

The Corporation of the Township of Malahide**November 18, 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 & Corporate Services E. DiMeo; Director of Physical Services R. Johnson; Director of Finance S. Wilson; Director of Fire and Emergency Services P. Groeneveld, Deputy Clerk Diana Wilson; Water/Wastewater Operations Manager M. Taylor; Drainage Superintendent John Brown; and Roads and Construction Manager D. Hartley.

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: Max Moore No. 611
Seconded by: Mike Phillimore

THAT the minutes of the regular meeting of the Council held on November 4, 2010 be adopted as printed and circulated.

Carried.

Moved by: Dave Mennill No. 612
Seconded by: Mark Widner

THAT the minutes of the special meetings of the Council held on October 7 and November 4, 2010 be adopted as printed and circulated.

Carried.

PRESENTATIONS:

Court of Revision - Caroline Davis Drain

Moved by: Mike Phillimore No. 613
Seconded by: Max Moore

THAT the Council of the Township of Malahide does hereby appoint the following members to sit on the Court of Revision for the Caroline Davis Drain:

Mayor John R. Wilson (Chair)
Deputy Mayor Dave Mennill

Bayham representative Bill Knifton

Carried.

**Moved by: Dave Mennill
Seconded by: Bill Knifton**

No. 614

THAT the Court of Revision for the Caroline Davis Drain be called to order at 8:02 p.m.

AND THAT John R. Wilson be appointed Chairman.

Carried.

Drainage Engineer John R. Spriet, of Spriet Associates, briefly outlined the nature of the proposed drainage works and the related Assessment Schedule.

Chairman Wilson inquired if any written comments/objections had been received. The CAO/Clerk advised that there were no appeals received; however, a letter was received from Caroline Davis advising she has sold two lots on which she has been assessed costs and asking that the new owners of such lots be assessed directly. The Drainage Engineer clarified that whomever the owners of the lots are at the time that the drainage costs are billed out will be the persons invoiced.

Chairman Wilson inquired if any persons in attendance wish to make any comments or ask questions concerning the proposed Assessment Schedule and there were none.

Chairman Wilson asked if any to the Court of Revision members had any questions or comments for the Drainage Engineer and/or the public and there were none.

**Moved by: B. Knifton
Seconded by: Dave Mennill**

No. 615

THAT the Court of Revision members for the Caroline Davis Drain do hereby accept the recommendations of Drainage Engineer, John Spriet, Spriet Associates; and further, does hereby confirm the drainage assessments as outlined in the Report of the Drainage Engineer, dated October 8, 2010.

Carried.

**Moved by: Dave Mennill
Seconded by: Bill Knifton**

No. 616

THAT the Court of Revision relating to the Caroline Davis Drain be adjourned and the Council Meeting reconvene at 8:09 p.m.

Carried.

**Moved by: Dave Mennill
Seconded by: Chester Glinski**

No. 617

THAT the tender for the Caroline Davis Drain be awarded to A. G. Hayter Contracting Ltd. in the amount of \$77,650.00; subject to the expiration of all appeal periods and subject to no appeals having been received related to the Caroline Davis Drain.

Carried.

Court of Revision - Claxton Drain

Moved by: Mike Phillimore
 Seconded by: Mark Widner

No. 618

THAT the Council of the Township of Malahide does hereby appoint the following members to sit on the Court of Revision for the Claxton Drain:

Mayor John R. Wilson (Chair)
 Deputy Mayor Dave Mennill
 Councillor George Cleminshaw

Carried.

Moved by: Dave Mennill
 Seconded by: George Cleminshaw

No. 619

THAT the Court of Revision for the Claxton Drain be called to order at 8:12 p.m.

AND THAT John R. Wilson be appointed Chairman.

Carried.

Drainage Engineer John R. Spriet, of Spriet Associates, briefly outlined the nature of the proposed drainage works and the related Assessment Schedule.

Chairman Wilson inquired if any written comments/objections had been received. The CAO/Clerk advised that there were no appeals received.

Chairman Wilson inquired if any persons in attendance wish to make any comments or ask questions concerning the proposed Assessment Schedule and there were none.

Chairman Wilson asked if any to the Court of Revision members had any questions or comments for the Drainage Engineer and/or the public and there were none.

Moved by: George Cleminshaw
 Seconded by: Dave Mennill

No. 620

THAT the Court of Revision members for the Claxton Drain do hereby accept the recommendations of Drainage Engineer, John Spriet, Spriet Associates; and further, does hereby confirm the drainage assessments as outlined in the Report of the Drainage Engineer dated October 4, 2010.

