

**PROVINCE OF QUEBEC
MUNICIPALITY OF PONTIAC**

MINUTES of the regular municipal council meeting held on Tuesday, October 11, 2011 at 8:00 p.m. at the Luskville Community centre, situated at 2024, route 148, Pontiac.

Those who were present :

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

EXCUSED ABSENCE: Dr. Jean Amyotte, pro-mayor.

Also present the director general and several ratepayers.

The meeting began at 8:05 p.m.

FLOOR OPEN TO PUBLIC

- | | |
|----------------|--|
| Harold McKenny | - Complaint on the methods used by employees in the urban department |
| Nancy Maxsom | - Waiting for a response to her e-mail regarding the public consultation |
| Gilles Gagnon | - Requests a 3-month delay, not able to reach engineers |

11-10-870

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 September 13th and that of the special meetings on September 6 and 27, 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 October
 - 5.5 Bad debts
 - 5.6 Adjustments – transfers to the municipality
 - 5.7 Invoice list for the Kelly Fund
 - 5.8 Filing of comparative statements of revenue and expenses to 30 September 2011
 - 5.9 Notice of motion - Code of Ethics
 - 5.10 Excess equipment- sale
 - 5.11 Notice of motion – by-law to abrogate the borrowing by-law no. 06-16
- 6. Public security**
 - 6.1 Fire Committee
- 7. Public works**
 - 7.1 Residual balance – by-law no.05-10 « by-law to decree a loan and expense of \$81,600.00 for paving Cedarvale road
 - 7.2 Estimate – maintenance of the skating rink at Davis Park
 - 7.3 Repairs – truck no. 100
 - 7.4 Notice of motion – By-law concerning the use of off-road vehicles on municipal roads
- 8. Hygiène du milieu – Public hygiene**
 - 8.1

- 9. Urbanisme et zonage – Urban renewal and zoning**
 - 9.1 Request to the CPTAQ 216 des Hauts Vents
 - 9.2 Violation - 97 Cedarvale
 - 9.3 Request to CPTAQ 1175 Lac-Des-Loups
 - 9.4 Violation- 169 Pêcheurs
 - 9.5 By-law 01-11 regarding usage class C-6
 - 9.6 Request to the CPTAQ- 1926 route 148
 - 9.7 Request to the C.P.T.A.Q. – 30, chemin Elm – Thomas Tracey
 - 9.8 Subdivision – 3281, route 148 – Roy Nugent
 - 9.9 Suvdivision – 71 et 63, chemin du Village – Kevin Crombie
 - 9.10 Request to the C.P.T.A.Q.– 3281, route 148 – Roy Nugent
- 10. Recreation and culture**
 - 10.1 Request from the Bochi Ball Club
 - 10.2 Municipal boat launch and docks
- 11. Miscellaneous**
 - 11.1 Thanks for the donation of the walkers- Mrs. Cécilia Smith
- 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 September 2011
- 14. Question period**
- 15. Closing of meeting**

It is

Moved by Lynne Beaton
 Seconded by Inès Pontiroli

AND RESOLVED to adopt the agenda with the following modifications :

Addition : 6.2 Notice of motion – by-law regarding peace and order within the limits of the municipality

Withdrawal : 5.8 Filing of comparative statements of revenue and expenses to 30 September 2011

Carried

11-10-871

ADOPTION OF THE MINUTES OF THE REGULAR MEETING HELD ON SEPTEMBER 13TH AND THAT OF THE SPECIAL MEETINGS HELD ON SEPTEMBER 6TH AND 27TH 2011

Moved by Inès Pontiroli
 Seconded by Lynne Beaton

AND RESOLVED to adopt the minutes of the regular meeting held on September 13th 2011 and that of the special meetings held on September 6th and 27th 2011

Carried

11-10-872

BUDGETARY TRANSFERS (October 2011)

It is

Moved by Inès Pontiroli
 Seconded by Brian Middlemiss

AND RESOLVED THAT the municipality carry out the budgetary transfers as described on the attached list in the amount of \$ **28,373.00**.

