

CORPORATION OF THE TOWN OF DESERONTO

COUNCIL MINUTES

April 28, 2009 - 6:00 P.M.

The Town of Deseronto Mission Statement is to provide excellent and affordable services for its residents and to work as a team, dedicated to making living in Deseronto a positive and pleasurable experience.

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Minutes of the meeting of the Council of the Corporation of the Town of Deseronto held on April 28, 2009 at 6:00 p.m. at the Deseronto Lions Hall, 300 Main Street in Deseronto, Ontario

ATTENDANCE:

Mayor	N. Clark
Deputy Mayor	C. Zieman - Absent
Councillors	D. Johnston D. McMeeken E. Tumak
Clerk	B Brooks - Absent
Treasurer	T Lloyd
Public Press	4

1. **OPENING PRAYER** – The Mayor led those in attendance with the Lord’s Prayer at 7:09 p.m.
2. **MAYOR’S ADDRESS** - The Mayor welcomed Councillor McMeeken back to Council after his knee surgery.

Mayor Clark updated those Councillors who did not attend the previous Council meeting, April 14, 2009, regarding changes to the function of the Council meetings. More preparatory work should be completed at the Committee level with Committee chairs presenting recommendations at Council. Three (3) minutes will be offered to Council members when discussing a topic in an attempt to reduce the length of Council meetings. Only appropriate language will be utilized. Council will be stopped and persons speaking with derogatory language will be requested to apologize and possibly leave the meeting.

The Mayor also indicated that the Deputy Mayor will not be in attendance and would like to defer items under the Finance and Administration Committee report as well as the 2009 budget by-law.

The Mayor requested that Councillor Tumak aid with the reading of by-laws in the Deputy Mayor’s stead as the Finance and Administration Committee is usually responsible for by-laws of which Councillor Tumak is a member.

3. **DISCLOSURE OF INTEREST** – None declared
4. **APPROVAL OF AGENDA**

RESOLUTION 09-09-01

Moved by: E. Tumak
Seconded by: D. Johnston

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THAT the agenda for the regularly scheduled Council meeting April 28, 2009 be approved with the following amendments: deputations be allowed to proceed immediately, item 13.1(a) to be discussed after 13.1(c), and personnel issue to be added in-camera.

CARRIED

5. APPROVAL OF MINUTES

a) Minutes of Regular Council meeting on April 14, 2009

Discussion ensued about two (2) items deferred in the minutes to the April 28, 2009 meeting which were not on the current agenda package. The Treasurer will speak with the Clerk to clarify and follow-up on the two (2) items.

Resolution 09-09-02

**Moved by: D. Johnston
Seconded by: E. Tumak**

THAT the minutes of the Regular Council meeting dated April 14, 2009 be approved.

CARRIED

b) Minutes of Finance and Administration meeting April 20, 2009

Resolution 09-09-03

**Moved by: D. Johnston
Seconded by: E. Tumak**

THAT the minutes of the Finance and Administration meeting dated April 20, 2009 be approved.

CARRIED

c) Minutes of the Deseronto Cemetery Board meeting February 17, 2009

d) Minutes of the Deseronto Cemetery Board meeting March 3, 2009

Discussion ensued about notation within the Deseronto Cemetery Board minutes indicating that the funeral home has retained records of potential interest.

The Mayor will inquire as to whether the Town's Archivist can obtain information or work collaboratively with the current funeral home's directors/owners at the next Deseronto Cemetery Board meeting.

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Resolution 09-09-04

Moved by: D. Johnston

Seconded by: E. Tumak

THAT the minutes of the Deseronto Cemetery Board meetings dated February 17, 2009 and March 3, 2009 be approved.

