

TOWNSHIP OF TYENDINAGA
Minutes of the Regular Council Meeting - NO. 2009-20

Municipal Council Chambers, 859 Melrose Road, Shannonville
Monday November 23, 2009 at 7:00 pm

Meeting was called to order at 7:15 p.m.

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

Declaration of Pecuniary Interest: none declared

MOVED BY: Councillor Iain Gardiner
SECONDED BY: Councillor Chris Brady
THAT the Agenda of November 23, 2009 be adopted.

CARRIED

MOVED BY: Councillor Rick Phillips
SECONDED BY: Councillor Fred Lang
THAT the minutes of the November 2, 2009 Regular Meeting and be approved as presented.

CARRIED

DELEGATIONS

Melissa Boutilier, Jr. Fire Chief & Chief Stan Laton

- Melissa was the successful applicant of the Junior Fire Chief Program, endorsed by the Ontario Association of Fire Chiefs. She came to work today in the fire truck. Melissa had a tour of the fire hall, learned how to wear fire fighter gear and learned how to put out a fire as well as enjoyed lunch at Mike's Restaurant. Her favourite part was riding on the fire truck.
- Council thanked Melissa for participating in the Junior Fire Chief Program
- Chief Laton read a thank you card from Melissa for her day at the fire hall.

Bruce DeMille, Robert Jarrell & Steve Elsey – Hastings County 2010 Farm Show & Plowing Match

- Wanted to approach Council regarding Hastings County 2010 Farm Show & Plowing Match being held August 18 & 19.
- The Committee is glad to be back in Tyendinaga at the Jarrell Farm (at both the Robertson & Hagerman Farms).
- As outline in the letter of November 12 the Committee has the following requests for Council

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1. The committee needs a place to hold monthly meetings (held on the 2nd Tuesday of the month, January thru to October, with the exception of November and that meeting will be held on the 3rd Tuesday). Council advised that the Committee is welcome to use the Council Chambers and arrangements will be made for the building to be open
2. Would like to use the Recreation Hall on McFarlane Road, at little or no cost, for the Fall Appreciation Banquet, usually held 2nd Friday in September. Council advised that they didn't see a problem with waiving the fee as there would not be a bar needed for this event.
3. The Township previously provided garbage disposal/container for the plow match previously held at the Farrell Farm and requested the same again. Council advised that arrangements would be made.
4. Additional entrance (32' wide) is required at the west field of Robinson Farm on Blessington Road. This will be the entrance to the parking area. Council advised, and conferred with Road Supervisor, that it would be possible.
5. Require gravel in the laneway just west of Scott McLaren's Farm (Hagerman Homestead). Council advised that the Roads Department will be able to accommodate this request as well.
6. There will need to be extra cutting of weeds in the ditch along Blessington Road. Council advised and confirmed with the Road Supervisor that he will work this into the roads schedule.
7. Would like to have the Tyendinaga Township Fire Department on site during the Match for first aid and suppression. Fire Chief Laton advised that this would be possible as long as he has volunteers to do so.
8. Committee requested Council to appoint one of its members to attend the monthly meetings. Councillor Iain Gardiner advised that he would be delighted to sit on this committee, as he did when the match was held at the Farrell Farm. Councillor Phillips advised that he would be the alternate in the event that Councillor Gardiner is unable to attend a meeting.
9. DeMille asked if Council had any question for them and Council did not. Council thanked Demille, Jarrell, and Elsey for coming to the Council meeting.

Janine & Royden Empey – Tracey Road Residents

- Voiced many concerns some being, with driveway being a turn-a-round, gravel added to end of road (& dumped elsewhere), grader not coming to their driveway (only as far as the Lindsays), compaction of turn-a-round, and disrespect received from the staff on the Roads Department. Janine Empey advised that the driveway will no longer be a turn-a-round for the school board/bus companies.
- Road Supervisor advised that there was compaction completed on the turn-a-round but that it may need to be done again. If there are complaints, please speak to the Road Supervisor or Clerk Treasurer, not to the staff themselves.
- Empey asked if the road will be graded in front of the house. Road Supervisor advised that, yes and with the new construction there should be no problems
- Empey advised that they will be putting the big rock back and a no trespassing sign will be erected. Road Supervisor advised that is would not be an issue as long as they were both on the Empey property and not the road allowance.
- Road Supervisor advised that he will ensure that the road issues will be attended to.

