will help fund this important program*
- *The Library will have a table at our upcoming program registration evenings to promote their programs*

- *Advised Council that the Lazier Dam Gantry was now essentially installed and that he had no negative feedback on the project*

Councillor Margaret Walsh

- *Brought to Council's attention that the CCTE is very disappointed with the decision of the Minister of Environment to approve an amended Terms of Reference for the Environmental Assessment for the BREC proposal*
- *The CCTE (Dump Committee would be meeting next Tuesday, March 13 at the Empey Hill Church at 7pm to discuss next step*
- *All of Council is encouraged to attend*

CAO Steve Mercer

- *Advised Council that the Interim Bills would be going out this week, and shared the March newsletter*

TOWNSHIP OF TYENDINAGA
Minutes of the Regular Council Meeting - NO. 2012-05

- *Also advised Council that there was an upcoming information session that Council is invited to*
- *It is being held by the Friends of the Salmon River in conjunction with the Nature Conservancy of Canada, the Hastings Stewardship Council and Hastings Prince Edward Land Trust*
- *The session is called Land Conservation and the Salmon River Alvar at 7pm March 13 at the Lonsdale Women's Institute*

MEMBERS REPOORTS

MOVED BY: Councillor Adam Hannafin

SECONDED BY: Councillor Margaret Walsh

That this Council receives the following reports:

- Quinte Conservation December 15, 2011 Minutes
- Quinte Waste Solutions – January 16, 2012 – Board Minutes

CARRIED

ADJOURNMENT

MOVED BY: Councillor Adam Hannafin

SECONDED BY: Councillor Margaret Walsh

That this Regular Council Meeting be adjourned at 8:55 pm.

CARRIED

Rick Phillips, Reeve

Steve Mercer, CAO