

The Minutes of the Regular Council Meeting of the Municipality of Tweed held Tuesday, **January 28, 2014** at 5:00 p.m. in the Council Chambers.

Mayor	Jo-Anne Albert
Deputy Mayor	Brian Treanor
Councillors	Justin Bray, Don DeGenova, James Flieler

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

### **REVIEW OF AGENDA**

MOVED BY J. BRAY, SECONDED BY B. TREANOR  
BE IT RESOLVED THAT the Agenda for the January 28, 2014 Regular Meeting be approved as presented. Carried.

### **CLOSED SESSION**

MOVED BY D. DEGENOVA, SECONDED BY J. FLIELER  
BE IT RESOLVED THAT Council go into Closed Session at 5:00 p.m. to address the following matter:

1. Municipal Act Section 239(2)(b)(d) - Personal matters about identifiable individuals and employee negotiations pertaining to staffing of departments. Carried.

MOVED BY J. BRAY, SECONDED BY J. FLIELER  
BE IT RESOLVED THAT Council go out of Closed Session at 5:30 p.m. 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 of the Municipal Act, to consider the following: Section 239(2)(b)(d) Personal matters about identifiable individuals and employee negotiations pertaining to staffing of departments.

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

### **ADOPTION OF MINUTES**

MOVED BY J. BRAY, SECONDED BY D. DEGENOVA  
BE IT RESOLVED THAT the Minutes of the December 10, 2013 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. FLIELER  
BE IT RESOLVED THAT the Statement of Revenue and Expenditures for the period ending December 31, 2013 be accepted as presented. Carried.

**DELEGATIONS**

Martin Bell requested permission to speak as a delegation, to which Council agreed.

1. Vicki McCulloch – Bell tower concerns.

Vicki McCulloch attended the meeting to present concerns with the Bell communications tower proposed for 99 James Street. She advised of the newly formed ‘Tweed Citizens for Safe Technology’ group, of which she is a member, and noted their concern with the proposed location as well as the site selection and consultation process. The delegate pointed out errors with the information circulated by Bell, including the site map and outdated mapping of the adjacent residential area. Other concerns expressed included the following: Bell enters into negotiations with the property owner before notifying the local municipality of a proposed tower location; no consideration of co-location on existing towers; potential expansion of the tower once it is built; no public meeting with Bell representatives; negative visual impact to neighbouring properties owners; incompatible land use with adjacent residential and recreational development; effects on property values; actual demand for additional services.

2. John Wilson/Aric Aguoine – Bell tower / organic farming.

Aric Aguoine, speaking on behalf of John Wilson, sited the potential negative effects of another tower on the bee population. The presentation included personal experiences from the Wilson’s organic blueberry farm on the negative changes in bee population, activity and behaviour. The delegate suggested that radiation levels from towers should be studied to determine safe levels for the bee population, and requested that Council not concur with the Bell tower at its proposed location. A letter from the Ottawa Chapter of the Canadian Parks and Wilderness Society regarding the effects of electromagnetic fields on wildlife and the environment was included with the presentation.

3. Elizabeth Newell, Bell Mobility – Bell tower.

Elizabeth Newell attended on behalf of Bell Mobility to provide statistics on wireless service demand and the need for improved wireless services in Tweed, noting that the additional capacity from the proposed tower is critical for wireless, voice and text services. She outlined the site selection process and the need for the tower in its proposed location versus outside of the Village, noting there is a tight search ring to meet the capacity which is required. Ms. Newell reiterated that Bell needs the data capacity to provide the service where needed, and they do not have the ability to move the tower to accomplish this. She sited the need for capacity relief and requested Council’s concurrence with the proposed tower.

4. Penny Vance – Bell tower location.

Penny Vance attended the meeting to bring forth concerns about the dangers of electromagnetic radiation from cell towers, including damage to health, economy and the spirit of the community. She noted other areas in the Province where tower locations had been altered based on the negative response from the residents. Mrs. Vance referenced past history events which could have been avoided with Federal government regulations. She presented a petition from local residents in opposition to the tower proposed for 99 James Street and advised that the Tweed Citizens for Safe Technology would be continuing to circulate the petition for additional signatures.

