

**CORPORATION OF THE TOWN OF DESERONTO**

**COUNCIL MINUTES**

**APRIL 22, 2008 – 7:00 P.M.  
CONT'D APRIL 23, 2008 – 10:00A.M (UPSTAIRS TOWN HALL)**

The Town of Deseronto Mission Statement is to provide excellent and affordable services for its residents and to work as a team, dedicated to making living in Deseronto a positive and pleasurable experience.

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**Minutes of the meeting of the Council of the Corporation of the Town of Deseronto held on April 22<sup>nd</sup>, 2008 at 7:00p.m at the Deseronto Lions Hall, 300 Main Street in Deseronto, and part way through the Agenda was deferred until the April 23<sup>rd</sup>, 2008 @ 10:00 a.m on the second floor of Town Hall.**

**ATTENDANCE:**

<b>Mayor</b>	<b>N. Clark</b>
<b>Deputy Mayor</b>	<b>C. Zieman</b>
<b>Councillors</b>	<b>D. Johnston D. McMeeken E. Tumak</b>
<b>Clerk Treasurer</b>	<b>B. Brooks</b>
<b>Public</b>	<b>O.P.P Inspector Pat Finnegan Numerous Residents 6 O.P.P Officers</b>
<b>Press</b>	

1. **OPENING PRAYER** - Mayor Clark led those in attendance at Council in the Lord's prayer

2. **DISCLOSURE OF INTEREST** – None noted

3. **APPROVAL OF AGENDA –**

**Resolution 09-08-01  
Moved by: C. Zieman  
Seconded by: D. Johnston**

**Motion to approve the agenda as amended  
Item 8.1b was moved to Correspondence Requiring Action 8.2j  
Councillor D. Johnston also has a motion for consideration**

**CARRIED**

4. **APPROVAL OF MINUTES**

- Minutes of the March 25, 2008 regular meeting of Council
- Minutes of the March 31, 2008 special meeting of Council
- Minutes of the April 4, 2008 special meeting of Council

At this point in the Council meeting the remainder of the agenda was deferred until the large members of residents had their chance to address issues under Item 7.

**Resolution 09-08-02**

**Moved by: C. Zieman  
Seconded by: D. Johnston**

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**THAT we defer the council agenda and move to item 7 for questions from the Audience.**

**CARRIED**

**At this part of the agenda numerous members of the public had inquiries concerns and opinion as to how we should proceed in order to limit the future protests and blockades of the community. The concerns of public health and safety were addressed by both the Mayor and O.P.P Inspector Pat Finnegan. The residents were sympathetic for the situation at hand but deemed the process must be expedited for the well being of the communities. This section lasted approximately 3 hours (9:27 p.m)**

**Motion as requested to be added to the agenda on Councillor D. Johnston's request.**

**Resolution 09-08-03**

**Moved by: D. Johnston  
Seconded by: C. Zieman**

**"THAT council authorizes the clerk to receive an issue of opinion from Cynthia Law, O'Flynn, Weese LLP on how best to proceed with the Land Claim matters based on the quote of \$500.00 - \$1,000.00."**

**CARRIED**

**Resolution 09-08-04**

**Moved by: D. McMeeken  
Seconded by: D. Johnston**

**"THAT a motion to defer the remainder of the agenda to Wednesday April 23, 2008 at 10:00 a.m at upstairs of the Town Hall where the public would be welcome to attend."**

**CARRIED**

Continued on April 23, 2008 at 10:00A.M Upstairs at Town Hall

**Resolution 09-08-05**

**Moved by: C. Zieman  
Seconded: E. Tumak**

**"THAT we accept the minutes of March 25, March 31, and April 4, 2008 as presented, with grammatical errors to be changed as mentioned."**

**CARRIED**

**5. BY-LAWS**

**5.1 Draft Hydrant Use By-Law from Greater Napanee Utilities**

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- Discussion ensued regarding the draft by-law presented. Council would like to review this by-law when a more formal by-law that incorporates current actions occurring at the September 11, 2007 Council meeting.

