

TOWNSHIP OF TYENDINAGA
Minutes of the Regular Council Meeting - NO. 2010-18

Municipal Council Chambers, 859 Melrose Road, Shannonville
Monday, December 13, 2010 at 7:00 pm

Meeting was called to order at 7:00 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

Ms. Morgan Rivers was in the gallery as part of her civics high school curriculum requirements.

Declaration of Pecuniary Interest: None declared

MOVED BY: Deputy Reeve Iain Gardiner
SECONDED BY: Councillor Adam Hannafin
THAT the Agenda of December 13, 2010 be adopted.

CARRIED

MOVED BY: Councillor Margaret Walsh
SECONDED BY: Councillor Wayne Chadwick
THAT the minutes of the December 1, 2010 Inaugural Meeting be approved as presented.

CARRIED

DELEGATIONS

Alf Chaiton – Milltown Power Project

- Was unable to attend due to poor road conditions in the area
- They will reschedule for January 4th, failing that February 7, 2011

PASSING OF ACCOUNTS

MOVED BY: Councillor Margaret Walsh
SECONDED BY: Councillor Wayne Chadwick
THAT the following accounts be approved as presented:

General Government	\$475,688.65
Roads Department	\$101,209.41
Recreation Department	\$10,732.48
Protective Services	\$37,010.71
Fire Department	\$82,299.95

CARRIED

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- Councillor Hannafin asked about a Hall rental refund check and its particulars as the refund was split between departments
- Councillor Chadwick wanted assurance that legal bills related to tax sale procedures would be recouped – they will be

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

CORRESPONDENCE

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

That this Council receives the correspondence:

- Invitation – MPP Leona Dombrowsky – Annual New Year’s Day Levee
- Minister Wilkinson – Dec 3, 2010 – Richmond Landfill
- AMO – Dec 6, 2010 – Auditor General – Annual Report
- OGRA – Nov 5, 2010 – Minimum Maintenance Standards Litigation

CARRIED

NEW BUSINESS

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

That this Council directs the Clerk to bring back to Council an amended version of By-law 95-18 on January 4, 2011 that captures the discussion of Council upon review of the current inadequate by-law.

CARRIED

MOVED BY: Deputy Reeve Iain Gardiner
SECONDED BY: Councillor Adam Hannafin

That this Council supports the application to Transport Canada, for the Municipality to enter into a cost share agreement to deal with the safety concerns at the CP rail crossing on Weese Rd. Be it further moved that the cost share is recognized by Council as Transport Canada, 80%, CP Rail 7.5% and Township 12.5% split. Be it finally moved that, not until total costs are known, that the Council will not fully commit to this project, but that staff is directed to move the initiative forward.

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MOVED BY: Deputy Reeve Iain Gardiner

SECONDED BY: Councillor Margaret Walsh

That this Council in support of by-law # 05-38 directs the Clerk to administer the said survey questionnaire at the far end of Lazier Rd, from Wyman Rd westward to 1425 Lazier, as stretch of 2.3 km and upon conclusion being back the results to Council for decision

CARRIED

MOVED BY: Deputy Reeve Iain Gardiner

SECONDED BY: Councillor Adam Hannafin

That this Council receives update from Stan Laton, Fire Chief in regards to the recent accident involving the ¾ ton response vehicle, referred to as 804. Be it further moved that once firm quotes are received, a pro-con analysis completed and the insurance claim is settled, that all information be brought back to Council for review and decision.

CARRIED

MOVED BY: Deputy Reeve Iain Gardiner

SECONDED BY: Councillor Adam Hannafin

THAT THIS Council approves to move forward with “We Support Our Troops” signage for the municipality at an upset cost of \$1,000. Be it further moved that if 4 larger signs (60 x 90cm) are purchased and 8 of the smaller ones (45 x 60cm), we will be well within budget.

CARRIED

MOVED BY: Councillor Margaret Walsh

SECONDED BY: Councillor Adam Hannafin

That this Council supports the Township’s application to Heritage Canada for Canada Day funding. Be it further moved that Clerk Steve Mercer is approved to act as signing authority on all matters that pertain to this application.

CARRIED

MOVED BY: Councillor Wayne Chadwick

SECONDED BY: Councillor Adam Hannafin

That this Council approves of John Farrell, Reeve Rick Phillips, Deputy Reeve Iain Gardiner and Clerk Steve Mercer to be our Municipal representatives at the 2011 annual OGRA/ROMA conference to be held in Toronto February 27- March 2.

