

The Corporation of the Township of Malahide**June 3, 2010 – 8:00 p.m.**

The Malahide Township Council met in the Council Chambers at 8:00 p.m. with the following present:

Council: Mayor J. R. Wilson; Deputy Mayor D. Mennill; Councillor G. Cleminshaw; Councillor C. Glinski; Councillor M. Moore; Councillor M. Phillimore; and Councillor M. Widner.

Staff: Chief Administrative Officer/Clerk M. Casavecchia; Director of Community and Corporate Services E. DiMeo; Director of Fire and Emergency Services P. Groeneveld; Director of Physical Services R. Johnson; Director of Finance S. Wilson; and Deputy Clerk D. Wilson.

CALL TO ORDER:

Mayor Wilson took the Chair and called the meeting to order at 8:00 p.m.

DISCLOSURE OF PECUNIARY INTEREST and the General Nature thereof:

No disclosures of pecuniary interests were declared.

MINUTES:

Moved by: M. Moore **No. 307**
Seconded by: D. Mennill

THAT the minutes of the regular meeting of the Council held on May 20, 2010 be adopted as printed and circulated.

Carried.

PRESENTATIONS:

- Larry McNeil - Certificate of Appreciation

Recently retired volunteer firefighter Larry McNeil was in attendance to receive a Certificate of Appreciation and a pocket watch from the Council in recognition of his 31 years of service to the Malahide Fire Services. Mr. McNeil indicated that his family has had three generations serve at Malahide No. 4 Fire Station.

Larry McNeil retired from the meeting.

DELEGATIONS:

- Planning Proposal - Dave and Jim Weaver

David Roe, Planner for Dave and Jim Weaver, was in attendance to present a planning proposal relating to the property located at Part Lot 7, Concession 7, Geographic Township of South Dorchester. Mr. Roe advised that the proposal was to create four new residential lots and discussed the next steps in order to develop the Weaver property. The Council noted that those steps include lot severance applications and the construction of a new road to facilitate the creation of four estate type lots with the potential for the creation of a fifth lot.

Mr. Roe advised that he would keep the Council informed as the development process moves forward.

Mr. Roe retired from the meeting.

- Meeting to Consider DeRyk – Hacienda Road Drain

Drainage Engineer, John R. Spriet, of Spriet Associates, appeared before the Council to present the Drainage Engineer's Report related to the DeRyk-Hacienda Road Drain and outlined the nature of the proposed work

Mayor Wilson inquired if any persons in attendance wish to comment or ask questions concerning the Drainage Report. Rob DeRyk expressed concerns regarding the estimated cost of the drainage works.

Mayor Wilson inquired if any persons, including Members of Council, would like to withdraw or add their names to the petition and there were none.

Moved by: Dave Mennill **No. 308**
Seconded by: Chester Glinski

THAT the Malahide Township Council accepts the Engineer's Report on the DeRyk-Hacienda Road Drain as prepared by Spriet Associates and dated May 3, 2010;

AND THAT By-law No. 10-37 being the DeRyk-Hacienda Road Drain By-law be read a first and second time and provisionally adopted.

Moved by: Max Moore **Carried.**
Seconded by: Mike Phillimore **No. 309**

THAT the Court of Revision for the DeRyk-Hacienda Road Drain be set for July 8, 2010;

AND THAT the tenders for the construction of the DeRyk-Hacienda Road Drain be requested for July 5, 2010 at noon.

Carried.

Mr. Spriet and Mr. DeRyk retired from the meeting.

REPORTS:

Director of Physical Services

- Water/Wastewater/Streetlights

Moved by: Chester Glinski **No. 310**
Seconded by: George Cleminshaw

THAT Report No. W-10-19 entitled "Water/Wastewater/Streetlights" be received.

Carried.

- Drainage Report

In response to an inquiry from the Council, Drainage Engineer John R. Spriet provided an update concerning the status of several of the outstanding drain

projects. He advised that the Claxton Drain and Goris Drain Reports would be forthcoming in the near future.

Moved by: Chester Glinski **No. 311**
Seconded by: George Cleminshaw

THAT Report No. DR-10-11 entitled "Drainage Report" be received.

Carried.

- Endangered Species Act: Exemption Agreement for Municipal Drain

Moved by: Dave Mennill **No. 312**
Seconded by: Mike Phillimore

THAT Report No. D-10-12 entitled "Endangered Species Act: Exemption Agreement for Municipal Drains" be received.

Carried.