CARRIED

6. BY-LAWS

- 6.1 By-law 16-09 being a by law to enter into an agreement with “Her Majesty the Queen in the Right of Ontario” and the Ministry of Agriculture, Food and Rural Affairs (OMAFRA) for the \$4.5 million Build Canada Fund funding agreement. (Schedule H attached)**

Resolution 09-09-05

Moved by: E. Tumak

Seconded by: D. Johnston

THAT By-law 16-09 being a By-law to enter into an agreement with “Her Majesty the Queen in the Right of Ontario” and the Ministry of Agriculture, Food and Rural Affairs (OMAFRA) for the \$4.5 million Build Canada Fund funding agreement be read a first, second and finally passed and number assigned this 28th day of April, 2009.

CARRIED

- 6.2 By-law 17-09 being a by-law to authorize the Treasurer and Mayor to apply for funding from Ontario Infrastructure Projects Corporation (with supporting documentation) in the amount of \$1,300,000**

Discussion ensued regarding the signatory on by-laws of a finance nature.

Resolution 09-09-06

Moved by: E. Tumak

Seconded by: D. Johnston

THAT By-law 17-09 being a By-law to authorize certain capital works of the corporation of the Town of Deseronto; to authorize the submission of an application to the Ontario Infrastructure Projects Corporation (“OIPC”) for financing such capital work; to authorize temporary borrowing from OIPC to meet expenditures in connection with such works; and to authorize long term borrowing from OIPC for such works through the issue of debentures is updated to reflect

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the appropriate loan application number, by-law number assigned, loan application attached upon completion and the second signatory be changed from the Clerk to the Treasurer . FURTHER THAT said bylaw be read a first, second and finally passed and number assigned this 28th day of April, 2009.

CARRIED

- 6.3 By-law 18-09 being a by-law to enter into an agreement with Her Majesty the Queen in the right of the Province of Ontario, represented by the Minister of Transportation for the Province of Ontario (the “Ministry”) and the Town of Deseronto (the “ Municipality”) Related to Funding provided by the Province of Ontario (the “Province”) to the Municipality under the Dedicated Gas Tax for Public Transportation Program**

Resolution 09-09-07

**Moved by: E. Tumak
Seconded by: D. Johnston**

THAT By-law 18-09 being a by-law to enter into an agreement with Her Majesty the Queen in the right of the Province of Ontario, represented by the Minister of Transportation for the Province of Ontario (the “Ministry”) and the Town of Deseronto (the “ Municipality”) Related to Funding provided by the Province of Ontario (the “Province”) to the Municipality under the Dedicated Gas Tax for Public Transportation Program be read a first, second and finally passed and number assigned this 28th day of April, 2009.

CARRIED

- 6.4 Being a by law to accept the 2009 Town of Deseronto Budget**

Resolution 09-09-08

**Moved by: E. Tumak
Seconded by: D. Johnston**

THAT the by-law for the 2009 Town of Deseronto Budget be deferred to the subsequent Council meeting dated, May 12, 2009.

CARRIED

7. DEPUTATIONS/PETITIONS

a) Ecoview Consulting

The deputation occurred prior to the Council meeting at 6:00 p.m. During the deputation, several items were discussed, including:

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- The draft/scenarios provided leading up to the cover page (the page to be referring to).
 - The basis upon which the scenarios were adapted, potential for growth, ease of municipal services to accommodate such growth and zoning
 - Scenario 1 based solely on matrix
 - Scenario 2 includes employment lands (E) and residential lands (R) and introduced future development
 - Scenario 3 is a different version of scenario 2
 - The purpose of the reports, prepare land use designations and be utilized with the Official Plan, which can guide development.
 - The Municipality currently has twenty-nine (29) vacant parcels
 - The documents provided are in a very rough draft form and Ecoview Consulting as well as the County of Hastings Planning Department request feedback
 - The municipality's core business area differ on the scenarios than in actuality
 - Special policies for waterfront areas and specific names have been added for the Deseronto waterfront areas (hazardous and non-hazardous) as well as Quinte Conservation stance on the flood plane.
 - Clarification regarding a "land locked" property with right of access

Council wishes for more time to review the documents and will follow up with additional meeting in the near future to possibly be held in another location.

b) O.P.P Quarterly Report

Pat Finnegan, Acting Operations Manager Greg MacLellan and reviewed the O.P.P. Quarterly Report in detail. Pat Finnegan indicated that the report supplied was a "standard report" issued to applicable municipalities. The O.P.P. Quarterly report included additional data, as requested by Councillor Tumak, which provides statistics and a map indicating where items of interest occurred.

