

TOWNSHIP OF TYENDINAGA
Minutes of the Regular Council Meeting - NO. 2018-09

Margaret Walsh Municipal Council Chambers, 859 Melrose Road, Shannonville
Monday May 7, 2018 at 7:00 pm

PRESENT:

Rick Phillips	Reeve
Adam Hannafin	Deputy Reeve
Don McFarlane	Councillor
Heather Lang	Councillor
Wayne Chadwick	Councillor
Steve Mercer	Chief Administrative Officer

ABSENT: None

PECUNIARY INTEREST: None Declared

MOVED BY: Deputy Reeve Adam Hannafin
SECONDED BY: Councillor Heather Lang
THAT the agenda of May 7, 2018 be adopted, and Meeting be opened at 7:06pm.
CARRIED

MOVED BY: Councillor Don McFarlane
SECONDED BY: Councillor Wayne Chadwick
THAT the minutes of the April 17, 2018 Regular Meeting and April 17, Public Meeting be approved as presented.
CARRIED

DELEGATIONS

Horse Issue – Blessington Rd

- *There were approximately 25 people in the gallery, invited by Council, to discuss the ongoing loose horse situation on Blessington Rd*
- *The CAO provided an overview of the situation to date*
 - *This situation has ebbed and flowed for many years and has once again peaked in the past few weeks*
 - *The Council agrees that something needs to be done in both the short term and long term*
 - *The matter is a jurisdictional quandary for ourselves, the OPP and OSPCA*
 - *The Council has engaged legal counsel as of April 30*
 - *A legal opinion on the matter was tabled at a Special Council Meeting to deal with this matter on Wednesday May 2*
 - *The Council accepted the advice of our legal counsel*
 - *the development of a fencing by-law and loose animal (non-dog) by-law is now in the works*
 - *The CAO further explained that this may in fact be a longer term solution but we really don't have an answer for the immediate problem*
 - *We will be meeting with the OPP and OSPCA tomorrow May 8 to hopefully, in partnership, find a resolution*

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- *There were several concerns brought forward by the attending residents*
 - *General health and welfare of the animals*
 - *Suspicion that feed is both poor and inadequate*
 - *Are there dead animals “out back”*
 - *Barn is in disrepair- is it safe for animals?*
 - *This situation is costing farmers money*
 - *The applicability of the Pounds Act*
 - *The applicability of the Line Fences Act*
 - *Road safety and potential serious car accidents – and inherent Township liability*
 - *A lot of the wandering is at night which is particularly dangerous*
 - *A long term solution does not help us short term*
 - *This situation has been going on for years – something needs done*
- *There was a lot of discussion surrounding these points between Council and the residents*
- *The Council assured the residents that the matter was being taken seriously but we had to act in a legal and ethical manner*
- *Hopefully the meeting tomorrow would bear fruit*
- *The Council promised to keep the residents updated on the situation – email addresses were collected for the group*

STAFF REPORTS

John Farrell, Roads Supervisor
Provided written report

Highlights

- Grading gravel roads
- We were out sanding earlier this period due to a significant late winter ice storm
- Cold patching hard tops
- Servicing Rec Hall mowers
- New entryways installed throughout Township
- Plow mounts are now painted and put away
- Gravel application – Weese & Wyman Rds.
- Half Load signs are off
- The Shannonville Rd will be closed between Airport Parkway and Old #2 this week for track maintenance by CN
- We had a very significant wind event this past Friday with many downed trees throughout the Township
- Mike Tyner and Brent Pascoe participated in the Truck Rodeo hosted by Stone Mills
 - Congratulations to Mike Tyner who came 2nd in the event

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James Oliver, Fire Chief

Provided written report

Highlights

- There have been seven (7) calls for service in this reporting period
- The Chief provided an overview of the calls
- The Chief provided statistics, thus far in 2018 on the type of calls we have been responding to
 - We responded mostly to fire calls, then motor vehicle accidents followed by medical calls, automatic alarms and rescue, in that order
 - This translates to approximates 545 person hours for our volunteers, not counting training
 - During Mutual Aid meetings there has been lots of discussion concerning the sharing and inventory of specialized equipment
 - Our UTV was utilized on a Tweed call just last week
- Fire Prevention
 - We will be attending Tyendinaga Public School May 12 to add an educational component to their annual Fun Fair
- CEMC
 - Belleville is hosing an Emergency Management open house on May 9
 - Loyalist Sector Meeting – May 28
 - Further on n the agenda is a proposed Mutual Aid Agreement and by-law to be considered but Council to add a Mutual Aid component to our Emergency Management regime

Raeanne McGuinness, Recreation Coordinator

Provided written report

Highlights:

