

**PROVINCE OF QUEBEC
MUNICIPALITY OF PONTIAC**

MINUTES of the regular municipal council meeting held on Tuesday, September 14, 2010 at 8:00 p.m. at the Luskville Community centre, situated at 2024 route 148, Pontiac.
Those who were present :

Edward McCann, mayor, Dr. Jean Amyotte, acting mayor and councillors, Roger Larose, Lynne Beaton, Jim Coyle, Inès Pontiroli and Brian Middlemiss.

Also present the director general and several ratepayers.

The meeting began at 8:00 .pm.

FLOOR OPEN TO PUBLIC

- | | | |
|------------------------|---|-----------------------------------------------------|
| Lyne Gauthier Brunette | - | Infractions – her property |
| Jean-Claude Carisse | - | Information to new property owners on private roads |
| Diane Deschamps | - | Ambulance service – speed – Hammond road |
| Linda Gagné | - | Drainage on her property |
| James Riordan | - | Videotron tower |
| Madeleine Carpentier | - | Drainage – highway 148 |
| Guy Chantigny | - | List of committees |
| | - | Web site |
| | - | Camping trailers |

10-09-359

ADOPTION OF THE AGENDA

- 1. Opening of the meeting**
- 2. Floor open to public**
- 3. Adoption of the agenda**
- 4. Adoption of the minutes of previous meetings**
 - 4.1 Minutes of the special meetings held on August 24 and 31 and that of the regular meeting on August 10, 2010
- 5. Administration**
 - 5.1 List of invoices to pay

- 5.2 List of fixed expenses
- 5.3 List of incurred expenses for the month of September
- 5.4 Budgetary transfers
- 5.5 Bilingual documents
- 5.6 Consultant services
- 5.7 Sale – property taxes
- 5.8 Standardization of council meetings
- 5.9 Bad debts
- 5.10 Code of conduct - for members of council
- 5.11 Extension project – Town hall
- 5.12 Aviva - *Settlement offer*
- 6. **Public security**
 - 6.1 End of employment - firefighters
- 7. **Public works**
 - 7.1 Snow removal contract – sectors F and G
 - 7.2 Notice of motion – concerning the speed limit on chemin Pères-Dominicains
- 8. **Public hygiene**
 - 8.1 By-law 12-08 concerning garbage
 - 8.2 Quebec ministry of environment
- 9. **Urban renewal and zoning**
 - 9.1 Infractions – 389, route 366 Ouest
 - 9.2 160, chemin du village
 - 9.3 Subdivision – 16 et 22 chemin du Cerfeuil
 - 9.4 Transfer of responsibility of part of Young crescent
 - 9.5 Subdivision - Lotissement – 1522, route 148 – Armelle Gagné
 - 9.6 Translation of the Development plan and the 2010 urban planning by-laws
 - 9.7 Request from a citizen to cancel interests from invoice
 - 9.8 Request for subdivision - 25 & 29 chemin Adrien-Renaud
 - 9.9 Infraction – deteriorated buildings – 430 chemin des Pères-Dominicains
 - 9.10 Infraction – deteriorated buildings – 1068 rue de Clarendon
 - 9.11 169 des Pêcheurs – Gilles Gagnon
- 10. **Recreation and culture**
 - 10.1 Right of way – bicycle path
 - 10.2 Albert Kennedy *Centre*
 - 10.3 Property – Lions Club
- 11. **Miscellaneous**
 - 11.1
- 12. **Various reports and correspondence**
 - 12.1 Tabling of various municipal reports: a) animals;
- 13. **Tabling of the registre of correspondence**
 - 13.1 Register of the correspondence received in August 2010
- 14. **Question period**
- 15. **Closing of meeting**

It is

Moved by Jim Coyle
Seconded by Dr. Jean Amyotte

AND RESOLVED to adopt the agenda with the following modifications:

Additions: 9.12 Request for a subdivision – Bonnie Lemay
 9.13 Telecommunication tower – Vidéotron
 9.14 Property – Beach Barn

Withdrawal: 5.10 Code of conduct - for members of council
 9.1 Infractions – 389, route 366 West

Carried

10-09-360

**ADOPTION OF THE MINUTES OF SPECIAL MEETING HELD ON AUGUST
24TH AND THE 31ST AND THAT OF THE REGULAR MEETING ON AUGUST
10TH, 2010**

Moved by
Seconded by

AND RESOLVED to adopt the minutes of the special meeting held on August 24th and the 31st that of the regular meeting on August 10th, 2010.

