

**THE CORPORATION OF THE TOWNSHIP OF ESSA
REGULAR COUNCIL MEETING
WEDNESDAY, 6 FEBRUARY 2008**

A Regular Council meeting was held following Committee of the Whole on Wednesday, 6 February, 2008 in the Council Chambers of the Administration Centre, Township of Essa.

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

Staff in attendance: Greg Murphy, CAO/Manager of Public Works
Carol Trainor, Clerk/Deputy-Treasurer
Paul Macdonald, Fire Chief
Julie Barrett, Treasurer
Colleen Healey, Manager of Planning and Development

1. OPENING OF MEETING BY THE MAYOR

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

2. DISCLOSURE OF PECUNIARY INTEREST

Councillor Newlove and Mayor Guergis declared a Conflict of Interest with the minutes of the Regular Council meeting of January 23, wherein they declared a conflict on a closed session item.

Councillor Newlove declared a Conflict of Interest with item d) on the In Camera agenda.

Deputy Mayor Dowdall took the Chair.

3. ADOPTION OF PREVIOUS MINUTES AND MOTIONS

Resolution No: C27-2008 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 Twenty Third day of January, 2008 be adopted as circulated.*

Carried

Mayor Guergis resumed the Chair.

4. PRESENTING, REFERRING OR PASSING OF ACCOUNTS

Resolution No: C28-2008 Moved by: Dowdall, Seconded by: Henderson

*Be it resolved that Payment Voucher #12E dated December 31, 2007 in the amount of \$344,565.55 be approved; and
That Payment Voucher #2 dated January 17 to 30, 2008 in the amount of \$153,702.26 be approved; and
That Visa Accounts dated November 16 to December 14, 2007 in the amount of \$16,412.96 be approved; and
That Visa Accounts dated December 15 to 31, 2007 in the amount of \$3,554.74 be approved; and
That Visa Accounts dated January 1 to 14, 2008 in the amount of \$9,330.30 be approved; and
That Payroll for the month of January 2008 in the amount of \$149,634.25 be approved.*

Carried

5. CONSENT AGENDA

Councillor Macdonald requested that item a) be dealt with separately.

The County of Simcoe is seeking municipal representation for the Transportation Master Plan Municipal Advisory Group. The County will be notified that Councillor Macdonald was appointed tentatively.

Resolution No: C29-2008 Moved by: Macdonald, Seconded by: Newlove

Be it resolved that the items listed in the Consent Agenda dated February 6, 2008 be approved as presented, and that the necessary action be taken.

Carried

6. COMMITTEE REPORTS

7. PETITIONS

8. MOTIONS AND NOTICES OF MOTIONS

Resolution No: C30-2008 Moved by: Henderson, Seconded by: Newlove

*WHEREAS another municipality in close proximity has offered a pumper/tanker for open bid;
and
WHEREAS this pumper/tanker could replace a much older vehicle currently in use in Fire Hall 1 (Thornton); and
WHEREAS the Fire Chief recommends bidding on this vehicle to accommodate the needs of the Essa Fire Department into the future;*

NOW THEREFORE BE IT RESOLVED THAT Council hereby gives approval to the Fire Chief to place a predetermined bid amount toward the purchase of this pumper/tanker, and that these funds be taken from the Capital Equipment Reserve.

Carried

9. UNFINISHED BUSINESS

10. BY-LAWS

a. By-law 2008 – 9

Resolution No: C31-2008 Moved by: Dowdall, Seconded by: Macdonald

Be it resolved that leave be granted to introduce By-law 2008 - 9, being a by-law to authorize the submission of an application to the Ontario Infrastructure Projects Corporation ("OIPC") for funding from the Municipal Infrastructure Investment Initiative for a new eligible capital project of The Corporation of The Township of Essa, and to approve the expenditure of funds on said eligible capital project; 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 2008 – 10

Resolution No: C32-2008 Moved by: Macdonald, Seconded by: Dowdall

Be it resolved that leave be granted to introduce By-law 2008 - 10, being a by-law authorizing the Mayor and the Clerk to enter into an Agreement with the Town of Innisfil for the provision of Fire Fighting Services, and to repeal By-law 2005 - 06; 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 2008 – 11

It was noted that the agreement was amended to state that the NVCA rather than the Owner would be responsible for maintenance and abandonment of the well.

