

**TOWNSHIP OF TYENDINAGA**  
**Minutes of the Regular Council Meeting - NO. 2009-01**

Municipal Council Chambers, 859 Melrose Road, Shannonville  
Monday, January 5, 2009 at 7:00 pm

Meeting was called to order at 7:02 p.m.

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

ABSENT: Fred Lang -Deputy Reeve - vacation

**Declaration of Pecuniary Interest:** None declared

MOVED BY: Councillor Iain Gardiner  
SECONDED BY: Councillor Chris Brady  
THAT the Agenda of January 5, 2009 be adopted.

**CARRIED**

MOVED BY: Councillor Rick Phillips  
SECONDED BY: Councillor Chris Brady  
THAT the minutes of the December 15, 2008 Regular Meeting be approved as corrected.

**CARRIED**

- John was asked about progress on the diesel tank – is awaiting quotes

**DELEGATIONS**

**Brenda Brennan – McCullough Rd**

- Is still concerned about the state of McCullough Rd
- Especially around Christmas time it was very icy
- Was unable to attend some Christmas functions due to slippery conditions
- Is still concerned about the milk truck ability to pick up milk given these conditions
- Pays taxes on five separate properties in the area
- A discussion ensued concerning the state of various roads in the municipality
- Councillor Phillips tabled a note of thanks to the Roads Department conveyed by Peter Callaghan for a job well done
- Mr. Callaghan works for Bell and is on all area grids
- Council told Ms Brennan that they support John’s judgment when it comes to applying sand and salt
- Council is of the mind that our roads crew has many years of experience and we trust their judgment in these matters

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**PASSING OF ACCOUNTS**

MOVED BY: Councillor Rick Phillips  
SECONDED BY: Councillor Iain Gardiner  
THAT the following accounts be approved as presented:

General Government	12,678.51
Roads Department	37,478.15
Recreation Department	7,479.14
Protective Services	46.64
Fire Department	22,052.04

**CARRIED**

**STAFF REPORTS**

John Farrell, Road Supervisor  
Provided written report

Highlights

- Again, given the extremely changeable weather, plowing and sanding has been the priority
- There was debris needed removed from the road grid due to the last two windstorms
- New signage has been ordered and installed
- Some cold patching has been required on our surface treated roads
- John also advise Council that the second hand Napanee truck we purchased last year has reached its end
- Most recent estimate to fix is just under \$10,000 with no guarantees
- John conferred with the Clerk and the decision was made to not pursue repairs, hire a rented truck and advise Council promptly
- Council was supportive of this approach
- John also explained that the tender for the Wymans bridge will be issued January 8 for three weeks, with a closing of January 29
- John is to schedule Jewell Engineering into Council shortly afterward to review bids and make the award

Liette Forestell, Recreation Coordinator  
Provided written report

Highlights

- Soccer and Baseball Association meetings are upcoming
- Canada Day planning is beginning
- Planning underway for the following programs/activities
  - cooking classes
  - yoga
  - babysitting/ home alone
  - 3-pitch Snowball Tournament
  - Ignite – Winter Activity Night
  - Heritage Tour

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- ❖ Councillor Phillips added that he and Liette had done some research into the trophy case for the Recreation Hall, approved in the 2008 budget
- ❖ It appears that a quote from Mortons Furniture for approximately \$900 is significantly less than the budgeted amount and asked to proceed
- ❖ Council agreed – Liette to follow up

Dan Callaghan, Fire Chief

Provided written report

Highlights

- Have responded to 22 calls since the last reporting period
- The poor weather has meant an increase of highway calls
- With rising heating costs for petroleum heat there is greater use and associated risk with wood stoves
- Thanked Council and Liette for the awards evening – indicated that it was very well received by the Fire personnel

MOVED BY: Councillor Chris Brady

SECONDED BY: Councillor Rick Phillips

THAT this Council accepts the staff reports as presented.

**CARRIED**

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

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

**CORRESPONDENCE**

MOVED BY: Councillor Chris Brady

SECONDED BY: Councillor Iain Gardiner

That this Council receives the correspondence from:

- AMO – Gas Tax Extension 2010-2014- Tyendinaga Allocation- Dec 23, 2008
- Invitation – Town of Deseronto – Mayors Levee
- Nature Conservancy of Canada – Land Conveyance Complete – Thanks to Council
- Quinte Conservation – 2009 Flood Warning Plan
- MMAH – November 26, 2008 – 2008 MPMP Reporting Requirements

**CARRIED**

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**NEW BUSINESS**

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Iain Gardiner

WHEREAS the Council of the Corporation of Tyendinaga Township supports practices that contribute to the creation of a sustainable environment;

AND WHEREAS Ontario egg farmers currently provide our community with fresh, locally produced Grade A eggs which travel from farm to table in 4 to 7 days;

AND WHEREAS Ontario egg farmers take pride in caring for their hens while offering consumers a variety of egg choice;

THEREFORE BE IT RESOLVED that current procurement practice of eggs by the Council of the Corporation of Tyendinaga Township, produced by Ontario egg farmers, be identified as the preferred local sustainable procurement practice.