Carried.

Moved by: George Cleminshaw
 Seconded by: Dave Mennill

No. 621

THAT the Court of Revision relating to the Claxton Drain be adjourned and the Council Meeting reconvene at 8:18 p.m.

Carried.

Moved by: George Cleminshaw
 Seconded by: Dave Mennill

No. 622

THAT the tender for the Claxton Drain be awarded to A. G. Hayter Contracting Ltd. in the amount of \$48,700.00; subject to the expiration of all

Carried.

Director of Financial Services:

Moved by: Max Moore
Seconded by: Mike Phillimore

No. 627

THAT Cash Disbursements Journal No.883 to No. 885, in the amount of \$584,400.56, be approved.

Carried.

REPORTS OF COMMITTEES/OUTSIDE BOARDS:

Moved by: Mark Widner
Seconded by: George Cleminshaw

No. 628

THAT the following Reports of Committees/Outside Boards be noted and filed:

1. Long Point Region Conservation Authority Board of Directors Minutes of October 6, 2010.

Carried.

CORRESPONDENCE:

- Resolution from Canton/East Ferris regarding AZ Licensing

Moved by: Mike Phillimore
Seconded by: Chester Glinski

No. 630

THAT the resolution of the Township of Canton/East Ferris requesting reconsideration of wording for AZ licensing be supported;

AND THAT a copy of this resolution be forwarded to MPP Steve Peters and the Ministry of Transportation.

Carried.

- Resolution from Lambton County regarding HST on Hydro Bills

Moved by: Chester Glinski
Seconded by: Max Moore

No. 631

THAT the resolution of County of Lambton requesting the Province to lift HST on Hydro bills;

AND THAT a copy of this resolution be forwarded to MPP Steve Peters and the Premier of Ontario.

Carried.

Moved by: Mike Phillimore
Seconded by: Max Moore

No. 629

THAT the following correspondence be noted and filed:

1. Malahide Resolution – HST – Gasoline and Diesel Fuel letters of support from Municipalities:
 - a) Corporation of the Township of Fauquier-Strickland.

2. Aylmer is Investment Ready – November 2010.
3. AMO Watch File - dated November 4 and 10, 2010.
4. Town of Aylmer – Committee of Adjustment Hearing Notice related to 104 St. Andrew Street, Aylmer.
5. The Preston Post – November 5, 2010.
6. Veterans Affairs - news release regarding supporting construction of new war memorials.

Carried.

NEW BUSINESS:

- Catfish Creek Conservation Authority – Ice Breaking Quotes

Moved by: Dave Mennill

No. 632

Seconded by: Chester Glinski

THAT the Catfish Creek Conservation Authority be requested to confirm in writing the availability and cost of a drag line with a minimum of 100 foot boom to break ice, as necessary, during the spring thaw in Port Bruce on the same basis as 2009/10.

Carried.

- Land Severance Application - Krahn

Moved by: Dave Mennill

No. 633

Seconded by: George Cleminshaw

THAT the Township of Malahide has no objection to the Land Severance No. 51/10, in the name of Jacob Krahn and Mary Krahn, relating to the property located at Part Lot 88, North Talbot Road, subject to the following conditions:

1. All Structures/mobile Homes to be removed from the proposed severed lot and confirmed with the Township by Survey with building location.
2. Engineered Lot Grading Plan and ditch grading plan suitable to the Drainage Superintendent and Director of Community and Corporate Services.
3. 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).
4. 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 (retained lot and house).
5. Driveway entrance permit and payment of same for severed parcel.
6. Any other conditions deemed to be necessary in order to complete this severance.

Carried.

- Land Severance Application - Weaver

Moved by: Max Moore

No. 634

Seconded by: George Cleminshaw

THAT the Township of Malahide has no objection to the Land Severance No. 26/10 and 52/10, in the name of David Weaver and Jim Weaver, relating to the property located at Part Lot 7, Concession 7, Geographic Township of South Dorchester, subject to the following conditions:

1. Remove Holding Zone;
2. 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 each) including a geotechnical report with respect to foundation design and septic system design.
3. Letter of support from the Conservation Authority.
4. Civic addressing Number
5. Drainage assessment splits (6).
6. New municipal drain or legal outlet.
7. Road widening;
8. Engineered lot grading plan and ditch grading plan suitable to the Drainage Superintendent and Director of Community and Corporate Services;
9. Driveway entrance permit and payment for same (for each site/parcel).
10. Any other conditions deemed to be necessary in order to complete this severance.

