PROVINCE OF QUEBEC MUNICIPALITY OF PONTIAC

MINUTES of the regular municipal council meeting held on Tuesday, July 12, 2011 at 8:00 p.m. in the hall at the Luskville community centre, situated at 2024 route 148, Pontiac. Those who were present :

Edward McCann, mayor, Dr. Jean Amyotte, pro-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 8:05 p.m.

FLOOR OPEN TO PUBLIC

Mrs. Jean Rebertz	-	Road conditions
Mrs. Nancy Maxsom	- -	Requests a meeting with council Unpaid invoice of January 24, 2011
Olivier & Francine Beauchamp	-	Water flow from chemin d'En-Haut
Michel Miljour	-	A.T.V.s
James Reid	-	Requests a meeting with council and the citizens committee concerning the nuisance by-law
Paul-Émile Brunette	-	Submits a letter concerning a dispute with his neighbour

11-07-764 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 regular meeting held on June 14th and that of the special meetings on June 7th and the 21st, 2011

5. Administration

- 5.1 Budgetary transfers
- 5.2 List of invoices to pay
- 5.3 List of fixed expenses
- 5.4 List of incurred expenses for the month of July
- 5.5 Comparative statements of revenues and expenses
- 5.6 Posting accounting clerk position
- 5.7 Appointment by interim office clerk
- 5.8 Cancellation of by-laws # 07-10, 06-16, 12-07, 06-14, 06-13 et 03-03
- 5.9 Cancellation of by-law 05-11
- 6. **Public security**
 - 6.1 Hourly rate salary fire prevention inspector
 - 6.2 Appointment lieutenant evening shift East sector
 - 6.3 Appointment lieutenant day shift East sector
 - 6.4 Appointment lieutenant evening shift West sector
 - 6.5 Appointment acting director of the fire department
 - 6.6 Recruitment Director of the fire department
 - 6.7 End of employment firefighters

7. Public works

- 7.1 Roof Luskville library
- 7.2 Snowploughing Quyon sidewalks
- 7.3 Special projects
- 8. Public hygiene
 - 8.1 Fees eco-centre
- 9. Urban renewal and zoning
 - 9.1 Minor derogation- 1548 Route 148
 - 9.2 Violations 10 chemin du Gingembre
 - 9.3 Violations nuisances 300, chemin Tremblay
 - 9.4 Request to the C.P.T.A.Q. 635 ch. Crégheur Raymond Bélisle
 - 9.5 Subdivision 290, route 366 ouest Rémi Larose
 - 9.6 Request to the C.P.T.A.Q.- 101, chemin Parker Roy Nugent
 - 9.7 Reimbursement roll number 3259-91-8126
 - 9.8 Request to the C.P.T.A.Q. 7930, route 148 Rita Kehoe
 - 9.9 Violations 1033, rue de Clarendon

10. Recreation and culture

- 10.1
- 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 June 2011
- 14. Question period
- 15. Closing of meeting

It is

Moved by	Dr. Jean Amyotte
Seconded by	Jim Coyle

AND RESOLVED to adopt the agenda with the following modifications :

Additions: 9.10 Notice of motion – by-law aiming to modify the zoning by-law 177-01, regarding the usage of recycling and storing automobiles 10.1 Pontiac Chats Falls park

Carried

Councillor Roger Larose arrives at the meeint at 8:05 p.m.

11-07-765 <u>ADOPTION OF THE MINUTES OF THE REGULAR MEETING HELD ON</u> <u>JUNE 14TH AND THAT OF THE SPECIAL MEETINGS ON JUNE 7TH AND</u> <u>THE 21ST, 2011</u>

Moved byDr. Jean AmyotteSeconded byLynne Beaton

AND RESOLVED to adopt the minutes of the regular meeting held on June 14th and that of the special meetings on June 7th and the 21st, 2011.

