

TOWNSHIP OF TYENDINAGA
Minutes of the Regular Council Meeting - NO. 2007-05

Municipal Council Chambers, 859 Melrose Road, Shannonville
Monday, February 19, 2007 at 7:00 pm

Meeting was called to order at 7:00 p.m. Reeve Margaret Walsh presided.

PRESENT:	Margaret Walsh	Reeve
	Fred Lang	Deputy Reeve
	Iain Gardiner	Councillor
	Chris Brady	Councillor
	Steve Mercer	Clerk-Treasurer

REGRETS:	Rick Phillips	Councillor
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Lord's Prayer was said by all

MOVED BY: Councillor Iain Gardiner
SECONDED BY: Deputy Reeve Fred Lang
THAT the Agenda of February 19, 2007 be adopted
CARRIED

Declaration of Pecuniary Interest – None was declared at this time

MOVED BY: Councillor Iain Gardiner
SECONDED BY: Councillor Chris Brady
THAT the minutes of the Regular Council Meeting of Monday February 5, 2007 and the Public Meeting of February 5, 2007 be approved as corrected.
CARRIED

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

Reeve Margaret Walsh	3 items
Deputy Reeve Fred Lang	2 item
Councillor Iain Gardiner	1 in-camera item
Councillor Chris Brady	0 items

DEPUTATIONS

Corey Hendrick/ Casey Brant

- Approached Council for support of an elders lunch initiative
- They propose to provide lunch once a month for the mature residents of the township
- Initiative will not conflict with existing lunches offered by churches and community groups
- Request for Recreation department to provide programming after the lunch i.e. cribbage, euchre
- Will rent the Hall and use the facilities
- Council offered a letter of support for this most worthwhile initiative

Charlie Demille

- Operates "Longs" quarry at Melrose and Shannonville
- Half load restrictions are hurting business
- Demille has difficulty making competitive bids during this period

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- Request for exemption of half load limits during the traditional half load period
- Council will deliberate this request later in the agenda

MOVED BY: Deputy Reeve Fred Lang
SECONDED BY: Councillor Chris Brady

THAT the following accounts be approved as presented:

General Government	118927.47
Roads Department	28298.56
Recreation Department	7193.52
Fire Department	3171.11

CARRIED

STAFF REPORTS

John Farrell, Road Supervisor

Provided written report

Highlights

- Plowing and sanding has been the priority given the very poor weather the past few weeks

Dan Callaghan, Fire Chief

Provided written report

Highlights

- 6 calls to 401 in January
- 3 medical assists
- training overview
- tabled Joint Fire Services Operational Review document for Council to consider
- council to set a meeting with Fire Chief to review document and recommendations

Liette Osborne, Recreation Coordinator

Provided written report

Highlights

- Maple Sugar Festival scheduled for March 31- April 1 at Gervais Sugar Bush
- Provided costing of Youth Baseball Program
- March Break Camp will run March 12-16
- Sign-up for Spring Recreation Programs is March 6 and 8 at the Township Office, 6:30-8:30pm
- Canada Day Meeting – 6 pm Monday March 5

CORRESPONDENCE

The following correspondence was read, noted and filed:

- Summary of Road Closing Procedures
- MOE-Richmond Landfill Closure
- Council will meet with Sean Kennedy regarding Culbertson Tract negotiations with Mohawks of the Bay of Quinte, Thursday March 1 at 4pm

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MOVED BY: Councillor Iain Gardiner
SECONDED BY: Councillor Chris Brady

WHEREAS the Federal Government is responsible for grants for emergency planning and equipment through the Joint Emergency Preparedness Program (JEPP);

AND WHEREAS the funding formula and application process have not been revised for many years;

AND WHEREAS the timelines outlined in the application process are based on a fiscal year whereas the Municipality operates on a calendar year;

AND WHEREAS the Ontario Association of Fire Chiefs in 2002, through the Canadian Association of Fire Chiefs, petitioned the Federal Government to increase grants and reduce limitations through the JEPP process, with no resolve;

AND WHEREAS all Municipalities must meet and maintain the emergency preparedness requirements outlined in the *Emergency Management and Civil Protection Act, R.S.O., 1990*;

AND WHEREAS changing weather patterns are resulting in more frequent and more violent storms;

AND WHEREAS in 2006, many municipalities including the Township of Tyendinaga incurred significant costs for the cleanup following these storms;

AND WHEREAS funding is required, particularly by small, rural municipalities;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Township of Tyendinaga petitions the Minister of Community Safety and Correctional Services; Emergency Management Ontario and the Federal Government to revise the funding formula and application process for the Joint Emergency Preparedness Program to increase grants available for emergency preparedness purposes and reduce funding limitations;

AND THAT a copy of this resolution be sent to the Honourable Bev Oda, MP, and Mr. John O'Toole, MPP, the Minister of Community Safety and Correctional Services, the Commissioner of Emergency Management Ontario, the Minister of Public Safety and Emergency Preparedness Canada and the Director of Durham Emergency Management Office.

CARRIED

Moved by: Councillor Chris Brady
Seconded by: Councillor Iain Gardiner

WHEREAS Ontario municipalities have the authority pursuant to O. Reg. 316/03 under the highway Traffic Act (HTA) to regulate the operation of all-terrain or off-road vehicles (ATV's) on highways under their jurisdiction; and

WHEREAS said regulation has resulted in a patchwork quilt across the province of varying regulations governing the use of these vehicles creating uncertainty and frustration for both ATV users and municipalities; and

WHEREAS the number of ATV users continues to grow rapidly exacerbating the problem.