AMENDMENT

It is

Moved by Dr. Jean Amyotte
Seconded by Roger Larose

AND RESOLVED to modify resolution no. 10-08-345 by removing the reasons related to councillor Brian Middlemiss' vote against, because they were not given at the actual time of meeting.

The vote is requested on the amendment and is adopted unanimously.

Carried on a unanimous vote

10-09-361

LIST OF INVOICES TO PAY

Moved by Jim Coyle
Seconded by Inès Pontiroli

AND RESOLVED THAT this Council authorizes the payment of invoices amounting to \$28,510.88 (see appendix in file no.102-102) for the period ending September 2, 2010 and to debit budget posts related to the expenses mentioned on said list.

Carried

10-09-362

LIST OF FIXED EXPENSES

Moved by Dr. Jean Amyotte
Seconded by Lynne Beaton

AND RESOLVED THAT this Council approves the list of expenses from the history of cheques which includes:

- fixed expenses;
- payments via Internet;
- the true amount of invoices paid following approval by incurring expenses or by resolution;

all for a total of **\$311,511.02** (see appendix) for the period ending September 2, 2010 and to debit related budget accounts for the expenses mentioned on said list.

Carried

10-09-363

LIST OF INCURRED EXPENSES FOR THE MONTH OF SEPTEMBER

Moved by Inès Pontiroli
Seconded by Lynne Beaton

AND UNANIMOUSLY RESOLVED to accept the incurring expenses that appear in annex A (see file 102-102), for a total amount of **\$24,843.04** taxes included.

Councillor Jim Coyle votes against the motion.

Carried on a divided vote

10-09-364

BUDGETARY TRANSFERS (ON September 3, 2010)

It is

Moved by Brian Middlemiss
Seconded by Inès Pontiroli

AND RESOLVED THAT the municipality carry out the budgetary transfers as described on the attached list in the amount of \$18,097.00.

Councillor Jim Coyle votes against the motion.

Carried on a divided vote

10-09-365

BILINGUAL DOCUMENTS

WHEREAS some of the council members are unilingual or bilingual but are more at ease with reading in one language or the other;

WHEREAS it is necessary that all council members be at ease in order to make well-informed decisions;

WHEREAS the same principle of equity applies for our citizens;

It is

Moved by Roger Larose
Seconded by Inès Pontiroli

AND RESOLVED THAT council requires that all of the following documents be produced in both languages: resolutions, by-laws, protocols, agreements, contracts.

The director general is authorized to allocate the necessary funds from the current municipal operational budget for these purposes.

Carried

10-09-366

CONSULTANT SERVICES

It is

Moved by Dr. Jean Amyotte
Seconded by Inès Pontiroli

AND RESOLVED THAT council hereby authorizes the director general to sign a contract with André Locas & Asso. Inc., for his assistance with preparing the pay equity. The cost for 3 days being at \$2,500.00 plus additional fees of \$125.00/hr. for travelling and accommodations.

Carried

10-09-367

SALE RE : PROPERTY TAXES

It is

Moved by Dr. Jean Amyotte
Seconded by Jim Coyle

AND RESOLVED THAT the Municipality of Pontiac authorize the director general to send the delinquent accounts to the MRC des Collines to proceed with a tax sale for 2010.

Carried

10-09-368

STANDARDIZATION OF COUNCIL MEETINGS

WHEREAS council wishes to standardize its meeting schedule format;

WHEREAS the majority of council agrees that Tuesday evenings are suitable to them for this purpose;

CONSEQUENTLY, it is

Moved by Dr. Jean Amyotte
Seconded by Inès Pontiroli

AND RESOLVED THAT council agrees to meet weekly as required.

IT IS FURTHER RESOLVED THAT "Tuesday" is officially acknowledged as the "weekly meeting day".

IT IS FURTHER RESOLVED THAT the content of each week's meeting be limited, as per the attached appendix.

Carried

10-09-369

BAD DEBTS

WHEREAS the municipality must cancel certain bad debt;

It is

Moved by Inès Pontiroli
Seconded by Lynne Beaton

AND UNANIMOUSLY RESOLVED to authorize the cancellation of the following bad debts:

<u>Roll numbers</u>	<u>Amount</u>
3941 57 0921	\$ 2.73
5032 77 4572	\$ 2.81
5132 06 7878	\$ 2.49
5132 27 1339	\$ 2.73
4244 81 4136	\$ 2.73
	<hr/>
	\$ 13.49

Carried

10-09-370

EXTENSION – TOWN HALL

WHEREAS the contract awarded for the extension of the town hall;

WHEREAS the preliminary report submitted by the director general shows expenses per additional clause for a total of \$ 19,313 which represents 3.41 % of the contract cost;

WHEREAS the said report shows expenses outside the contract in the amount of \$ 7,143;

It is

Moved by Dr. Jean Amyotte
Seconded by Inès Pontiroli

AND RESOLVED THAT the municipality approve the total expenses shown in the director general's report dated September 7, 2010.

