

The Minutes of the Regular Council Meeting of the Municipality of Tweed held Tuesday, **September 29, 2015** at 5:00 p.m. in the Council Chambers.

Mayor	Jo-Anne Albert
Deputy Mayor	Brian Treanor
Councillors	Don DeGenova, Jamie DeMarsh, James Flieler

Mayor Albert called the meeting to order followed by the singing of the National Anthem.

REVIEW OF AGENDA

MOVED BY B. TREANOR, SECONDED BY J. DEMARSH
BE IT RESOLVED THAT the Agenda for the September 29, 2015 Regular Meeting be approved as presented. Carried.

CLOSED SESSION

MOVED BY B. TREANOR, SECONDED BY J. DEMARSH
BE IT RESOLVED THAT Council go into Closed Session at 5:02 p.m. to address the following matter:

1. Municipal Act, section 239 (2) (b) - Personal matters about an identifiable individual.
- Carried.

MOVED BY D. DEGENOVA, SECONDED BY J. FLIELER
BE IT RESOLVED THAT Council go out of Closed Session at 5:20 p.m. Carried.

MOVED BY D. DEGENOVA, SECONDED BY J. DEMARSH
BE IT RESOLVED THAT staff follow all direction given in the Closed Session. Carried.

NOTIFICATION OF CLOSED SESSION

Mayor Albert advised that Council held a Closed Session at the start of the regular meeting, in accordance with Section 239(2)(b) of the Municipal Act, to consider matters pertaining to personal matters about an identifiable individual.

PLANNING

Rezoning Application ZA5/15

Applicant: Tyner / Agent: Vos

Part of Lot 33, Concession 1, Part 2 RP21R10701, Hungerford

To amend the zoning from Limited Service Residential (LSR) to Special Limited Service Residential Holding (LSR-8-h).

The special provisions for this zoning change include the following requirements: building setback from the Environmentally Sensitive-Evaluated Wetland (ES-EW) Zone is a minimum of 40 m (131 ft.); natural vegetation buffer adjacent to the ES-EW be maintained; and the holding provision will remain until a development agreement between the property owner and the Municipality is established.

The applicant and the agent attended the public meeting in support of the application for rezoning.

Correspondence had been received from Hastings County Planning indicating that they had no objection to the proposed zoning amendment provided that Quinte Conservation had reviewed and were satisfied with the Ecological Site Assessment report and that the recommendations of the Environmental Site Assessment were implemented through the zoning amendment and a development agreement.

Correspondence had been received from Quinte Conservation indicating that they had no objection to the proposed zoning amendment as presented.

There was no one in attendance to oppose the proposed zoning amendment.

Council agreed to the proposed zoning by-law amendment and passed Zoning By-Law No. 2015-37 which is recorded in the By-Laws section.

ADOPTION OF MINUTES

MOVED BY J. FLIELER, SECONDED BY B. TREANOR
BE IT RESOLVED THAT the Minutes of the August 25, 2015 Regular Meeting be adopted as distributed. Carried.

ERRORS AND OMISSIONS

None.

BUSINESS ARISING FROM MINUTES

None.

DISCLOSURES

None.

STATEMENT OF REVENUE & EXPENDITURES

MOVED BY D. DEGENOVA, SECONDED BY J. DEMARSH
BE IT RESOLVED THAT the Statement of Revenue and Expenditures for the period ending September 30, 2015 be accepted as presented. Carried.

DELEGATIONS

1. Keith Shantz, Welch LLP Chartered Accountants – 2014 Consolidated Financial Statements.

Keith Shantz of Welch LLP Chartered Accountants attended the meeting to present the draft 2014 Consolidated Financial Statements for the Municipality of Tweed and reviewed the statements with Council. He commended Council for their efforts at maintaining good financial control of the municipality's assets and for keeping the municipality's debt levels low. He recommended that future capital project contracts include a clause requiring that contractors provide Workplace Safety Insurance Board coverage certificates every 90 days in order to ensure that they are adequately covered by WSIB for contracts which extend beyond the 90 day expiry date of WSIB coverage certificates.

MOVED BY D. DEGENOVA, SECONDED BY J. FLIELER
BE IT RESOLVED THAT Council approve and accept the 2014 Consolidated Financial Statements for the Municipality of Tweed as presented by Keith Shantz, Welch LLP Chartered Accountants. Carried.

