

TOWNSHIP OF MCKELLAR

Council Meeting Minutes

October 6, 2014

Present: Reeve Peter Hopkins and Councillors Tamara Black, Jim McColl, Jury Naklowych and Ted Stroud

Staff: Clerk Administrator, Shawn Boggs

Moved by: T. Black

Seconded by: J. McColl

14-285 That the Township of McKellar accept the minutes of the September 15, 2014 Council meeting as circulated.

Carried

VISITORS: Ms. Rose Peters was present to address Council regarding cell towers and to raise awareness of the health issues created by living in close proximity to cell towers and to request that the community be selective in planning where and if cell towers will be permitted to be located. Ms. Peters also provided Council with some background materials from various studies on the effects of radio frequency radiation. Reeve Hopkins thanked Ms. Peters for her presentation.

Moved by: Jury Naklowych

Seconded by: T. Black

14-286 That the Township of McKellar hereby go into Committee of the Whole at 6:50 p.m.

Carried

REPORTS

Councillor Black gave a verbal Recreation Committee report. Councillor Stroud gave a verbal Belvedere Heights Board report. Reeve Hopkins reported on the September EDC meeting, September 18th EMS meeting, September 17th REDAC meeting, September 29th Health Centre Municipal meeting, September 22nd Planning Board meeting, and the September 29th District Municipal meeting. Reeve Hopkins also thanked the MLCA and all of their volunteers for undertaking the water testing program again this year. Reeve's Report on file.

Committee recommended that motions be considered to support AMO's "Double Hatter" position, send representation to the Parry Sound Active Transportation Committee Ontario by Bike workshop, Town of Parry Sound public forum on creating healthy and vibrant communities and granting access across unopened road allowance for Lot 12, Concession 5.

Moved by: J. McColl

Seconded by: Jury Naklowych

14-287 That the Committee of the Whole rise and report at 7:38 p.m.

Carried

Moved by: Jury Naklowych

Seconded by: Ted Stroud

14-288 That the Township of McKellar accept the September 4, 11, 17 and 25th Accounts Payable reports and payroll run No. 628, 629, 630, 631, 632 and 634 in the amount of \$745,391.14.

Carried

Moved by: J. McColl

Seconded by: T. Black

14-289 That the Township of McKellar reimburse Councillor Naklowych and Peter Hopkins for expenses incurred for attendance at the September 18, 2014 EMS Committee meeting.

Carried

October 6, 2014

Moved by: Jury Naklowych
Seconded by: T. Black

14-290 That in addition to the winter maintenance presently provided, the Corporation of the Township of McKellar hereby agree to provide winter maintenance, the nature and extent of which will be determined by the Public Works Superintendent, for the municipally owned roads and distances attached in Schedule "A" for the 2014-2015 winter season only, **provided that** said roads have at least a minimum width of 20m as determined by survey, have a turning radius at the end of the road or stipulated distance satisfactory to the Public Works Superintendent, and have permanent residents residing thereon on a year round basis as determined by the Clerk Administrator. If these conditions do not exist at time of winter ploughing, then the Township of McKellar will not provide winter maintenance on said roads. It is understood that Council is under no obligation to continue this program in the future.

It is further understood there is no obligation on Council to convert a municipally owned seasonally maintained road to a year-round maintained road nor is there any obligation on Council to assume presently "unassumed" municipally owned roads. Council, at its sole discretion, will provide maintenance on the roads named in Schedule "A" as Council determines based on maintenance needs and the Township of McKellar's financial capabilities. As presently, there will be no municipal maintenance provided for Fire Routes (unless on a municipal road allowance opened at the sole discretion of the municipality on its own volition without any request from an outside source), private roads, streets, avenues, roads, drives, crescents, circles, laneways, driveways, municipal road allowances opened by private individuals, nor for any other roads which do not appear in Schedule "A".

For the purpose of determining what constitutes a permanent resident, a permanent resident shall be defined as a person who's permanent lodging place to which, whenever absent, he or she intends to return, is located in the Township of McKellar. A person may only have one residence at a time. The place where a person's family resides is also his or her residence, unless he or she moves elsewhere with the intention of changing his or her permanent lodging place. Resolution Nos. 2013-299 and 2013-317 are hereby rescinded.

Carried

Moved by: T. Black
Seconded by: J. McColl

14-291 That the Township of McKellar appoint David Gignac to the Volunteer Fire Department.

Carried

Moved by: T. Black
Seconded by: J. McColl

14-292 That the Township of McKellar authorize the McKellar Recreation Committee to host a youth sewing day camp on Friday, Nov. 21, during business hours. One instructor will be present, and parents will be welcomed.