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NOW THEREFORE the Township of Tyendinaga requests that the province of Ontario review with municipalities and their associations the issue of ATV use on public highways with a view to ensuring consistency and sound decision making throughout all areas of the province.

CARRIED

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Deputy Reeve Fred Lang

That this Council approves the signing of the Fire Dispatch Services Agreement with Town of Greater Napanee, as presented, in the amount of \$353.28 per month

CARRIED

Clerk tabled the 2004 Accessibility Plan required by the Accessibility Directorate of Ontario. ADO are mandated to ensure compliance under the Ontario Disabilities Act, 2001. This requires the Township complete an annual Accessibility Plan. Ian Gardiner will represent Council in updating the current accessibility plan for 2007. Once complete, Accessibility Plan will be brought to full Council for consideration

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That this Council supports an application to COMRIF to support the work entailed in becoming ready for 2009 in respect to Asset Accounting. Clerk to gather quotes, secure best price and proceed with application.

CARRIED

Clerk presented information concerning a \$3,200 quote to support Occupational Health and Safety initiatives. Upon discussion it was identified that there may be in fact opportunity to get the required work done at a lower price. Item was tabled for further clarification.

MOVED BY: Deputy Reeve Fred Lang

SECONDED BY: Councillor Chris Brady

That this Council supports the right of way request put forth by Jack Ronson in relation to the Melrose Industrial Park. In effect, this is access to Lot 14 via Lot 1 in the Industrial Park. Be it further moved that Mr. Ronson's legal council draw up said agreement for Councils consideration and review. Be it finally moved that a sunset clause be inserted in the agreement that comes into effect once the roadway into the park is constructed.

CARRIED

MOVED BY: Deputy Reeve Fred Lang

SECONDED BY: Councillor Iain Gardiner

WHEREAS the Council of the Township of Tyendinaga has addressed the matter of regulating inflatable swimming pools through construction permit and fencing requirements;

AND WHEREAS Council's discussion of the matter of fencing around inflatable pools has included the following considerations: inflatable swimming pools are easy to put up and very portable as they are not actually constructed or built; inflatable swimming pools are placed in various locations on private property; inflatable swimming pools do not require a construction permit under the Ontario Building Code; and, inflatable swimming pools present enforceability issues for the Township;

AND WHEREAS Council has agreed not to exercise its discretion to require enclosures around inflatable swimming pools based on the above considerations, and has subsequently agreed not to regulate inflatable swimming pools in regards to permit and fencing requirements;

NOW THEREFORE the Council of the Township of Tyendinaga hereby resolves that it will be the responsibility

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of the owner of the land upon which an inflatable swimming pool is located to ensure that any fence or other barrier is erected around the swimming pool sufficient to prevent access to any person under the age of eighteen years.

CARRIED

NEW BUSINESS

Members Reports

Deputy Reeve Fred Lang gave a verbal report on his attendance at recent Quinte Conservation Board of Directors Meeting

- 2007 Budget was approved
- Budget Increase of 3%
- General Levy to Tyendinaga is down for 2007 - \$17,627.00
- Specific/Shared Levies to Tyendinaga
 - \$1,728.00 for three ton truck
 - \$859 – Moira River Watershed
 - \$5,156 – Napanee River Watershed
- provided update on discussions concerning Kingsford dam. Dam did not come out this past fall, which may have contributed, to higher water levels. However, it appears as though this also may have helped contribute to less frazzle ice

Deputy Reeve Lang inquired about the entrance that CN installed on Highway #2. Roads Supervisor to follow-up.

Deputy Reeve Lang inquired about the status of our website/webmaster contract. Clerk to follow-up.

Reeve Margaret Walsh shared an invitation from The Tyendinaga Public Library Board for Council to join the Library Board for dinner and discussion with Peggy Malcolm March 12 at 5:30, visiting the Library from Southern Ontario Library Services. Council thanks the Library for the invitation and will attend.

Reeve Margaret Walsh shared with Council an initiative being headed by Nancy Pordham. This important initiative is to recognize all enlisted Armed Forces personnel from Tyendinaga Township who have served in active duty from the Korean War to the present

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Deputy Reeve Fred Lang

That this Council thanks Ms Pordham for her most worthwhile initiative and that the Council will buy the plaque that will be used to honour our veterans.

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Deputy Reeve Fred Lang

That although Council certainly appreciates the concern and request of Mr. Charlie Demill for exemption of half load requirement on the Shannonville Rd, the long term condition of the road must be the paramount consideration, and that Council respectfully denies the request for half load exemption.

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Deputy Reeve Fred Lang

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THAT Council agreed to continue with the Council Meeting in camera as the subject matter deals with matters about identifiable individuals including municipal employees and ongoing legal matters where Township of Tyendinaga is a party to the proceedings.

CARRIED

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Deputy Reeve Fred Lang

THAT as Council has completed the discussion on matters about identifiable individuals including municipal employees and ongoing legal matters where Township of Tyendinaga is a party to the proceedings it was agreed that the Council Meeting would now continue in open meeting format.

CARRIED

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Deputy Reeve Fred Lang

THAT this Council confirms the discussion of the in-camera portion of the open meeting

CARRIED

With no further business to discuss, Council agreed to adjourn and the next scheduled meeting of Council will be Monday, March 5, 2007 at 7:00 pm or at the call of the Reeve.

MOVED BY: Deputy Reeve Fred Lang

SECONDED BY: Councillor Chris Brady

That this Regular Council Meeting be adjourned 9:55 pm.

CARRIED

Margaret Walsh, Reeve

Steve Mercer, Clerk-Treasurer