2. Shannon Amikons – issue with cats and litters & request for children playing signs.

Shannon Amikons, a resident of the hamlet of Marlbank, attended the meeting to address her concerns with the number of feral cats in the hamlet and the problem of the cats reproducing at an uncontrollable rate. She has been trying to obtain support from area agencies for fundraising to establish a program to help control the cat population.

Council advised Ms. Amikons that there is no by-law in the municipality to deal with cats, however, they suggested that she attempt to become a satellite location of a charity devoted to the cause and continue to try to work with existing organizations. They also advised her of the Tweed Pet Food Bank which had recently been established by a private individual in the area to assist with feeding costs.

Ms. Amikons also requested the placement of children playing signs in the hamlet of Marlbank and Council agreed to have Public Works staff install the signs.

3. Jim Keniston – Tweed Trunk or Treating.

Jim Keniston attended the meeting to request support for the Tweed Trunk or Treating event planned for Halloween evening at Tweed Memorial Park. He reported that participation has increased each year of the event and thanked Council for their support in prior years.

MOVED BY B. TREANOR, SECONDED BY J. DEMARSH

BE IT RESOLVED THAT Council support the 4th Annual “Truck or Treat” not-for-profit event at the Tweed Memorial Park on October 31, 2015, Halloween night and further that signs for the event will be posted at the park entrance on Victoria Street and River Street. Carried.

MAYOR'S REPORT

Mayor Albert and members of Council reported on meetings and events attended. All members reported that the recent Ontario East Municipal Conference in Kingston provided great networking opportunities and worthwhile sessions relating to municipalities. Of particular note was the success of the recent Charity Baseball Game with funds raised for the benefit of the Tweed Disaster Relief Fund. Council commended the ODRAP Committee for their efforts and recommended that a letter be sent to MPP Todd Smith to express Council's appreciation for his involvement with the fundraising event.

The Mayor also requested Council's support of a prepared resolution regarding fair pricing of E-books for public libraries which was recorded in the New Business section.

PUBLIC WORKS MANAGER'S REPORT

Public Works Manager Allan Broek reported on department activities.

MOVED BY D. DEGENOVA, SECONDED BY J. FLIELER

BE IT RESOLVED THAT the report of the Public Works Manager be accepted. Carried.

CAO/CLERK'S REPORT

Acting CAO/Clerk Betty Gallagher reported on department activities.

MOVED BY B. TREANOR, SECONDED BY J. DEMARSH

BE IT RESOLVED THAT Council approve the quote for Jack Robinson Construction for repairs to the Stoco Pavillion as identified in the J.G. Colborne Engineered Drawings in the amount of \$8,300.00 plus HST. Carried.

MOVED BY D. DEGENOVA, SECONDED BY J. FLIELER

BE IT RESOLVED THAT the Vaughan Group be hired to prepare a Strategic Plan for the Municipality of Tweed. Carried.

MOVED BY J. FLIELER, SECONDED BY B. TREANOR

BE IT RESOLVED THAT the report of the Acting CAO/Clerk be accepted. Carried.

COMMITTEE REPORTS

1. Library Board – September, 2015.
2. Quinte Conservation
3. Quinte Waste Solutions
4. CPAC
5. BISB
6. Community Development Committee
7. Public Works/Protective Services Committee – September 9, 2015.

MOVED BY D. DEGENOVA, SECONDED BY J. DEMARSH

BE IT RESOLVED THAT the reports of the Livestock Valuer be accepted for the following wildlife kill claims and the claims be processed in accordance with the guidelines of the Ontario Wildlife Damage Compensation Program:

<u>Claimant</u>	<u>Date of Loss</u>	<u>Livestock Loss</u>	<u>Amount</u>
Gerald & Vincent Cassidy	August 12, 2015	one beef calf	\$1,312.50,
Bill Palmateer	August 15, 2015	one beef calf	\$1,312.50. Carried.

MOVED BY D. DEGENOVA, SECONDED BY J. DEMARSH

BE IT RESOLVED THAT the report of the Livestock Valuer be accepted for the following cow kill claim and the claim be deferred in accordance with the guidelines of the Ontario Wildlife Damage Compensation Program due to the absence of a Farm Business Registration number:

<u>Claimant</u>	<u>Date of Loss</u>	<u>Livestock Loss</u>	<u>Amount</u>
Kevin Whalen	August 18, 2015	beef cow	\$1,771.00. Carried.

