

**PROVINCE OF QUEBEC
MUNICIPALITY OF PONTIAC**

MINUTES of the special municipal council meeting held on Tuesday, December 15, 2015 at 6:30 p.m. at the Town Hall, situated at 2024 route 148, Pontiac. Those who were present:

Roger Larose, Mayor, Brian Middlemiss, Pro-Mayor and Councillors Nancy Draper-Maxsom, Thomas Howard, Inès Pontiroli, and Edward McCann.

Also present: Benedikt Kuhn, Director General, Ginette Chevrier-Bottrill, Assistant Director General and Dominic Labrie Head of Department - Communications and Assistant to the Directorate General.

Absence: Dr. Jean Amyotte

The meeting began at 6:30 p.m.

FLOOR TO THE PUBLIC AND QUESTION PERIOD

James Eggleton

- Asks for clarification on the by- laws concerning the sale of surplus assets
- Would like to know the reason why Mr. McCann is against the resolution regarding the quarries and sandpits
- Questions about work on de la Baie road

15-12-2611

ADOPTION OF THE AGENDA

1. Floor to the public and question period
2. Adoption of the agenda
3. MTQ – Drainage
4. Sale of surplus assets
5. Contract for the collection of residual materials
6. Equipment purchase for painting road lines
7. Additional mandate for the cleaning and inspection of the sewer line network in the Quyon sector
8. Office closure - Holidays
9. Public question period
10. Closing of the meeting

It is

Moved by: Edward McCann

Seconded by: Thomas Howard

AND RESOLVED to adopt the agenda as prepared and read.

Carried

15-12-2612

AGREEMENT WITH THE MTQ CONCERNING THE DRAINAGE FOLLOWING REPAIRS ON HIGHWAY 148

WHEREAS repairs to be done by the Quebec Department of Transportation, on highway 148 between Terry-Fox and Maple roads may have a negative impact on the drainage downstream from the project;

WHEREAS the MTQ has committed to conducting an engineering study allowing to mitigate the impact that the work will have on the drainage;

It is

Moved by : Brian Middlemiss

Seconded by : Inès Pontiroli

AND RESOLVED THAT the following agreement be approved :

- The MTQ is responsible for conducting an engineering study that will serve to determine, quantify, prioritize and to resolve problem areas (worsened) of the proposed drainage downstream from the project, that is, those having the potential to cause damage to municipal property or infrastructures. This deliverable must include all of the documents necessary for the completion of the work to be carried out by the municipality;
- The municipality is responsible for all related work needed on the municipal drainage network below highway 148 and within the project limits;
- As part of the present agreement, the MTQ promises to pay the following costs:
 - o The total cost of the engineering study;
 - o The total cost of the work related to problem areas (worsened) resulting entirely from the project;
 - o 25% of the cost of the work related to problem areas (worsened) resulting from initial design or construction that proves to be inadequate.

This agreement does not relieve the MTQ of its responsibilities under the Civil Code regarding potential consequences of drainage modifications caused by the present project.

IT IS ALSO RESOLVED that this resolution abrogates the resolutions 15-08-2470 and 15-05-2367.

Carried

Councillor Mrs. Nancy Draper-Maxsom steps away from the table.

15-12-2613

SALE OF SURPLUS ASSETS

WHEREAS the Municipal Council has announced its will to dispose of the following assets: 1987 Chevrolet Suburban van, 1989 International Cube Van, 1982 Western Star C 1500 and 1996 Champion grader;

WHEREAS a notice for the sale of surplus assets has been published in Le Droit, the Pontiac Journal and on the Web;

WHEREAS the Municipality has received at least 3 proposals for each vehicle:

It is

Moved by: Thomas Howard
Seconded by: Brian Middlemiss

AND RESOLVED to award the vehicles to the highest bidder, that is:

- 1987 Chevrolet Suburban van to Mr. André Hamel for the amount of \$550.00, plus applicable taxes;
- 1989 International Cube Van to Mr. André Hamel for the amount of \$575.00, plus applicable taxes;
- 1982 Western Star C 1500 to Mr. Melvin Maxsom for the amount of \$1 253.86, plus applicable taxes ;
- 1996 Champion grader to Mr. Barclay Stewart for the amount of \$13 901.03, plus applicable taxes.

The vote is requested. The Mayor exercises his right to vote:

For: Thomas Howard	Against: Inès Pontiroli
Brian Middlemiss	Edward McCann
Roger Larose	

Councillors Mrs. Inès Pontiroli and Mr. Edward McCann vote against the resolution because they are not at ease with the process.

Councillor Mrs. Nancy Draper-Maxsom returns to the table.