Councillor Brian Middlemiss votes against the motion. Councillor Roger Larose votes against the motion because of the cost overrun.

Carried on a divided vote

10-09-371

SETTLEMENT OFFER – AVIVA

WHEREAS damages incurred to a citizen's vehicle on Terry-Fox road;

WHEREAS the citizen's insurance company has taken proceedings against the municipality under liability;

WHEREAS the municipality liability assurance has a deductible of \$5,000.00;

WHEREAS the settlement offer from the citizen insurance company is in the amount of \$3,400.00 (including capital, interests and fees);

WHEREAS our legal advisor's recommendation;

It is

Moved by Dr. Jean Amyotte

Seconded by Jim Coyle

AND RESOLVED THAT the municipality hereby accepts the settlement offer in the case of Aviva vs. the Municipality of Pontiac in the amount of \$3,400.00.

Carried

10-09-372

END OF EMPLOYMENT – FIREFIGHTERS

WHEREAS in article 9.01 of the firefighters work contract, the loss of seniority and employment under certain conditions;

WHEREAS the recommendations of the director of the fire safety department and the director general;

It is

Moved by Jim Coyle

Seconded by Roger Larose

AND RESOLVED THAT the municipality put an end to the employment of Mr. Jean-Marc Marleau and Mr. Benoît Ladouceur.

Carried

10-09-373

SNOW PLOUGHING – CONTRACTS – 2010-2013 – SECTORS F & G

WHEREAS the invitation to tender for the snow ploughing and reception of the tenders thereof;

WHEREAS the lowest bids have been examined and deemed to be in compliance with our specifications;

CONSEQUENCLY, it is

Moved by Roger Larose
Seconded by Jim Coyle

AND RESOLVED to grant the following contracts:

	<u>Contractor</u>	<u>Total price for 3 years</u> <u>(taxes incl)</u>
Sector F	Mario Allen	\$ 266,248.14
Sector G	Raymond Bélisle	\$ 291,217.50

IT IS FURTHER RESOLVED THAT Council authorizes those designated by law to sign the pertinent documents.

Carried

NOTICE OF MOTION

Notice of motion is hereby given by councillor Inès Pontiroli that at a subsequent council meeting he intends to present a by-law concerning the reduction of the speed limit on chemin Pères-Dominicains.

NOTICE OF MOTION

Notice of motion is hereby given by councillor Dr. Jean Amyotte that at a subsequent council meeting he intends to present a by-law to modify certain provisions of by-law no. 12-08 concerning garbage.

10-09-374

QUYON RIVER

WHEREAS the heavy rainfall on Sunday, August 15th has made the Quyon River water levels rise significantly;

WHEREAS a considerable quantity of sediment has been deposited with the currents at the river mouth of the Quyon river and into the Ottawa river forming a barrier which is detrimental to navigation;

It is

Moved by Jim Coyle
Seconded by Inès Pontiroli

AND RESOLVED THAT the municipality ask the Quebec ministry of Environment to proceed with an inspection of the area and if possible, to develop a plan that would correct this situation.

Carried

10-09-375

160 CHEMIN DU VILLAGE

WHEREAS talks with the owner Mr. Luc Laberge concerning the division of his land;

WHEREAS documents received that are on file;

WHEREAS the total area of the 2 lots to be divided would be in conformity with our by-laws, that, with regards to the frontage, parcel A of the land would be in conformity and that there would be approximately only 2.25 meters missing of parcel B, but that the latter benefits from vested rights;

WHEREAS the property owner promises to obtain the required permits for the construction of a new primary building on parcel A of the land, in conformity with current municipal and provincial by-laws;

It is

Moved by Inès Pontiroli
Seconded by Roger Larose

AND RESOLVED THAT Mr. Luc Laberge be informed that the Municipality of Pontiac agrees with the subdivision of his 2 lots, as understood, under the condition that the 2 lots are compliant with the total areas stipulated in the subdivision by-law no. 178-01 and that the frontage of parcel A be at 45.22 meters and parcel B be at 42.75 meters.

IT IS FURTHER RESOLED THAT the municipality hereby cancels the resolution no. 10-07-297.