5.2 Emergency Management of Ontario draft by-law

5.3 Procedural By-Law

5.4 Taxi By-Law

**Resolution 09-08-06**

**Moved by: C. Zieman**

**Seconded by: E. Tumak**

**That by law 19-08 being a by law to regulate and license the operation of Taxi cab operations in the Town of Deseronto be considered read a first, second and a third time on April 23<sup>rd</sup>, 2008 and finally be passed.  
Signed, sealed and number assigned.**

**CARRIED**

**6. DEPUTATIONS/PETITIONS- NONE**

**7. QUESTIONS FROM THE AUDIENCE - This item of the agenda was moved up in the agenda and the correspondence is located above.**

**8. CORRESPONDENCE**

**8.1 Correspondence requiring No Action**

- a) Letter received from the Ministry of Transportation regarding municipal infrastructure within MTO right of way
- b) Letter received from Ken Sykes of O'Flynn Weese regarding the water and sewer agreement with the Mohawks of the Bay of Quinte
- c) Thank you card received from Deputy Mayor Zieman
- d) Letter received from the Ministry of Finance regarding Bill 35
- e) Invitation to the 25<sup>th</sup> Annual Mayor's Challenge Golf Tournament

**Resolution 09-08-07**

**Moved by: E. Tumak**

**Seconded by: C. Zieman**

**THAT we receive and file items 8.1 a,c,d,e.**

**CARRIED**

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**8.2 Correspondence Requiring Action**

- a) Notice of 2008 Green Municipal Fund call for applications

**Resolution 09-08-08**

**Moved by: E. Tumak  
Seconded by: C. Zieman**

**That we move to accept this piece of correspondence and Refer to the Finance and Administration committee for analysis focusing on Town Hall, Community Centre and the Lions hall.**

**CARRIED**

- b) Letter from Infrastructure Renewal Ontario advising the results of Deseronto's application
- c) Letter received from the Ministry of Public Infrastructure Renewal in response to Mayor Clark's letter to Minister Caplan.

**Resolution 09-08-09**

**Moved by: C. Zieman  
Seconded by: D. McMeeken**

**THAT we receive and file 8.2b & 8.2c from Infrastructure Renewal Ontario**

**CARRIED**

- d) Letter received from Michael Bryant, Ministry of Aboriginal Affairs with updates on the Culbertson Tract negotiations.

**Resolution 09-08-10**

**Moved by: C. Zieman  
Seconded by: D. McMeeken**

**THAT we receive and file.**

**CARRIED**

- e) Letter received from the Ontario Family Fishing Weekend Steering Committee

**Resolution 09-08-11**

**Moved by: C. Zieman  
Seconded by: D. McMeeken**

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**THAT we receive and file, and the clerk take action if required to notify the public.**

**CARRIED**

- f) Copy of letter that was sent to Reeve Margaret Walsh from Michael Bryant
- g) Copy of letter that was sent to Chief R. Donald Maracle by Michael Bryant.

**Resolution 09-08-12**

**Moved by: C. Zieman  
Seconded by: E. Tumak**

**THAT we write to Minister Bryant stating we would like to take them on a tour to show areas of the Culbertson Land Tract, & be involved in showing the boundaries on the claim within our community, and further that we receive and file.**

**CARRIED**

- h) Letter received from Eric Fry requesting assistance in receiving audited financial statements for Deseronto Transit

**Resolution 09-08-13**

**Moved by: C. Zieman  
Seconded by: E. Tumak**

**THAT we have the clerk or treasurer look into alternatives in order to comply with the request.**

**CARRIED**

- i) Letter received from Bruce Street regarding the native roadblocks

**Resolution 09-08-14**

**Moved by: C. Zieman  
Seconded by: D.McMeeken**

**THAT we include a copy of this letter in our requests to Cynthia law, for her study/proposal for any potential legal course of action for us to take based on these types of responses.**

**CARRIED**

- j) Letter received from Ken Sykes of O'Flynn Weese regarding the water and sewer agreement with the Mohawks of the Bay of Quinte

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**(Correspondence 8.1b moved to 8.2j)**