15-12-2614

CONTRACT FOR THE COLLECTION OF RESIDUAL MATERIALS - RELEASE TRANSACTION

WHEREAS following the call for tenders # 14-03, the Municipality of Pontiac awarded the contract for the collection of residual materials to Location Martin-Lalonde for the period beginning June 1, 2014 and ending on May 31, 2018;

WHEREAS both parties disagree regarding the interpretation and the execution of the contract;

WHEREAS aside from the disagreement regarding the interpretation of the contract, unforeseen work has been necessary and will continue to be necessary until the termination of the contract;

WHEREAS both parties wish to prevent a dispute regarding the nature and value of the unforeseen work as well as the interpretation and the execution of the contract;

WHEREAS the municipal Council adopted the resolution # 15-08-2476 in order to support the termination process of the contract for the collection of residual materials and that the said resolution provided a maximum amount for adjustment;

WHEREAS a tentative agreement took place between the Municipality and Location Martin-Lalonde, on December 11, 2015;

WHEREAS both parties wish to confirm in writing the terms and conditions of their agreement, especially regarding the termination of the contract;

WHEREAS the Municipality needs time to review its regulation, to prepare a quote which will meet the needs of the population, it must calculate the allocation of costs in a fair manner and issue a new call for proposals;

WHEREAS this tentative agreement makes it possible to remunerate the contractor for the unforeseen work, to continue collecting the residual materials to the Municipality's satisfaction and to terminate the contract on May 31, 2016;

It is

Moved by: Brian Middlemiss
Seconded by: Nancy Draper-Maxsom

AND RESOLVED to authorize the Mayor and the Director General to sign the proposed transaction ratifying the tentative agreement reached on December 11, 2015, all for a maximum amount of \$45,000.00, plus taxes, until December 31, 2015, as well as an amount of \$3,750.00, plus taxes, per month until the termination of the contract (May 31, 2016).

Carried

15-12-2615

MANDATE FOR THE CLEANING AND INSPECTION OF THE SEWER LINE NETWORK IN THE QUYON SECTOR – MUTUAL AGREEMENT

WHEREAS it is necessary to complete an intervention plan for our water and sewer networks in order to be entitled to subsidies under the Gas Tax Program and Quebec contribution (TECQ) of \$1.7M for the years 2014-2018;

WHEREAS the mandate for cleaning/inspecting done at the beginning of December, required much more effort than anticipated, this caused by the fact that the network has been poorly maintained since its construction;

WHEREAS in the past, the network has only been cleaned on a short section and that a regular cleanup is necessary in order to avoid blockage and backflow problems;

WHEREAS it is necessary to conduct video inspections and cleaning of our sewer network;

WHEREAS no bids were received to fully carry out this mandate at our last call for tenders in September;

WHEREAS we negotiated with Clear Water Works Inc. and we have agreed to complete a partial inspection program in order to provide a minimum of data to the MAMOT to obtain approval for the intervention plan. This approval will give us access to financial assistance under the TECQ Program;

WHEREAS up to 20% of the amount provided by the TECQ can be used elsewhere on the territory of the Municipality, either for roads or other projects;

WHEREAS the fulfillment of this mandate will provide important data for the analysis of the network's potential, to welcome residential development projects as well as limits to possible transformations to the wastewater treatment network, particularly with respect to the septic sludge treatment capacity, given the network infiltration problems;

It is

Moved by: Edward McCann
Seconded by: Brian Middlemiss

AND RESOLVED THAT the municipal council accepts the Director of Infrastructure and Public Works' recommendation and awards a mandate to Clear Water Works Inc. on an hourly basis, for a maximum amount of \$25, 000.00, taxes included, this amount to be taken from the unappropriated surplus

Carried

15-12-2616

OFFICE CLOSURE - HOLIDAYS

WHEREAS the Municipality's offices will be closed from December 24, 2015 to January 4, 2016;

WHEREAS the Global Compensation Policy for managers provides leave on Christmas Day and New Year's Day only;

CONSEQUENTLY, it is

Moved by: Edward McCann
Seconded by: Inès Pontiroli

AND RESOLVED THAT, for the 2015-2016 Holiday period only, we derogate from the Global Compensation Policy for managers, so that December 24, 2015 and January 2, 2016 also be paid leave.

Carried

15-12-2617

LEAVE FOR MANAGEMENT

WHEREAS some of the management have not been able to take their vacations in 2015 due to summer work and staff shortages;

WHEREAS the Global Compensation Policy for managers normally provides that these vacations cannot be forwarded to the following year;

It is

Moved by: Edward McCann
Seconded by: Thomas Howard

AND RESOLVED that we allow management to take their remaining leave before January 31, 2016.

Carried

PUBLIC QUESTION PERIOD

15-12-2618

ADJOURNMENT OF THE MEETING

It is

Moved by: Thomas Howard
Seconded by: Nancy Draper-Maxsom

AND RESOLVED to close the meeting at 7:30 p.m. having gone through the agenda.

Carried

MAYOR

DIRECTOR GENERAL

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