- Activities Report: Roads Division

Moved by: Mark Widner **No. 313**
Seconded by: Chester Glinski

THAT Report No. R-10-09 entitled "Activities Report: Roads Division" be received.

Carried.

- Minimum Maintenance Standards, Ontario Regulation 239/02

Moved by: George Cleminshaw **No. 314**
Seconded by: Mark Widner

THAT Report No. PS-10-19 entitled "Minimum Maintenance Standards, Ontario Regulation 239/02 Amendments" be received;

AND THAT the recommendations as outlined in the Report be approved.

Carried.

Director of Community and Corporate Services

- Building/By-law Enforcement

Moved by: Mark Widner **No. 315**
Seconded by: Mike Phillimore

THAT Report No. BE-10-10 entitled "Building/By-law Enforcement – Council Report" be received.

Carried.

- Tour of South Dorchester Community Centre

The Council agreed to tour the newly constructed South Dorchester Community Centre on June 21, 2010 at 6:00 p.m.

- Community & Corporate Services – Activity Report

Moved by: Dave Mennill
Seconded by: Mike Phillimore

No. 316

THAT Report No. CS-10-13 entitled “Community & Corporate Services – Activity Report” be received.

Carried.

Director of Financial Services

- Accounts Payable

Moved by: Chester Glinski
Seconded by: Max Moore

No. 317

THAT Cash Disbursements Journal No. 844 to No. 845, in the amount of \$768,168.63, be approved.

Carried.

Chief Administrative Officer/Clerk

- Respect in the Workplace

Moved by: Mark Widner
Seconded by: George Cleminshaw

No. 318

THAT Report No. HR-10-07 regarding Respect in the Workplace be received;

AND THAT the Employee Policy Manual be amended to delete policies HRL-14 Harassment and HRL-15 Violence and replace them with the Respect in the Workplace Policy as outlined in the Report;

AND THAT the Municipal Staff be directed to complete the necessary risk assessments and training as required in accordance with the provisions of Bill 168.

Carried.

CORRESPONDENCE:

- Land Use Council – Species at Risk

Moved by: Chester Glinski
Seconded by: Max Moore

No. 319

THAT the Malahide Township Council does hereby support the Land Use Council and their opposition to the process by which Ontario's Species at Risk Act (SARA) was drafted, legislated and piggy-backed on land use statutes;

AND THAT a copy of this resolution of support be forwarded to MPP Steve Peters and MP Joe Preston.

Carried.

Moved by: Mark Widner
 Seconded by: Chester Glinski

No. 320

THAT the following correspondence be noted and filed:

1. Aylmer and District Museum Association May/June 2010 Newsletter (Balance on Table)
2. Ministry of Citizenship and Immigration – Ontario Medal for Good Citizenship applications being accepted.
3. AMO Watch File – May 20, 2010 and May 27, 2010.
4. Municipality of Arran-Elderslie requesting support for By-law 14-10 amending Arran-Elderslie Municipal Code (Health Provisions respecting locating and erecting wind generation facilities.)
5. AMO Policy Up-date – Review of potential health impact of wind turbines.
6. AMO – Bill 16, Public Section Compensation Restraint to Protect Public Services Act, 2010.
7. AMO – Ontario Government Promotes the Wise Water Use.
8. Min. of Aboriginal Affairs – Ending Violence against Aboriginal Women. (Booklet on Council Table)
9. The Preston Post – May 28, 2010.
10. Central Elgin – Public Meeting for zoning by-law amendment for 42662 Shorlea Line.
11. Alcohol & Gaming Commission – Notice of Extension of Hours for FIFA World Cup
12. Thames-Sydenham and Region Source Protection – Municipal Forum invitation on June 24th.

Carried.

NEW BUSINESS:

- Severance Application - Felipe Wiebe

Moved by: Dave Mennill
 Seconded by: Chester Glinski

No. 321

THAT the Malahide Township Council has no objection to the Land Severance No. 17/10, in the name of Felipe Wiebe, relating to the property located at Part Lot 21, Concession 3, Malahide, subject to the following conditions:

1. Purchase of Civic Addressing Number
2. Zoning
3. Survey with building location and septic information

4. **Engineered Lot Grading Plan and Ditch Grading Plan suitable to the Drainage Superintendent and Director of Community and Corporate Services.**
5. **The owner has the necessary review and lot assessment conducted to ensure that it is suitable for the installation of a sewage disposal system and payment of necessary fees per lot (\$150.00).**
6. **Confirmation that private sewage system be confined entirely within the boundaries of the newly created residential parcel. That system be in conformance with all required setbacks from lot lines.**
7. **Any other conditions deemed to be necessary in order to complete this severance.**

Carried.