**Resolution 09-08-15**

**Moved by: C. Zieman  
Seconded by: E.Tumak**

**That we refer this to F&A committee for their review.**

**CARRIED**

**9. PASSING OF ACCOUNTS**

- Schedule of Accounts numbered 06-08

**Resolution 09-08-16**

**Moved by: C. Zieman  
Seconded by: E. Tumak**

**THAT we accept the schedule of accounts as presented.**

**CARRIED**

**10. STANDING COMMITTEE REPORTS**

**10.1 Finance & Administration**

- a) Letter received February 26, 2007 from the Ministry of Community and Social Services regarding Accessibility Leads of Public Sector organizations obligated under the Ontarians with Disabilities Act, 2001 (ODA)
- It was the consensus of Council that this item be referred to the Finance & Administration Committee

Resolution 21-07-12 (Sept. 25)

Moved by: C. Zieman  
Seconded by: E. Tumak

That Council develop an RFP which the Finance & Administration Committee will review to hire an architect to look at the building to confirm future intended plans, and potential uses.

- b) Analysis of water and sewer from Greer Galloway

Resolution 05-08-27 (March 25<sup>th</sup>)

Moved by: C. Zieman  
Seconded by: D. McMeeken

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THAT item 12.1 be left on the agenda and referred to the Finance & Administration Committee and further that the invoice not be paid until Council is satisfied.

**Resolution 09-08-17**

**Moved by: C. Zieman  
Seconded by: E.Tumak**

**THAT we remove from the Agenda.**

**CARRIED**

- c) Minutes of the February 2, 2008 meeting of the Finance & Administration Committee
- d) Minutes of the March 8, 2008 meeting of the Finance & Administration Committee
- e) Minutes of the March 13, 2008 meeting of the Finance & Administration Committee
- f) Minutes of the March 25, 2008 meeting of the Finance & Administration Committee
- g) Minutes of the April 15, 2008 meeting of the Finance & Administration Committee

**Resolution 09-08-18**

**Moved by: C. Zieman  
Seconded by: E.Tumak**

**THAT we accept as presented, with changes as mentioned for 10.1d.**

**CARRIED**

- h) Letter received Minister Jim Bradley of the Ministry of Transportation regarding the 2008 Municipal Road and Bridge Infrastructure investment

**Resolution 09-08-19**

**Moved by: C. Zieman  
Seconded by: E.Tumak**

**“THAT** The Corporation of The Town of Deseronto hereby accepts the \$37,632 allocation from the Province of Ontario for Municipal roads and bridges capital investment acknowledging that a final summary report detailing expenditures, use of provincial funding, and outcomes achieved shall be submitted to

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the Ministry, and recognizing that the Ministry may request an audit of the project and further, any funds intended for the project that are not used in accordance with rehabilitation of municipal roads and bridges capital investment needs or the terms as outlined in the criteria will be returned to the Ministry.

**CARRIED**

**10.2 Public Works and Fire Department Committee**

**10.3 Parks and Recreation Committee**

- a) Repair and replacement quotations for playground equipment at Centennial Park (detailed drawings available from the Clerk's office)

Resolution 22-07-11 (Oct. 9)

Moved by: D. Johnston  
Seconded by: E. Tumak

THAT the topic of the Centennial Park playground equipment be referred to the next meeting of Council.

- b) Request from the Nuts & Bolts Hockey Academy requesting usage of the Deseronto Arena in August

Resolution 02-08-09

Moved by: D. Johnston  
Seconded by: E. Tumak

THAT the request be referred to the Recreation Committee to report back to Council.

- c) Quotation received Bel-Con Design Builders Ltd. for repair of masonry work at arena.

Resolution 05-08-30 (March 25<sup>th</sup>)

Moved by: D. Johnston  
Seconded by: C. Zieman

THAT the quotation be referred to the Parks and Recreation Committee to report back to Council.

- d) Package regarding the Deseronto Home Show on June 7<sup>th</sup> & 8<sup>th</sup>

**Resolution 09-08-20**

**Moved by: E. Tumak  
Seconded by: C. Zieman**



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**THAT we receive and file.**

**CARRIED**

- e) Letter of offer from Linda McQuigge regarding the Centennial Park canteen

Resolution 09-08-21

**Moved by: C. Zieman**

**Seconded by: D.McMeeken**

**THAT we accept the offer as presented from Linda McQuigge (Willmott) for the request to operate the Centennial park Canteen at a rate of \$200.00 per month for May, June, July, August, and September. Further, that the clerk prepare an agreement for the operations of the canteen.**

**CARRIED**

- f) Package received from O'Flynn Weese regarding incorporation of the Deseronto Storm hockey team

**Resolution 09-08-22**

**Moved by: C. Zieman**

**Seconded by: D.McMeeken**

THAT we receive and file

**CARRIED**

- g) Street hockey requests in the tennis courts.