Carried.

- Land Severance Application - Gregory Underhill Farms

Moved by: Dave Mennill

No. 635

Seconded by: Max Moore

THAT the Township of Malahide has no objection to the Land Severance No. 50/10, in the name of Gregory Underhill Farms, relating to the property located at Part Lot 33, Concession 4, subject to the following conditions:

1. Rezoning - Rural Commercial required together with Site Plan approval.
2. Civic addressing Number and payment of same.
3. Drainage Assessment Split;
4. Driveway entrance permit and payment of same for retained parcel (if existing, we will waive condition)

5. Any other conditions deemed to be necessary in order to complete this severance.

Carried.

- Appoint Representative to meet with OMAFRA Minister

Moved by: Mark Widner

No. 636

Seconded by: Mike Phillimore

THAT John R. Wilson be appointed to represent Malahide Township Council at a meeting with the Minister of Agriculture, Food and Rural Affairs concerning closure of the Smuckers Pickling Plant, on December 6, 2010, in Toronto.

Carried.

- Rezoning Application - Bergen

Moved by: Dave Mennill

No. 637

Seconded by: George Cleminshaw

THAT the Clerk be authorized and directed to forward the additional planning request of Herman Bergen, relating to the property at Part Lots 14 and 15, Concession 4, Geographic Township of Malahide, to the Municipal Planner, IBI Group, for their review and comments.

Carried.

- Resolution to Request Recalculation of Farmland and Managed Forest component of OMPF

Moved by: Max Moore

No. 638

Seconded by: Mike Phillimore

THAT the resolution of the Stormont, Dundas & Glengarry requesting that the Province of Ontario calculate the Farmland and Managed Forest component of the Ontario Municipal Partnership Fund (OMPF) so that all municipalities receive full provincial reimbursement of their lost property tax revenue on farmland and managed forest properties, while land-owners maintain the streamlined process and the 25% ratio currently in place, be endorsed;

AND THAT a copy of this Resolution be forwarded to MPP Steve Peters, the Minister of Finance, the Minister of Agriculture Food and Rural Affairs, and the Minister of Municipal Affairs and Housing.

Carried.

BY-LAWS:

- By-law No. 10-66 – Boughner Drain

Moved by: Max Moore

No. 639

Seconded by: George Cleminshaw

THAT By-law No. 10-66 be read a third time and finally passed (Boughner Drain).

Carried.

- By-law No. 10-67 – Fuller Drain

Moved by: Dave Mennill **No. 640**
Seconded by: Mark Widner

THAT By-law No. 10-67 be read a third time and finally passed (Fuller Drain).

Carried.

- By-law No. 10-74 - Appointment of Division Registrar and Deputy Division Registrars

Moved by: Chester Glinski **No. 641**
Seconded by: Mike Phillimore

THAT By-law No. 10-74, being a by-law to appoint Division Registrar and Deputy Division Registrars for the Township of Malahide, be given first, Second and third readings, and be properly signed and sealed.

Carried.

PRESENTATION TO OUTGOING COUNCIL MEMBERS:

On behalf of Council and Staff, Councillor Mark Widner presented a plaque to outgoing Councillor George Cleminshaw, and expressed his appreciation on behalf of the Township of Malahide Council, Staff and citizens for 16 years of dedicated service to the community.

On behalf of Council and Staff, Deputy Mayor Dave Mennill presented a ceremonial gavel and a Certificate of Appreciation to outgoing Mayor, John R. Wilson, and expressed his appreciation on behalf of the Township of Malahide Council, Staff and citizens for 25 years of dedicated service to the community.

CONFIRMATORY BY-LAW:

Moved by: Max Moore **No. 642**
Seconded by: Dave Mennill

THAT By-law No. 10-73, being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.

Carried.

ADJOURNMENT:

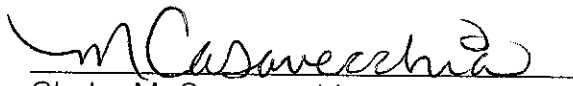
Moved by: George Cleminshaw **No. 643**
Seconded by: Mark Widner.

THAT the Council adjourn its meeting at 9:43 p.m. to meet again on December 1, 2010, at 7:00 p.m.

Carried.

Original Signed by

Mayor - John R. Wilson



Clerk - M. Casavecchia