

TOWNSHIP OF TYENDINAGA
Minutes of the Regular Council Meeting - NO. 2008-12`

Municipal Council Chambers, 859 Melrose Road, Shannonville
Monday May 5, 2008 at 7:00 pm

Meeting was called to order at 7:04 p.m.

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

Absent: None

MOVED BY: Councillor Iain Gardiner
SECONDED BY: Councillor Chris Brady
THAT the Agenda of May 5, 2008 be adopted.

CARRIED

Declaration of Pecuniary Interest: None was declared at this time

MOVED BY: Councillor Rick Phillips
SECONDED BY: Councillor Chris Brady
THAT the minutes of the April 21, 2008 Regular Meeting and the April 21, 2008 Public Meeting be approved as corrected.

CARRIED

DELEGATIONS

Mr. Bart Walsh – Weese Road

- Mr. Walsh was attending Council to ask about any further plans to deal with the Weese Rd
- He is grateful for all efforts thus far but it is clear that the Weese Road requires substantial work
- Is aware that the Council received substantial unanticipated funding from the Ontario government with respect to municipal infrastructure
- Mr. Walsh's question remains – when will the Weese Road be addressed
- We are apparently doing some bridge this year that he had heard nothing about in his review of our studies
- Council explained that the bridge work is a result of the Bridges Study which was completed in parallel to the Roads Study but as a separate activity
- Our bridgework for this year is consistent with these recommendations.
- It appears we may be able to deal with these bridges in a more cost effective way now rather than waiting until later
- Council is concerned about environment protocols becoming more restrictive and that our costs could be increased substantially

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- Council indicated that yes, we were awarded \$987,222 from the Ontario government to help aid our infrastructure needs
- The 2008 budget was about complete when this announcement came
- Council elected to put the amount in Reserves and it is the general feeling that half of this amount will be spent in 2009 and the other half in 2010
- Although actual plans have not been made Council expects that the Weese Road will be dealt with in 2009
- If this does not come to pass the expectation is that it would be completed in 2010
- Without making a firm motion Council left Mr. Walsh with the impression that the Weese Road would be worked on in 2009

William Goodfellow – Road Allowance

- Wanted to address Council with respect to the road allowance between Cross Road and the far end of Tracy Road
- The allowance extends north from Goodfellow Lane. It appears this road allowance is open for the first few hundred yards and then designated as closed up to Tracy Road
- Mr. Goodfellow is concerned about 4-wheeler traffic at all times of day and night
- He owns property on either side of the road allowance and often moves livestock between the two
- Any efforts to gate the allowance have meant that the traffic is then going over pasture and tearing up his property.
- People are tearing down his rail fencing and there are issues of multiple trespass and transgress
- This concern first came to light when the Township received a complaint about this gate
- Our By-law Officer met with Mr. Goodfellow and indicated the allowance could only be gated if the land were purchased from the Municipality or if he had Council permission
- Mr. Goodfellow would like to pursue one of these options
- Council indicated, and Mr. Goodfellow agreed, that a gate may be the easy and simple solution
- Upon further conversation it became clear that a gate would not be fail safe as other gates in the past have been torn down or people just elect to travel on the private property instead
- In the past Council has taken the position that these road allowances, all things being equal, can be conveyed to the abutting owner if they assume all our legal costs to that end
- The Clerk was asked to secure a quote for a “stop up, close and sell” of the allowance that runs from the end of Goodfellow Lane to the northern limit of the Goodfellow property
- Mr. Goodfellow will review the quote and determine if he is interested in pursuing this option.
- Council at this time has not yet approved a “stop up, close and sell”, but may consider it

Mike Sine – Frontier Communications

- Attended Council regarding the hosting of Frontier Communication’s on the tower at the back of the Municipal Building
- Mr. Sine gave an overview of wireless technology and how the emerging wireless industry is competing for public bandwidth.
- Mr. Sine also provided an overview of the competition, the fast paced environment, and that there appears in some cases to be examples of industrial sabotage

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- This means that more and more towers need to be put up by the various vendor to eliminate “noise” and to provide consistent service to customers
- This is the scenario that had restricted a consistent link to the Library, who were an established client of Frontier Communications
- A test signal was allowed to be used in the interim from the Municipal Office (tower) and it is working
- Mr. Sine is offering internet service at no cost to the Fire Department, Municipal Office, and Roads Garage in return for a three year hosting arrangement with the Municipality
- Mr. Sine estimates that each computer that was hooked up to the free service would require about \$100 worth of hardware to make the connection
- The proposed agreement would restrict for three years, the Municipality from allowing any other transmission towers on the property – again the “noise” issue
- Council has questions about Frontiers promptness when it came to service calls or service concerns
- Council asked Mr. Sine to give them time to consider all this and asked the Clerk to review the potential agreement and lease arrangement so that the Municipalities’ interests were protected

