

The Minutes of the Regular Council Meeting of the Municipality of Tweed held Tuesday, **April 29, 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 D. DEGENOVA, SECONDED BY J. BRAY  
BE IT RESOLVED THAT the Agenda for the April 29, 2014 Regular Meeting be approved as presented. Carried.

### **CLOSED SESSION**

MOVED BY J. FLIELER, SECONDED BY B. TREANOR  
BE IT RESOLVED THAT Council go into Closed Session at 5:00 p.m. to address the following matters:  
Municipal Act Section 239(2)(b) Personal matters about identifiable individuals – staffing of departments; and Municipal Act Section 239(2)(d) Employee negotiations.  
Carried.

MOVED BY D. DEGENOVA, SECONDED BY B. TREANOR  
BE IT RESOLVED THAT Council go out of Closed Session at 5:40 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 matters pertaining to the following: Section 239(2)(b) Personal matters about identifiable individuals – staffing of departments; and Section 239(2)(d) Employee negotiations.

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

### **ADOPTION OF MINUTES**

MOVED BY B. TREANOR, SECONDED BY J. FLIELER  
BE IT RESOLVED THAT the Minutes of the March 25, 2014 Regular Meeting and the April 14, 2014 Budget Presentation 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 April 30, 2014 be accepted as presented. Carried.

**DELEGATIONS**

## 1. Penny Vance – Bell communications tower.

Penny Vance attended the meeting to bring forth recent changes to Safety Code 6 and to Industry Canada's rules for citizen engagement in tower locations. Mrs. Vance asked that Council say no to any tower location which puts children at risk and increases their exposure to electromagnetic fields. She noted that the recent public meeting with Bell provided very little opportunity for public input, including no opportunity for Dr. Miller, invited by the Tweed Citizen's group, to speak. She noted the doctor's primary concern of involuntary exposure and suggested Health Canada's next steps should be public consultation. Mrs. Vance asked Council to confirm that the proposed tower location does not pose a health risk.

## 2. Nataly Woolfrey – Bell communications tower.

Nataly Woolfrey attended the meeting to ask that Council not sign the letter of concurrence for the Bell communications tower proposed for 99 James Street. She indicated that Bell did not follow the protocol for tower selection, noting they had chosen the site and made arrangements with the property owner without considering other sites and without first involving the Municipality. She asked Council to consider what is best for the Municipality, and outlined pros and cons of the tower location. She noted that there is nothing appealing about the tower, property values will decrease, and suggested there should be consideration given as to what brings young people to the Municipality. She also suggested that Bell has not proven that improved services could be accomplished through co-sharing of a tower outside of town.

## 3. Vicki McCulloch – Bell communications tower.

Vicki McCulloch attended the meeting to address three matters related to the Bell tower, with the goal of having the tower relocated to an area that does not affect as many people. She noted the submission of a petition with more than 185 signatures, 90% of which are Tweed residents and 26 of which are residents directly located on either side of the river. She advised that the Tweed Citizens for Safe Technology group is not opposed to towers in general, however would like the Bell tower to be denied. Ms. McCulloch noted that Bell had indicated they would investigate co-location with the new Rogers tower on Crookston Road, and noted that consideration of co-location is a requirement of the municipal protocol for communications towers. She advised that Bell encourages the review of location based on land use policies, however suggested that their process for site location does not meet the code of practice. She noted that the site selection process used outdated information and provided for no input from the public. Ms. McCulloch suggested that a proposed location should look at the compatibility of surrounding uses, in accordance with the municipal protocol, and noted the area along the river has been developed for recreation and residential uses. The delegate outlined the areas of the municipal tower siting protocol which were not adhered to, including the fact that Bell did not notify the Municipality of the proposed location prior to entering into negotiations with the property owner. She also noted that when Bell was asked to restart the process, they came back with the same information.

## 4. John Wilson – Bell communications tower.

John Wilson attended the meeting to present his concerns with the proposed location of the Bell tower. He referred to Councillor Bray's recent letter to the local newspaper, and noted that although he agreed with many of the points raised, he did not agree with the conclusion. Mr. Wilson requested a more open public meeting. He noted that there are already several towers outside of the town and suggested that towers do not have to be installed in anyone's backyard. He noted that the standards which govern towers are there for the safety of consumers. He suggested that this is an opportunity for Council to do what is best for all of Tweed and asked Council not to sign the letter of concurrence. He noted that the tower will be there forever, and suggested Council should let Industry Canada make the decision. He proposed that the tower could be moved to the edge of the Village, and suggested that Bell thought they were at the edge of the Village anyway with their erroneous and incomplete information.

