

**THE CORPORATION OF THE TOWNSHIP OF ESSA
REGULAR COUNCIL MEETING
WEDNESDAY, JANUARY 18, 2012**

A Regular Council meeting was held on Wednesday, January 18, 2012 in the Council Chambers of the Administration Centre, Township of Essa.

In attendance: Mayor Terry Dowdall
Deputy Mayor Sandie Macdonald
Councillor Keith White
Councillor Michael Smith
Councillor Ron Henderson

Staff in attendance: G. Murphy, CAO/Manager of Public Works
J. Barrett, Deputy CAO/Treasurer
C. Healey, Manager of Planning and Development
P. Macdonald, Fire Chief
B. Sander, Clerk

1. OPENING OF MEETING BY THE MAYOR

Mayor Dowdall opened the Regular Council meeting at 6:20 p.m.

2. DISCLOSURE OF PECUNIARY INTEREST

Deputy Mayor Macdonald declared a possible pecuniary interest with Closed Session Item 12(f). She did not participate in discussions on this item.

3. ADOPTION OF PREVIOUS MINUTES AND MOTIONS

Resolution No: CR001-2012 Moved by: Macdonald Seconded by: Henderson

*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 Committee of the Whole and Regular Council meetings held on the 21st day of December, 2011 be adopted as circulated.; and
That the minutes of the Special Budget Meeting held on the 21st day of December, 2011 be adopted as circulated.*

----carried----

4. PRESENTING, REFERRING OR PASSING OF ACCOUNTS

Resolution No: CR002-2012 Moved by: Smith Seconded by: Henderson

*Be it resolved that payments dated December 15, 2011 to January 11, 2012 in the amount of \$404,133.57 be approved; and
That the payroll for the month of December, 2011, in the amount of \$174,004.73 be approved.*

----carried----

5. CONSENT AGENDA

Resolution No: CR003-2012 Moved by: Macdonald Seconded by: Henderson

*Be it resolved that the items listed in the Consent Agenda dated January 18, 2011 be approved as presented, and that the necessary action be taken; and
That Council wishes to support items 1, 3 and 4 of the Consent Agenda.*

----carried----

6. COMMITTEE REPORTS

7. PETITIONS

8. MOTIONS AND NOTICES OF MOTIONS

a. Reduction in Securities – Riverview Subdivision, Phase 1

Resolution No: CR004-2012 Moved by: Macdonald Seconded by: Henderson

Be it resolved that the securities be reduced in connection with the Riverview Subdivision Phase I, as recommended by the Township Engineer, as follows:

<i>Current securities being held by Township</i>	\$1,254,337.80
<i>Less AECOM's recommended reduction</i>	<u>(321,534.94)</u>
<i>Securities to be retained</i>	\$ 932,802.86

and,

That this approval is conditional upon the developer providing the municipality with a statutory declaration indicating that all accounts have been paid in full including all of the Township's legal and engineering costs.

----carried----

b. Reduction in Securities – Riverview Subdivision, Phase 2

Resolution No: CR005-2012 Moved by: Macdonald Seconded by: White

Be it resolved that the securities be reduced in connection with the Riverview Subdivision Phase 2, as recommended by the Township Engineer, as follows:

<i>Current securities being held by Township</i>	\$1,925,493.44
<i>Less AECOM's recommended reduction</i>	<u>(50,347.11)</u>
<i>Securities to be retained</i>	\$1,875,146.33

and,

That this approval is conditional upon the developer providing the municipality with a statutory declaration indicating that all accounts have been paid in full including all of the Township's legal and engineering costs.

----carried----

c. RFP Opening Results of 2012 Granular "A" Crushed Gravel**Resolution No: CR006-2012 Moved by: Macdonald Seconded by: Smith**

Be it resolved that the tender for the loading, supply and end dumping of 5/8" Granular "A" gravel as submitted by LAFARGE CANADA in the total amount of \$45,540.00 plus taxes, be accepted as per Township specifications; and

That the Roads Supervisor be authorized to arrange for the necessary work to be done.

----carried----

d. Request for Use of Former Angus Library**Resolution No: CR007-2012 Moved by: Macdonald Seconded by: Henderson**

Be it resolved that the correspondence from the Nottawasaga Pines Secondary School dated January 17, 2012 with regards to use of the vacant Angus Library be received; and

That Council grants permission for the Cyber Wolves of the Nottawasaga Pines Secondary School to use the vacant Angus Library beginning January 21, 2012 for a four week period, provided that the group obtains insurance showing the Township of Essa as an additional insured and cleans the facility after their use.