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

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

OLD BUSINESS

- The Clerk confirmed with Council the upcoming meeting with the Culbertson Tract Federal Negotiator for May 21 at 3:00pm.
- It appears as though they are also asking Linda McWilliam to attend with respect to the Additions to Reserve Policy
- Mr. Stephen Carty of Ontario Ministry of Aboriginal Affairs has also been extended an invitation from the Federal team and we are hopeful that he will be able to attend

STAFF REPORTS

Liette Forestell, Recreation Coordinator
Provided written report – absent due too death in family

Highlights

- Nick Walsh was the successful candidate for the summer Grounds Maintenance Supervisor position
- Interviews for Recreation Assistant position are this Tuesday
- Canteen positions close on May 9, 2008
- Current priorities are to finalize soccer and baseball programs which start in two weeks

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John Farrell, Road Supervisor
Provided written report

Highlights

- Spring maintenance is well underway
- Described the Roads Department role in the past couple of weeks in repairing roads that were damaged in the Township in relation to native protests concerning the Culbertson Land Claim
- Half load signs are off
- Bill McFarlane's Health & Safety initiatives are taking time, but it is time well spent
- The flooded areas on Marysville, Maple Sugar and Phillips Roads are subsided, but work will be required to bring them back to standard
- Intersections have been swept

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

WHEREAS the Smith Road is a shared road between Tyendinaga Township and the Municipality of Tweed

AND WHEREAS the Councils of each municipality have been approached on several occasions by the residents of Smith Road in regards to poor drainage and road conditions

AND WHEREAS this Council recognizes that some degree of work is necessary

AND WHEREAS both roads Supervisors met over the winter and determined that this road required about \$50,000 worth of work

AND WHEREAS since this is a shared road, each municipality would allocated \$25,000 towards the work

AND WHEREAS this matter was taken to both respective Councils during 2008 budget deliberations

AND WHEREAS Tyendinaga Township has identified \$25,000 within our 2008 Roads Budget to accommodate this joint responsibility

AND WHEREAS Tweed Council did not include this portion in their 2008 budget

AND WHEREAS Tyendinaga Council is committed to a 50-50 relationship on shared roads

AND WHEREAS we have some indication that Tweed will be allocating this amount in their 2009 budget

THREFORE BE IT RESOLVED that this Council is not prepared to pay \$50,000 in 2008 to upgrade the Smith Road

BE IT FURTHER RESOLVED that this Council will allocate \$25,000 towards this road in 2009 on the assumption that our information is correct and that Tweed will be matching this amount

BE IT FURTHER RESOLVED that this Road will receive regular maintenance for 2008

BE IT FINALLY RESOLVED that this Council is disappointed that this activity is not able to be addressed in 2008 but remains committed to a 50-50 relationship on shared roads in the Municipality

CARRIED

MOVED BY: Deputy Reeve Fred Lang

SECONDED BY: Councillor Rick Phillips

THAT this Council accepts the staff reports as presented.

CARRIED

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PASSING OF ACCOUNTS

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

THAT the following accounts be approved as presented:

General Government	10,918.08
Roads Department	39,814.03
Recreation Department	1,611.09
Fire Department	9,104.84
Protective Services	0.00

CARRIED

MEMBERS REPORTS

MOVED BY: Councillor Rick Phillips

SECONDED BY: Deputy Reeve Fred Lang

That this Council receives the March 3, Quinte Waste Solutions Board meeting minutes.

CARRIED

Reeve Margaret Walsh provided a written report to Council in regards to her attendance this past week at the Ontario Small Urban Municipalities conference in Collingwood. No costs were incurred by the Reeve attendance

MOVED BY: Councillor Rick Phillips

SECONDED BY: Deputy Reeve Fred Lang

That this Council receives the Reeve's written report from attendance at the OSUM conference held last week in Collingwood.

CARRIED

BY-LAWS

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Iain Gardiner

That this Council passes By-law 08-09 Being a By-law to amend By-law 03-16 regarding Concession 4, Part Lot 30 & 31, Shannonville Rd, its short title shall be known as the Furnidge By-law.

CARRIED

IN CAMERA

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 personnel and contractual matters where confidentiality requires protection.

CARRIED

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MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

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

CARRIED

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Iain Gardiner

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

CARRIED

MOVED BY: Councillor Chris Brady

SECONDED BY: Councillor Iain Gardiner

That this Regular Council Meeting be adjourned 9:40 pm.

CARRIED

Margaret Walsh, Reeve

Steve Mercer, Clerk-Treasurer