**MAYOR'S REPORT**

Mayor Albert reported on meetings attended and upcoming meetings. Mayor Albert gave a summary of the Emergency Control Group meetings held and the actions taken by the Municipality during the recent flooding emergency. The Mayor advised that she had declared a State of Emergency on April 15<sup>th</sup>, had met with the Minister of Community Safety when he visited the area, and had attended the meeting along with Belleville and Centre Hastings with the Premier, where immediate funding relief was requested. Mayor Albert thanked all local volunteers and students for their assistance during the flood emergency.

Council members thanked Mayor Albert for her leadership during the flood emergency.

**PUBLIC WORKS MANAGER'S REPORT**

Public Works Manager Allan Broek reported on department activities, including a report and recommendation for the water tower painting project. The Public Works Manager advised that Ontario Clean Water Agency is preparing a standard operating procedure for the project, working with the MOE and the Health Unit. He advised that there will be costs for OCWA to be on site and do sampling, however noted the total of these, with the recommended tender, will not exceed the 2014 budgeted amount for the project.

MOVED BY D. DEGENOVA, SECONDED BY J. BRAY

BE IT RESOLVED THAT Council accept the quotation from Heritage Restoration Inc. in the total amount of \$127,445.25 plus HST for the water tower prep and painting; quotation details: Heritage Restoration \$89,345.25; Misco Inspection \$29,850.00; 2016 warranty inspection \$1,750.00; AWWA cleaning and inspection \$6,500.00. All amounts plus HST. 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.

MOVED BY D. DEGENOVA, SECONDED BY J. BRAY

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

**COMMITTEE REPORTS**

1. Recreation Committee.
2. Planning Committee – report on April 7, 2014 meeting.
3. Library Board – CEO report for April 2014.
4. Quinte Conservation.
5. Quinte Waste Solutions.
6. CPAC.
7. BISC – February 2014 permits.
8. Community Development Committee – report on April 8, 2014 meeting.
9. Public Works/Protective Services Committee – report on April 9, 2014 meeting.
10. Personnel and Finance Committee – report on April 16, 2014 meeting.

MOVED BY J. BRAY, SECONDED BY B. TREANOR

BE IT RESOLVED THAT Council approve the site plan for the Lost Channel Road multi sport camp development subject to compliance with the recommendations from Manager of Public Works and Hastings County Planning Dept. Carried.

MOVED BY B. TREANOR, SECONDED BY J. FLIELER

BE IT RESOLVED THAT Council approve the following recommendations from the Community Development Committee:

- i. Entrance Signs at south and north entrances to Village be offered for advertising space on

a scheduled basis for a rental fee of \$50.00 per two week period, with Council to consider rental fees as an in-kind contribution. Carried.

Council agreed to hold the May 27<sup>th</sup> regular meeting in Marlbank, to be followed by a community meeting to discuss the Marlbank dome.

MOVED BY D. DEGENOVA, SECONDED BY J. FLIELER

BE IT RESOLVED THAT Council approve the following recommendations from the Public Works/Protective Services Committee:

- i. Accept the quotation from Greenwood Paving in the amount of \$289,394.40 plus HST for 2014 capital road projects.
- ii. Approve a temporary liquor licence extension at the RC Legion Branch 428 parking lot for two events: July 20, 2014 Poker Run/Show & Shine; August 23, 2014 Elvis Festival.
- iii. Council not proceed with the implementation of a taxi licencing by-law.

Carried.

MOVED BY J. BRAY, SECONDED BY B. TREANOR

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>	
Harold Bateman	March 20, 2014	one calf	\$815.50,	
Bill Palmateer	March 21, 2014	one calf	\$815.50.	Carried.

MOVED BY D. DEGENOVA, SECONDED BY B. TREANOR

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

- i. Tenders for general repairs and maintenance at the municipal building be advertised.

Carried.

MOVED BY J. BRAY, SECONDED BY D. DEGENOVA

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

**BY-LAWS**

- 1. By-Law No. 2014-14 By-Law to rezone severed land (lot addition) Severance B79/13 (Countryman).
- 2. By-Law No. 2014-15 By-Law to adopt 2014 budget.
- 3. By-Law No. 2014-16 By-Law to adopt 2014 water and sewer rates.
- 4. By-Law No. 2014-17 By-Law to adopt 2014 fees and charges.
- 5. By-Law No. 2014-18 By-Law to authorize 2014 final tax levy.