Carried

11-07-766 BUDGETARY TRANSFERS (July 2011)

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 **\$90,793.00.**

11-07-767 LIST OF INVOICES TO PAY

Moved by Dr. Jean Amyotte Seconded by Jim Coyle

AND RESOLVED THAT this Council authorizes the payment of invoices amounting to **\$121,531.87** (see appendix in file no.102-102) for the period ending June 28th 2011 and to debit budget posts related to the expenses mentioned on said list.

Carried

11-07-768 LIST OF INVOICES TO PAY

It is

Moved by Inès Pontiroli Seconded by **Brian Middlemiss**

AND RESOLVED to pay the invoice of Service Pierre Alary in the amount of \$256.33 under the condition that an RBQ number is required and that is he has one.

A vote is requested and registered as follows:

FOR

Roger Larose Lynne Beaton Inès Pontiroli **Brian Middlemiss**

Dr. Jean Amyotte Jim Coyle

Carried on a divided vote

11-07-769 LIST OF FIXED EXPENSES

Moved by Inès Pontiroli Seconded by Brian Middlemiss

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 **\$ 178 415.63** (see appendix) for the period ending June 29th 2011 and to debit related budget accounts for the expenses mentioned on said list.

AGAINST

Carried

11-07-770 LIST OF INCURRED EXPENSES FOR THE MONTH OF JULY 2011

Moved byDr. Jean AmyotteSeconded byBrian Middlemiss

AND UNANIMOUSLY RESOLVED to accept the incurring expenses that appear in appendix A (see file 102-102), for a total amount of **\$28,993.56** taxes included.

Carried

11-07-771 COMPARATIVE STATEMENT OF REVENUES AND EXPENSES

WHEREAS according to article 176.4 of the Quebec municipal code, the comparative statements to be tabled during the course of the first semester must be given no later than at the regular meeting in May;

It is

Moved by	Roger Larose
Seconded by	Brian Middlemiss

AND RESOLVED to accept the comparative statements of revenues.

IT IS FURTHER RESOLVED THAT this present resolution abrogates resolution no. 11-06-725.

Carried

11-07-772 POSTING – ACCOUNTING CLERK POSITION

WHEREAS the accounting-clerk position has become vacant since Mrs. Christiane Prince's departure on July 1st, 2011;

WHEREAS this position was posted to which two persons applied and that on July 4th, 2011, one has withdrawn her name;

WHEREAS Mrs. Louise Ramsay was temporarily assigned this position since June 1st and is fulfilling her duties well;

WHEREAS the provisions of the collective agreement;

It is

Moved byDr. Jean AmyotteSeconded byInès Pontiroli

AND RESOLVED to appoint Mrs. Louise Ramsay to the accounting clerk position, to be effective as of July 4, 2011.

IT IS FURTHER RESOLVED to proceed with the posting of the taxation clerk position, which was previously occupied by Mrs. Louise Ramsay.

Carried

11-07-773 <u>APPOINTMENT BY INTERIM – OFFICE CLERK</u>

WHEREAS the vacancy of the office clerk position;

WHEREAS Mrs. Anick Bigras has applied for this position by signing her name on the posting;

It is

Moved byDr. Jean AmyotteSeconded byInès Pontiroli

AND RESOLVED THAT Mrs. Anick Bigras is hereby appointed by interim, to the office clerk position as the replacement, and that this be retroactive to July 4th, 2011.

Carried

11-07-774 CANCELLING BY-LAWS NO. 07-10, 05-10, 12-07, 06-14, 06-13 AND 03-03

WHEREAS according to what had been foreseen, the Municipality of Pontiac has completely fulfilled its objective regarding the by-laws, as noted on the attached appendix ;

WHEREAS a part of these by-laws was permanently financed ;

WHEREAS for each of these by-laws, a balance on the amount of the loan approved by the minister of Municipal Affairs, which was not incurred, cannot be used for other purposes ;

WHEREAS funding of these balances is not required and they should no longer exist in the Minister's register ;

WHEREAS for this purpose, it is necessary to modify the borrowing by-laws identified in the appendix in order to adjust the amounts of the expense and loan and, if necessary, appropriate a subsidy or an amount from the municipality's general fund.