Carried

11-10-873

LIST OF INVOICES TO PAY

Moved by Lynne Beaton
Seconded by Inès Pontiroli

AND RESOLVED THAT this Council authorizes the payment of invoices amounting to **\$31,127.27** (see appendix in file no.102-102) for the period ending September 30th, 2011 and to debit budget posts related to the expenses mentioned on said list.

Carried

11-10-874

LIST OF FIXED EXPENSES

Moved by Inès Pontiroli
Seconded by Roger Larose

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 **\$329,698.06** (see appendix) for the period ending October 1, 2011 and to debit related budget accounts for the expenses mentioned on said list.

Carried

11-10-875

LIST OF INCURRED EXPENSES FOR THE MONTH OF OCTOBER 2011

Moved by Inès Pontiroli
Seconded by Lynne Beaton

AND UNANIMOUSLY RESOLVED to accept the incurring expenses that appear in appendix A (see file 102-102), for a total amount of **\$ 34,815.93** taxes included.

Carried

11-10-876

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>
2149-92-2501	\$ 1,188.04
2237-79-9129	320.41
2441-69-4229	20.12
2541-58-0422	1,641.60
2542-32-2459	3,113.48
2856-74-2909	181.90
3242-16-1404	168.77
3443-34-6057	338.07
2542-16-7773	
TOTAL	\$ 6,972.39

Carried

11-10-877

ADJUSTMENTS – TRANSFERS TO THE MUNICIPALITY

It is

Moved by Roger Larose
 Seconded by Inès Pontiroli

AND RESOLVED THAT the municipality accepts the revenue adjustment to the following accounts:

<u>Roll number</u>	<u>Amount</u>
2338-77-1090	\$ 1.27 -
2541-79-5929	378.72
3745-17-8554	1.21 -
3941-92-9781	1.71 -
4040-68-0793	1.32 -
4339-81-1687	62.13 -
5032-77-4572	0.56 -
5032-88-6349	0.56 -
5032-68-6164	0.56 -
5032-84-3564	0.56 -
5033-80-0878	0.56 -
	<u>\$ 308.28</u>
5132-06-7878	\$ 0.56 -
4738-45-2788	0.05 -
5134-52-0502	18.37
5132-06-1413	124.20 -
5032-95-8242	118.92 -
4641-86-8017	2.42
4641-89-3798	2.44
4839-42-1970	0.08 -
4933-86-5254	35.90
2541-45-4114	209.60
2541-55-0188	211.51
	<u>\$ 236.43</u>
	<u>\$ 544.71</u>

Carried

Councillor Jim Coyle arrives at the meeting at 8:15 p.m.

11-10-878

PURCHASE – KELLY FUND

It is

Moved by Brian Middlemiss
Seconded by Jim Coyle

AND RESOLVED to pay the invoice in the amount of \$350.00 to Ergo-Santé for the purchase of a walker, and the invoice of \$ 20.47 to Polo Vélo for cable and handle for maintenance on the walkers. The sum is to be taken from the Kelly fund, as provided for in the agreement.

Carried

NOTICE OF MOTION

Councillor Inès Pontiroli hereby gives notice of motion, that a by-law will be presented concerning the code of ethics applicable to the municipal elected representatives.

11-10-879

SALE – EXCESS EQUIPMENT

It is

Moved by Jim Coyle
Seconded by Inès Pontiroli

AND RESOLVED THAT the municipality authorizes the director general to request offers for the sale of vehicle # 25-V-2 (cube van).

Carried

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 that aims at abrogating the borrowing by-law no. 06-16 – two pumper tanker trucks.

11-10-880

FIRE COMMITTEE

It is

Moved by Jim Coyle
Seconded by Roger Larose

AND RESOLVED THAT the municipality appoints the mayor, the director general, the chief of the fire department, as well as the acting mayor and the councillor of ward 4 to the working committee, to work on the agreement with the Pontiac Firefighters Association.