**Resolution 09-08-23**

**Moved by: C. Zieman**

**Seconded by: E. Tumak**

**THAT Council authorizes the use of Tennis Courts for Street Hockey.**

**CARRIED**

**10.4 Economic Development & Planning Committee**

- a) Reply e-mail from Paul Walsh regarding water capacity

Resolution 01-08-10 (Jan 8)

Moved by: C. Zieman

Seconded by: D. McMeeken

THAT Council forwards this letter to Councillor Tumak for his committee to review this matter.

- b) Letter from Hastings County regarding their new Investment Lead Handling Protocol

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Resolution 04-08-39

Moved by: E. Tumak  
Seconded by: D. Johnston

THAT the letter from Hastings County be referred to the Economic Development and Planning Committee for their review and their response.

- c) Memo from Dana Valentyne regarding the revised first place logo design.

**Resolution 09-08-24**

**Moved by: C. Zieman  
Seconded by: D.McMeeken**

**THAT we accept the new presented logo but continue the previous logo to be used as required, but that we work towards gradually changing our logo over to the new, accepted one.**

**CARRIED**

**11. UNFINISHED BUSINESS**

- 11.1 Letter from the Mohawks of the Bay of Quinte regarding meeting on mutual concerns (This item was moved from 8.1)

Resolution 04-08-16

Moved by: C. Zieman  
Seconded by: D. McMeeken

THAT the Clerk respond to the Mohawks of the Bay of Quinte and inform them that we will forward them dates as they become clear.

Resolution 04-08-17

Moved by: C. Zieman  
Seconded by: D. Johnston

THAT the correspondence be retained in Unfinished Business.

- 11.2 Discussion on the need for an exotic animal by-law

Resolution 04-08-26

Moved by: C. Zieman  
Seconded by: E. Tumak

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THAT the exotic animal by-law be left as Unfinished Business.

- 11.3 Response from Greer Galloway regarding the intersection of Dundas and Centre Streets

Resolution 04-08-32

Moved by: C. Zieman  
Seconded by: E. Tumak

THAT Council leave the Greer Galloway response on the agenda as Unfinished Business.

- 11.4 Community Working Group

Resolution 04-08-49

Moved by: E. Tumak  
Seconded by: C. Zieman

THAT Council refers the Community Working Group to Unfinished Business.

- 11.5 Severance proposal from Mr. Mike Gordon

Resolution 04-08-51

Moved by: C. Zieman  
Seconded by: D. Johnston

THAT the severance proposal be moved to Unfinished Business.

- 11.6 2007 Annual report for the Deseronto Water Treatment Plant and Distribution Sub-system

Resolution 04-08-52

Moved by: C. Zieman  
Seconded by: E. Tumak

THAT the 2007 Annual report for the Deseronto Water Treatment Plant and Distribution Sub-system be moved to Unfinished Business.

**12. NEW BUSINESS**

- 12.1 Letter from Peter Boyle, Kingston & District Labour Council regarding the 2008 Governor General's Canadian Leadership Conference.

**Resolution 09-08-25**

**Moved by: E Tumak  
Seconded by: C. Zieman**

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**THAT we decline the invite to be involved & send a letter to express a major breach of protocol to Governor General's office.  
CARRIED**

- 12.2 Service contract for the Deseronto Transportation Initiative in the amount of \$25,000.00

**Resolution 09-08-26**

**Moved by: E. Tumak  
Seconded by: C. Zieman**

**THAT we authorize the Clerk and the Mayor to sign the agreement for funding from the Hastings County.**

**CARRIED**

- 12.3 Notes from the treasurer, (for information only)

**Resolution 09-08-27**

**Moved by: C. Zieman  
Seconded by: E. Tumak**

THAT we receive and file

**CARRIED**

- 12.4 Letter received from Leona Dombrowsky regarding the Municipal Eco Challenge Fund

**Resolution 09-08-28**

**Moved by: E. Tumak  
Seconded by: D.McMeeken**

**THAT we refer to Finance and Administration Committee**

**CARRIED**

- 12.5 Building Inspection Services Committee report for the month of February 2008

**Resolution 09-08-29**

**Moved by: C. Zieman  
Seconded by: E.Tumak**

THAT we receive and file

**CARRIED**

- 12.6 Report on Water & Wastewater Utilities for the month of March 2008.

