

**THE CORPORATION OF THE TOWNSHIP OF ESSA
REGULAR COUNCIL MEETING
WEDNESDAY, FEBRUARY 4, 2009**

A Regular Council meeting was held following Committee of the Whole on Wednesday, February 4, 2009 in the Council Chambers of the Administration Centre, Township of Essa.

In attendance: Mayor David Guergis
Deputy Mayor Terry Dowdall
Councillor Rick Newlove
Councillor Sandie Macdonald
Councillor Ron Henderson

Staff in attendance: Greg Murphy, Mike Galloway, Julie Barrett, Paul Macdonald,
Colleen Healey.

1. OPENING OF MEETING BY THE MAYOR

Mayor Guergis opened the Regular Council meeting at 8:01p.m.

2. DISCLOSURE OF PECUNIARY INTEREST - none

3. ADOPTION OF PREVIOUS MINUTES AND MOTIONS

Resolution No: C14-2009 Moved by: Macdonald, Seconded by: Dowdall

*Be it resolved that the motions duly passed and approved at the Committee of the Whole meeting of this date be approved; and
That the minutes of Special Budget Meeting, Committee of the Whole and Regular Council meetings held on the Fourteenth day of January, 2009 be adopted as circulated.*

Carried

4. PRESENTING, REFERRING OR PASSING OF ACCOUNTS

Resolution No: C15-2009 Moved by: Newlove, Seconded by: Dowdall

*Be it resolved that Payments dated January 8, 2009 to January 29, 2009 in the amount of \$751,772.05 be approved; and
That Payroll for the month of December 2008 in the amount of \$238,612.65 be approved; and
That Payroll for the month of January 2009 in the amount of \$158,030.53 be approved.*

Carried

5. CONSENT AGENDA

Resolution No: C16-2009 Moved by: Dowdall, Seconded by: Macdonald

Be it resolved that the items listed in the Consent Agenda dated February 4, 2009 be approved as presented, and that the necessary action be taken.

Carried

6. COMMITTEE REPORTS

a. Nottawasaga Police Services Board

Resolution No: C17-2009 Moved by: Newlove, Seconded by: Macdoanld

Be it resolved that the minutes of the November 26, 2008 Police Services Board meeting be received.

Carried

7. PETITIONS

8. MOTIONS AND NOTICES OF MOTIONS

a. Reduction of Securities – Utopia Village Subdivision

Resolution No: C18-2009 Moved by: Macdonald, Seconded by: Dowdall

Be it resolved that securities be reduced in connection with the Utopia Village subdivision, as recommended by the Township Engineer, as follows:

<i>Current securities being held</i>	<i>\$419,269.00</i>
<i>Less AECOM's recommended reduction</i>	<i><u>(\$160,147.00)</u></i>
<i>Securities to be retained</i>	<i>\$259,122.00</i>

and further,

This approval is conditional upon receipt of the developer's statutory declaration that all accounts relating to this subdivision have been paid.

Carried

b. Reduction of Securities – Thornton Hills Subdivision, Phase 2

Resolution No: C19-2009 Moved by: Newlove, Seconded by: Dowdall

Be it resolved that securities be reduced in connection with the Thornton Hills subdivision Phase 2, as recommended by AECOM, as follows:

<i>Securities being held</i>	<i>\$234,075.10</i>
<i>Less recommended reduction</i>	<i><u>(\$ 27,824.86)</u></i>
<i>Securities to be retained</i>	<i>\$206,250.24</i>

and further,

This approval is conditional upon receiving a statutory declaration from the developer that all outstanding accounts relating to this subdivision have been paid.

c. Weekly Essa Newspaper

Resolution No: C20-2009 Moved by: Macdonald, Seconded by: Newlove

Be it resolved that the EDC has been informed that the Borden Citizen will be publishing a weekly Essa newspaper; and

That the newspaper will be distributed township wide; and further

That the township support this initiative by advertising in this new publication upon a satisfactory line rate being negotiated with the publication.

Carried

9. UNFINISHED BUSINESS

The CAO Public Works Manager indicated that a previous request for speed reduction on the 5th line in the township will be done in the spring. The OPP have been requested to place their speed monitoring devise on this road when the weather allows them to do so.

The Planning Manager gave an update on the meeting that she attended with the Barrie (Essa) Agricultural Society earlier this week.

10. BY-LAWS

a. By-law 2009 – 05

Resolution No: C21-2009 Moved by: Newlove, Seconded by: Macdonald

Be it resolved that leave be granted to introduce By-law 2009 - 05, being a by-law to authorize the levy and collection of an interim tax on all properties and property classes; and to establish the date(s) for payment of taxes; and to provide for penalty and interest; and that said By-law be read a first, and taken as read a second and third time and finally passed.