CONSEQUENTLY, it is

Moved by	Dr. Jean Amyotte
Seconded by	Brian Middlemiss

AND RESOLVED :

THAT the Municipality of Pontiac modify the by-laws identified in the appendix in the following fashion :

- 1. By replacing the amounts of the expense or loan by the amounts indicated under columns « new amount of the expenditure » and « new amount of the loan » showing in the appendix.
- 2. By adding a provision to foresee that, in order to pay a part of the expense, the Municipality allocate the amount indicated under column « general fund » of the appendix, from its general fund.
- 3. By modifying the provision related to the allocation of a subsidy in view of indicating the amount showing under the « subsidy » column of the appendix. The agreements enclosed are reputed as being an integral part of the corresponding by-laws, identified in the appendix.

THAT the Municipality of Pontiac inform the ministry of Municipal Affairs that the borrowing power of the by-laws identified in the appendix will not be used in its totality because of modifications brought forward to these by-laws by the present resolution and, if need be, the shares paid by the promoters or amounts received from ratepayers in one lump sum for payment of their share in capital. The amounts of these appropriations are shown under the columns « Promoters » and « Cash payment » in the appendix.

THAT the Municipality of Pontiac ask the ministry to cancel the remaining balances, which are noted in the appendix, from their registers.

THAT a certified true copy of the present resolution be sent to the ministry of Municipal Affairs.

Carried

11-07-775 BY-LAW NO. 05-11 - CANCELLATION OF BY-LAW NO. 06-16

WHEREAS by-law no. 06-16 concerning a loan and expense for the purchase of two pumper tanker trucks for the Municipality of Pontiac was adopted on July 11, 2006;

CONSEQUENTLY, it is

Moved byDr. Jean AmyotteSeconded byBrian Middlemiss

AND RESOLVED THAT this council decrees and gives a ruling on the following :

<u>ARTICLE 1 :</u> The preamble is an integral part of the present by-law.

- <u>ARTICLE 2 :</u> The present by-law abrogates and therefore cancels all provisions of by-law no. 06-16.
- <u>ARTICLE 3</u>: The present by-law will come into force in accordance with the law.

Carried

11-07-776 <u>RATE – FIRE PREVENTION OFFICER</u>

WHEREAS the municipality has accepted by resolution the organizational chart pertaining to the fire department;

WHEREAS an adequate rate must reflect the position of fire prevention officer;

WHEREAS Mr. Claude Fortin's recommendations;

It is

Moved byDr. Jean AmyotteSeconded byJim Coyle

AND RESOLVED THAT the municipality pay the rate of \$19.26 per hour for the work done by the fire prevention officer.

11-07-777 <u>APPOINTMENT – LIEUTENANT - EVENING SHIFT – EAST SECTOR</u>

WHEREAS exams given for the position of lieutenant;

WHEREAS the results obtained;

WHEREAS Mr. Claude Fortin's recommendation;

It is

Moved byJim CoyleSeconded byInès Pontiroli

AND RESOLVED THAT the municipality hereby appoint Mr. Evan Prest as lieutenant of the Pontiac fire department, on the evening shift in the East sector of the municipality.

Carried

Councillor Brian Middlemiss steps out at 9:05 p.m.

11-07-778 <u>APPOINTMENT – LIEUTENANT - DAY SHIFT – EAST SECTOR</u>

WHEREAS exams given for the position of lieutenant;

WHEREAS the results obtained;

WHEREAS Mr. Claude Fortin's recommendation;

It is

Moved by Seconded by

AND RESOLVED THAT the municipality hereby appoint Mr. Brian Middlemiss as lieutenant of the Pontiac fire department, on the day shift in the East sector of the municipality.

