



Municipalité de | Municipality of

Pontiac

**PROVINCE OF QUEBEC
PONTIAC COUNTY**

MINUTES of the special Council meeting of the Municipality of Pontiac held on Wednesday July 19, 2023, at 6:30 p.m. at the Luskville Community Centre located at 2024 route 148, at which were present:

Mr. Roger Larose, Mayor, and Councillors, Mrs. Diane Lacasse, Mr. Garry Dagenais, Mr. Serge Laforest and Mrs. Chantal Allen.

Also present, Mr. Mario Allen, Acting Director General.

Excused absences: Dr. Jean Amyotte and Mrs. Caryl McCann, Councillors

1. OPENING OF THE MEETING/NOTICE OF MEETING

In accordance with Section 157 of the Municipal Code, Mr. Roger Larose, President, notes the presence of all Council members and proceeded with the opening of the meeting. The meeting begins at 7:30 p.m.

2. FLOOR TO THE PUBLIC AND QUESTIONS

No question.

3. ADOPTION OF THE AGENDA

1. Opening of the meeting
2. Floor to the public and questions
3. Adoption of the agenda
4. Temporary replacement - receptionist/office clerk position
5. Resolution of support - domestic wastes
6. Notice of motion - concerning light maintenance service on private roads open to the public by tolerance
7. Tabling of draft bylaw 08-23
8. Hiring - blue collars
9. Resolution of support - track and field development project - Pontiac High School
10. Purchase of a used ten-wheeler garbage truck
11. Purchase of a twelve-wheeler garbage truck
12. Rental of a garbage truck
13. Tabling of the letter of interest from Logements Outaouais and CHAL - Luskville seniors' residence project

23-07-5030





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14. Public question period

15. Closing of meeting

IT IS MOVED BY the Mayor, Roger Larose and seconded by Councillor Serge Laforest.

AND RESOLVED to adopt the agenda as prepared and read.

Carried

23-07-5031

4. TEMPORARY REPLACEMENT - RECEPTIONIST/OFFICE CLERK POSITION

WHEREAS the employees' summer vacation;

WHEREAS the number of white-collar employees is already at a minimum;

WHEREAS in order to provide adequate service to the public, it is necessary to replace employees during the summer vacation and sick leaves;

THEREFORE, it is moved by Councillor Serge Laforest and seconded by Councillor Diane Lacasse.

AND RESOLVED THAT the Municipality of Pontiac temporarily hires Ms. Agnès Perrier, on call, as a replacement for the positions of Clerk-Receptionist/Office Clerk, for the summer vacation period and sick leaves for the period from July 19, to December 19, 2023, at the hourly rate of \$21.47.

Carried

23-07-5032

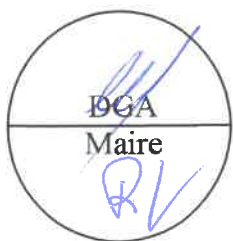
5. RESOLUTION OF SUPPORT - DOMESTIC WASTES

WHEREAS the company incorporated under number 9231-6082 Québec Inc., is located in the Municipality of Litchfield in the MRC Pontiac;

WHEREAS the site includes a sorting platform for CRD materials, a decontamination plant for asbestos-contaminated materials and an engineered landfill site for construction waste;

WHEREAS they have obtained ministerial authorization for the LET in June 2021;

WHEREAS, for the time being, this authorization allows them to receive construction, demolition and renovation materials;



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THEREFORE, it is moved by Councillor Diane Lacasse and seconded by Councillor Chantal Allen.

AND RESOLVED THAT the Municipality of Pontiac supports the company 9231-6082 Quebec Inc. to receive our domestic waste.

THAT a copy of this resolution be sent to the MRC des Collines-de-l'Outaouais and to their local municipalities for their support.

Carried

6. NOTICE OF MOTION

Notice of motion is given by Councillor Garry Dagenais of Ward 3 of the Municipality of Pontiac, to the effect that there will be adoption of the bylaw 08-23 concerning light maintenance service on private roads open to the public by tolerance.