Carried

NOTICE OF MOTION

Notice of motion is hereby given by councillor Roger Larose that at a subsequent council meeting he intends to present a by-law aiming to modify the by-law on peace and order within the limits of the municipality

11-10-881

RESIDUAL BALANCE – BORROWING BY-LAW NO. 05-10 – ASPHALTING CEDARVALE ROAD

WHEREAS the Municipality of Pontiac has completely fulfilled the obligation of by-law no. 05-10 at a lower cost than that which was initially foreseen;

WHEREAS the true cost of the work totals \$63,800.00;

WHEREAS a part of the sum borrowed, being \$63,800.00 was a permanent loan;

WHEREAS there is a balance of \$17,800 not incurred from the \$81,600.00 borrowed, which was approved by the Ministry of Municipal Affairs and cannot be utilized for other purposes;

CONSEQUENTLY, it is

Moved by Jim Coyle
Seconded by Inès Pontiroli

AND RESOLVED :

THAT the amount of the expense for by-law no. 05-10 be reduced by \$17,800.00 leaving a balance totalling \$63,800.00 to be financed.

THAT the amount of the loan for by-law no. 05-10 be reduced by \$17,800.00, for a total \$63,800.00.

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

Carried

11-10-882

MAINTENANCE OF THE SKATING RINK - DAVIS PARK

It is

Moved by Jim Coyle
Seconded by Inès Pontiroli

AND RESOLVED THAT the municipality proceed with a call for tenders for the maintenance of the Davis park skating rink for 2011-2012.

Carried

11-10-883

REPAIRS – TRUCK #100

It is

Moved by Jim Coyle
Seconded by Inès Pontiroli

AND RESOLVED THAT the director of public works is authorized to have repairs done to the truck no. 100 as requested, by the lowest bid received (3 quotes requested).

Carried

NOTICE OF MOTION

Notice of motion is hereby given by councillor Roger Larose that at a subsequent council meeting he intends to present a by-law concerning the use of off-road vehicles on municipal roads.

11-10-884

REQUEST TO THE C.P.T.A.Q – 216, chemin des Hauts-Vents – Michel Binette

WHEREAS the request remains an authorization for a usage other than agricultural purposes on part of lot 2755778 in order to build a single family dwelling;

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

WHEREAS the owner wishes to continue the agricultural usage of the land;

WHEREAS the inventory of residential lots is limited;

CONSEQUENTLY, it is

Moved by Brian Middlemiss
Seconded by Inès Pontiroli

AND RESOLVED that this council supports the applicant's request remaining an authorization for a usage other than agricultural purposes on part of lot 2755778.

Carried

11-10-885

VIOLATION – 97 Cedarvale

WHEREAS construction work, not in compliance with the permit request has been done;

WHEREAS the historic of the file:

June 9 th 2006	-	Permit for adding a car port
June 26 th 2007	-	Permit renewal for car port
May 31 st 2011	-	Violation notice
Jun 14 th 2011	-	Violation notice
August 18 th 2011	-	30-day delay Violation letter

WHEREAS informal discussions regarding the impossibility of building a garage attach to the house;

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

WHEREAS Council acknowledges that there is a violation;

It is

Moved by Jim Coyle
Seconded by Inès Pontiroli

IT IS RESOLVED that the Municipality of Pontiac gives authorisation to the director of the urban department, Mrs. Isabelle Côté, to transmit the file of 97 Cedarvale to our legal advisors for proceedings.

Councillor Roger Larose votes against the motion.

Carried on a divided vote

Councillor Roger Larose steps out at 8:27 p.m., conflict of interest.