Having had no one propose or second the motion, it is therefore rejected.

Rejected

Councillor Brian Middlemiss returns at 9:10 p.m.

11-07-779 <u>APPOINTMENT – LIEUTENANT ON PROBATION- EVENING SHIFT – WEST</u> <u>SECTOR</u>

WHEREAS exams given for the position of lieutenant;

WHEREAS the results obtained;

WHEREAS Mr. Claude Fortin's recommendation;

It is

Moved byJim CoyleSeconded byInès Pontiroli

AND RESOLVED THAT the municipality hereby appoint Mr. Francis Madore as lieutenant on probation for the Pontiac fire department, on the evening shift in the West sector of the municipality.

Carried

11-07-780 DIRECTOR – BY INTERIM – FIRE DEPARTMENT

It is

Moved byJim CoyleSeconded byInès Pontiroli

AND RESOLVED THAT the municipality ratify the appointment of Mr. Mario Allen as chief of the fire department by interim under the conditions that were previously established.

Carried

11-07-781 <u>RECRUITMENT – DIRECTOR OF THE FIRE DEPARTMENT</u>

WHEREAS the director general and the fire department chief of operations recommendations;

It is

Moved by	Roger Larose
Seconded by	Inès Pontorili

AND RESOLVED THAT the municipality proceed with the recruiting procedure to fill the position of director of the fire department.

Carried

11-07-782 END OF EMPLOYMENT - FIREFIGHTERS

WHEREAS Mr. Éric Vincente, Philippe Brière, and Jean Côté were hired as volunteer firefighters;

WHEREAS they have not followed-up on the municipality's requests, in particular with respect to their training;

It is

Moved byInès PontiroliSeconded byRoger Larose

AND RESOLVED THAT the municipality end the employment of Mr. Éric Vincente, Mr. Philippe Brière and Mr. Jean Côté as volunteer firefighters.

Carried

11-07-783 <u>ROOF - LUSKVILLE LIBRARY</u>

WHEREAS tenders received following a request to tender for roofing repairs at the Luskville library;

WHEREAS Construction Pieschke Inc. was the company who submitted the lowest bid;

It is

Moved by	Dr. Jean Amyotte
Seconded by	Inès Pontiroli

AND RESOLVED THAT the municipality hereby award the contract to replace the shingles on the roof at the Luskville library to Construction Pieschke Inc. at a cost of \$15,414.05 (taxes included). (budget item # 02-702-30-522).

Carried

11-07-784 SNOWPLOUGHING - QUYON SIDEWALKS

It is

Moved by	Jim Coyle
Seconded by	Inès Pontiroli

AND RESOLVED THAT the municipality hereby authorizes the director general to proceed with a call for tenders for the snowploughing of sidewalks in the village of Quyon, all according to the law and the usual scope of work, for a 3-year period being the winters of 2011-2014, with the option of renewing annually for 2 additional years.

Carried

11-07-785 SPECIAL PROJECTS

WHEREAS requests from certain associations;

WHEREAS the recommendations of the « tolerance roads » committee;

It is

Moved byInès PontiroliSeconded byDr. Jean Amyotte

AND RESOLVED THAT the municipality grant the following funding to associations that which will come from the « special projects – tolerance roads » budget and that the shotfall of \$3,703.60 be taken from the general surplus :

Pointe-aux-Roches association	\$4,785.00
Black Bay beach association	\$3,396.60
Association of the residents of	
François Tremblay beach	\$1,000.00
Albert Tremblay beach association	\$970.00
Domaine des Oies association	\$7,052.00
TOTAL	\$17,023.60

Carried

11-07-786 <u>ECO-CENTRE – FEES</u>

It is

Moved byInès PontiroliSeconded byLynne Beaton

AND RESOLVED THAT the municipality accepts the following list of fees to charge for accepting products at the eco-centre :