7. TABLING OF THE DRAFT BYLAW 08-23 CONCERNING LIGHT MAINTENANCE SERVICE ON PRIVATE ROADS OPEN TO THE PUBLIC BY TOLERANCE

WHEREAS, in accordance with section 70 of the Municipal Powers Act (R.S.Q., C. c-47.1), a local municipality may maintain a private road open to the public by tolerance of the owner or occupant, upon request of a majority of owners or occupants of immovables served by a private road;

WHEREAS under section 244.1 of the Act respecting municipal taxation (R.S.Q., F-2.1), a local municipality may finance services it offers to the population by means of a fee structure;

WHEREAS there are several private roads on the territory of the Municipality of Pontiac;

WHEREAS the Municipality of Pontiac wishes to offer the owners or occupants of properties served by a private road light maintenance service for said roads, at the request of the owners;

WHEREAS, however, the Municipality of Pontiac wishes to establish the conditions applicable for light maintenance service for such private roads;

WHEREAS a notice of motion was duly given at the regular council meeting held on xxx 2023;



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WHEREAS the landfill can technically receive all kinds of waste, including domestic waste;

WHEREAS the commitment of the MRC des Collines-de-l'Outaouais in the regional search for a recovery solution as an alternative to landfill;

WHEREAS we don't yet know which recovery solution will come out of the regional consultation, but we recognize that any recovery solution will include a landfill component;

WHEREAS the statement in the PGMR 2024-2031 to the effect that the MRC des Collines-de-l'Outaouais is in favour of setting up a waste treatment facility outside its territory;

WHEREAS LET of 9231-6082 Québec Inc. fully meets this condition;

WHEREAS the proximity of our Municipality with the MRC Pontiac;

WHEREAS the distance from Edelweiss transfer station to the MRC Pontiac;

WHEREAS with the LET of 9231-6082 Québec Inc., the travelling distance for our waste will be much shorter;

WHEREAS this will result in a significant gain in terms of carbon fees and at the same time, we will find ourselves paying much less for transport;

WHEREAS a site in the MRC Pontiac will have a significant impact on our MRC's carbon fees and on the finances of the various municipalities;

WHEREAS, while we await the next regional recycling solution, this site can therefore reduce the bill for managing our waste ;

WHEREAS in the event of a regional solution, the site will still be there to deal with the landfill component of any recovery solution;

WHEREAS to be able to receive our domestic waste, 9231-6082 Québec Inc. needs our support through a clearly stated intention;

WHEREAS the legal adjustments (sect. 53.27, Environmental Quality Act) with the Ministry of the Environment required to allow domestic waste to be received could easily be finalized;



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Building or dwelling:

Any building with one or more dwellings, as well as any commercial building.

Property :

Includes any land or building in the private domain where the public does not have access.

Owner or occupant:

The owner or occupant of any Immovable located on the territory of the Municipality, as designated on the property assessment roll. When several persons are co-owners of an Immovable, these persons are deemed, for the purposes of this bylaw, to constitute a single owner.

Private land :

Refers to any parcel of land that is privately owned and to which the public does not have access.

Light maintenance service :

Consists of resurfacing roads, reprofiling ditches, pruning trees, mowing shoulders.

Emergency work:

Emergency work carried out by or under the management of the Municipality to guarantee access to buildings from the designated or problematic roadway. Emergency work is required when the physical condition or structure of the roadway presents a danger to maintenance personnel or equipment. Emergency work cannot be required following spring flooding within the 0-20-year and 0-100-year recognized flood zones.

Private road :

A private road within the meaning of this bylaw is a road for motor vehicle traffic that meets the following conditions:

- Is located on the Municipality's territory;
- Is non-municipalized and directly connected to a municipal or provincial road, or to a private road already maintained under the terms of this bylaw;
- Is open to the public by tolerance of the owner or occupier of the Immovable on which the road is situated;
- Is accessible at all times;
- Is free of obstructions across the existing width of the road;
- Is free of obstructions for a height of five (5) metres;
- In the case of a dead end, the road must provide a roundabout at its end or a place to make a turn;



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THEREFORE, it is moved by Councillor xx and seconded by Councillor xx .

AND RESOLVED THAT the Council decrees and adopts the following:

SECTION 1 : PREAMBLE

The preamble of this bylaw forms an integral part of it.

SECTION 2 : PURPOSE OF THE BYLAW

The purpose of this bylaw is to determine the conditions for the provision by the Municipality, for light maintenance service on private roadways open to the public by tolerance of the owner, or occupant, upon request of a majority of the owners or occupants along the roadway.

More precisely, this bylaw allows:

- A. To determine the terms and conditions of payment for such services provided to the owners and beneficiaries concerned;
- B. To promote informed decision-making, following established rules and procedures;
- C. To avoid any ambiguity regarding cost-sharing for work performed;
- D. To promote fairness in all requests for maintenance of private roads open to the public by tolerance.

