

**TOWNSHIP OF TYENDINAGA**  
**Minutes of the Regular Council Meeting - NO. 2007-12**

**Municipal Council Chambers, 859 Melrose Road, Shannonville**  
**Monday, May 7, 2007 at 7:00 pm**

Meeting was called to order at 7:40 p.m. Reeve Margaret Walsh presided.

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

Declaration of Pecuniary Interest – None was declared at this time

**DELEGATIONS**

Ken Tulloch – South River Road

- Concerned about road conditions on South River Road
- Maintenance has been sporadic over the years and there has never been a full reconstruction
- Driving has become problematic
- This has been a long term concern
- Mr. Tulloch tabled a letter and photographs of the area – letter is co-signed by many area residents
- Council assured the delegation that this road was a priority and pending the tabling of the Roads Study Council had every confidence that this road would be worked on this year

Bonnee O’Neill – Shannonville Agricultural Society

- Several volunteer work bees have taken place to clear the western area of the recreation complex of trees and brush
- This was the work that the SAS brought forward a few months ago
- The SAS asks the Roads Supervisor to clear the area so that it is leveled and usable
  
- The SAS would like to apply for a Trillium Grant to purchase bleachers, picnic tables, tables and chairs and garbage cans
- These purchases will also be a benefit to the Township
- The SAS asks for Council support via motion to proceed with a Trillium Application with the Township as a partner
- SAS is asking for approval in principle to support the application first and the project purpose second

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That this Council supports the initiative put forward by the Shannonville Agricultural Society in their desire to apply for a Trillium Grant for the purpose described by Ms. O’Neill.

**CARRIED**

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Bill McFarlane – Roads Department

- Asked for a meeting with Council to review the wages of Roads Department Employees. The staff feels that they have not been apprised or been part of any discussions in this regard.
- Meeting scheduled for Tuesday May 8 at 4:30.
- Council indicated that 2007 budget and wages decisions will be tabled until after this meeting.

**A RECESS was called from 8:30 to 9:00pm**

MOVED BY: Councillor Iain Gardiner  
SECONDED BY: Councillor Rick Phillips  
THAT the Agenda of May 7, 2007 be adopted.

**CARRIED**

MOVED BY: Deputy Reeve Fred Lang  
SECONDED BY: Councillor Chris Brady  
THAT the minutes of the Regular Council Meeting of Monday May 7, 2007 and the Public Meeting of May 7, 2007 be approved.

**CARRIED**

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

Reeve Margaret Walsh	1 items
Deputy Reeve Fred Lang	0 items
Councillor Iain Gardiner	2 items – 1 in-camera
Councillor Chris Brady	0 items
Councillor Rick Phillips	1 items
Clerk Steve Mercer	3 items – 2 in-camera

**PASSING OF ACCOUNTS**

- Council had questions on a 407 toll charge, chipper rental and billing in relation to waste haulage
- These expenditures were clarified

MOVED BY: Councillor Chris Brady  
SECONDED BY: Councillor Iain Gardiner  
THAT the following accounts be approved as presented:

General Government	13311.71
Roads Department	26945.07
Recreation Department	6942.66
Fire Department	3717.57

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**STAFF REPORTS**

**John Farrell, Road Supervisor – Absent due to training in Guelph**

Provided written report

Highlights

- Cold patching underway
- Brushing continues along Blessington to support works later in the summer
- Intersections being swept
- Shoulder grading continue

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Rick Phillips

THAT this Council accepts the staff roads report as presented.

**CARRIED**

**Liette Osborne, Recreation Coordinator**

Provided written report

Highlights

- Soccer starts in two weeks
- Youth baseball has begun
- Township golf tournament is scheduled for June 23 at Briar Fox
- Applications underway for summer student subsidy
- Seasonal staff have started and facilities readiness is well on the way

Council asked Recreation Coordinator to follow up with OPP in relation to a party at the recreation area and two missing gates.

MOVED BY: Councillor Chris Brady

SECONDED BY: Deputy Reeve Fred Lang

THAT this Council accepts the staff recreation report as presented.

**CARRIED**

**CORRESPONDENCE**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That this Council receives the correspondence dated March 19, 2007 from the Municipality of Hastings Highlands and supports the resolution pertaining to mail in ballot confusion during the 2006 municipal elections. Be it further moved that before the 2010 election process begins that the Township of Tyendinaga receive, and be satisfied with, a sample mail-in ballot package from any supplier offering to prepare or send out ballot packages to voters in our municipality.

**CARRIED**

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

That this Council receives the correspondence dated April 10 and 17, 2007 from the Ontario Provincial Police regarding a breakdown of the Township's 2007 costs for policing. Be it further moved that the Clerk is asked to write to the OPP to get more detailed information on costing.