Programs

- We have 317 kids registered for soccer this year and
- 244 registered in Baseball. Total of 561 kids registered in our summer programs.
- Adult Programs- Beach Volleyball – 10 teams
- 3-Pitch- 14 teams
- Important dates:
 - Saturday May 12 – South Hastings Baseball League
 - Tuesday May 22- Soccer Age 7-8 & 12-16
 - Wednesday May 23- Soccer Ages 4-6 &9-11
 - Thursday May 24 - Rookie
 - Monday May 28th - Pre- Rookie
 - Sunday May 27th – Adult 3-Pitch
 - June 7th -Adult Beach Volleyball
 - June 9th Bocce Ball Tournament
 - Minor Baseball Bottle Drive- Saturday May 26th

Special Events

- Trash Bash- April 21st - was very successful
- Canada Day -Sponsors are coming in, we have 17 thus far.
- Farmers Market- We had our first market of the year on Saturday May 5th.

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MOVED BY: Councillor Heather Lang
SECONDED BY: Councillor Don McFarlane
THAT this Council receives the staff reports as presented.
CARRIED

PASSING OF ACCOUNTS

MOVED BY: Councillor Wayne Chadwick
SECONDED BY: Deputy Reeve Adam Hannafin
THAT the following accounts be approved as presented:

General Government	\$54,509.37
Waste Disposal	\$473.42
Roads Department	\$65,112.20
Recreation Department	\$4,488.50
Protective Services	\$1,270.43
Fire Department	\$4,596.59

CARRIED

- There were some questions for staff for clarification purposes on certain expenditures.

CORRESPONDENCE

MOVED BY: Councillor Heather Lang
SECONDED BY: Deputy Reeve Adam Hannafin
That this Council receives the following correspondence:

- Historical Plaque – Lonsdale – August 8
- Ernie Hardeman, MPP – Resolution – Municipalities Call on Province for “Right To Approve” Landfill Developments
- The CABHC Patch – Archive News April 2018
- Waste Management – Sampling Event Conducted on March 20, 2018
 - Metric Environmental Memo April 5 – Notification of Off-Site Exceedances WM Richmond Landfill
- Media Release - Hastings County April 6, 2018
 - Early ON Child and Family Centres to Be Established in Hastings County
- Media Release –EOWC April 24, 2018
 - Province Supports Project Tackling Cellular Dead Zones across Eastern Ontario Mobile Broadband Critical Regional Growth.
- Concerned Citizens of Tyendinaga & Environs (CCCTE) – Thank you letter
- AMO AGM & Annual Conference August 19-22, 2018

CARRIED

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MOVED BY: Councillor Heather Lang
SECONDED BY: Councillor Don McFarlane

WHEREAS municipal governments in Ontario do not have the right to approve landfill projects in their communities, but have authority for making decisions on all other types of development;
AND WHEREAS this out-dated policy allows private landfill operators to consult with local residents and municipal Councils, but essentially ignore them;
AND WHEREAS municipalities already have exclusive rights for approving casinos and nuclear waste facilities within their communities, AND FURTHER that the province has recognized the value of municipal approval for the siting of power generation facilities;
AND WHEREAS the recent report from Ontario's Environmental Commissioner has found that Ontario has a garbage problem, particularly from Industrial, Commercial and Institutional (ICI) waste generated within the City of Toronto, where diversion rates are as low as 15%;
AND WHEREAS municipalities across Ontario are quietly being identified and targeted as potential landfill sites;
AND WHEREAS municipalities should be considered experts in waste management, as they are responsible for this within their own communities, and often have decades' worth of in-house expertise in managing waste, recycling, and diversion programs;
AND WHEREAS municipalities should have the right to approve or reject these projects, and assess whether the potential economic benefits are of sufficient value to offset any negative impacts and environmental concerns;
THEREFORE BE IT RESOLVED THAT the Township of Tyendinaga supports Bill 16, *Respecting Municipal Authority Over Landfilling Sites Act* introduced by MPP Ernie Hardeman and calls upon the Government of Ontario, and all political parties, to formally grant municipalities the authority to approve landfill projects in or adjacent to their communities;
AND FURTHER THAT the Township of Tyendinaga send copies of this resolution to MPP Ernie Hardeman and all municipalities.

CARRIED

NEW BUSINESS

MOVED BY: Deputy Reeve Adam Hannafin
SECONDED BY: Councillor Don McFarlane

That this Council receives the correspondence from ORE dated March 30, regarding the well testing results from the periodic testing of the wells at the Recreation Hall

CARRIED

MOVED BY: Deputy Reeve Adam Hannafin
SECONDED BY: Councillor Wayne Chadwick

That Council approves a severance for Marshall, Eric, (B23/18), Concession 7, Part Lot 37 with the following conditions applied:

1. Payment in Lieu of Parkland fee of \$750.00 per new lot (1) created (made payable to the Township of Tyendinaga)
2. 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 on the severed portion to the satisfaction of the Township Road Supervisor.