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Shawn Storms – Tracey Road Residents

- Concerned with the beavers that continually damn the culverts. A more permanent solution has to be found regarding this situation. Also discouraged that the Roads Department does not advised when the culverts are being cleared. The mess left from the culvert clearing is now becoming an eye sore.
- Road Supervisor advised they have just signed an individual to rectify the beaver problem. He also advised that they are not dumping the mess in this area; they are clearing the culvert that the beavers have damned. The Roads Department will try and schedule time to clean up this area but are currently busy.

Linda McGill – Occupational Health & Safety Proposal

- McGill has advised that she has been involved in Health & Safety training since 2000 and was asked by Bill McFarlane to come and speak with Council regarding the amendment of the Health & Safety Manual. McGill circulated a handout of an excerpt from Ontario Occupational Health & Safety Act.
- Advised that accidents cost big time in the form of fines, legal fees, injuries etc. The Township, employees, workers and supervisors can all be charged. The Township's only defense is due diligence.
- The manual is to protect the Township. It is now "bare bones" and there may even need to be more added to it. McGill advised that the Manual needs to be amended and made into a living document. This can be done with very little cost. You first need this document in soft copy form. Possibly by a co-op or summer student.
- McGill recommended joining the Bay of Quinte Safe Communities. This is a non for profit, charitable organization which provides activities and programs aimed at reducing injuries and promoting safety within the community. It is a yearly program that runs January to December. They meet five times a year (minimum attendance is 3 times) with the meetings being approximately 2 hours in length. Your Health and Safety Rep (Bill) and a rep from Senior Management should attend. During this year you would pick five elements within your manual to be worked on and tweaked to fit Twp needs. As well as sharing resources you will have the opportunity to listen to speakers from areas such as, Ministry of Labour, WSIB and Ministry of Defense. Improve workplace safety and receive a 5% WSIB rebate.
- It was also strongly recommended that any health and safety initiatives and training be tied somewhat to the Township's performance appraisal process
- It was also suggested that a senior manager of the organization be assigned to the Health and Safety file as well and be able to attend meetings as required.
- Council and staff should review business cases on the WSIB website. Township should ensure supervisors are fully engaged with Health and Safety. Health and safety is all about the worker.
- Council thanked McGill for coming and her recommendations.

PASSING OF ACCOUNTS

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

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General Government	111,763.14
Roads Department	115,763.14
Recreation Department	7,232.68
Protective Services	61,697.40
Fire Department	25,866.14

CARRIED

STAFF REPORTS

John Farrell, Roads Supervisor

Provided written report

Highlights

- Cross Road brushing completed
- Ditching on Smith Road needs to be finished
- Grading & cold patching ongoing
- Gates installed on Whalen and McCullough Roads
- Cul-de-sac built on Tracey Rd
- Roads staff took a mandatory fuel course
- Councillor Gardiner asked if “the big O” trick had been tried with regards to culverts/beavers? Farrell replied that it had not, but could be. Councillor Phillips suggested that we try to get rid of the beavers first.
- Councillor Brady commented that Wyman Bridge looks good. John advised that it is now open with delineators because it is missing a piece connecting the guard rail to the bridge. This is expected to be finished this week
- Councillor Lang advised that the bridge seems narrow and people are still treating this bridge as a single vehicle pass. Should the speed limit be lowered and lines painted on the bridge surface for distinction? Farrell advised that the bridge is the 7 Meter width that was chosen by Council and that he would look into painting a center line on the bridge surface.
- Councillor Lang raised concerns regarding signage for Wyman Bridge south of Old Hwy 2. John advised that he would put up the missing signs and reflectors.

Stan Laton, Fire Chief

Provided written report

Highlights

- There have been 6 calls for service since the last reporting period
- The recent transport fire on the 401 and fire department standby the following day (for clean-up) will generate between \$5,500 and \$7,200, some much needed revenue. Although a firefighters gear was destroyed, no injuries were incurred.
- Councillor Lang asked if the truck on Old Hwy 2 had been dealt. Chief responded, no not yet.

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Rick Phillips

THAT this Council accepts the staff reports as presented.