**CARRIED**

**NEW BUSINESS**

MOVED BY: Councillor Rick Phillips  
SECONDED BY: Councillor Iain Gardiner

WHEREAS The CN crossing in Tyendinaga Township at Mowbray Rd has been a safety concern for many years AND WHEREAS Council decided by duly carried by-law 04-24 on September 20, 2004 to close this crossing due to safety concerns

AND WHEREAS the CN crossing closure took place in the fall of 2006

AND WHEREAS the southern portion of Mowbray Road is now inaccessible from the northern portion of Mowbray Rd

AND WHEREAS the portion of Mowbray Rd to the south of the tracks is now more closely associated with Mowbray's Rd on Tyendinaga Territory as a through road

AND WHEREAS concerns have been brought forward in relation to emergency 911 access to this southern portion, south of the tracks

THEREFORE BE IT RESOLVED that the portion of Mowbray Rd south of the railway crossing closure to the southern border of the Township be henceforth known as Mowbray's Rd

BE IT FURTHER RESOLVED that this name change will allow 911 dispatch to alert emergency vehicles that access to this portion must be from the south

BE IT FURTHER RESOLVED that this name change be communicated to all 911 interests

AND BE IT FINALLY RESOLVED that this road name change is wholly intended to be a safety measure so emergency access is not compromised.

**CARRIED**

MOVED BY: Councillor Iain Gardiner  
SECONDED BY: Deputy Reeve Fred Lang

That this Council supports an application to the Parrott Foundation presented to Council in the amount of \$256,000 to be used as described in the proposal for the Tyendinaga Township Public Library.

**CARRIED**

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

That Council approves a severance by KRAJEWSK-MORIN (49/07), Concession 6, Lot 21 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. Establishment of a well on property with a minimum flow of 3 ½ gallons per minute and proof that water is potable.
3. An entrance permit must be applied for with the Township of Tyendinaga
4. That the lot be rezoned to Rural Residential
5. 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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**CARRIED**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Rick Phillips

That Council approves a severance by KRAJEWSK-MORIN (50/07), Concession 6, Lot 21 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. Establishment of a well on property with a minimum flow of 3 ½ gallons per minute and proof that water is potable.
3. An entrance permit must be applied for with the Township of Tyendinaga
4. That the lot be rezoned to Rural Residential
5. 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.

**CARRIED**

MOVED BY: Councillor Rick Phillips

SECONDED BY: Deputy Reeve Fred Lang

That this Council defers the consent application 26/06, Collins, as the accompanying planning report appears to speak to a different property. Be it further moved that the Clerk is asked to bring back a corrected planning report for decision.

**CARRIED**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That Council approves a severance by WAY (45/07), Concession 5, Lot 13 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. Establishment of a well on property with a minimum flow of 3 ½ gallons per minute and proof that water is potable.
3. An entrance permit must be applied for with the Township of Tyendinaga
4. That the lot be rezoned to Rural Residential
5. 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.

**CARRIED**

***Clerk – Steve Mercer***

- Shared with Council information on the Shannonville Road closure scheduled for May 14-18
- There has been extensive communication to schools, emergency services and area residents concerning this closure
- The closure is due to planned maintenance by both CN and CP

***Iain Gardiner***

- Inquired about the charged rates for garbage disposal at the waste transfer site
- This has become more of an issue recently since other landfills appear to not be accepting material
- Councillor Gardiner suggested that work needs to be completed in relation to charged rates but admitted this might be difficult without weigh scales.

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***Rick Phillips***

- Has been contacted by taxpayer Wayne Tracy in regards to the Council commissioned Roads Needs Study
- It is expected that the study will be received by Council on May 22 and will then be in the public domain

***Reeve Margaret Walsh***

- Tabled a letter from Bob Ferguson and asks that it be brought forth on the May 22 agenda

**CARRIED**

**BY-LAWS**

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Iain Gardiner

That this Council hereby defers by-law 07-15, 2007 Municipal Budget, to be re-tabled on May 22, 2007 after the meeting with staff concerning pay

**CARRIED**

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Iain Gardiner

That this Council hereby defers by-law 07-16, an amendment to by-law 03-16 - Crewson, to be re-tabled on May 22, 2007 after clarification on the items brought forth at the public meeting of May 7 are dealt with.

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Iain Gardiner

That this Council hereby defers the motion on staff pay increments, to be re-tabled on May 22, 2007 after the meeting with staff concerning pay.

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

THAT Council agreed to continue with the Council Meeting in camera as the subject matter deals with ongoing legal matters where Township of Tyendinaga is a party to the proceedings.

**CARRIED**

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Chris Brady

THAT as Council has completed the discussion on matters about 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 Chris Brady

SECONDED BY: Deputy Reeve Fred Lang

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

**CARRIED**

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With no further business to discuss, Council agreed to adjourn and the next scheduled meeting of Council will be Tuesday May 22, 2007 at 7:00 pm or at the call of the Reeve.

MOVED BY: Councillor Chris Brady

SECONDED BY: Councillor Iain Gardiner

That this Regular Council Meeting be adjourned 10:25 pm.

**CARRIED**

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Margaret Walsh, Reeve

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Steve Mercer, Clerk-Treasurer