CARRIED

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MOVED BY: Deputy Reeve Adam Hannafin

SECONDED BY: Councillor Don McFarlane

That Council approves a severance for Snyder, Bob & Delores, (B25/18), Concession 5, Part Lot 7 with the following conditions applied:

1. Payment in Lieu of Parkland fee of \$750.00 per new lot (1) created (made payable to the Township of Tyendinaga)
2. That the severed lot be rezoned to Rural Residential
3. That if Hastings County has not already circulated the Consent application to Quinte Conservation, that the Township collect the \$325 review fee as part of the rezoning application
4. 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 on the retained portion to the satisfaction of the Township Road Supervisor.

CARRIED

MOVED BY: Councillor Heather Lang

SECONDED BY: Councillor Don McFarlane

That Council approves a severance for Whalen, Mike, (B26/18), Concession 3, Part Lot 28 with the following conditions applied:

1. Payment in Lieu of Parkland fee of \$750.00 per new lot (1) created (made payable to the Township of Tyendinaga)
2. That the severed lot be rezoned to Rural Residential
3. That if Hastings County has not already circulated the Consent application to Quinte Conservation, that the Township collect the \$325 review fee as part of the rezoning application
3. The applicant has supplied the Municipality with an affidavit stating there is a minimum of three and one-half (3 ½) gallons per minute of potable water available on the severed lots (Well Records and satisfactory Bacteriological Tests). However this condition may be satisfied via production of test documents for an existing well, should one exist.
4. That a hydrogeological study be prepared by a qualified professional demonstrating that there will be no adverse effects upon adjacent wells resulting from the subject approvals
4. 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 on the severed portion to the satisfaction of the Township Road Supervisor.

CARRIED

MOVED BY: Councillor Wayne Chadwick

SECONDED BY: Councillor Heather Lang

That Council approves a severance for Lazier/ Howes, (B32/18), Concession 3, Part Lot 16 with the following conditions applied:

1. Payment in Lieu of Parkland fee of \$750.00 per new lot (1) created (made payable to the Township of Tyendinaga)
2. 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 on the retained portion to the satisfaction of the Township Road Supervisor.

CARRIED

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MOVED BY: Councillor Heather Lang
SECONDED BY: Councillor Don McFarlane

That Council approves a severance for Colson, Fern & Shannon, (B37/18), Concession 1, Part Lots 2 & 3 with the following conditions applied:

1. Payment in Lieu of Parkland fee of \$750.00 per new lot (1) created (made payable to the Township of Tyendinaga)
2. That the severed lot be rezoned to Rural Residential
3. That if Hastings County has not already circulated the Consent application to Quinte Conservation, that the Township collect the \$325 review fee as part of the rezoning application
4. That the applicant remove the barn existing upon the proposed retained lands, or rezone both retained lands to Special Marginal Agriculture.
5. The applicant has supplied the Municipality with an affidavit stating there is a minimum of three and one-half (3 ½) gallons per minute of potable water available on the severed lot (Well Records and satisfactory Bacteriological Tests).
6. 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 on the severed portion to the satisfaction of the Township Road Supervisor.

CARRIED

MOVED BY: Councillor Don McFarlane
SECONDED BY: Deputy Reeve Adam Hannafin

That Council approves a lot addition for Colson, Fern & Shannon, (B38/18), Concession 1, Part Lots 2 & 3 with the following conditions applied:

1. That the lot addition be rezoned from Marginal Agriculture to Rural Residential
2. If the current lot (benefitting) is not currently zoned Rural Residential, a zoning amendment for that parcel will be required to Rural Residential
3. That the applicant convey a small portion of the benefitting lot across its frontage to the Township to affect a merge of the proposed severed and benefitting lands.
4. 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 on the severed portion to the satisfaction of the Township Road Supervisor.

CARRIED

MOVED BY: Councillor Don McFarlane
SECONDED BY: Councillor Wayne Chadwick

That Council approves a severance for McMurter, Michelle, (B39/18), Concession 5, Part Lot 31 with the following conditions applied:

1. Payment in Lieu of Parkland fee of \$750.00 per new lot (1) created (made payable to the Township of Tyendinaga)
2. 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 on the severed and retained portion to the satisfaction of the Township Road Supervisor.

CARRIED

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MOVED BY: Councillor Heather Lang
SECONDED BY: Deputy Reeve Adam Hannafin

That Council approves a severance for Lavesque, Terry & Carol (B42/18), Concession 2, Part Lot 15 with the following conditions applied:

1. Payment in Lieu of Parkland fee of \$750.00 per new lot (1) created (made payable to the Township of Tyendinaga)
2. That the severed lot be rezoned to Rural Residential
3. That if Hastings County has not already circulated the Consent application to Quinte Conservation, that the Township collect the \$325 review fee as part of the rezoning application
4. That the matters relating to the Railway and easements in the area be incorporated into the conditions of consent
5. The applicant has supplied the Municipality with an affidavit stating there is a minimum of three and one-half (3 ½) gallons per minute of potable water available on the severed lot (Well Records and satisfactory Bacteriological Tests).
6. 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 on the severed portion to the satisfaction of the Township Road Supervisor.