RESOLUTION: 09-09-09

THAT the O.P.P. Quarterly Report be received and filed.

Moved by: E. Tumak

Seconded by: D. Johnston

CARRIED

c) WSI to discuss community waste and recycling pickups (cancelled; to set up meeting with Mayor and Clerk)

8. QUESTIONS FROM THE AUDIENCE

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Mr. Holmes expressed interest into the routes offered by the Transit System, inquiring as to implementing a route into Trenton. In response, Councillor Tumak indicated that such a route had not been previously entertained but would express Mr. Holmes interest to the Transit Steering Committee. Unfortunately, Trenton now has its own transit system which extends into Belleville.

Mrs. Usher inquired of Councillor Johnston if the Fire Fighters Association could be asked to inform fishing derby participants of the location of the weigh station: The Deseronto Yacht Club. Unfortunately, the location of the weigh in station has not been well advertised. Mrs. Usher expressed interest in having the Town advertise the location of the weigh in station within the Town's radio announcements. Mrs. Usher was informed that the Town's radio announcements "run" only on Mondays, which would not be of assistance for this particular event. Councillor Johnston indicated that he will ask the President of the Fire Fighters Association to contact Mrs. Usher. Mayor Clark will contact the radio station and seek assistance with an announcement for the event.

Mr. Usher inquired as to the clean-up status of the Arctic Garden site. The Mayor informed Mr. Usher that discussion is occurring regarding this particular site, definite plans, however, have not been made. Updates regarding clean-up of this site will be forwarded in the future.

9. CORRESPONDENCE

9.1 Correspondence requiring No Action

- a) **Request from Irene Usher for support of the Deseronto Yacht Club**

RESOLUTION 09-09-10

**Moved by: D. Johnston
Seconded by: E. Tumak**

THAT this piece of correspondence be received and filed.

CARRIED

9.2 Correspondence Requiring Action - None

10. PASSING OF ACCOUNTS

Schedule of Accounts 07-09

Resolution 09-09-11

**Moved by: D. Johnston
Seconded by: E. Tumak**

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THAT Schedule of Accounts 07-09 in the amount of \$93,705.08 be accepted as presented if found correct.

CARRIED

11. STANDING COMMITTEE REPORTS/Committee of the Whole

11.1 Finance & Administration

a) Final drawings for Town Hall renovations

This item will remain deferred until the Council meeting dated May 12, 2009.

11.2 Public Works and Fire Department Committee

Councillor McMeeken reminded Council that the spring cleanup is fast approaching, May 9, 2009.

11.3 Parks and Recreation Committee

- a) Councillor Johnston expressed his gratitude for feedback provided by Council members regarding the arena and arena operations.
- b) Councillor Johnston informed Council that the restoration of the ball diamond is on schedule with an exhibition game to be held between Clerk Bryan Brooks' team and the County's team.
- c) Councillor Johnston informed Council that he recently attended a Recreation Volunteer Committee meeting in which many ideas to increase the level of recreation within the community were expressed
- d) Councillor Johnston invited Council members to visit Centennial Park and comment on the state of repair of playground equipment. Councillor Johnston expressed concern regarding the state of the playground equipment, indicating that the equipment has become a health hazard and requires immediate replacement (estimated \$40,000)

Council members will provide Councillor Johnston with feedback regarding each member's findings. Further recommendations regarding the replacement of the playground equipment will be forwarded by the Parks and Recreation Committee for the May 12, 2009 Council meeting.

