

**THE CORPORATION OF THE TOWNSHIP OF ESSA
REGULAR COUNCIL MEETING
WEDNESDAY, JANUARY 20, 2010**

A Regular Council meeting was held following Committee of the Whole on Wednesday, January 20, 2010 in the Council Chambers of the Administration Centre, Township of Essa.

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

Staff in attendance: G. Murphy, M. Galloway, P. Macdonald, C. Healey, J. Barrett

1. OPENING OF MEETING BY THE MAYOR

Mayor Guergis opened the Regular Council meeting at 2:14 p.m.

2. DISCLOSURE OF PECUNIARY INTEREST – Mayor Guergis declared a conflict on item 12(a) of the in-camera agenda.

3. ADOPTION OF PREVIOUS MINUTES AND MOTIONS

Resolution No: C01-2010 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 the Special Budget, Committee of the Whole and Regular Council meetings held on the Sixteenth day of December, 2009 and the Special Council meeting held on January 8, 2010 be adopted as circulated.*

Carried

4. PRESENTING, REFERRING OR PASSING OF ACCOUNTS

Resolution No: C02-2010 Moved by: Dowdall, Seconded by: Macdonald

*Be it resolved that Payments dated December 11, 2009 to January 13, 2010 in the amount of \$1,693,774.07 be approved; and
That Payroll for the month of December in the amount of \$242,507.41 be approved.*

Carried

5. CONSENT AGENDA

Resolution No: C03-2010 Moved by: Macdonald, Seconded by: Dowdall

Be it resolved that the items listed in the Consent Agenda dated January 20, 2010 be approved as presented, and that the necessary action be taken.

Carried

6. COMMITTEE REPORTS

a. Accessible Customer Service Policy & Procedures

Resolution No: C04-2010 Moved by: Dowdall, Seconded by: Macdonald

Be it resolved that Report C01-2010 from the Clerk be received; and further That Council receives the minutes from the Accessibility Committee of December 18, 2009; and further That Council adopts the Accessible Customer Service Policy and Procedures as attached.

Carried

7. PETITIONS

8. MOTIONS AND NOTICES OF MOTIONS

a. Reduction in Securities – Brookvalley Riverview Phase 1 Subdivision

Resolution No: C05-2010 Moved by: Macdonald, Seconded by: Henderson

Be it resolved that securities be reduced in connection with the Brookvalley Riverview subdivision Phase 1, as recommended by AECOM, as follows:

<i>Securities being held</i>	<i>\$1,620,491.05</i>
<i>Less recommended reduction</i>	<i><u>(\$ 366,153.25)</u></i>
<i>Securities to be retained</i>	<i>\$1,254,337.80</i>

and further,

This approval is conditional upon receiving a statutory declaration from the developer that all outstanding accounts relating to this subdivision have been paid, including all of the Township's outstanding legal and engineering costs.

Carried

9. UNFINISHED BUSINESS

10. BY-LAWS

a. By-law 2010 – 02

Resolution No: C06-2010 Moved by: Macdonald, Seconded by: Henderson

Be it resolved that leave be granted to introduce By-law 2010 - 02, being a by-law authorizing the Mayor and the Clerk to enter into an Agreement with Brookvalley Developments (Angus) Ltd. to plow and maintain the roads within the Subdivision – located at Part of the West Half of Lot 31 Concession 4, Plan 51M-935; 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 2010 – 03

Resolution No: C07-2010 Moved by: Macdonald, Seconded by: Henderson

Be it resolved that leave be granted to introduce By-law 2010 – 03, being a by-law authorizing the Mayor and the Clerk to enter into an Agreement with 811550 Ontario Limited for access and payment of the lands described as Part Lot 28, Concession 3, in the Township of Essa, County of Simcoe, designated as Parts 1, 2 and 4 on Plan 51R-18294, s/t RO1039816; being all of PIN: 58110-0146 (LT); 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 2010 – 04

Resolution No: C08-2010 Moved by: Dowdall, Seconded by: Macdonald

Be it resolved that leave be granted to introduce By-law 2010 - 04, being a by-law to Authorize Municipal Borrowing for Current Expenditures for 2010; and that said By-law be read a first, and taken as read a second and third time and finally passed.

Carried

d. By-law 2010 – 05

Resolution No: C09-2010 Moved by: Dowdall, Seconded by: Macdonald

Be it resolved that leave be granted to introduce By-law 2010 - 05, 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

11. QUESTIONS

The media asked question of council regarding the budget session held earlier this day.

12. IN CAMERA

Resolution No: C10-2010 Moved by: Henderson, Seconded by: Dowdall

Be it resolved that Council proceed In Camera 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, including matters before administrative tribunals affecting the Municipality or local board.

Carried

Council came out of the in-camera session at 3:28 p.m and adopted the following resolutions:

a. OMB Appeal – B17/09 (Turnbull)

Resolution No: C11-2010 Moved by: Henderson, Seconded by: Macdonald

Be it resolved that Report P10-03 from the Manager of Planning and Development be received.

Carried

Mayor Guergis removed himself from the room during the in-camera discussion on this item and did not take part in the vote in open session.

b. Proposed Land Acquisition for the Food Bank/Youth Centre

Resolution No: C12-2010 Moved by: Macdonald, Seconded by: Henderson

*Be it resolved that Confidential Report PW-10-02 from the CAO/Manager of Public Works be received for information; and
That the CAO be authorized to proceed as directed by council.*

Carried

c. Clark/Barrie Paintball

Resolution No: C13-2010 Moved by: Macdonald, Seconded by: Henderson

Be it resolved that Confidential Report PW-10-03 from the CAO/Manager of Public Works be received for information.

Carried

d. Willoughby Road

Resolution No: C14-2010 Moved by: Dowdall, Seconded by: Newlove

*Be it resolved that Confidential Report PW-10-04 from the CAO/Manager of Public Works be received; and
That the CAO be authorized to proceed as directed by Council.*

Carried

e. Employee Matter/Identifiable Individuals

Resolution No: C15-2010 Moved by: Macdonald, Seconded by: Newlove

*Be it resolved that Confidential Report PW-10-01 from the CAO/Manager of Public Works be received; and
That the CAO be authorized to proceed with respect to this matter, as directed by Council.*

A recorded vote was called:

Councillor Henderson	Nay
Councillor Macdonald	Yea
Councillor Newlove	Yea
Deputy Mayor Dowdall	Nay
Mayor Guergis	Yea

Carried

The Clerk had delegated, in writing, his authority under Section 228(4) of the *Municipal Act* to Greg Murphy during his absence while this matter was being discussed in camera.

13. CONFIRMATION BY-LAW

By-law 2010 - 06

Resolution No: C16-2010 Moved by: Dowdall, Seconded by: Macdonald

Be it resolved that leave be granted to introduce By-law 2010 - 06, being a by-law to confirm the proceedings of the Council and Committee of the Whole meetings held on this Twentieth Day of January 2010; and that said By-law be read a first, and taken as read a second and third time and finally passed.

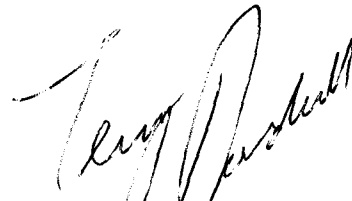
Carried

14. ADJOURNMENT


Resolution No: C17-2010 Moved by: Newlove, Seconded by: Macdonald

Be it resolved that this meeting of the Council of the Township of Essa adjourn to meet again on the Third day of February 2010 following Committee of the Whole.

Carried



~~David Guergis, Mayor~~
Terry Dowdall, Deputy Mayor



Mike Galloway, Clerk