5. Martin Bell.

Martin Bell, property owner at 99 James Street, spoke about his property and the opportunity to have a Bell tower located on his land. He referenced the public meetings held in neighbouring municipalities and suggested they had a low attendance. He also suggested that there would be complaints from adjacent property owners wherever a tower was proposed.

Mayor Albert noted that there is a request for concurrence for the Bell tower on the agenda and asked for Council's consideration in asking Bell to hold a public meeting. Council agreed with this and suggested that an Industry Canada representative should be invited to attend as well. Mayor Albert noted that MP Daryl Kramp had advised that he would be available to attend a meeting. Council suggested the municipal protocol for communications towers be amended to include the requirement for a public meeting.

**MAYOR'S REPORT**

Mayor Albert and members of Council reported on meetings attended and upcoming meetings and expressed appreciation to the Public Works Dept. for their continual work in snowplowing roads and sidewalks. Council noted the community meeting held in Thomasburg where information from the municipal solicitor on the operations of the Thomasburg Spring was presented.

**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 Council approve payment of Payment Certificate No. 4 to Hatfield Electric in the amount of \$1,270.56 plus HST, holdback for the River Street pumping station alum upgrades, as recommended by Greer Galloway, project engineers. Carried.

MOVED BY J. BRAY, SECONDED BY J. FLIELER  
BE IT RESOLVED THAT the report of the Public Works Manager be accepted. Carried.

**CAO/CLERK'S REPORT**

CAO/Clerk Patricia Bergeron reported on department activities including the by-law proposed for new stop signs at the intersection of McLellan and Pomeroy Streets. The Public Works Manager advised that the three way stop is recommended by the Tri Board for school bus safety.

MOVED BY D. DEGENOVA, SECONDED BY J. FLIELER  
BE IT RESOLVED THAT the report of the CAO/Clerk be accepted. Carried.

**COMMITTEE REPORTS**

1. Recreation Committee.
2. Planning Committee – report on January 6, 2014 meeting.
3. Library Board.
4. Quinte Conservation.
5. Quinte Waste Solutions.
6. CPAC.
7. BISC – building permit stats for November & December 2013.
8. Infrastructure Committee – report on January 15, 2014 meeting.
9. Persons and Property Committee – report on January 14, 2014 meeting.
10. Personnel and Finance Committee – report on January 14, 2014 meeting.

MOVED BY J. BRAY, SECONDED BY D. DEGENOVA  
BE IT RESOLVED THAT Council approve Severance B84/13, owner John Gunning, Lots 5 & 6 Concession 9 Township of Hungerford with the following conditions:

- i. All realty taxes are paid in full.
- ii. Parkland fee is paid in the amount of \$500.00.
- iii. Public Works Manager is satisfied with entrance to the severed lot and with ditching and drainage along the severed lot.
- iv. Road widening is required along the severed lot to conform to 43 ft from the centerline of the travelled road (Crookston Road). Carried.

Council discussed the request for designation of the snow dump for a future bandshell site, including the potential need for use of Fairgrounds lands for parking during events.

MOVED BY D. DEGENOVA, SECONDED BY J. FLIELER

BE IT RESOLVED THAT Council approve the following Infrastructure Committee recommendations:

- i. Support in principle of the designation of the former snow dump as the site of a future bandshell for use by Tweed Music Festivals.
- ii. Approval of the snow dump site for 2014 music events by Tweed Music Festivals subject to an agreement to cover all relevant matters and including all relevant partners.
- iii. Approval of an agreement with Mumby Septic Tank Pumping for the deposit of effluent in the Tweed Lagoon, if required, for the 2013-2014 winter season ending March 31, 2014. Carried.

MOVED BY D. DEGENOVA, SECONDED BY J. FLIELER

BE IT RESOLVED THAT Council approve the following Persons & Property Committee recommendation:

- i. Concurrence with the Rogers Communications Tower proposed for 2546 Crookston Road. Carried.