MOVED BY B. TREANOR, SECONDED BY J. FLIELER

BE IT RESOLVED THAT

1. Council approves the purchase of the BirdXpeller at a cost of \$855.00 + shipping.
2. The Mayor and Clerk be authorized to sign a trailer agreement with Herve and Brenda Leduc.
3. The 2015 Drinking Water Inspection Report prepared by the MOE be accepted.
4. That Mark Brinson be hired to remove a tree from the Thomasburg Spring area.
5. That Flowmetrix Technical Services Inc. be hired to carry out a water leak audit.

Carried.

8. Personnel and Finance Committee – September 8, 2015.

MOVED BY D. DEGENOVA, SECONDED BY J. FLIELER

BE IT RESOLVED THAT

1. Council approve the quote from Bridgewater Graphics for six municipal signs totaling \$2,100.00 + tax.
2. Council approve the purchase of a new mail drop box - \$198.95 + tax.

Carried.

MOVED BY J. DEMARSH, SECONDED BY D. DEGENOVA

BE IT RESOLVED THAT the Committee Reports be accepted as presented. Carried.

BY-LAWS

1. By-Law No. 2015-37 By-Law to amend Comprehensive Zoning By-Law No. 2012-30 for special provision to reduce the setback requirements from a ES-EW zone. (Tyner rezoning application ZA5/15)
2. By-Law No. 2015-38 By-Law to authorize the placement of stop signs on Elvis Lane at Alexander Street and exit from the municipal recreation area on Alexander Street.

MOVED BY D. DEGENOVA, SECONDED BY J. DEMARSH

BE IT RESOLVED THAT the following By-Law be read a first, second, and third and final time, passed, signed and sealed in open Council this 29th day of September, 2015:

By-Law No. 2015-37. Carried.

MOVED BY J. DEMARSH, SECONDED BY D. DEGENOVA

BE IT RESOLVED THAT the By-Law #2015-38 be read a first, second, and third & final time, passed, signed and sealed in open Council this 29th day of September, 2015. Carried.

MOTIONS AND NOTICE OF MOTIONS

None.

UNFINISHED BUSINESS

1. Motocross Zoning Amendment - Peer Review Report.

MOVED BY B. TREANOR, SECONDED BY D. DEGENOVA
 BE IT RESOLVED THAT Council receive and accept the Peer Review of the Noise Impact Feasibility Study for the Proposed Motocross Track carried out by Hugh Williamson Associates Inc., Ottawa, Ontario dated July 29, 2015. Carried.

MOVED BY B. TREANOR, SECONDED BY J. FLIELER
 WHEREAS Zoning By-law Amendment File No. ZA6/13 was appealed to the Ontario Municipal Board under Section 34(11) of the Planning Act - OMB Case No. PL140913;
 AND WHEREAS Council has subsequently received and reviewed the Peer Review of Noise Impact Feasibility Study for the Proposed Motocross Track to be Located in Tweed, Ontario prepared by Hugh Williamson Associates Inc. dated July 29, 2015 as provided by the applicants in support of the application;
 AND WHEREAS the Peer Review recommends that a detailed acoustical assessment by a qualified acoustical consultant be required as part of the site plan approval process;
 NOW THEREFORE BE IT RESOLVED THAT Council directs the Municipality’s solicitor to attempt to settle OMB Case No. PL140931 and to prepare and execute on behalf of the Municipality Minutes of Settlement with the appellant in keeping with the following direction: THAT the Municipality supports the proposed rezoning by-law for the motocross track, as to be amended, provided the holding provision for the Special Rural Holding (RU-9-h) Zone will not be removed by Council until such time as:

- a) A detailed acoustical assessment has been undertaken by a qualified professional to the satisfaction of the Municipality and its peer review agent; and
- b) A site plan agreement has been entered into to the satisfaction of the Municipality which shall, among other things, be consistent with, and implement, the recommendations and requirements of the approved detailed acoustical assessment.

AND FURTHER THAT the costs of the peer review of the detailed acoustical assessment shall be the responsibility of the applicants.

A recorded vote was requested for the resolution:	Mayor Albert	Yes	
	Deputy Mayor Treanor	Yes	
	Councillor DeGenova	Yes	
	Councillor DeMarsh	No	
	Councillor Flieler	Yes	Carried.

2. Splash Pad Task Force.

Council requested that the Splash Pad be scheduled for closure before the cold weather arrives and that this item be removed from the Agenda as the Splash Pad project is now complete.

3. Ontario Disaster Relief Assistance Program (ODRAP).

It was reported that the baseball game fundraiser had gone very well and that the ODRAP Committee were very close to meeting their fundraising targets. Council requested that letters of appreciation be sent to the members of the ODRAP Committee and to Chris Foran to thank them for all their fundraising efforts for the Tweed Disaster Relief Fund.