Carried

10-09-376

SUBDIVISION – 16 and 22 Cerfeuil Road – David Birt

WHEREAS the applicant wishes to subdivide part of lot 6, range 1, Township of Onslow in order to create lots 6-91 and 6-92, range 1, Township of Onslow;

WHEREAS the request is in conformity with the L.A.U;

WHEREAS the request is to recognize an existing situation;

CONSEQUENTLY, it is

Moved by Jim Coyle
Seconded by Dr. Jean Amyotte

AND RESOLVED THAT council supports the applicant's request to create lots 6-91 and 6-92, range 1, Township of Onslow as shown on the plan prepared by land surveyor Etienne Robertson, under his minutes 873 dated June 23rd, 2010.

Carried

10-09-377

TRANSFER OF RESPONSIBILITY OF PART OF YOUNG CRESCENT

It is

Moved by Lynne Beaton
Seconded by Jim Coyle

AND RESOLVED THAT the municipality takes over the responsibility of part of Young Crescent, being lots:

341-7-1
341-6-1
343-16
341-24
341-23

Carried

10-09-378

SUBDIVISION – 1522, Highway 148 – Armelle Gagné

WHEREAS the applicant wishes to subdivide lot 2 684 269 in order to create lots 4 663 653 and 4 663 654;

WHEREAS the request is in conformity with the subdivision by-law 178-01;

CONSEQUENTLY, it is

Moved by Roger Larose
Seconded by Inès Pontiroli

AND RESOLVED that council supports the applicant's request to subdivide lot 2 684 269 in order to create lots 4 663 653 and 4 663 654 as shown on the plan prepared by land surveyor André Durocher, under his minutes 19 203 dated July 7th, 2010

Carried

10-09-379

TRANSLATION OF THE DEVELOPMENT PLAN AND THE 2010 URBAN PLANNING BY-LAWS

WHEREAS resolution adopted by the municipal council concerning the translation of documents, such as the municipal by-laws;

WHEREAS the estimate received from Mrs. Sylvie Drolet;

It is

Moved by Dr. Jean Amyotte
Seconded by Inès Pontiroli

AND RESOLVED THAT the Municipality of Pontiac give Mrs. Drolet the mandate to translate the development plan and the draft by-laws prepared by Mr. Pierre-Yves Guay, consultant in urban planning.

Carried

10-09-380

INTERESTS ON INVOICE – ROLL NUMBER 3159-73-6155

WHEREAS 2 permits for subdivisions were issued for 391 and 393 route 366 West, at a cost of \$100;

WHEREAS both invoices were mailed on the same day, in the same envelope;

WHEREAS interests accrued on the account owing;

WHEREAS Mrs. Brunette claims that she has not received the 2 invoices;

WHEREAS the request from Mrs. Brunette to cancel accrued interests;

It is

Moved by Dr. Jean Amyotte
Seconded by Inès Pontiroli

AND RESOLVED THAT the Municipality of Pontiac hereby refuses to reimburse the cumulated interests on the invoice sent to Mr. and Mrs. Brunette.

Carried

10-09-381

SUBDIVISION – 25 and 29, Adrien Renaud road – Gilles Marcoux and Zénon Proulx

WHEREAS during the remaking of the cadastre, an error in the interpretation was detected in Mr. Marcoux and Mr. Proulx's title-deeds;

WHEREAS the letter received on September 2nd, 2010 from land-surveyor Michel Fortin;

WHEREAS the request is made in order to rectify the situation;

CONSEQUENTLY, it is

Moved by Dr. Jean Amyotte
Seconded by Roger Larose

AND RESOLVED THAT council supports the applicant's request as shown on the plan prepared by land surveyor Michel Fortin, under his minutes 19688 dated April 6th, 2010;

Carried

10-09-382

INFRACTION – Deteriorated buildings at 430 Pères Dominicains

WHEREAS the infraction report no. 2010-00122 was issued on May 18th 2010 regarding two deteriorated buildings on this property;

WHEREAS the owner is requesting proof showing that their value has decreased by 50%;

WHEREAS nothing in our file nor at the MRC des-Collines-de-l'Outaouais can substantiate this fact;

WHEREAS Council agrees that action must be taken in this file;

CONSEQUENTLY, it is

Moved by Inès Pontiroli
Seconded by Dr. Jean Amyotte

AND RESOLVED that this Council asks Mr. Thomas Howard, fire chief for the Municipality, to do an inspection of said buildings and file a report on it;

Carried

10-09-383

VIOLATION – Deteriorated buildings at 1068 Clarendon Rd.