CARRIED

ADDITIONAL COUNCIL REMARKS/ REPORTS

Councillor Wayne Chadwick (1)

- *Advised Council that given our tax relief contribution for the Lonsdale Women's Institute, he shared some of their promotional material they provided him and asked that they supply us with a yearly activity report*

Councillor Heather Lang (1)

- *Reported as a Member of the Tyendinaga Township Public Library Board*
- *The computers that were received through special grant money have arrived and are up and running*
- *Our summer reading and tutoring program is already full*
- *All summer students from last year are returning this year*

Councillor Don McFarlane (1)

- *Inquired as to the status of the project to improve safety at the Belleville Rd and Deseronto Rd intersection that we are working with in tandem with Lennox & Addington*
- *John Farrell offered that most of the signage and other material had been ordered and he expected the project to move forward in the next few weeks*
- *John shared a diagram of the plans for the intersection*

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Councillor Adam Hannafin (2)

- *Asked if we could install some “turtle crossing” signage along the Read Road*
- *This is the time of year that they appear most active and we should warn drivers for the sake of safety of the turtles*
- *John advised that he would install a few but warned that these signs, like deer crossing signs are the most desirable, and tend to go missing quickly*

- *Deputy Reeve Hannafin also congratulated Mike Tyner, of our Roads Department, who came second recently at the District 8 Truck Rodeo held in Stone Mills Township*

Reeve Rick Phillips (2)

- *Mentioned to Council that the logos at the centre of our gateway signage had become quite faded on some of them and asked the Roads Department to attach new stickers where needed*

- *Advised Council that he had spoken to Mike Kelly from Hospice Quinte who was interested in attending an upcoming Council meeting to share the works of this important organization*
- *The Council felt this was very worthwhile and asked the CAO to coordinate an appropriate time*

MEMBERS REPORTS

MOVED BY: Deputy Reeve Adam Hannafin

SECONDED BY: Councillor Don McFarlane

That this Council receives the following reports:

- By-Law Reports
 - March
 - April

CARRIED

MOVED BY: Councillor Heather Lang

SECONDED BY: Councillor Don McFarlane

That this Council receives the following report:

- Quinte Conservation – January 25, 2018 Executive Board Meeting Minutes

CARRIED

BY-LAWS

MOVED BY: Councillor Heather Lang

SECONDED BY: Councillor Wayne Chadwick

That this Council passes By-law 2018-14 being a rezoning by-law related to severance application B112/17 - Maracle

CARRIED

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MOVED BY: Councillor Don McFarlane
SECONDED BY: Deputy Reeve Adam Hannafin
That this Council passes By-law 2018-15 being a rezoning by-law related to severance application B105/17 - Cook

CARRIED

MOVED BY: Councillor Don McFarlane
SECONDED BY: Deputy Reeve Adam Hannafin
That this Council passes By-law 2018-16 being A By-law to authorize the execution of a Mutual Services Agreement. Whereas the Council of the Corporation of the Township of Tyendinaga proposes to enter into a Mutual Services Agreement with Municipality of Centre Hastings, Township of Madoc, Municipality of Marmora and Lake, Township of Stirling-Rawdon, Municipality of Tweed, Town of Deseronto, Mohawks of the Bay of Quinte First Nation, City of Belleville, City of Quinte West and Prince Edward County to establish the framework through which a municipality that is in need of assistance has their requests for human and material resources located and deployed in a timely and efficient manner.

CARRIED

CARRIED
MOVED BY: Councillor Heather Lang
SECONDED BY: Councillor Wayne Chadwick
That this Council passes By-law 2018-17 being a by-law to authorize our Canada Summer Jobs Agreement with Canada, funding two summer students for the Municipality

CARRIED

IN CAMERA

MOVED BY: Councillor Heather Lang
SECONDED BY: Deputy Reeve Adam Hannafin
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 Heather Lang
SECONDED BY: Councillor Wayne Chadwick
THAT Council has completed the discussion dealing with lands matters where confidentiality requires protection.

CARRIED

MOVED BY: Deputy Reeve Adam Hannafin
SECONDED BY: Councillor Don McFarlane
THAT Council confirms the discussion and staff direction given in the in camera portion of the meeting

CARRIED

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ADJOURNMENT

MOVED BY: Deputy Reeve Adam Hannafin

SECONDED BY:

That this Regular Council Meeting be adjourned at 9:22pm

CARRIED

Rick Phillips, Reeve

Steve Mercer, CAO