CARRIED

MOVED BY: Deputy Reeve Iain Gardiner

SECONDED BY: Councillor Margaret Walsh

That Council approves a severance by HISCOCK (B95/10), Concession 7, Part Lots 24 & 25 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. Proof of potable water and adequate flow rate.
3. Prior to the endorsing of deeds for the severed lot, proof be lodged with the Land Division Office from the Township of Tyendinaga that an entrance can be established suitable to the Township Road Supervisor.

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4. The severed lot be rezoned from “MARGINAL AGRICULTURE” to “RURAL RESIDENTIAL”, the “ENVIRONMENTAL PROTECTION WETLAND” to remain and proof of completion and approval of same be lodged with the Land Division Office prior to the endorsing of deeds for the severed lot. (See Township for rezoning procedure)

CARRIED

MOVED BY: Councillor Margaret Walsh

SECONDED BY: Councillor Adam Hannafin

That Council approves a severance by SMITH (B96/10), Concession 4, Part Lot 1 with the following conditions applied:

1. The severed portion be rezoned from “MARGINAL AGRICULTURE” to “RURAL RESIDENTIAL”, the “ENVIRONMENTAL PROTECTION WETLAND” to remain and proof of completion and approval of same be lodged with the Land Division Office prior to the endorsing of deeds for the severed lot. (See Township for rezoning procedure)
2. And that the convey as one parcel agreement be required

CARRIED

Deputy Reeve Iain Gardiner

- *Informed Council about the poor road conditions at the Waste Transfer Station*
- *John indicated he has spoken to Joe and they will be working together to improve the entrance roadway and possibly take down some trees*

- *Expressed his thanks to all staff for making the Inaugural Session of Council and the Staff Awards and Recognition Dinner memorable and fun events*

Councillor Wayne Chadwick

- *Asked for clarification regarding pecuniary interest and conflict of interest*
- *The Clerk offered that there is both real and perceived conflict and that one is as problematic as the other*
- *The Clerk advised is that if you feel you may be in a grey area, that it is better to declare and be sure*
- *Council can still make good decisions if one Member declares conflict*
- *The Member in conflict can either remain at the table and not participate in discussion or vote, or alternatively, leave the Chambers altogether*

Reeve Rick Phillips

- *Advised Council that in his capacity as a member of County Council will be sitting on the Planning and Development Committee and the Economic Development Committee*
- *The Reeve shared some literature from his initial orientations with these committees*
- *Of particular interest, severance activity in the Township is second highest in Hastings County over the past 5 years*

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MEMBERS REPORTS

MOVED BY: Deputy Reeve Iain Gardiner

SECONDED BY: Councillor Margaret Walsh

That this Council receives:

- Quinte Waste Solutions- Board Minutes – November 1, 2010
- BISC – October Report

CARRIED

BY-LAWS

MOVED BY: Councillor Margaret Walsh

SECONDED BY: Deputy Reeve Iain Gardiner

That this Council hereby passes By-law 10-25, being a By-law to set the structure of the Library Board

CARRIED

MOVED BY: Councillor Wayne Chadwick

SECONDED BY: Councillor Adam Hannafin

That this Council hereby passes By-law 10-26, being a By-law to appoint Council Members to various committees

CARRIED

IN CAMERA

MOVED BY: Councillor Margaret Walsh

SECONDED BY: Deputy Reeve Iain Gardiner

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

CARRIED

MOVED BY: Councillor Margaret Walsh

SECONDED BY: Deputy Reeve Iain Gardiner

THAT Council has completed the discussion dealing with lands matters where Council confidentiality requires protection.

CARRIED

MOVED BY: Councillor Wayne Chadwick

SECONDED BY: Councillor Adam Hannafin

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

CARRIED

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MOVED BY: Deputy Reeve Iain Gardiner

SECONDED BY: Councillor Margaret Walsh

That this Council directs the Clerk to contact Jewell Engineering to get a full costing of the work required on Highway #2, including works required on the bridge at Marysville. This work is to include the Belleville Rd from #49 to Deseronto Rd. Be it further moved that the Clerk is asked to try to get a meeting with the Minister of Transportation so that the Council may lobby for Provincial funding to initiate rehabilitation.

CARRIED

ADJOURNMENT

MOVED BY: Deputy Reeve Iain Gardiner

SECONDED BY: Councillor Margaret Walsh

That this Regular Council Meeting be adjourned 9:12 pm.

CARRIED

Rick Phillips, Reeve

Steve Mercer, Clerk - Treasurer