Carried

b. By-law 2009 – 06

Resolution No: C22-2009 Moved by: Macdonald, Seconded by: Newlove

Be it resolved that leave be granted to introduce By-law 2009 - 06, being a by-law authorizing the Mayor and the Clerk to enter into an Information Technology Agreement with the Town of

Innisfil for Hosting Services; and that said By-law be read a first, and taken as read a second and third time and finally passed.

Carried

c. By-law 2009 – 07

Resolution No: C23-2009 Moved by: Dowdall, Seconded by: Macdonald

Be it resolved that leave be granted to introduce By-law 2009 - 07, being a by-law to authorize the Mayor and the Clerk to enter into an Information Technology Agreement with the Innisfil Public Library Board for Computer Support and Maintenance Services; and that said By-law be read a first, and taken as read a second and third time and finally passed.

Carried

d. By-law 2009 – 08

Resolution No: C24-2009 Moved by: Macdonald, Seconded by: Newlove

Be it resolved that leave be granted to introduce By-law 2009 - 08, being a by-law to adopt and provide for the imposition of Fees and Charges for services provided by the Township of Essa, and to Repeal By-law 2008-40; and that said By-law be read a first, and taken as read a second and third time and finally passed.

Carried

11. QUESTIONS

The media asked some questions of council.

12. IN CAMERA

Resolution No: C25-2009 Moved by: Dowdall, Seconded by: Newlove

Be it resolved that Council proceed In Camera in order to address matters pertaining to personal matters about an identifiable individual, including Municipal or local board employees; a proposed or pending acquisition or disposition of land for Municipal or local board purposes; litigation or potential litigation, including matters before administrative tribunals affecting the Municipality or local board.

Carried

Council rose from the closed session at 8:51 p.m. and adopted the following recommendations:

a. Aramis Holdings (ATF Investments)

Resolution No: C26-2009 Moved by: Macdonald, Seconded by: Dowdall

Be it resolved that Report P09-02 from the Manager of Planning and Development be received and that Staff be directed to pursue road reconfiguration option number 3 as contained in the body of this Report, and that the attached Minutes of Settlement be entered into with ATF Investments.

Carried

b. Personnel Matter

Resolution No: C27-2009 Moved by: Newlove, Seconded by: Macdonald

Be it resolved that Report P09-05 from the Manager of Planning and Development be received, and that the contract employee serving as Administrative Assistant in the Planning and Development Department, hired to replace a full-time position left vacant last year, be hired on a full-time basis once the current contract expires (March 8th, 2009) with benefits to apply immediately after the said date.

Carried

c. Proposed Settlement – Barrie Paintball (Clark)

Resolution No: C28-2009 Moved by: Dowdall, Seconded by: Macdonald

*Be it resolved that Confidential Report PW-09-05 from the CAO/Manager of Public Works be received; and further
That it is recommended that Council approve the Release and Communication Protocol with respect to the Barrie Paintball OMB decision under File #PL030456; and further
That the Mayor and Clerk be authorized to execute the said Release documents.*

Carried

d. Utopia Conservation Area Lease – Arbitration Proceedings

Resolution No: C29-2009 Moved by: Macdonald, Seconded by: Newlove

*Be it resolved that Confidential Report PW-09-06 from the CAO/Manager of Public Works be received; and further,
That the contents of this report be approved in principle and the NVCA be advised accordingly as amended.*

Carried

e. Proposed Disposition of Surplus Property

Resolution No: C30-2009 Moved by: Dowdall, Seconded by: Macdonald

*Be it resolved that Confidential Report PW-09-07 from the CAO/Manager of Public Works be received; and further,
That the contents of this Confidential Report be approved.*

Carried

13. CONFIRMATION BY-LAW

By-law 2009 - 09

Resolution No: C31-2009 Moved by: Dowdall, Seconded by: Macdonald

Be it resolved that leave be granted to introduce By-law 2009 - 09 , being a by-law to confirm the proceedings of the Council and Committee of the Whole meetings held on this Fourth Day of February 2009; and that said By-law be read a first, and taken as read a second and third time and finally passed.

Carried

14. ADJOURNMENT

Resolution No: C32-2009 Moved by: Dowdall, Seconded by: Macdonald

Be it resolved that this meeting of the Council of the Township of Essa adjourn to meet again on the Eighteenth day of February 2009 following Committee of the Whole.

Carried

Original Signed By:

David Guergis, Mayor

Mike Galloway, Clerk