BE IT FURTHER RESOLVED THAT the purchase of all Ontario eggs contributes to the creation of a sustainable environment in which consumers and farmers benefit

**CARRIED**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That this Council supports the request from AMO dated December 19, 2008 to lobby the Federal and Provincial governments to provide new additional monies to the Federal Gas Tax funding, a new streamlined affordable housing funding program and accelerate the Build Canada Fund investment.

**CARRIED**

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Iain Gardiner

That this Council, although not required by the Municipal Act, elects to hold a public meeting to deal with the road allowance closure and conveyance of the north portion of Goodfellow Lane. Be it further moved that the Clerk is to work with our legal Counsel on appropriate measures, as per prior practice.

**CARRIED**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That this Council agrees to a 50% contribution for flashers at Highway #2 and Deseronto Rd to be shared with the County of Lennox and Addington at an estimated amount for our portion being \$3,400.

**CARRIED**

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Chris Brady

THAT the Livestock Valuer Reports for the following be approved as presented:

Clayton Long	Two Calves	\$710.00
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**CARRIED**

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Moved by: Councillor Iain Gardiner

Seconded by: Councillor Rick Phillips

That Council approves a severance/lot addition by George Zegouras (B123/08), Concession 1, and Pt Lot 10 with the following conditions applied:

1. Payment in Lieu of Parkland Fee of \$750.00
2. The entire new parcel to be rezoned Special Marginal Agriculture – the Environmental Protection portion to remain unchanged.

**CARRIED**

Moved by: Councillor Chris Brady

Seconded by: Councillor Iain Gardiner

That Council approves a severance by Mike Whalen (B126/08), Concession 1 N.O.R., and Pt Lot 16 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. The severed lot be rezoned to Rural Residential
3. Proof of potable water and adequate flow rate
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 to the retained land suitable to the Township Road Supervisor.

**CARRIED**

Moved by: Councillor Rick Phillips

Seconded by: Councillor Chris Brady

That Council approves a severance by Wade Ennis (B127/08), Concession 5, and Pt Lot 17 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. The severed lot be rezoned to Rural Residential and while fully recognizing the existing Environmentally Protected Zone within the proposed severance
3. Proof of potable water and adequate flow rate
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 to the retained land suitable to the Township Road Supervisor.

**CARRIED**

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Moved by: Councillor Rick Phillips

Seconded by: Councillor Chris Brady

That Council approves a severance by Wade Ennis (B128/08), Concession 5, and Pt Lot 17 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.The severed lot be rezoned to Rural Residential and while fully recognizing the existing Environmentally Protected Zone within the proposed severance
- 3.Proof of potable water and adequate flow rate
- 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 to the retained land suitable to the Township Road Supervisor.

**CARRIED**

Moved by: Councillor Rick Phillips

Seconded by: Councillor Chris Brady

That Council approves a severance by William & Geoffrey Goodfellow (B129/08), Concession 10, and Pt Lots 34 & 35 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 to the retained land suitable to the Township Road Supervisor.

**CARRIED**

Councillor Chris Brady

- Indicated to Council that the laneway into the Transfer Station on Highway #2 is becoming overgrown and that this can contribute to ice buildup along the laneway and visibility in general
- Asked if John, when out doing roadside brushing could put this on the list – John agreed

Councillor Iain Gardiner

- Inquired about the mileage rate being reimbursed for travel given that the price of gas has seen a significant downward turn
- The Clerk explained that staff is using the old truck nearly exclusively and that the Clerk and Deputy Treasurer are on a monthly allowance – but will keep an eye on expenditures

Paul Gartland was in the gallery and asked to approach Council

- Advised Council that he was in a predicament concerning local garbage pick-up.
- Regular schedule includes a Saturday pick-up for parts of the Township.
- The landfill receiving his loads is no longer open on Saturday.

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- This has meant the Saturday pick-up has been stored for a few days.
- A complaint has come forward and the Clerk has advised him that this storage is a non conforming use
- Mr. Gartland explained that he ran a small local rural operation and asked if there was anything Council could offer to help him out
- He indicated that, at Council's request a few years ago, he is not using the Richmond Landfill and feels he has been a good corporate citizen
- Council agreed
- Perhaps space at our existing Transfer Station may be available
- Council indicated they would consider his request but that realistically a change of pick-up schedule would probably be the best scenario so that the garbage could be transported out of the Township directly

**IN CAMERA**

MOVED BY: Councillor Chris Brady

SECONDED BY: Councillor Iain Gardiner

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

**CARRIED**

MOVED BY: Councillor Chris Brady

SECONDED BY: Councillor Rick Phillips

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

**CARRIED**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Rick Phillips

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

**CARRIED**

MOVED BY: Councillor Chris Brady

SECONDED BY: Councillor Rick Phillips

THAT the in camera minutes of 2008 be approved as presented. Be it further moved that for 2009 and beyond that the Clerk furnish these minutes for approval quarterly as it is difficult to recall some prior conversations.

**CARRIED**

MOVED BY: Councillor Chris Brady

SECONDED BY: Deputy Reeve Fred Lang

That this Regular Council Meeting be adjourned 9:03 pm.

**CARRIED**

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Margaret Walsh, Reeve

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Steve Mercer, Clerk-Treasurer

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