

**TOWNSHIP OF TYENDINAGA**  
**Minutes of the Regular Council Meeting - NO. 2009-14**

Municipal Council Chambers, 859 Melrose Road, Shannonville  
Monday August 10, 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 August 10, 2009 be adopted.

**CARRIED**

MOVED BY: Councillor Iain Gardiner  
SECONDED BY: Councillor Chris Brady  
THAT the minutes of the July 13, 2009 Regular Meeting and July 13 Public Meeting be approved as presented.

**CARRIED**

**PASSING OF ACCOUNTS**

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

General Government	45,685.15
Roads Department	22,578.97
Recreation Department	7,033.46
Protective Services	0
Fire Department	10,017.17

**CARRIED**

**DELEGATIONS**

- The Clerk advised that he had been working closely with Mr. Hall and that at present he had nothing to request of Council
- All appearances are that a portion of his property is already properly zoned for auto recycling as long as the activity does not enter the Prime Agriculture zone at the east of his property

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**Mr. Gordon Buxton was in attendance and asked to speak to Council**

- Has property and severances in process
- Has run into issues with the County in regards to an Ansi in the Township referred to as the Salmon River Alvar
- These discussions may ultimately preclude development in certain areas
- Mr. Buxton wanted to alert Council that he had been advised that Quinte Conservation was going to attempt to rezone 850 hectares of land in the Southern portion of the Township to environmentally protected or sensitive which would have a large impact on the Township
- Deputy Reeve Lang, our Quinte Conservation Board representative indicated that this was the first he had heard of it
- The Clerk added that if something as major as this was to unfold that the Township would be part of the process and he had not yet heard any wind of this

**STAFF REPORTS**

John Farrell, Roads Supervisor

Provided written report

Highlights

- Now beginning second cut of grass cutting
- Resurfacing of Callaghan Rd, Waddingham Rd, Kimmerly Rd and South River Rd has been completed
- Work is now beginning on completing outstanding work and Goodfellow Bridge and softening the turn along Cross Rd, east of Goodfellow Bridge
- Back hoe has been removing beaver damn in the north end
- Weese Rd reconstruction is complete sans the surface treatment, yet to be applied

There was a discussion about the locking of the gates at the Melrose entrance to the ball fields. Parking has been an issue all summer and unfortunately it appears our canteen operators have been a contributing factor to the problem. The operators are again asked not to park along the road and staff is asked to ensure that the locking is sufficiently enough to keep people from slipping through.

Mandi Buma, Recreation Coordinator

Provided written report

Highlights

- Soccer is complete and minor baseball about complete
- Volleyball and three pitch schedules are well under way
- Hastings County Plowing match is set for August 19 and 20
- Planning for golf tournament us underway, scheduled for September 26
- Annual Shannonville Worlds Fair is scheduled for August 28, 29, 30
- Plans are underway for staff awards and recognition dinner

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Stan Laton, Fire Chief  
Provided written report

Highlights

- There have been 4 calls for service in this reporting period
- New portable water pumps have been ordered
- In October will be hosting a Junior Fire Chief – an educational initiative with the schools
- Our Fire Department has recently represented the Township at two repatriation ceremonies
- We host our annual Mutual Aid meeting on October 7, 2009

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	1 item
Deputy Reeve Fred Lang	1 item
Councillor Iain Gardiner	2 items
Councillor Chris Brady	0 items
Councillor Rick Phillips	3 items
Clerk Steve Mercer	2 items

**CORRESPONDENCE**

MOVED BY: Deputy Reeve Fred Lang

SECONDED BY: Councillor Rick Phillips

That this Council receives the correspondence:

- Invitation – Leona Dombrowsky Annual Community Corn Roast – Aug 23 –Tweed
- Quinte Waste Solutions - TV Collection Day – Sat Aug 29, 2009
- Mosey & Mosey July 27, 2009 – 9 Month Claims Projection & Renewal Projection

**CARRIED**

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**NEW BUSINESS**

MOVED BY: Councillor Rick Phillips

SECONDED BY: Deputy Reeve Fred Lang

WHEREAS THE Township of Tyendinaga formed a volunteer Fire Department in 1992

AND WHEREAS Equipment has been purchased throughout the years  
to support Fire Services

AND WHEREAS a three quarter ton extended cab pick-up referred to as 804 was purchased in 2005

AND WHEREAS the Township is a full participant in the Hastings and Prince Edward County Mutual  
Aid Association

AND WHEREAS it is Councils desire that our Fire Department attend, as a measure of respect,  
repatriation ceremonies held in Trenton, ON.

AND WHEREAS its desire that our Fire Department attend ceremonies where increased visibility of our  
Fire Department shows our community in a positive and respectful light

THEREFORE BE IT RESOLVED that Council supports the use of 804 to be used for the purposes  
described above

BE IT FURTHER RESOLVED THAT it is the Councils expectation that the Fire Chief will manage the  
use of 804 in such a way that the community remains safe at all times.

**CARRIED**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That this Council receives the Broadband update from the Clerk.

**CARRIED**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That this Council hereby passes the Accessible Customer Service Policy in accordance with our  
responsibilities under the Accessibility for Ontarians with Disabilities Act.

**CARRIED**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Deputy Reeve Fred Lang

That this Council approves of October 8 as the date set for Tyendinaga Township to host a customer  
training seminar in accordance with our staff training responsibilities under the Accessibility for  
Ontarians with Disabilities Act.

**CARRIED**

There was a discussion about a potential TV collection day hosted by Tyendinaga. Since it appears there  
is an event upcoming in Belleville it may not be prudent to have two back to back events of the same  
nature. There was a cursory discussion about possibly next spring having a major waste event in  
conjunction with our community clean-up day. Perhaps this could be piggybacked with the hazardous  
waste collection day, a TV day and maybe even a used tire day. Councillor Phillips as our Quinte Waste  
Solutions representative will explore this possibility at an upcoming meeting.