11-10-886

REQUEST TO THE C.P.T.A.Q – 1175, chemin du Lac-Des-Loups

WHEREAS article 105 of the by-law of P.T.A.A

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

WHEREAS the Municipality is presently reviewing its urban development regulations and wishes for the expansion of the village along highway 148 in order to allow new businesses

CONSEQUENTLY, it is

Moved by Jim Coyle
Seconded by Lynne Beaton

AND RESOLVED that this council supports the applicant's request remaining an authorization for a usage other than agricultural purposes on part of lot 234.

Carried

Councillor Roger Larose returns at 8:30 p.m.

11-10-887

VIOLATION – 169 Des Pêcheurs

WHEREAS during the regular meeting held on February 8th 2011, Council adopted resolution # 11-02-555;

WHEREAS said resolution gave an additional delay of 6 months for the owner to obtain required permit and finish work related to said permits;

WHEREAS since March 23rd 2005, the Municipality has done everything in its power to guide the owner during the process in order to be in compliance;

WHEREAS to this day, the owner did not follow-up on the Municipality's request in order to be in conformity;

WHEREAS Council acknowledges that there is a violation;

It is

Moved by Inès Pontiroli
Seconded by Lynne Beaton

AND RESOLVED that the Municipality of Pontiac authorizes Mrs. Isabelle Côté, director of urban services, to transfer the file of 169 des Pêcheurs to our legal councillors for procedures.

Councillor Roger Larose votes against the motion.

Carried on a divided vote

11-10-888

BY-LAW N^o 01-11 Entitled : «AMENDMENT TO ZONING BY-LAW 177-01 to modify specification grid and zoning plan PZ-01, in order to prohibit usage class C6 in zone 40 and authorizing said usage in zone 41».

WHEREAS the Municipality of Pontiac is governed by the *Municipal Code* and the *Act respecting land use, planning and development*;

WHEREAS the Municipal Council has adopted by-law number 177-01, which came into force in March 2002;

WHEREAS the Municipal Council wishes to prohibit from the agricultural zone, the usage of class “C6 – automobile recycling business” which is included in zone 40 of zoning plan PZ-01;

WHEREAS this council judges it more appropriate to include class “C6- automobile recycling business”, in a non- agricultural territory, such as zone number 41;

WHEREAS notice of motion of the present by-law was duly given at a regular Council meeting held on July 12th 2011;

CONSEQUENTLY, it is

Moved by Jim Coyle
Seconded by Inès Pontiroli

AND RESOLVED THAT THE PRESENT DRAFT BY-LAW NUMBER 01-11 OF THE MUNICIPALITY OF PONTIAC DECREES AND ORDERS THE FOLLOWING:

ARTICLE 1 :

The zoning plan of zoning By-law no. 177-01 is modified to prohibit usage class C6- automobile recycling business, in zone 40 and to add it to zone 41;

ARTICLE 2 :

The zoning plan of zoning By-law no. 177-01 is modified to exclude usage class C6- automobile recycling business, from agricultural zone number 40 and to include it to zone 41;

ARTICLE 3

The By-law will come into force following the accomplishment of formalities foreseen by law.

Councillor Brian Middlemiss votes against the motion.

Carried on a divided vote

11-10-889

REQUEST TO THE C.P.T.A.Q. – 1926, route 148 – Pierre Crevier

WHEREAS the request pertains to an authorization of the usage of part of lot 2683458 for other than agriculture purposes, in order to build a single family dwelling;

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

WHEREAS the owner wishes to continue the agricultural usage of the land;

WHEREAS the inventory of residential lots is limited;

CONSEQUENTLY, it is

Moved by Brian Middlemiss
Seconded by Inès Pontiroli

AND RESOLVED THAT this council supports the applicant's request for an authorization of the usage of part of lot 2683458 for other than agriculture purposes.