Resolution No: C33-2008 Moved by: Macdonald, Seconded by: Newlove

Be it resolved that leave be granted to introduce By-law 2008 - 11, being a by-law authorizing the Mayor and the Clerk to enter into an Agreement with the Nottawasaga Valley Conservation Authority to undertake groundwater monitoring activities through the Provincial Groundwater

Monitoring Network on lands owned by the Township of Essa, located East of the Thornton Arena; 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. IN CAMERA

Resolution No: C34-2008 Moved by: Macdonald, Seconded by: Dowdall

Be it resolved that Council proceed In Camera at 6:32 p.m. in order to address matters pertaining to a proposed or pending acquisition or disposition of land for Municipal or local board purposes; labour relations or employee negotiations; litigation or potential litigation, including matters before administrative tribunals affecting the Municipality or local board; and advice that is subject to solicitor/client privilege, including communications necessary for that purpose, including matters before administrative tribunals affecting the Municipality or local board.

Carried

Council rose from the closed session at 7:50 p.m. and adopted the following recommendations:

a. OMB Matter

The CAO was directed to continue discussions with the Township Solicitor in an attempt to resolve this matter quickly.

Resolution No: C35-2008 Moved by: Macdonald, Seconded by: Dowdall

*Be it resolved that Confidential Report P08-13 from the Manager of Planning and Development be received; and further
That the contents of this confidential report be approved.*

Carried

b. Update on a Pending Ontario Municipal Board Hearing

Planner Colleen Healey brought Council up to date on the items that will be before the OMB Hearing, some of which may be resolved through other means. Council concurred with the recommendations of the Planner contained in the report as direction to move forward.

Resolution No: C36-2008 Moved by: Newlove, Seconded by: Dowdall

Be it resolved that Report P08-14 from the Manager of Planning and Development be received;

and further, that staff withdraw issues from a pending OMB Hearing as instructed by Council.

Carried

c. Brentwood Road property

Direction was given to staff to negotiate for a buffer to protect residents living in close proximity under a Site Plan Agreement, and that the applicants be advised of the conditions which would apply to them under the Business Licensing By-law.

Resolution No: C37-2008 Moved by: Macdonald, Seconded by: Newlove

Be it resolved that Report P08-17 from the Manager of Planning and Development concerning the property on Brentwood Road be received; and further That staff be directed to proceed in accordance with the instructions given by Council.

Carried

d. Proposed Land Exchange with the County of Simcoe

Councillor Newlove declared a Conflict of Interest with this item.

Resolution No: C38-2008 Moved by: Macdonald, Seconded by: Henderson

Be it resolved that Confidential Report PW-08-13 from the CAO/Public Works Manager be received and that the contents of this Confidential Report be approved.

Carried

e. Solicitor-Client Privilege

Resolution No: C39-2008 Moved by: Macdonald, Seconded by: Henderson

Be it resolved that Confidential Report PW-08-14 from the CAO/Public Works Manager be received and that this matter proceed, as recommended by the Township's Solicitor.

Carried

f. Employment Offer for the Deputy Treasurer Position

Resolution No: C40-2008 Moved by: Macdonald, Seconded by: Dowdall

Be it resolved that TR-2008-07 from the Treasurer be received; and That the contents of this confidential report be approved.

Carried

13. CONFIRMATION BY-LAW

By-law 2008 - 12

Resolution No: C41-2008 Moved by: Macdonald, Seconded by: Dowdall

Be it resolved that leave be granted to introduce By-law 2008 - 12, being a by-law to confirm the proceedings of the Council and Committee of the Whole meetings held on this Sixth Day of February 2008; 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: C42-2008 Moved by: Dowdall, Seconded by: Macdonald

Be it resolved that this meeting of the Council of the Township of Essa adjourn at 7:55 p.m. to meet again on the Twentieth day of February 2008 following Committee of the Whole.

Carried



David Guergis, Mayor



Carol O. Trainor, Clerk