**Resolution 09-08-30**

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**Moved by: C. Zieman  
Seconded by: D.McMeeken**

THAT we refer to Finance and Administration Committee for review.

**CARRIED**

12.7 Signing authority for the Deseronto Cemetery account

12.8 Removal of Willem Bouma's name as Deputy Clerk-Treasurer

**Resolution 09-08-31**

**Moved by: C. Zieman  
Seconded by: E.Tumak**

**THAT we remove the Deputy Clerk Treasurer title from Mr. Bill Bouma, and change the signing authority on our Deseronto Cemetery account as of May 1<sup>st</sup>, 2008 to Tammy Lloyd, Treasurer of the Town of Deseronto. Further that we have a list of potential members for a newly formed cemetery board for next council meeting.**

**CARRIED**

12.9 Spring burn for leaves

**Resolution 09-08-32**

**Moved by: C. Zieman  
Seconded by: E.Tumak**

**THAT we authorize a spring burn at a date to be determined by our streets chair. Further that council will be on hand at the burn to serve hotdogs and drinks to residents.**

**CARRIED**

12.10 Summer hours

**Resolution 09-08-33**

**Moved by: C. Zieman  
Seconded by: E.Tumak**

**THAT we forward this to the Finance and Administration Committee for recommendation to come back to council.**

**CARRIED**

12.11 Request for letter of support to Deseronto Arts and Culture Society, and the Deseronto Yacht Club for the integration of the two committees with the Business Owners Association, in an effort to apply for funding from Trenal.

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**Resolution 09-08-34**

**Moved by: E.Tumak  
Seconded by: C. Zieman**

**That we accept their request and ask the clerk to issue a letter of support but ask the two committees to attend the May 8 Revitalization committee meeting to have them update the committee on their intent to help better improve integration between the separate initiatives.**

**CARRIED**

- 12.12 The potential of approaching separate levels of government for funding regarding costs of Land claim initiatives.

**Resolution 09-08-35**

**Moved by: C. Zieman  
Seconded by: D. McMeeken**

**That we write to Daryl Kramp, Michael Bryant (cc Leona Dombrowsky) & County of Hastings requesting assistance for incurred land claim costs in the amount of \$100,000.00 from the province and federal governments and for the mayor to request a contribution from the Hastings County.**

**CARRIED**

- 13. MOTIONS & NOTICES OF MOTION - None noted.**

- 14. MOTION TO MOVE IN-CAMERA**

- Land matters
- Personnel matters

**Resolution 09-08-36**

**Moved by: C. Zieman  
Seconded by: E.Tumak**

**That we motion to move in camera**

**CARRIED**

- 15. MOTION TO CONFIRM ACTIONS TAKEN “ IN-CAMERA”**

**Resolution 09-08-41**

**Moved by: C. Zieman  
Seconded by: D McMeeken**

**THAT we confirm actions taken “In Camera”.**

**CARRIED**

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**16. BY-LAWS**

- 16.1 A By-Law to confirm the proceedings of the Council Meeting of April 22, 2008.

**Resolution 09-08-42**

**Moved by: C. Zieman**

**Seconded by: E.Tumak**

**THAT By law 20-08 being a by law to confirm the proceedings of the Council meeting of April 22/23<sup>rd</sup>, 2008, having been read a first, second, and a third time on April 23<sup>rd</sup>, 2008 and finally be passed signed, sealed and number assigned.**

**CARRIED**

**17. MOTION TO ADJOURN**

**Resolution 09-08-43**

**Moved by: D. McMeeken**

**Seconded by: E.Tumak**

**Motion to adjourn the meeting of April 22/23, 2008.**

**CARRIED**

**(Signed)**

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**MAYOR  
(Norman J. Clark)**

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**CLERK  
(Bryan Brooks)**