Carried

11-10-890

C.P.T.A.O – 30, Elm road

WHEREAS the applicant wishes to subdivide lot 2 683 769, having an area of 7 204.8 square meters and lot 4 687 238 having an area of 207.1 square meters;

WHEREAS part of lot 2 683 769 has an area of 5000 square meters which benefits from acquired rights;

WHEREAS it is necessary to request an authorization for usage other than agricultural (residential), on part of lot 2 683 769 and on lot 4 687 238, for a total of 2 411.9 square meters;

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 Brian Middlemiss
Seconded by Roger Larose

AND RESOLVED that council supports the applicant's request for the subdivision and the alienation of lots 2 683 769 and 4 687 238.

Carried

11-10-891

SUBDIVISION 3281, route 148 – Roy Nugent

WHEREAS the applicant wishes to subdivide part of lot 2 682 483, that is 4 656,7 square meters and 8 294,0 square meters;

WHEREAS these two lots will be joined to form one lot;

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 Inès Pontiroli

AND RESOLVED that council supports the applicant's request as shown in the plan prepared by land surveyor Michel Fortin, under his minutes 22138 dated September 9th 2011

Carried

11-10-892

SUVDIVISION - 71 et 63, chemin du Village – Kevin Crombie

WHEREAS the applicant wishes to join 2 683 066 and 2683 079 in order to create lot 4 912 023 of a surface area of 2 911.0 sq meters.

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 Inès Pontiroli

AND RESOLVED that council supports the applicant's request as shown in the plan prepared by land surveyor Richard Fortin, under his minutes 8812 dated August 15th 2011.

Carried

11-10-893

C.P.T.A.O – 3281, route 148 – Roy Nugent

WHEREAS the applicant wishes to subdivide part of lot 2 682 483, that is 4 656,7 square meters and 8 294,0 square meters;

WHEREAS the owner wishes to join these two plots to form one lot, where the residence is already located;

WHEREAS the plot of 8 294,0 is located in agricultural zoning;

WHEREAS this plot is not favourable for agriculture since it is located in a medium risk mass movement zone;

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 Inès Pontiroli

AND RESOLVED that council supports the applicant's request as shown in the plan prepared by land surveyor Michel Fortin, under his minutes 22138 dated September 9th 2011

Carried

11-10-894

CHEST FOR BOCCI CLUB

It is

Moved by Lynne Beaton
Seconded by Jim Coyle

AND RESOLVED THAT the municipality grant financial assistance to the Luskville bocci club in the amount of \$500 (max.) for the fabrication of a chest to store their equipment at the Luskville park.

Carried

11-10-895

MUNICIPAL BOAT LAUNCH AND DOCKS

WHEREAS the need to correct the sand bar encroachment into the boat launch and dock areas;

WHEREAS the need to modify and repair the existing boat launch and wharf infrastructure;

WHEREAS the need to reconfigure the existing floating docks and their anchorage system;

WHEREAS the need for a professional analysis of all these requirements, so as to prepare « tender specifications » and obtain « provincial department approvals »;

THEREFORE, it is

Moved by Jim Coyle
Seconded by Inès Pontiroli

AND RESOLVED THAT council authorize the director general to retain the services of a qualified firm, specializing in « water lot » infrastructure and rehabilitation.

IT IS FURTHER RESOLVED THAT the director general arrange a meeting with the necessary personnel from Environment Quebec, to ensure their cooperation.

Carried

11-10-896

DONATION OF WALKERS- MRS. CECILIA SMITH

It is

Moved by Jim Coyle
Seconded by Lynne Beaton

AND RESOLVED THAT the municipality hereby thank Mrs. Cécilia Smith for the donation of 2 walkers to the Kelly Fund.

Carried

VARIOUS REPORTS AND CORRESPONDENCE

- Tabling of various municipal reports: a) animals;

TABLING OF DOCUMENTS

- Register of the correspondence received in September 2011.

QUESTION PERIOD

- Barry Marfleet - Question about the river water levels and repairs to the dock; who is in charge of regulating water levels?
- Mo Laidlaw - Various questions regarding correspondence

11-10-897

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».