

**TOWNSHIP OF TYENDINAGA**  
**Minutes of the Regular Council Meeting - NO. 2009-13**

Municipal Council Chambers, 859 Melrose Road, Shannonville  
Monday July 13, 2009 at 7:00 pm

Meeting was called to order at 7:05 p.m.

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

ABSENT: None

**Declaration of Pecuniary Interest:** None Declared

MOVED BY: Councillor Iain Gardiner  
SECONDED BY: Councillor Chris Brady  
THAT the Agenda of July 13, 2009 be adopted.

**CARRIED**

MOVED BY: Councillor Rick Phillips  
SECONDED BY: Councillor Iain Gardiner  
THAT the minutes of the June 15, 2009 Regular Meeting and June 15 Public Meeting be approved as presented.

**CARRIED**

**DELEGATIONS**

**Richard Steinginga/ Jori McMahon – Collins- Barrow – 2008 Municipal Audit**

- Our auditors reviewed the financial operations for the year ended December 31, 2008
- It appeared that our financial position is very good, but that they wanted to bring a couple of points to our attention
  - Our taxes receivable is growing at a rate that concerns our auditors
  - In order to keep ratios in check we either have to lower our taxes receivable or increase our Working Capital Reserve to the amount receivable
  - It was suggested that financial back-up disks and records be stored off-site in case of catastrophe
- The final audit will be completed shortly and will be a public document subject to public review

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MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Iain Gardiner

THAT this Council accepts the draft audit report presented by our municipal auditors, Collins Barrow. Be it finally moved that the Clerk and Reeve are to sign all documents and letters prepared by our auditors that support the consolidated audit

**CARRIED**

**Jeff Whan/Mike Bossio – Richmond Landfill Group – Trenval Flow Through**

- The group has been successful with their proposal for \$17,500 to hire an intern to prepare promotional materials to highlight life in the Township that can be used for purposes of community pride
- Council had agreed in principle to act as a flow through for this money
- The delegation was present to answer any questions and concerns Council may have so that said flow through arrangement was clear and roles well defined
- The Council was furnished with a letter from the Dump Committee that underwrites the project so that the municipal taxpayer was protected
- There was a lengthy discussion concerning the employment of the intern, liability and workload and reporting
- Although Council's comfort level was not 100% they felt it was an important initiative to support and that the managers of the project would be taking all mitigating measures in relation to risk management

MOVED BY: Councillor Chris Brady

SECONDED BY: Councillor Rick Phillips

THAT this Council approves of the tables Trenval agreement and directs the Clerk and Reeve to sign such agreement on behalf of the Municipality

**CARRIED**

The Clerk apologized to Council and to Mr. Stan Hall who was in the gallery. Mr. Hall has approached the Clerk many weeks ago in relation to a business idea he wished to pursue. The Clerk regretfully had not put Mr. Hall on the agenda as requested, nor was Council briefed.

- Mr. Hall would like to open an auto recycling (scrap) yard just north of the Marysville exit on the 401
- The Clerk advised Council that since this was in some circles a controversial use of land that he felt it best if he approach Council first to see if there was a measure of support
- Council felt they did not have enough time to make informed comments and Mr. Hall was advised to see the Economic Development Department of the County to get a sense of the regulatory regime he may be facing

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**PASSING OF ACCOUNTS**

MOVED BY: Councillor Rick Phillips  
SECONDED BY: Councillor Chris Brady  
THAT the following accounts be approved as presented:

|                       |            |
|-----------------------|------------|
| General Government    | 655,331.53 |
| Roads Department      | 114,408.53 |
| Recreation Department | 28,721.45  |
| Protective Services   | 29,824.06  |
| Fire Department       | 11,046.25  |

**CARRIED**

Six months variance reports containing revenues and expenses for all departments as of June 30, 2009 were tabled and presented to Council

MOVED BY: Councillor Chris Brady  
SECONDED BY: Councillor Iain Gardiner  
THAT this Council receives the six month variance reports for all departments as presented.