CARRIED

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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	1 items
Councillor Iain Gardiner	1 items
Councillor Chris Brady	0 items
Councillor Rick Phillips	1 items

CORRESPONDENCE

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That this Council receives the correspondence:

- Federal Economic Development Agency – November 12 – Community Adjustment Fund
- Templeman Menninga – October 28, 2009 – purchase of Con 2 Pt Lot 13 completed
- Environmental Commissioner of Ontario – October 19, 2009 – Annual Report

CARRIED

NEW BUSINESS

Deseronto and Area Christmas Sharing Committee

- Reeve Walsh requested information to be posted on the Township website
- Councillors didn’t think it appropriate to donate using tax payers money as they pick their own charities to support
- Margaret advised that she, herself, would be doing a basket and advised Councillors that if they wished to do the same to call the number of the letter

Staff Christmas Party

- Recreation was seeking a MC for the night and Councillor Phillips agreed to take on this task

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Fred Lang

That this Council receives the request to proceed with the Heritage Tour 2010 and allocated \$2,000.

CARRIED

Ontario Municipal Partnership Fund – funding reduction

- Tyendinaga was one of five municipalities with this funding reduction. Dombrowsky didn’t advise why Tyendinaga didn’t get approved.
- It was asked if the County could reimburse the Township. Reeve Walsh thought that this was probably not within our best interest as this could cause County levies to increase thus getting us no further ahead. Reeve Walsh to inquire, when at County Council, what the other four municipalities are doing.

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Iain Gardiner

That this Council receives and accepts the Draft Fee for Service By-law - Fire Department

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MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That this Council receives and accepts the proposed extension of Marysville track located between miles 199.7 and 218.9

CARRIED

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

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

Kevin Durkin	Limo X heifer	\$315.00
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CARRIED

Councillor Gardiner

- Wanted to thank Councillor Phillips and all staff for the erection of the cenotaph and with the Remembrance Day Ceremony. Councillor Phillips added that all attendees appreciated the work that went into the Remembrance Day Service.

Councillor Phillips

- Heather Gray, of the Cancer Society, is exploring a cancer branch in Deseronto. There is a meeting Friday November 27 to discuss how to proceed and what moral assistance is required. There will be no financial assistance requested.

MEMBERS REPORTS

Iain Gardiner - BISC

- There was a BISC meeting scheduled for November 12. There was no quorum but the Chair decided to proceed with the meeting anyway. The big item discussed was that Madoc Township wants to come on-board with the BISC group. The concerns with the additional township are that another staff would have to be hired as well as the distance (and mileage) to cover inspections/issue permits. There is another meeting scheduled for November 30 in Stirling.
- Council would like a letter directed, as soon as possible, to the Chair of the BISC asking why the meeting proceeded when there was NO quorum and advise that Tyendinaga Council are NOT in favour of the amalgamation. If any consideration is made it will be after the monies, in the reserve is split by the four municipalities in the BISC. This letter is to be copied to all committee members. A proper meeting, with proper quorum, should be held.
- In the event that the clerk cannot attend with the Council rep (Councillor Gardiner) another Council member should attend. Councillor Phillips advised that he would attend if needed.

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That this Council receives the Building Inspection Services Committee – October 2009 Report.

CARRIED

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MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That this Council receives Quinte Waste Solutions – Board Minutes – September 28, 2009

BY-LAWS

Noise By-law 09-30 was deferred for revisions

Burn By-Law – 09-29 Stan Laton

- Receiving more and more complaints regarding garbage being burned. How aggressive does Council want enforcement to be?
- Laton to amend Burn Bylaw 08-21 and bring to Council for approval

Antique fire truck – Stan Laton

- There is a great possibility for a 1960s fire tuck being donated to the Tyendinaga Fire Department, would like permission to display out front of the fire hall. Council gave permission.

MOVED BY: Councillor Fred Lang

SECONDED BY: Councillor Iain Gardiner

That this Council hereby passes By-law 128-2009, Being a by-law to authorize the execution of certain agreements of purchase and sale for the sale of lands to the Canadian National Railway Company.

CARRIED

IN CAMERA

MOVED BY: Councillor Rick Phillips

SECONDED BY: Councillor Fred Lang

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

CARRIED

MOVED BY: Deputy Reeve Fred Lang

SECONDED BY: Councillor Rick Phillips

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

CARRIED

MOVED BY: Councillor Rick Phillips

SECONDED BY: Deputy Reeve Fred Lang

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

CARRIED

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

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THAT this Council awards the contract for fencing around the Public Works Yard (off Weese Road) for Tyendinaga Township to Walsh Fencing in the amount of \$15,000

CARRIED

ADJOURNMENT

MOVED BY: Councillor Iain Gardiner

SECONDED BY: Councillor Chris Brady

That this Regular Council Meeting be adjourned 9:46 pm.

CARRIED

Margaret Walsh, Reeve

Fred Lang, Deputy Reeve