SECTION 3 : DEFINITIONS

For the purposes of this bylaw, the following words and phrases shall mean:

Municipality : Refers the Municipality of Pontiac.

Immovable : The term "immovable" is used in this bylaw to mean any immovable within the meaning of Article 900 of the Civil Code of Quebec, namely:

" The following are Immovables: land, constructions or works of a permanent nature located thereon, and everything that is an integral part thereof ". A serviced immovable is an Immovable that directly overlooks a private road.



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- Is at least one hundred (100) metres long and serves at least four (4) Immovables on which at least one (1) building per Immovable is located.

Representative : An individual or non-profit association that will act as an intermediary for private road applicants in the application process and during the light maintenance service.

Maintenance costs : In the case of maintenance carried out by the Municipality, maintenance costs shall mean an amount determined by the Municipality. In the case of maintenance carried out by a private contractor, maintenance costs shall mean the cost of the contract agreed between the Municipality and the contractor, plus ten percent (10%) for administration fees.

SECTION 4 : MANDATORY CONDITIONS OF THE ROADS CONCERNED

Only private roads (hereinafter referred to as "roads") that are open to the public by permission of the owner or occupant may be the subject of a request for light maintenance services.

The road in question must meet all the following conditions:

- Be on the Municipality's territory;
- Be non-municipalized and directly connected to a municipal or provincial road, or to a private road already maintained under the terms of the present bylaw;
- Be open to the public by tolerance of the owner or occupant of the Immovable on which the road is located;
- Be accessible at all times;
- Be free of obstructions across the existing width of the road;
- Be free of obstructions for a height of five (5) metres;
- In the case of a dead end, the road must provide a roundabout at its end or a place to make a turn. In the event that a turn or roundabout is made on private land or driveways, written authorization from the owners is required stating that the Municipality will not be held responsible for any damage caused by the work done;
- Be at least one hundred (100) metres long and serves at least four (4) Immovables on which at least one (1) building per Immovable is located.



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SECTION 5 : DISCRETION OF THE COUNCIL

Nothing in this bylaw shall be construed as reducing the discretion of the Council with respect to requests for grading and snow removal maintenance services by agents. Council is not required to perform maintenance even if a majority of owners or occupants request it.

Particularly, the Council may terminate a contract for light maintenance services at any time, following a communication with the representative to expose the problem. The Council also retains the discretion of refusing any request made to it, following a communication with the representative to expose the problem, even if such a request has been previously accepted.

The Council therefore reserves the right to carry out the work at its discretion, at the frequency and at the time it deems necessary, according to the following criteria:

- The availability of materials;
- The availability of equipment;
- The availability of contractors to carry out the work;
- The availability of the required resources;
- Availability in the annual schedule.

Council cannot be held responsible for dissatisfaction with the quality of the services provided by the contractor. In such cases, Council will demand that the contractor fulfil its contractual commitments.

SECTION 6 : APPLICATION PROCEDURE FOR LIGHT MAINTENANCE SERVICE

Any representative who wishes to have light maintenance service for a private road must respect the following procedure:

1. Meeting and inspection of the work site: Before submitting a request for grading and snow removal services for a private road, a meeting must be held with a municipal representative to validate the priorities and identify problem areas or areas requiring special attention. A cost analysis will be established following this meeting where the cost of the work as well as a forecast of the amount of taxation must be entered and accepted when the said request is presented, all signed by the majority of the property owners.

If there is more than one owner for the same building, only one signature per building is accepted. Natural or legal persons who are owners of several contiguous or serviced lots are considered as one owner and are only required to sign once.



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To summarize, upon receipt of a compliant request, the Council has full discretion to accept or reject, with or without conditions, in whole or in part, said request for service by formal resolution.

SECTION 7 : EXECUTION AND INTERRUPTION OF WORK

The Municipal Council has the sole right to decide on the choice of the private contractor to carry out the work to be done if the work is not carried out in-house.

In no event shall the Municipality be liable for any damages caused directly or indirectly by the maintenance performed by a contractor, if any.

If the contractor or the Municipality does not comply with the work identified in the contract or agreement and does not perform the work to the satisfaction of the applicants, the representative shall notify the contractor or the Municipality in writing.

If the contractor abandons his contract or declares bankruptcy, the Municipality shall have no obligation to the ratepayer owners of the said road other than to reimburse them at the same time as the following year's property tax for the payment or portion of the payment not used.