**CARRIED**

**STAFF REPORTS**

John Farrell, Roads Supervisor  
Provided written report

Highlights

- Grass cutting is in full swing
- The Weese Rd project is about complete
- Surface treatment has been applied to South River Rd, Kimmerly and Waddingham Valley
- Grading and ditching

Mandi Buma, Recreation Coordinator  
Provided written report

Highlights

- All staff in full swing
- Soccer concludes July 22 and baseball is beginning to wind down with upcoming tournaments
- Canada Day report submitted to funder
- Township Golf Tournament is scheduled for September 26, 2009 – planning just underway
- Budgets to date were tabled for both the soccer and baseball associations

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Stan Laton, Fire Chief  
Provided written report

Highlights

- There have been 9 calls for response since June 1, 2009
- Will be attending a course in Norwood July 25, 26 – Strategy and Tactics for Leading a Volunteer
- Provided an overview of the departments public appearance the last several weeks including our attendance at recent repatriation ceremonies
- There was a discussion surrounding the use of the 4X4 for use outside the Township that must be supported by municipal resolution
- It was agreed that the Clerk and Fire Chief would craft a resolution for Councils consideration

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Iain Gardiner

That this Council approves of a capital budget amendment as recommended by Stan Laton Fire Chief. Be it further moved that the budgeted amount from reserves in the amount of 16,500 be replaced with expenditures to secure two new water pumps. Be it finally moved that this expenditure, anticipated to be approximately \$5,000 less will be taken from reserves, ultimately showing less taken from reserves for capital purchases.

**CARRIED**

MOVED BY: Deputy Reeve Fred Lang

SECONDED BY: Councillor Iain Gardiner

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     | 0 items |
| Deputy Reeve Fred Lang   | 0 items |
| Councillor Iain Gardiner | 0 items |
| Councillor Chris Brady   | 0 items |
| Councillor Rick Phillips | 3 items |
| Clerk Steve Mercer       | 0 items |

**CORRESPONDENCE**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Deputy Reeve Fred Lang

That this Council receives the correspondence:

- Broadband Announcement
- Staff Vacations 2009
- VIA Rail – Upgrades to tracks

**CARRIED**

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**NEW BUSINESS**

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Chris Brady

**WHEREAS** the report of the Canada Post Corporation Strategic Review (CPCSR) recommends that the current moratorium on post office closures in rural and small towns be replaced with a mechanism involving new rules and procedures, including the ability to replace public post offices with private outlets.

**AND WHEREAS** the report also recommends that rural mailbox delivery be reconsidered.

**AND WHEREAS** these recommendations, if implemented by the federal government, would undermine public postal service and jobs in our community and fundamentally change the nature of Canada Post's retail and delivery network.

**WHEREAS** the report proposes that Canada Post's highly inadequate community consultation process be used when closing or "rationalizing" a post office/outlet and that a similar process be used when replacing rural mailbox delivery with delivery to a community box, green box or post office.

**THEREFORE BE IT RESOLVED THAT** Tyendinaga Township write to Robert Merrifield, the Minister responsible for Canada Post, and request that the government preserve public postal service and jobs in our community by rejecting CPCSR recommendations that would:

Put an end to the moratorium on post office closures in rural and small towns and give Canada Post the flexibility to close post offices covered by the current moratorium or convert these public post office to private outlets

Cut delivery to rural mailboxes without exploring all options or properly consulting with residents or the representatives or rural delivery workers.

**BE IT FURTHER RESOLVED** that we request that Minister Merrifield consult with the public, postal unions and other major stakeholders to develop a uniform and democratic process for making fundamental changes to Canada Post's retail and delivery network.

**CARRIED**

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Iain Gardiner

That this Council does not support the request from Quinte Conservation that staff be included in the OMERS pension program which would increase the municipal levy. Be it further moved that this decision is based on monetary consideration only and is in no way a reflection on the work of the fine staff at Quinte Conservation.