4. Abundant Solar Energy Inc. – Small FIT Solar Projects.

MOVED BY D. DEGENOVA, SECONDED BY B. TREANOR
 WHEREAS capitalized terms not defined herein have the meanings ascribed to them in the FIT

Rules, Version 4.0;

AND WHEREAS 2405083 Ontario Inc. (“the Applicant”) proposes to construct and operate a Non-Rooftop Solar PV Project (“the Project”) on

Pt Lt 3, 4 Con 9 Hungerford as in QR379172 S Railway;

Except Pt 1 21R11131 & Pts 4, 5, 6 21R22063

Project #202 PIN 40284-0214

(the “Lands”) in the Municipality of Tweed under the province’s FIT Program;

AND WHEREAS the Applicant has requested that the Council of Municipality of Tweed indicate by resolution Council’s support for the construction and operation of the Project on the Property;

AND WHEREAS pursuant to the FIT Rules, Version 4.0, Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other Person applying for Fit Contracts;

NOW THEREFORE BE IT RESOLVED THAT Council of the Municipality of Tweed supports the construction and operation of the Project on the Lands.

This resolution’s sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project, or for any other purpose. Carried.

MOVED BY B. TREANOR, SECONDED BY D. DEGENOVA

WHEREAS capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0;

AND WHEREAS 2405083 Ontario Inc. (“the Applicant”) proposes to construct and operate a Non-Rooftop Solar PV Project (“the Project”) on

184 Flatrock Road, Pt Lt 2 Con 2 Hungerford as in QR313128 (Parcel 2); S/T HF5784

Project #588 PIN 40300-0059

(the “Lands”) in the Municipality of Tweed under the province’s FIT Program;

AND WHEREAS the Applicant has requested that the Council of Municipality of Tweed indicate by resolution Council’s support for the construction and operation of the Project on the Property;

AND WHEREAS pursuant to the FIT Rules, Version 4.0, Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other Person applying for Fit Contracts;

NOW THEREFORE BE IT RESOLVED THAT Council of the Municipality of Tweed supports the construction and operation of the Project on the Lands.

This resolution’s sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project, or for any other purpose. Carried.

The municipal support resolution for **Project #632 PIN 40275-0113** was not passed due to concerns with the proposed site location of the project.

MOVED BY D. DEGENOVA, SECONDED BY B. TREANOR

WHEREAS capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0;

AND WHEREAS SFF Solar (2015) Ltd. (“the Applicant”) proposes to construct and operate a Non-Rooftop Solar PV Project (“the Project”) on

3123 Marlbank Road, Pt Lt 30 Con 5 Hungerford as in QR600412; except Pt 1 21R23199

Project #893 PIN 40269-0093

(the “Lands”) in the Municipality of Tweed under the province’s FIT Program;

AND WHEREAS the Applicant has requested that the Council of Municipality of Tweed indicate by resolution Council’s support for the construction and operation of the Project on the Property;

AND WHEREAS pursuant to the FIT Rules, Version 4.0, Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other Person applying for Fit Contracts;

NOW THEREFORE BE IT RESOLVED THAT Council of the Municipality of Tweed supports the construction and operation of the Project on the Lands.

This resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project, or for any other purpose. Carried.

MOVED BY B. TREANOR, SECONDED BY D. DEGENOVA

WHEREAS capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0;

AND WHEREAS SFF Solar (2015) Ltd. ("the Applicant") proposes to construct and operate a Non-Rooftop Solar PV Project ("the Project") on

**S 1/2 Lt 7 Con 10 Elzevir
Project #906 PIN 40249-0079**

(the "Lands") in the Municipality of Tweed under the province's FIT Program;

AND WHEREAS the Applicant has requested that the Council of Municipality of Tweed indicate by resolution Council's support for the construction and operation of the Project on the Property;

AND WHEREAS pursuant to the FIT Rules, Version 4.0, Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other Person applying for Fit Contracts;

NOW THEREFORE BE IT RESOLVED THAT Council of the Municipality of Tweed supports the construction and operation of the Project on the Lands.

This resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project, or for any other purpose. Carried.