11.4 Economic Development & Planning Committee

a) Motion to deem transit vehicles as Surplus to the Municipality

Discussion ensued regarding whether a resolution from Council is required once committee recommendations have been accepted by

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Council. The Mayor indicated that in this specific case, a Council resolution is recommended.

Resolution 09-09-12

**Moved by: E. Tumak
Seconded by: D. Johnston**

THAT Council accept the recommendation of the Transit committee and deem the largest and second largest vehicles of the Transit system as surplus and dispose of said assets when appropriate.

CARRIED

b) Amended Homelessness Program Initiative Grant documents (to be accepted as amended)

Resolution 09-09-13

**Moved by: E. Tumak
Seconded by: D. Johnston**

THAT Council accept the terms of the Homelessness Partnership Grant and instructs the Mayor and Clerk to sign this agreement. FURTHER THAT page seven (7) of the agreement be amended to read the recipient as the Transit Administrator, Susan Stolarchuk, with the appropriate changes to the contact information.

CARRIED

12. UNFINISHED BUSINESS

12.1 Capital Asset Policy

Resolution 19-08-17

Moved by: C Zieman
Seconded by: E Tumak

THAT this item be left on the agenda.

CARRIED

13. NEW BUSINESS

a) Notification of 225th Anniversary of the Landing of the Mohawks

Discussion ensued about the request for the Landing of the Mohawks anniversary, including:

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- Maintaining relations with the MBQ band council
- Date of event (not provided)
- Setting a precedent in Land Claim negotiations
- Conflicting evidence of site location, or lack thereof
- Status of group when holding event, "visitor"

Resolution 09-09-14

Moved by: E. Tumak
Seconded by: D. Johnston

THAT this item be deferred to the next council meeting with the Clerk to request more information including the date of the event.

CARRIED

b) 2009 Therese Casgrain Volunteer Award

Resolution 09-09-15

Moved by: E. Tumak
Seconded by: D. Johnston

THAT this item be referred to the Community Revitalization Committee.

CARRIED

c) Notice of successful injunction from Hagersville, Ontario

Discussion ensued about the differences between the two (2) cases, Hagersville, Ontario and Town of Deseronto, including:

- The nature of the group protesting development
- Requests for return of land by the MBQ Band Council and timing thereof
- Duty to Consult

Resolution 09-09-16

Moved by: D. Johnston
Seconded by: E. Tumak

THAT this item be received and filed and a copy be forwarded to the Town's solicitor

CARRIED

14. MOTIONS & NOTICES OF MOTION -

15. MOTION TO MOVE IN-CAMERA

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- 1 personnel matter

Resolution 09-09-17

Moved by: D. Johnston

Seconded by: E. Tumak

THAT Council as required under Section 239(1) rise and move In-Camera for the purposes of Personnel matters.

CARRIED

16. MOTION TO CONFIRM ACTIONS TAKEN "IN-CAMERA"

Resolution 09-09-20

Moved by: D. Johnston

Seconded by: E. Tumak

That Council confirm the actions and decisions taken "in-camera"

CARRIED

17. BY-LAWS

17.1 A By-law being By-law 19-09 to confirm the proceedings of the Council Meeting of April 28, 2009.

Resolution 09-09-21

Moved by: E. Tumak

Seconded by: D. Johnston

That By-law 19-09 being a by-law to confirm the proceedings of Council is read a first, second and finally passed and number assigned this 28th day of April, 2009

CARRIED

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18. MOTION TO ADJOURN

Resolution 09-09-22

Moved by: D. McMeeken

Seconded by: D. Johnston

**That this April 28th 2009 meeting of council be adjourned at
9:15 p.m.**

CARRIED

(Signed)

**MAYOR
(Norman J. Clark)**

**CLERK
(Bryan Brooks)**