WHEREAS the letter received on March 26th 2010;

WHEREAS the recommendations from Pierre-Louis Chartrand, inspector and volunteer fireman;

CONSEQUENTLY,

It is

Moved by Dr. Jean Amyotte
Seconded by Inès Pontiroli

AND RESOLVED that this Council asks Mr. Thomas Howard, Director of the Fire Department for the Municipality, to perform an inspection of the said building and file a report on it.

Councillor Roger Larose votes against the motion.

Carried on a divided vote

10-09-384

MINOR DEROGATION - Gilles Gagnon – 169, des Pêcheurs

WHEREAS council must give a ruling on a request for a minor derogation concerning the property situated at 169 des Pêcheurs ;

WHEREAS the object of the request is to reduce the side margin of the main existing building situated at 1.52 meters on the West side and at 1.62 meters on the East side, while the zoning by-law no. 177-01 stipulates that the margin is 2 meters.

WHEREAS notices of offence and notices to cease all work issued;

WHEREAS the P.A.C. recommends that council refuse the request for a minor derogation;

It is

Moved by Dr. Jean Amyotte
Seconded by Inès Pontiroli

AND RESOLVED THAT the request for a minor derogation be refused and that the property owner comply with the current municipal and provincial by-laws.

Councillors Jim Coyle and Roger Larose vote against the motion.

Carried on a divided vote

10-09-385

SUBDIVISION – 8001, River Road – Bonnie Lemay

WHEREAS the applicant wishes to subdivide part of lot 6B-, range 4, Township of Onslow in order to create lot 6B-3, range 4, Township of Onslow;

WHEREAS the request is in conformity with the subdivision by-law 178-01;

WHEREAS that the request is to recognize an existing situation;

CONSEQUENTLY, it is

Moved by Jim Coyle
Seconded by Dr. Jean Amyotte

AND RESOLVED that council supports the applicant's request to create lot 6B-3, range 4, Township of Onslow, as shown on plan from land surveyor Michel Fortin, under his minutes 20909 dated September 10, 2010.

Carried

10-09-386

VIDÉOTRON - TELECOMMUNICATIONS TOWER

WHEREAS this company's foreseen location for the tower could cause a visual prejudice to the citizens of Pontiac;

WHEREAS the importance for the municipality to preserve the Pontiac landscape;

WHEREAS the municipality considers it to be of no considerable advantage to the citizens of Pontiac to install this tower;

It is

Moved by Dr. Jean Amyotte
Seconded by Jim Coyle

AND RESOLVED THAT the Municipality of Pontiac notify Vidéotron of its firm opposition to the installation of a telecommunication tower in the Breckenridge sector, as requested by this company.

Carried

10-09-387

RIGHT OF WAY – BICYCLE PATH

It is

Moved by Dr. Jean Amyotte
Seconded by Jim Coyle

AND RESOLVED THAT the municipality hereby accepts the conditions required by the owner of lot 2872146 as negotiated, to obtain a right of way on the said lot for the future creation of a bicycle path.

IT IS FURTHER RESOLVED THAT the same conditions be accepted with the property owner of lots 2872145 and 2684246.

The notarized papers shall be signed by the persons authorized by law.

Carried

10-09-388

ALBERT KENNEDY CENTRE

It is

Moved by Lynne Beaton
Seconded by Jim Coyle

AND RESOLVED THAT the director of public works is hereby authorized to request at least 2 tenders to work on the ceiling of the Albert Kennedy centre (acoustic tiles, electricity and lighting).

Carried

10-09-389

PROPERTY – BEACH BARN

It is

Moved by Jim Coyle
Seconded by Lynne Beaton

AND RESOLVED THAT the municipality grant the mandate of tracing the high water level to Mr. Michel Fortin on the plan referring to his minutes # 14779, for the sum of \$800.00 (plus taxes).

Carried

VARIOUS REPORTS AND CORRESPONDENCE

- Tabling of various municipal reports: a) animals;

TABLING OF DOCUMENTS

- Register of the correspondence received in August 2010.

QUESTION PERIOD

10-09-390

ADJOURNMENT OF THE MEETING

It is

Moved by Jim Coyle
Seconded by Lynne Beaton

AND RESOLVED to close the meeting at 9:45 p.m., having gone through the agenda.

Carried

MAYOR

DIRECTOR GENERAL

« I, mayor Edward McCann, hereby certify that the signature on the present minutes is equivalent to the my signature on each and every resolution herein, as specified in article 142 (2) of the Municipal Code».