MOVED BY B. TREANOR, SECONDED BY D. DEGENOVA

BE IT RESOLVED THAT Council approve the following Persons & Property Committee recommendation:

- i. Support in principle of the proposed Lime Lake Heritage project. Carried.

MOVED BY D. DEGENOVA, SECONDED BY J. BRAY

BE IT RESOLVED THAT Council approve the following Persons & Property Committee recommendation:

- i. Approval of 6 sewer reserve units for future multi-residential development at 494 Metcalf Street; proposed development subject to all zoning and site plan requirements and approvals. Carried.

Mayor Albert advised that a letter had been received from the individual interested in the establishment of a taxi licencing by-law, and suggested referring the matter back to the Persons & Property Committee to provide an opportunity for further discussions.

Council agreed to defer the matter of the Bell communications tower pending a public meeting with Bell and Industry Canada representatives.

MOVED BY D. DEGENOVA, SECONDED BY B. TREANOR

BE IT RESOLVED THAT Council approve the following Personnel & Finance Committee recommendation:

- i. Implementation of a monthly preauthorized payment option for tax and water & sewer billings. Carried.

MOVED BY D. DEGENOVA, SECONDED BY J. BRAY

BE IT RESOLVED THAT Council approve the following Personnel & Finance Committee recommendation:

- i. Direction to staff to bring forth a draft policy for guidelines, including allowable expenses, for attendance at conferences and workshops. Carried.

MOVED BY D. DEGENOVA, SECONDED BY B. TREANOR

BE IT RESOLVED THAT Council approve the following Personnel & Finance Committee recommendation:

- i. Approval of the Centre & South Hastings Waste Services Board 2014 budget; and approval of the 2014 municipal levy in the amount of \$52,626.79. Carried.

MOVED BY J. BRAY, SECONDED BY J. FLIELER

BE IT RESOLVED THAT the report of the Livestock Valuer be accepted for the following

wildlife kill claim and the claim 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>	
Burton Cronkwright	December 30, 2013	one calf	\$626.50.	Carried.

MOVED BY D. DEGENOVA, SECONDED BY J. FLIELER  
 BE IT RESOLVED THAT the Committee Reports be accepted as presented. Carried.

**BY-LAWS**

1. By-Law No. 2014-01 By-Law to authorize short-term borrowing.
2. By-Law No. 2014-02 By-Law to authorize amended BISC agreement.
3. By-Law No. 2014-03 By-Law to rezone lot addition and benefitting lands as a condition of Severance B63/13 (LaBarge)
4. By-Law No. 2014-04 By-Law to authorize conveyance of property for road widening – Severances B101/12 & B102/12 (Dilts/Hannah)
5. By-Law No. 2014-05 By-Law to authorize new stop sign at McLellan & Pomeroy Streets.

MOVED BY J. BRAY, SECONDED BY J. FLIELER  
 BE IT RESOLVED THAT the following By-Laws be read a first, second, and third and final time, passed, signed and sealed in open Council this 28th day of January, 2014:

- By-Law No. 2014-01,
- By-Law No. 2014-02,
- By-Law No. 2014-03,
- By-Law No. 2014-04,
- By-Law No. 2014-05. Carried.

**MOTIONS AND NOTICE OF MOTIONS**

None.

**UNFINISHED BUSINESS**

1. Bell communications tower – response letter from Bell and request for concurrence.

This matter was addressed in Committee Reports.

2. Rogers communications tower – request for concurrence.

This matter was addressed in Committee Reports.

**NEW BUSINESS**

1. Land O’ Lakes Tourist Association – RED program partnership.

Council received this information and noted the timeframe for presenting project ideas.

2. Quinte Waste Solutions – 2014 budget.

This matter was addressed in Committee Reports.

3. OPP Billing Model – municipalities’ support and opposition.

MOVED BY B. TREANOR, SECONDED BY D. DEGENOVA  
 BE IT RESOLVED THAT Council support the resolutions and letters from other municipalities in opposition to the new OPP billing model; and further receive and file the letters from other municipalities in support of the OPP billing model. Carried.