MOVED BY D. DEGENOVA, 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 29th day of April, 2014:

- By-Law No. 2014-14,
- By-Law No. 2014-15,
- By-Law No. 2014-16,
- By-Law No. 2014-17,
- By-Law No. 2014-18.

A recorded vote was taken for the reading of the by-laws, with results as follows:

Councillor Bray	Yes for By-Law No.'s 2014-14, 2014-16, 2014-17 and 2014-18 No to By-Law No. 2014-15
Councillor DeGenova	Yes to all by-laws
Councillor Flieler	Yes to all by-laws
Deputy Mayor Treanor	Yes to all by-laws
Mayor Albert	Yes to all by-laws

The motion carried.

**MOTIONS AND NOTICE OF MOTIONS**

None.

**UNFINISHED BUSINESS**

- 1. Bell communications tower.
  - i. Bell Q&A meeting summary.
  - ii. Vicki McCulloch/Tweed Citizens for Safe Technology – petition.
  - iii. Bell – request for concurrence.

Councillor DeGenova noted that this has been a difficult decision and advised that he was voting based on his interpretation of the situation. He noted that he has heard from a number of people who are opposed to the tower location, and suggested that although improved access is needed, he would not want a tower in his backyard. He noted that Council is bound by Industry Canada guidelines however Industry Canada did not attend the recent public meeting. He advised that he would not be supporting the letter of concurrence for the Bell tower.

Councillor Bray suggested that there would be concerns wherever a tower was located. He noted that those opposed have indicated that the tower should be located in an area where not as many people are affected, and questioned how many people being affected would be acceptable. He advised that he would be supporting the tower concurrence.

Councillor Flieler commented on the number of people living near the tower location who are opposed and advised that he would not be supporting concurrence.

Deputy Mayor Treanor advised that he had looked at three things in his consideration of the tower. He noted that this was a difficult decision and that Council’s hands are tied by Industry Canada. He referenced the ICSP which is based on the concept of sustainable development and meeting the needs of the present without compromising the future. He outlined the pillars of the ICSP and noted that the Economic Development pillar encourages the availability of broad based internet, which is fundamental to business. He advised that he had considered comments from the Medical Officer of Health and also commented on the Federal legislation which governs the process for tower siting, thereby limiting municipalities. He advised that he had weighed everything and made the decision to concur with the tower.

Mayor Albert noted that comments had been received regarding her potential conflict of interest in the tower matter based on her involvement with EORN, however noted that this is a volunteer position. She advised that she believes that internet and capacity are needed. She noted that she believes in economic development and has considered this matter from an economic development point. She advised that she would be voting in favour of concurrence.

**MOVED BY J. BRAY, SECONDED BY B. TREANOR**

**BE IT RESOLVED THAT Council approve a letter of concurrence for the Bell communications tower proposed for 99 James Street.**

A recorded vote was taken with results as follows:

Councillor DeGenova	No
Councillor Bray	Yes
Councillor Flieler	No
Deputy Mayor Treanor	Yes
Mayor Albert	Yes
The motion carried.	

- 2. OPP municipal policing billing model

- i. OPP Billing Steering Committee final report.
- ii. AMO Task Force on police modernization.
- iii. Draft municipal resolution.
- iv. Draft motion re: proceeds from crime to policing costs.
- v. Township of Carlow/Mayo – resolution re: unfair funding model.

MOVED BY D. DEGENOVA, SECONDED BY J. FLIELER

BE IT RESOLVED THAT Council support the resolution from the Township of Carlow/Mayo re: the unfair funding model for OPP billing. Carried.

### **NEW BUSINESS**

1. Royal Canadian Legion Branch 428 – Afghanistan Memorial events.
2. Ministry of Municipal Affairs & Housing – Ice Storm Assistance Program.
3. Ontario Disaster Relief Assistance Program - 2014 Flood Emergency.
  - i. Resolution re: Disaster Area.
  - ii. Establish Disaster Relief Committee.
  - iii. Public meeting date.

MOVED BY D. DEGENOVA, SECONDED BY J. BRAY

BE IT RESOLVED THAT WHEREAS the Municipality of Tweed recently experienced a flood event on April 15, 2014 and has experienced substantial damage to municipal property and infrastructure and has received reported losses of private damage, the Council of the Municipality of Tweed hereby requests the Minister of Municipal Affairs and Housing to declare the Municipality of Tweed a ‘disaster area’ for the purposes of the Ontario Disaster Relief Assistance Program (ODRAP);

AND FURTHER, should the Minister declare a disaster area regarding the private component of ODRAP, Council will immediately, under the authority of ODRAP, appoint members to a disaster relief committee to administer ODRAP. Carried.