SECTION 8 : WORK TO BE CARRIED OUT BY THE OWNER

The inherent work agreed to be done, as well as any other kind of work for which the Municipality will not assume responsibility, shall remain the responsibility of the owners or any other person responsible for the road in accordance with any agreement or contract concluded between them, the Municipality not otherwise assuming any responsibility in this regard. Such work may include:

- Any road signage in accordance with the Road Safety Code in force;
- Any earthwork or mechanized roadway surfacing;
- Any work intended to improve the safety of road users, such as the addition of guardrails and pavement markings;
- Any roadway protection works such as replacement or construction of curbs, shoulders or retaining walls;
- Any engineering fees required to perform the work are at the expense of the applicant(s);
- Any work required by the Municipality to allow safe maintenance;
- All ministerial authorizations and related costs required to carry out the maintenance service.



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2. **Transmission of the request:** All requests for grading and snow removal services must be filed by the representative and signed by the majority (50% + 1) of the owners of the properties served by the private road for which the request is made. The representative must also have a substitute authorized to act in case of absence or incapacity on his part.

The owners of several Immovables served by the same private road shall be deemed to be a single owner for the purposes of each application.

All applications must be received at the offices of the Municipality located at:

Municipality of Pontiac
2024, route 148
Pontiac, Quebec J0X 2G0

The form must be received no later than APRIL 30th of the current year.

Applications received after this date will not be considered for the current year, but for the following year.

3. **File analysis:** The municipal administration will validate the names of the owners registered on the property assessment roll and the Public Works Department will verify if the private road meets the admissibility requirements.

If any criteria are not met, the application may be rejected.

Required documents:

- Application form for grading and snow removal services duly completed and signed by the majority of the applicants;
 - Estimate of the cost of the work performed by the Municipality or a quote from the contractor.
4. **Confirmation of acceptance or rejection of the application:** Confirmation or rejection of the application is done by resolution of the Municipal Council. The details of the work to be carried out may be discussed with the contractor and will be fully described in the resolution authorizing or rejecting the said work as well as a contract to be concluded between the Municipality and the contractor, if the Municipality does not carry out the said work.



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The Municipality may, at its discretion, combine the maintenance of two or more private roads for the purpose of calculating the compensation rate. The rates shall be assessed annually to the owners of the Immovables served at the same time as the property tax.

If the Municipality owns property served by the private road, the Municipality shall also pay its share of the maintenance cost.

SECTION 11 : DURATION OF THE MAINTENANCE CONTRACT

The default term of the light maintenance service contract shall be determined and detailed in the council resolution. The Municipality reserves the right to terminate the agreement at its sole discretion upon thirty (30) days notice.

SECTION 12 : NON-LIABILITY OF THE MUNICIPALITY

Under no circumstances shall the Municipality be held responsible for any damage caused directly or indirectly to the private road, land or buildings served by the private road, by the maintenance performed.

SECTION 13 : COMPLAINT PROCEDURE FOR PRIVATE ROAD MAINTENANCE

In the event of dissatisfaction with the maintenance work, the representative shall inform the Municipality in detail and in writing. In the case of work carried out by a contractor, according with the decision of the Municipality, the Municipality is the client and is the only party involved with the contractor.

SECTION 14 : COMING INTO FORCE

This bylaw shall come into force in accordance with the Law.

23-07-5033

8. HIRING - BLUE COLLAR

WHEREAS the need for manpower in the Public Works Department;

WHEREAS the recommendations of the Director of the Public Works Department;

THEREFORE, it is moved by Councillor Diane Lacasse and seconded by Councillor Garry Dagenais.



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SECTION 9 : INSURANCE

The Municipality may require, as a mandatory document for a compliant application for grading and snow removal services, liability insurance in force, in the minimum amount of \$2,000,000. Where applicable, such insurance shall include the Municipality as an additional insured.

SECTION 10 : PRICING

The final costs of the work performed shall be subject to the imposition of a compensation established annually under the terms of the bylaw adopted to set the rate of taxes, rates and compensation as well as the conditions of their collection.

The tax shall be calculated based on the net cost of the service rendered based on the contractor's tender or the Municipality's cost estimate, which shall accompany the application provided for in Section 6 - step 3.

This compensation shall be required and collected annually at the same time as the property tax and distributed equally to each property served.

The fee shall be calculated on the net cost of the final work performed based on the bids or quotations received, plus 10% administrative fees, all in accordance with the municipal pricing bylaw in force.