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MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Rick Phillips

That Council approves a severance by James & Freda Tracy B42/09, Concession 8, Part Lot 6 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 suitable to the Township Road Supervisor.
4. The severed lot be rezoned to "RURAL RESIDENTIAL" and proof of completion and approval of same be lodged with the Land Division Office prior to the endorsing of deeds for the severed lot. (See Township for rezoning procedure)
5. That sufficient land on the severed and retained lot be deeded to the Township for future road widening to accommodate a 66' road allowance. Exact measurements to be discussed with Township Roads Superintendent.

**CARRIED**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Deputy Reeve Fred Lang

That Council approves a severance by Mike & Janel Whalen B39/09, Concession 2, Part Lot 30 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 suitable to the Township Road Supervisor.
4. The severed lot be rezoned to "RURAL RESIDENTIAL" (Environmental Protection area to remain unchanged) and proof of completion and approval of same be lodged with the Land Division Office prior to the endorsing of deeds for the severed lot. (See Township for rezoning procedure)
5. That sufficient land be deeded to the Township on the retained portion for adequate day lighting of the corner of Waddingham and Marysville Rds

**CARRIED**

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MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Chris Brady

That Council approves a severance by Mike & Janel Whalen B40/09, Concession 2, Part Lot 30 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 suitable to the Township Road Supervisor.
4. The severed lot be rezoned to "RURAL RESIDENTIAL" (Environmental Protection area to remain unchanged) and proof of completion and approval of same be lodged with the Land Division Office prior to the endorsing of deeds for the severed lot. (See Township for rezoning procedure)

**CARRIED**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

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

Clayton Long	Char Bull Calf	\$440.00
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**CARRIED**

**Clerk Steve Mercer**

- Asked for a motion to receive the 2008 municipal audit

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Deputy Reeve Fred Lang

THAT this Council receives the 2008 consolidated municipal audit prepared by our auditing firm, Collins Barrow

**CARRIED**

- Asked for a motion to declare the Shannonville Worlds Fair a community event for the purposes of the Tyendinaga Volunteer Firefighters Association applying for a beer garden permit

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Chris Brady

That this Council designates the Shannonville Agricultural Fair, held annually at the Tyendinaga Township Recreation Complex as a community event so that the organizers can apply for an LCBO license for a beer tent.

**CARRIED**

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**Councillor Iain Gardiner**

- Asked for an update on our taxes receivable situation now that demand letters have been issued
- The Clerk advised that although he did not have the numbers in front of him, he estimate that possibly about \$40,000 had come in due to the letter campaign
- The Clerk also advised that it is two properties in particular that are contributing to the problem and that he had after a long time had been in contact with one of the owners and there seems to be a chance that this amount may be on its way
  
- Also advised Council that the next BISC meeting is scheduled for September 10 in Deseronto and that if any Councillors wanted to make suggestions regarding the contents of the BISC agreement, they can be brought to his attention so that they can be discussed at the meeting

**Councillor Rick Phillips**

- Brought to Councils' attention an invitation to the Lennox & Addington Wardens Golf tournament in support of the Napanee Hospital
- Do we want to enter a team or two
- Earlier in the year the Hospital Foundation had made a presentation to Council and this may be a way to contribute
- No motions were made in this regard but it was agreed that any staff who took the day to play would not have the time charged against them
  
- Councillor Phillips had done significant research with Campbell Monuments concerning a veterans memorial for the Township
- Proposed wording was presented and discussed
- The estimate is approximately \$4,500 and Phillips asked Council to proceed
- There was a discussion about location and it was agreed that this could get firmed up at the next Council meeting once everyone had a chance to think about it

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Chris Brady

That this Council agrees to proceed with the purchase a Veterans Memorial at a cost not to exceed \$5,000 with the funds to be taken from the Parkland Reserve account.

**CARRIED**

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**Reeve Margaret Walsh**

- Brought to Councils' attention concerns she had regarding the fencing project slated for later this year to fence in the roads area
- In the winter, will gating not be a problem?
- Will kids not just jump the fence if they want in anyway?
- Although want to protect safety, are the current plans possible overkill and will they really be effective?
  
- It was agreed that John would speak to our Health and Safety Committee to determine what is exactly required

**MEMBERS REPORTS**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Rick Phillips

That this Council receives Quinte Waste Solutions – Board Minutes for May 25, 2009 & June 29, 2009

**CARRIED**

**BY-LAWS**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Rick Phillips

That this Council hereby passes By-law 09-20 being a By-law to authorize an Agreement between the Township of Tyendinaga And Her Majesty The Queen in Right of Ontario with Respect to the Ontario and Small Town Rural Infrastructure Initiative

**CARRIED**

This is the amended agreement where the Township is receiving \$53, 521.33, as a result of a review of the OSTAR Slash Road Bridge Project costs completed over four years ago. The Council has lobbied hard for reimbursement of these cost overruns. It was agreed that the Clerk would put this money in reserves for the time being.

**IN CAMERA**

MOVED BY: Councillor Chris Brady

SECONDED BY: Deputy Reeve Fred Lang

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

**CARRIED**

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

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

**CARRIED**



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

**ADJOURNMENT**

MOVED BY: Deputy Reeve Fred Lang  
SECONDED BY: Councillor Chris Brady  
That this Regular Council Meeting be adjourned 9:10 pm.  
**CARRIED**

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Margaret Walsh, Reeve

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Steve Mercer, Clerk-Treasurer