MOVED BY J. DEMARSH, SECONDED BY J. FLIELER

WHEREAS capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0;

AND WHEREAS SFF Solar (2015) Ltd. ("the Applicant") proposes to construct and operate a Non-Rooftop Solar PV Project ("the Project") on

**E 1/2 Lt 18 Con 9 Elzevir Except Forfeited Mining Rights, If Any
Project #907 PIN 40249-0071**

(the "Lands") in the Municipality of Tweed under the province's FIT Program;

AND WHEREAS the Applicant has requested that the Council of Municipality of Tweed indicate by resolution Council's support for the construction and operation of the Project on the Property;

AND WHEREAS pursuant to the FIT Rules, Version 4.0, Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other Person applying for Fit Contracts;

NOW THEREFORE BE IT RESOLVED THAT Council of the Municipality of Tweed supports the construction and operation of the Project on the Lands.

This resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project, or for any other purpose. Carried.

NEW BUSINESS

1. Vision 2015 – Conservation Ontario's Draft Comments on Wetland Conservation.

Council requested that a copy of Vision 2015 be provided to the Manager of Community Development for information only.

2. Fair Pricing of E-Books for Public Libraries.

MOVED BY B. TREANOR, SECONDED BY J. DEMARSH

Whereas: public libraries provide residents with a community space where they can freely access a wide variety of information in both print and digital format;

Whereas: municipal governments are key funders of public libraries, appoint public library boards and work in partnership with public library boards to deliver library services that are

responsive to community needs;

Whereas: electronic books (e-books) are becoming an increasingly preferred medium for library users to access content and information;

Whereas: major multi-national publishers are charging public libraries significantly higher costs to purchase e-books for their collections than they charge consumers;

Whereas: imposing unreasonably high costs on public libraries to purchase e-books is not an appropriate solution to the publishing industry’s concerns regarding the evolution of digital technology, including piracy;

Therefore be it resolved: that Municipality of Tweed requests the Minister of Tourism, Culture and Sport work with the federal and the other provincial and territorial governments to find a solution that will allow public libraries to purchase e-books from publishers at a fair and reasonable price.

And that: a copy of this resolution be sent to the Federation of Canadian Municipalities (FCM) and the Association of Municipalities of Ontario (AMO). Carried.

CORRESPONDENCE - ACTION

None.

CORRESPONDENCE – OTHER MUNICIPALITIES

1. Township of Hamilton – Bill 100 – Support Ontario Trails Act.
2. Township of Faraday – AMO Policy Update - Municipal POA Courts Cost Recovery.

MOVED BY J. DEMARSH, SECONDED BY B. TREANOR

BE IT RESOLVED THAT the following action be taken in regards to Correspondence from Other Municipalities:

<u>No.</u>	<u>Municipality</u>	<u>Request for Support of:</u>	<u>Action</u>
1.	Township of Hamilton	Resolution re: Support Ontario Trails Act.	Receive & File.
2.	Township of Faraday	Resolution re: Municipal POA Courts Cost Recovery.	Support.

Carried.

CORRESPONDENCE - INFORMATION

1. Austin Dow – Speeding on Victoria Street.
2. Hastings Prince Edward Public Health – Low-Cost Rabies Vaccination Clinics.
3. Ministry of Municipal Affairs and Housing – Closure of the Ontario Home Renewal Program.

MOVED BY J. DEMARSH, SECONDED BY D. DEGENOVA

BE IT RESOLVED THAT Correspondence – Information Item Numbers 1 to 3 be received and filed. Carried.

COMMITTEE MINUTES

1. Quinte Waste Solutions
2. Land O’Lakes Tourist Association
3. Community Policing Advisory Committee
4. Personnel and Finance Committee – August 11, 2015.
5. Public Works & Protection Services Committee - August 5, 2015.
6. Community Development Committee
7. Building Inspection Services Board – July 29, 2015.
8. Tweed and Area Chamber of Commerce

MOVED BY J. DEMARSH, SECONDED BY J. FLIELER

BE IT RESOLVED THAT the Committee Minutes be accepted. Carried.

RESPONSE TO DELEGATIONS

None.

QUESTION PERIOD

Council responded to questions from the member of the press in attendance.

CONFIRMATORY BY-LAW

MOVED BY D. DEGENOVA, SECONDED BY J. FLIELER
BE IT RESOLVED THAT Confirmatory By-Law No. 2015-39 be read a first, second, and third and final time, passed, signed and sealed in open Council this 29th day of September, 2015.
Carried.

ADJOURNMENT

MOVED BY D. DEGENOVA, SECONDED BY B. TREANOR
BE IT RESOLVED THAT Council adjourn at 7:56 p.m. Carried.

MAYOR

ACTING CLERK