1.	Cumbersome objects	Free	
2.	Metal		
3.	Car, van and truck		
	tires (smaller than 48 in.) rims taken off	Free	
4.	Car, van and truck		
	tires (smaller than 48 in.) rims still on		
5.	Construction material (dry)	\$125.00	/ tonne
6.	Contaminated garbage		
7.	Wood	\$70.00	/ tonne
8.	Concrete	\$35.00	/ tonne
9.	Recyclable materials (sorted)	Free	
10.	Tires 48 in. and over,		
	up to a maximum 70 in.(exterior diameter)	\$2.00	/ inch
		Maximum	
		\$100.00	
11.	Minimum fee	\$25.00 for 250	kg or less

Carried

11-07-787 <u>MINOR DEROGATION – Yves Anglehart – 1548 route 148</u>

WHEREAS council will render a decision on a minor derogation regarding the land located at 1548 route 148, lot no 2684058

WHEREAS the request is made in order to reduce the South side margin at 1.09 meters of the property line which should be at 2 meters, according to zoning by-law 177-01;

WHEREAS the recommendation of the planning advisory committee is favourable;

It is

Moved byDr. Jean AmyotteSeconded byInès Pontiroli

AND RESOLVED that the request for the minor derogation is accepted.

Carried

11-07-788 VIOLATIONS– 10 Gingembre Road

WHEREAS construction work not compliant with municipal regulations and was done without a permit at 10, Gingembre Road, property of Mr. Garry Trudeau;

WHEREAS violation notices were sent to the owner in regards to the work that has been done;

WHEREAS delays given to the owner to comply;

WHEREAS the judgment rendered on February 15th 2011;

WHEREAS to this day, the owner is still not complying;

WHEREAS Council acknowledges that there is a violation;

It is

Moved byDr. Jean AmyotteSeconded byJim Coyle

AND RESOLVED THAT the Municipality of Pontiac give Paradis Montpetit Beauchamp the mandate to execute the judgment, thus proceeding with the demolition of the shed.

Carried

11-07-789 VIOLATION – NUISANCES – 300 chemin Tremblay

WHEREAS the nuisance by-law 04-07;

WHEREAS numerous violation notices were sent to the owner, regarding the nuisances;

WHEREAS the judgment rendered by the Municipal Court;

WHEREAS to this day, the owner is still not complying;

WHEREAS this Council acknowledges that there has been a violation;

CONSEQUENTLY, it is

Moved byInès PontiroliSeconded byBrian Middlemiss

AND RESOLVED that this Council authorize the Director of the urban department to transfer this file to our legal advisors for proceedings.

Carried

11-07-790 REQUEST TO THE C.P.T.A.Q – 635 Crégheur – Raymond Bélisle

WHEREAS the object of the request is for the authorization of a usage for other than agricultural purposes on part of lot 2683550 (5000 sq. meters) in order to build a single family dwelling;

WHEREAS the request is in conformity with the zoning by-law 177-01;

WHEREAS Mr. André Bélisle will take over the farm operations for Mr. Raymond Bélisle;

WHEREAS the limited inventory of residential lots;

CONSEQUENTLY, it is

Moved byBrian MiddlemissSeconded byInès Pontiroli

AND RESOLVED THAT this council supports the applicant's request for an authorization for a usage other than agricultural purposes on part of lot 2683550.

Carried

11-07-791 SUBDIVISION – 290, route 366 Ouest – Rémi Larose

WHEREAS the applicant wishes to subdivide part of lot 28A-16, range 13, Township of Onslow in order to create lot 28A-16-4 rang 1, Township of Onslow;

WHEREAS the request is in conformity with the zoning by-law 177-01;

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

CONSEQUENTLY, it is

Moved by	Roger Larose
Seconded by	Brian Middlemiss

AND RESOLVED that council supports the applicant's request as shown in the plan prepared by land surveyor Claude Durocher, under his minutes 2959dated from May 31st 2011