- Upcoming Sand Plains Information Session

Mayor Wilson announced that an Information Night is planned to be held on June 23, 2010 at 4:00 p.m. at the East Elgin Community Complex with respect to the Sand Plains Development Fund. The purpose of the program is to assist rural communities in the Sand Plains region to build a stronger and more diversified economy. This fund is intended for community initiatives that support regional development through stimulating business investment and job creation, strengthening local populations, and attracting visitors. Rural projects in the counties of Brant, Elgin, Middlesex, Norfolk and Oxford may apply for financial assistance of up to \$250,000.00 in either for-profit or not-for-profit categories.

- Asphalt Paving along Springfield Road

Councillor Moore advised that he had received a complaint from the owner of the Springfield Tim-br Mart regarding the need for remedial asphalt paving to a section of Springfield Road following recent improvements to the Tim-br Mart outdoor storage area. He advised that there is a gap several inches wide along the frontage of the concrete outdoor storage area where it abuts the roadway. The Council acknowledged the need for remedial work and directed the Municipal Staff to proceed with the paving of the gap at the Township's expense.

- Aylmer Area Contaminated Railbed

Councillor Widner advised that he had received correspondence from the Ontario Federation of Agriculture regarding research that they have contaminated railbeds in the Aylmer area. The Council referred the correspondence to the Municipal Staff for further review and consideration.

BY-LAWS:

- **By-law 10-39 - Agreement - Endangered Species Act**

Moved by: Mark Widner
Seconded by: Dave Mennill

No. 322

THAT By-law No.10-39, being an Agreement with her Majesty the Queen for Endangered Species Act, 2007, be given first, second and third readings, and properly signed and sealed.

Carried.

The Directors of Finance, Physical Services and Community and Corporate Services retired from the meeting.

CLOSED SESSION:

Moved by: Mark Widner **No. 323**
Seconded by: Max Moore

THAT Council move into Closed Session at 9:47 p.m., pursuant to Section 239(2) of the Municipal Act, 2001, as amended, to discuss the following matters.

- (i) **Personal Matter relating to a Union Grievance**
- (ii) **Personal Matter relating to Fire Services Staffing;**
- (iii) **Personal Matter relating to a Performance Evaluation**

Carried.

Moved by: Mark Widner **No. 324**
Seconded by: Max Moore

THAT Council move out of Closed Session and reconvene at 10:32 p.m. in order to continue with its deliberations.

Carried.

Mayor Wilson advised that during its Closed Session, the Council provided direction to the Chief Administrative Officer/Clerk concerning a personal matter relating to a union grievance.

Mayor Wilson advised that during its Closed Session, the Council provided direction to the Fire Chief concerning a personal matter relating to Fire Services Staffing.

Moved by: Mark Widner **No. 325**
Seconded by: Dave Mennill

THAT the probationary period of Michelle Casavecchia as the Township CAO/Clerk be completed effective May 17, 2010; and further, that her appointment as the CAO/Clerk on a permanent full-time basis effective May 17, 2010 be confirmed.

Recorded Vote	Yes	No
Deputy Mayor Dave Mennill	x	
Councillor Mark Widner	x	
Councillor Chester Glinski	x	
Councillor George Cleminshaw	x	
Councillor Mike Phillimore	x	
Councillor Max Moore	x	
Mayor John R. Wilson	x	

Carried.

CONFIRMATORY BY-LAW:

Moved by: Dave Mennill

No. 326

Seconded by: George Cleminshaw

THAT By-law No. 10-38, being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.

Carried.

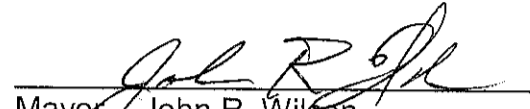
ADJOURNMENT:

Moved by: Chester Glinski
Seconded by: Mark Widner

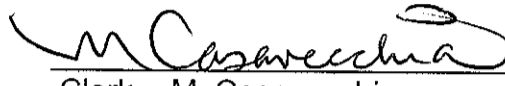
No. 327

THAT the Council adjourn its meeting at 10:56 p.m. to meet again on June 17, 2010, at 7:00 p.m.

Carried.



Mayor - John R. Wilson



Clerk - M. Casavecchia