Council discussed the concerns with the OPP billing model and directed staff to bring forth a draft resolution and response letter to the next meeting for consideration.

### CORRESPONDENCE - ACTION

None.

### CORRESPONDENCE – OTHER MUNICIPALITIES

1. Randy Pettapiece, MPP – request for support of private members bill re: Joint & Several Liability.
2. Township of Mulmur – request for support of resolution re: MPAC assessment of improved properties/new buildings.
3. County of Lambton – request for support of resolution re: requalification of municipal building officials.

MOVED BY J. BRAY, SECONDED BY J. FLIELER

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.	Randy Pettapiece, MPP	Private members bill re: Joint & Several Liability.	Support
2.	Township of Mulmur	Resolution re: MPAC assessment of improved properties/new buildings.	Receive & File
3.	County of Lambton	Resolution re: requalification municipal building officials.	Support

Carried.

### CORRESPONDENCE – INFORMATION

1. County of Hastings – news release re: Warden second term.
2. Eastern Ontario Wardens' Caucus / EORN – news release re: 2014 priorities and broadband connections at business parks.
3. Thomasburg Cemetery Board - appreciation to Thomasburg Beautification Committee.
4. Gateway Community Health Centre – funding for oral health program.
5. County of Hastings – news release re: Hastings Manor outdoor pavilion.
6. Tweed & Area Heritage Centre – report on 2013 tourist bureau.
7. Hastings County Planning Dept. – notice of decision for Severance B79/13.
8. Ontario Clean Water Agency – notice of new appointment for OCWA President.
9. Federation of Canadian Municipalities – information on Canada Post phase-out of home delivery.
10. Ontario Good Roads Association – Ontario's Transit Investment Strategy Advisory Panel final report.
11. Municipality of East Ferris – copy of letters to Premier Wynne re: Small, Rural and Northern Municipal Infrastructure Fund and suggestion of per litre tax increase on gasoline.
12. Ontario Provincial Police – update on Conducted Energy Weapon usage.
13. Ombudsman – annual report on investigations of closed meetings.
14. Enbridge – first Operational Reliability Review.
15. Ministry of Environment – notice of proposed amendment Municipal Class EA.
16. Association of Municipalities of Ontario – member communications:
  - i. Report of Special Purpose Business Property Assessment Review.
  - ii. Transit Investment Strategy Advisory Panel Report.
  - iii. Municipal Elections bill introduced re: start date for term of office.
  - iv. Land Use Planning and Appeals System consultation.
  - v. Highlights of AMO's 2014 pre-budget submission.

MOVED BY J. BRAY, SECONDED BY B. TREANOR

BE IT RESOLVED THAT Correspondence – Information Item Numbers 1 to 16 be received and filed. Carried.

**COMMITTEE MINUTES**

1. Quinte Waste Solutions – minutes of November 18, 2013 meeting.
2. Quinte Conservation – minutes of September 19, 2013 meeting.
3. BISC – minutes of November 21, 2013 meeting.
4. Community Policing Advisory Committee – draft minutes of January 15, 2014 meeting.
5. Infrastructure Committee – minutes of October 16, 2013 meeting.
6. Persons & Property Committee – minutes of October 29, 2013 meeting.
7. Personnel & Finance Committee – minutes of October 29, 2013 meeting.
8. Planning Advisory Committee – minutes of December 2, 2013 meeting.

MOVED BY D. DEGENOVA, SECONDED BY J. BRAY

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

**RESPONSE TO DELEGATIONS**

None.

**QUESTION PERIOD**

Council responded to questions from members of the press and the public in attendance.

**CONFIRMATORY BY-LAW**

MOVED BY J. FLIELER, SECONDED BY B. TREANOR

BE IT RESOLVED THAT Confirmatory By-Law No. 2014-06 be read a first, second, and third and final time, passed, signed and sealed in open Council this 28th day of January, 2014. Carried.

**ADJOURNMENT**

MOVED BY J. FLIELER, SECONDED BY J. BRAY

BE IT RESOLVED THAT Council adjourn at 8:10 p.m. Carried.

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MAYOR

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CLERK