----carried----

9. UNFINISHED BUSINESS**a. Fundraising – Angus Library**

Deputy Mayor Macdonald informed Council that the Fundraising Committee on behalf of the Angus Library, has raised to date approximately \$251,000.00.

10. BY-LAWS**a. By-law 2012 – 01****Resolution No: CR008-2012 Moved by: Macdonald Seconded by: White**

Be it resolved that leave be granted to introduce By-law 2012 - 01, being a by-law to authorize municipal borrowing for current expenditures for 2012; 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 2012 – 02**Resolution No: CR009-2012 Moved by: Henderson Seconded by: Macdonald**

Be it resolved that leave be granted to introduce By-law 2012-02, 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----

c. **By-law 2012 – 03**

Resolution No: CR010-2012 Moved by: Macdonald Seconded by: Smith

Be it resolved that leave be granted to introduce By-law 2012-03, being a by-law authorizing the Mayor and the Clerk to execute a Winter Road Maintenance Agreement between Bryan Built Homes and the Township of Essa for the snowplowing and sanding of Brolley Crescent located in the Egbert Estates Subdivision; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

----carried----

11. QUESTIONS**12. CLOSED SESSION**

Resolution No: CR011-2012 Moved by: Macdonald Seconded by: White

Be it resolved that Council proceed to a Closed Session 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;
and
litigation or potential litigation, including matters before administrative tribunals, affecting the Municipality or local board.*

----carried----

Council arose from closed session and adopted the following resolutions:

a. Potential Litigation

Staff Report PD002-12 submitted by the Manager of Planning and Development, re: Appeal to OMB.

Resolution No: CR012-2012 Moved by: White Seconded by: Henderson

*Be it resolved that Staff Report PD002-12 be received; and
That staff adopt the course of action suggested in the body of this Report.*

----carried----

b. Personnel Matter

Staff Report PD003-12 submitted by the Manager of Planning and Development, re: Employee-Personnel Matter.

Resolution No: CR013-2012 Moved by: White Seconded by: Macdonald

*Be it resolved that Staff Report PD003-12 be received; and
That the Manager of Planning and Development be authorized to proceed as directed by Council.*

----carried----

- c. **Identifiable Individual/Litigation**
Staff Report PW001-12 submitted by the CAO/Manager of Public Works,
re: Rainbow Campground

Resolution No: CR014-2012 Moved by: Macdonald Seconded by: Henderson

*Be it resolved that Staff Report PW001-12 be received; and
That the CAO be authorized to proceed as directed by Council*

----carried----

- d. **Potential Land Disposition**
Staff Report PW002-12 submitted by the CAO/Manager of Public Works,
re: Unopened portion of the 10th Sideroad – Potential Land Disposition.

Resolution No: CR015-2012 Moved by: Smith Seconded by: Macdonald

*Be it resolved that Staff Report PW002-12 be received; and
That the CAO/Public Works Manager be authorized to proceed as directed by Council.*

----carried----

- e. **Staff Report PW003-12 submitted by the CAO/Manager of Public Works,**
re: Potential Litigation.

Resolution No: CR016-2012 Moved by: Macdonald Seconded by: Henderson

*Be it resolved that Staff Report PW003-12 be received; and
That the CAO/Manager of Public Works be authorized to proceed as directed by Council.*

----carried----

Resolution No: CR017-2012 Moved by: Smith Seconded by: Macdonald

*Be it resolved that the CAO/Manager of Public Works be authorized to purchase a tractless rear
sander from Joe Johnson at a cost of \$6,000.00 plus taxes.*

----carried----

- f. **Potential Disposition of Land**
re: NVCA Building Sale

Resolution No: CR018-2012 Moved by: White Seconded by: Smith

*Be it resolved that offer of purchase for the old NVCA building be received; and
That the CAO be authorized to proceed as directed by Council.*

----carried----

13. CONFIRMATION BY-LAW

By-law 2012 – 04

Resolution No: CR019-2012 Moved by: Macdonald Seconded by: Henderson

*Be it resolved that leave be granted to introduce By-law 2012 –04, being a by-law to confirm the
proceedings of the Council, and Committee of the Whole meetings held on this 18th day of
January, 2012; 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: CR020-2012 Moved by: Macdonald Seconded by: Smith

Be it resolved that this meeting of the Council of the Township of Essa adjourn at 7:45 p.m. to meet again on the 1st day of February, 2012 following Committee of the Whole.

----carried----

Original signed by:

Terry Dowdall

Terry Dowdall, Mayor

Bonnie Sander

Bonnie Sander, Clerk