Council agreed on the date of May 8<sup>th</sup> at 7:00 p.m. for a community meeting regarding the ODRAP program and directed staff to send notices of the meeting plus the private property damage assessment form to the 600 properties identified as potentially affected by the recent flooding. The meeting will be advertised on radio, in local papers and on the municipal website and social media to reach all members of the community.

### **CORRESPONDENCE – ACTION**

1. Tweed Lions Club – request for picnic shelter for 2014 Music in the Park.

MOVED BY B. TREANOR, SECONDED BY D. DEGENOVA

BE IT RESOLVED THAT Council approve the use of the Picnic Shelter at Tweed Memorial Park for the 2014 Lions Music in the Park, Sundays afternoons from June 29 to August 24, 2014. Carried.

2. Hastings & Prince Edward Counties Health Unit – request for support of West Nile Virus preparedness program.

MOVED BY J. BRAY, SECONDED BY J. FLIELER

BE IT RESOLVED THAT the Municipality of Tweed supports the efforts of the Hastings & Prince Edward Counties Health Unit to reduce the risk of West Nile virus illness in our area; and furthermore, the Municipality of Tweed gives permission to the Hastings & Prince Edward Counties Health Unit to carry out larviciding activities to prevent and/or control West Nile virus in our area, if deemed necessary. Carried.

### **CORRESPONDENCE – OTHER MUNICIPALITIES**

1. Township of Wollaston – resolution/letters re: development on private roads and new Provincial Policy Statement.

2. Lupus Foundation of Ontario – request for proclamation of World Lupus Day (May 10).

MOVED BY J. FLIELER, SECONDED BY J. BRAY

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 Wollaston	Resolution/letters re: development on private roads and new Provincial Policy Statement.	Support

A recorded vote was taken with results as follows:

Mayor Albert	Yes
Councillor DeGenova	Yes
Councillor Flieler	Yes
Councillor Bray	Yes
Deputy Mayor Treanor	No
The motion carried.	

2. Lupus Foundation of Ontario Proclamation of World  
Lupus Day (May 10). Support

Carried.

### CORRESPONDENCE – INFORMATION

1. County of Hastings – assistance with local flooding.
2. Ontario Provincial Standards Review – update.
3. Ontario Good Roads Association – joint and several liability.
4. Municipality of Marmora and Lake – update on Central Hastings Transit gas tax funding.
5. Canada Post – notice of potential closure/change of hours Roslin Post Office.
6. Mazinaw-Lanark Forest – 2014-2015 annual work schedule.
7. Alcohol and Gaming Commission of Ontario – sale of wine at farmers’ markets.
8. County of Hastings Warden – support for ‘Our Backyard’ branding applications.
9. Association of Municipalities of Ontario – member communications.
  - i. New Accountability and Transparency Act.
  - ii. Ontario Cabinet shuffle.
  - iii. New Building Canada Fund.
  - iv. March 2014 Board meeting highlights.
  - v. Prompt Payment Act review.
  - vi. Transit and Transportation Infrastructure funding.

MOVED BY J. BRAY, SECONDED BY J. FLIELER

BE IT RESOLVED THAT Correspondence – Information Item Numbers 1 to 9 be received and filed, follow up Numbers 4 & 7. Carried.

### COMMITTEE MINUTES

1. Community Policing Advisory Committee – draft minutes of March 26, 2014 meeting.
2. Quinte Waste Solutions – minutes of March 10, 2014 meeting.
3. Quinte Conservation – minutes of November 21, 2013 meeting.
4. Planning Advisory Committee – minutes of January 6, 2014 meeting.
5. Community Development Committee – minutes of March 11, 2014 meeting.
6. Public Works/Protective Services Committee – minutes of March 12, 2014 meeting.

MOVED BY J. BRAY, SECONDED BY D. DEGENOVA

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 D. DEGENOVA, SECONDED BY J. FLIELER

BE IT RESOLVED THAT Confirmatory By-Law No. 2014-19 be read a first, second, and third and final time, passed, signed and sealed in open Council this 29th day of April, 2014. Carried.

**ADJOURNMENT**

MOVED BY J. FLIELER, SECONDED BY J. BRAY

BE IT RESOLVED THAT Council adjourn at 8:30 p.m. Carried.

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MAYOR

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CLERK