Carried

11-07-792 <u>REQUEST TO THE C.P.T.A.Q. – 101, Parker – Roy Nugent</u>

WHEREAS the object of the request is to obtain authorization for the alienation and use of part of lot 4202457 (part 1, 4 and 5 of the enclosed plan), in order to increase the residential usage and to relocate the existing cottages on one acre lots;

WHEREAS the C.P.T.A.Q.'s file number 365153;

WHEREAS the request is in conformity with the zoning by-law 177-01;

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

CONSEQUENTLY, it is

Moved byRoger LaroseSeconded byJim Coyle

AND RESOLVED THAT this Council authorizes the alienation and use of part of lot 4202457 for other than agricultural purposes.

Carried

11-07-793 REIMBURSEMENT – ROLL NO. 3259-91-8126

WHEREAS chapter 2 of the subdivision by-law no. 178-01, being the provisions relating to parks, playgrounds and natural spaces ;

WHEREAS legal advice from our lawyer Michel Lafrenière dated May 9, 2011 mentions that the municipality may, by way of a by-law, exempt payment of sums required in virtue of the same subdivision by-law no. 178-01 ;

It is

Moved by Roger Larose Seconded by

AND RESOLVED THAT the municipality hereby cancel and reimburse the sums invoiced for parks, playgrounds and natural spaces on invoices no. 872 and 1519 charged to roll no. 3259-91-8126.

Having had no one second the motion, the motion is rejected.

11-07-794 REQUEST TO THE C.P.T.A.Q – 7930 route148 – Rita Kehoe

WHEREAS the object of the request is for an authorization of a usage for other than agricultural purposes on part of lot 1A, range 4, in the Township of Onslow, in order to build a single family dwelling;

WHERAS the request is in conformity with the zoning by-law 177-01;

WHERAS WHEREAS the limited inventory of residential lots;

CONSEQUENTLY, it is

Moved by	Jim Coyle
Seconded by	Roger Larose

AND RESOLVED THAT this council supports the applicant's request for an authorization of a usage for other than agricultural purposes of part of lot 1A, range 4, in the Township of Onslow.

Carried

11-07-795 VIOLATIONS AND LITIGIOUS FILE – 1033 Clarendon street

WHEREAS the dilapidated state of the building;

WHEREAS the judgement rendered by the Superior Court on February 3rd, 2010;

It is

Moved byEdward McCannSeconded byJim Coyle

IT IS RESOLVED THAT the Municipality of Pontiac award the mandate to the firm Paradis-Montpetit-Beauchamp (bailiffs) to carry out the judgement rendered by the Superior Court on February 3rd, 2010, thus proceeding with the demolition of the said building.

Councillor Roger Larose votes against the motion because he believes that the owner should have been notified beforehand by lawyer.

Carried by division

NOTICE OF MOTION

Notice of motion is hereby given by councillor Jim Coyle that at a subsequent council meeting, he intends to present a by-law to modify the zoning by-law 177-01 regarding the usage of recycling and storing automobiles.

11-07-796 <u>PONTIAC CHATS FALLS PARK</u>

WHEREAS the committee for the creation of the Chats Falls Park obtained subsidies for the feasibility study of the Pontiac Chats Falls park;

WHEREAS on a budget of \$165,222.00, the sum of \$5,000.00 is requested on behalf of the municipality;

WHEREAS the importance of the project for the development of the Quyon sector;

It is

Moved byJim CoyleSeconded byDr. Jean Amyotte

AND RESOLVED THAT the municipality agrees to pay the sum of \$5,000.00 from the 2011 and 2012 budget in order to carry out the feasibility study of the Chats Falls park.

Carried

VARIOUS REPORTS AND CORRESPONDENCE

- Tabling of various municipal reports: a) animals;

TABLING OF DOCUMENTS

- Register of the correspondence received in June 2011.

QUESTION PERIOD

11-07-797 ADJOURNMENT OF THE MEETING

It is

Moved by Seconded by

AND RESOLVED to close the meeting at ______ 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».