**CARRIED**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That this Council receives the IWMP Briefing Notes and invitation from Donald Scharfe, Integrated Waste Management Plan Coordinator, for the Council Staff Focus group session planned for September 10, 2009

**CARRIED**

- Councillor Phillips added that our municipal representatives on this committee should receive a mileage allowance for attendance at the meetings
- The Clerk Added that as long as business was conducted on behalf of the municipality that we would process all claims at \$.50 per kilometer

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MOVED BY: Councillor Iain Gardiner

SECONDED BY: Deputy Reeve Fred Lang

That this Council denies the request from the Hastings & Prince Edward Health Unit in regards to larvaciding for mosquitoes in Tyendinaga Township

**CARRIED**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Deputy Reeve Fred Lang

That this Council receives the existing BISC contract which is up for renewal next March 2010. Be it further moved that the clause calling for only one appointee per term be amended so that each municipality only need have an appointee at all times. Be it finally moved that any other amendments or suggestions be brought forward to Councillor Iain Gardiner, our municipal BISC representative.

**CARRIED**

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Iain Gardiner

That this Council grants permission for the Mohawks of the Bay of Quinte to lay fibre optic cable along the Tyendinaga municipal road allowances in the Shannonville area to support their efforts to bring this service to their residents.

**CARRIED**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Rick Phillips

That this Council denies the request from Roger Cole, Chair Community Liaison Committee for the Council to appoint a representative to this committee in relation to matters concerning the Richmond Landfill.

**CARRIED**

MOVED BY: Councillor Chris Brady

SECONDED BY: Deputy Reeve Fred Lang

That this Council requests that the Reeve and Clerk sign the letter of offer forwarded by the Hastings County Economic Development Department for \$7,000 the municipality applied for Gateway Signage to the municipality. Be it further moved that the Clerk is to contact Terry Pascoe who may be able to assist us with our graphic needs and provide a mock-up or two for Councils consideration.

**CARRIED**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That this Council approves to use Data Fix as our 2010 elections service provider.

**CARRIED**

**Councillor Rick Phillips**

- Updated Council on his recent attendance at a presentation recently held concerning municipal and private dams and there upkeep
- There is now a Dam Management Plan in draft form
- Currently there is little or no regulation concerning privately owned dams

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- This will change under the damn management plan and will focus on public safety and damn failures
- Councillor Phillips added that he was hopeful that there would be some support mechanisms for private damn owners to help repair these damns as the costs can be astronomical
  
- Wanted to bring up to Council the idea of a veterans memorial (cenotaph) for Tyendinaga Township
- We have many who have served yet there is no Township memorial or place or recognition
- Council agreed this was a good idea that required further thought
  
- Brought to Councils attention that Mr. Jim Sherman had done a lot of work in support of the SHBL statue and should be somehow compensated
- The Clerk indicated that if Mr. Sherman were to invoice us some amount and that Council approved, then he could be paid, but that the Clerk needed back-up to process a check

**BY-LAWS**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That this Council hereby passes By-law 09-19, Being a by-law to amend By-law 03-16 regarding Concession 1, Pt Lot 20, Lazier Rd, its short title being the Walsh By-law.

**CARRIED**

**IN CAMERA**

MOVED BY: Councillor Chris

SECONDED BY: Councillor Rick Phillips

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

**CARRIED**

MOVED BY: Councillor Chris Brady

SECONDED BY: Councillor Iain Gardiner

THAT Council has completed the discussion dealing with personnel and legal 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 Rick Phillips

SECONDED BY: Councillor Chris Brady

THAT this Council approves of the in-camera minutes tabled by the Clerk for the second quarter of 2009 April-June.

**CARRIED**

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**ADJOURNMENT**

MOVED BY: Councillor Chris Brady  
SECONDED BY: Deputy Reeve Fred Lang  
That this Regular Council Meeting be adjourned 10:20 pm.  
**CARRIED**

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Margaret Walsh, Reeve

\_\_\_\_\_  
Steve Mercer, Clerk-Treasurer