At the discretion of the Municipality, the cost of maintaining a private roadway may be:

- A. Be paid entirely by the Municipality from its own funds pursuant to a resolution of the Municipal Council duly passed to that effect for winter and/or summer maintenance; **OR**
- B. Be entirely subject to compensation established annually in the taxation bylaw establishing the tax rates and fees for services, following a resolution of the Municipal Council duly adopted to this effect; **OR**
- C. Be paid in part by the Municipality and be compensated in part by a resolution of Council duly passed to that effect.

For B and C, the compensation rate is calculated as the share of the maintenance costs of a private road to be paid by compensation, divided equally between the number of Immovables served.



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THEREFORE, it is moved by Councillor Serge Laforest and seconded by Councillor Diane Lacasse.

AND RESOLVED to proceed with the purchase of a used ten-wheeler garbage truck with Yellowheads Sales and Leasing in the amount of \$52,170.00, taxes included.

THAT this expenditure be attributed to the borrowing bylaw 02-23, as stipulated.

Carried

23-07-5036

11. PURCHASE OF A TWELVE-WHEELER GARBAGE TRUCK

WHEREAS the call for tenders on the SÉAO for the purchase of a twelve-wheeler garbage truck;

WHEREAS the offer from Centre du Camion Gamache Inc. in the amount of \$231,099.75, taxes included, is compliant with our requests and the most advantageous for the Municipality;

THEREFORE, it is moved by Councillor Garry Dagenais and seconded by Councillor Serge Laforest.

AND RESOLVED to proceed with the purchase of a twelve-wheeler garbage truck with Centre du Camion Gamache Inc. in the amount of \$231,099.75, taxes included.

THAT this expenditure be attributed to the borrowing bylaw 02-23, as stipulated.

Carried

23-07-5037

12. RENTAL OF A GARBAGE TRUCK

WHEREAS the Municipality of Pontiac will manage the garbage collection by itself as of August 14, 2023;

WHEREAS the Municipality will acquire two used garbage trucks;

WHEREAS a third truck is needed to ensure continuity of operations and quality of service to customers;

WHEREAS the rental of a truck on a monthly basis is the most advantageous option ;



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AND RESOLVED to hire the following individual as day labourer, level 1, as of July 19, 2023, according with the terms of the collective agreement:

- Maude Allen

Carried

23-07-5034

9. RESOLUTION OF SUPPORT - TRACK AND FIELD DEVELOPMENT PROJECT - PONTIAC HIGH SCHOOL

WHEREAS the request for support of the Pontiac High School track and field project dated July 6, 2023;

THEREFORE, it is moved by Councillor Chantal Allen and seconded by Councillor Serge Laforest.

AND RESOLVED THAT this Council supports the Pontiac High School track and field projects.

Carried

23-07-5035

10. PURCHASE OF A USED TEN-WHEELER GARBAGE TRUCK

WHEREAS the call for tenders by invitations for the purchase of a used ten-wheeler garbage truck;

WHEREAS the offers received:

Supplier	Price, taxes included
Yellowheads Sales and Leasing	\$52,170.00
Toronto Auto Sales	\$79,094.35
Wekan Holdings Ltd. DBA Burnaby Repo.com	\$61,992.00
Aces Integrated Mechanical	\$96,495.00
Aces Integrated Mechanical	\$99,960.00

WHEREAS the offer from Yellowheads Sales and Leasing in the amount of \$52,170.00, taxes included, is compliant with our requests and the most advantageous for the Municipality;



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THEREFORE, it is moved by Councillor Serge Laforest and seconded by Councillor Diane Lacasse.

AND RESOLVED to proceed with the rental of a garbage truck from Camions Excellence Peterbuilt Inc. in the amount of \$1,850.00 per week, plus \$8.25 per hour, plus environmental fees and insurance, for a total of approximately \$2,200.00 per week.

THAT this expenditure be affected to budget items 02 45112 446 and 02 45212 446 .

Carried

13. TABLING OF THE LETTER OF INTEREST FROM LOGEMENTS OUTAOUAIS AND CHAL - LUSKVILLE SENIORS' RESIDENCE PROJECT

14. PUBLIC QUESTION PERIOD

No question.


23-07-5038

9. CLOSING OF MEETING

IT IS MOVED BY Councillor Garry Dagenais and seconded by Councillor Serge Laforest.

AND RESOLVED to close the meeting at 8:14 p.m. having gone through the agenda.

Carried


Louis-Alexandre Monast
Assistant Director General, Clerk
and Secretary-treasurer


Roger Larose
Maire

« 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».