Carried

Moved by: T. Black
Seconded by: J. McColl

14-293 **WHEREAS** the training and certification of professional firefighters is established and mandated by the Province of Ontario under the *Fire Protection and Prevention Act, 1997*;
AND WHEREAS it is the responsibility of municipalities to establish fire departments and appoint fire chiefs to provide fire protection services as they determine may be necessary in accordance with their needs and circumstances;

AND WHEREAS many Ontario municipalities rely on both full time and volunteer firefighters in order to provide fire protection;

AND WHEREAS the International Association of Fire Fighters (“IAFF”) Constitution prohibits full time firefighters from volunteering as firefighters in another municipal jurisdiction (i.e. “Double Hatting”);

AND WHEREAS the IAFF’s stance on Double Hatting is specifically prohibited by legislation in almost all provinces in Canada and much of the United States;

AND WHEREAS a volunteer firefighter in the Innisfil Fire and Rescue Service is challenging the IAFF ban on Double Hatting and their expulsions from that union because of his desire to continue volunteering while being employed as a full-time firefighter in another jurisdiction;

AND WHEREAS the right of individuals to use their free time in service of their community is a fundamental right in a free, open and democratic society.

NOW THEREFORE BE IT RESOLVED that the Council of the Township of McKellar requests that the Province of Ontario amend the *Fire Protection and Prevention Act, 1997* with respect to salaried firefighters who also work as volunteer firefighters, such that if a person is denied membership in an association of firefighters, is expelled or disciplined by the association or engages in reasonable dissent within the association in connection with this kind of dual role, the association is not permitted to require the employer to refuse to employ the person as a salaried firefighter, terminate his or her employment as a salaried firefighter or refuse to assign the person to fire protection services.

Carried

Moved by: Ted Stroud
Seconded by: Jury Naklowych

14-294 That the Township of McKellar authorize the 2014 contribution of \$5,000 towards the West Parry Sound Health Centre Health Human Resources Retention and Recruitment initiative.

Carried

Moved by: Jury Naklowych
Seconded by: Ted Stroud

14-295 That the Township of McKellar authorize the Reeve to attend the Ontario by Bike Workshop on October 22, 2014. Costs to be paid.

Carried

Moved by: J. McColl
Seconded by: T. Black

14-296 That the Township of McKellar authorize access to Lot 12, Concession 5 across the unopened road allowance between Concession 4 and 5 subject to the owners entering into an unopened road allowance improvement agreement.

Carried

Moved by: T. Black
Seconded by: Jury Naklowych

14-297 That the Township of McKellar authorize the Reeve to attend the “Help Build a Better Parry Sound Public Forum” on October 16, 2014. Costs to be paid.

Defeated

Moved by: T. Black
Seconded by: J. McColl

14-298 That the Township of McKellar rescind resolution 14-295 regarding authorizing attendance at the Ontario By Bike Network work event.
Carried

Moved by: Jury Naklowych
Seconded by: Ted Stroud

14-299 That the Township of McKellar authorize the Treasurer to attend the Northeast Treasurer's Form in Sudbury on November 5th and 6th. Costs to be paid.
Carried

Moved by: T. Black
Seconded by: J. McColl

14-300 That the Township of McKellar regretfully accept the resignation of Paul Ferguson from the Economic Development Committee effectively immediately. Resolution No. 11-25 is hereby rescinded.
Carried

Moved by: T. Black
Seconded by: J. McColl

14-301 That the Township of McKellar direct all members of Council, including the Reeve, to use the attached "Request For Expenses" form, effective immediately.
YEA: Councillors Black, McColl, Naklowych, Stroud
NAY: Reeve Hopkins
Carried

Moved by: J. McColl
Seconded by: T. Black

14-302 That the Township of McKellar, pursuant to Section 239(2)(b) and (f) of the Municipal Act, S.O. 2001, as amended, move into closed session at 8:45 p.m. to discuss personal matters about an identifiable individual, including municipal or local board employees and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
Carried

Councillor Black declared a pecuniary interest for part of the closed session and vacated her chair and left the room for that part of the meeting during which the matter was under consideration.

Moved by: Ted Stroud
Seconded by: Jury Naklowych

14-303 That the Township of McKellar come out of closed session at 9:03 p.m. and reconvene the meeting.
Carried

Council Meeting Minutes
October 6, 2014

Moved by: Ted Stroud
Seconded by: Jury Naklowych

14-304 That the Township of McKellar accept the reports, recommendations and directions arising from the closed session held October 6, 2014.
Carried

Moved by: T. Black
Seconded by: J. McColl

14-305 That the Township of McKellar regretfully accept the resignation of Kevin Murphy, Public Works Superintendent.

Carried

Moved by: Jury Naklowych
Seconded by: Ted Stroud

14-306 That the Township of McKellar advertise for the position of Public Works Superintendent.

Carried

Moved by: Ted Stroud
Seconded by: Jury Naklowych

14-307 That the Township of McKellar hereby give By-law No. 2014-33, being a by-law to confirm the proceedings of Council, First and Second reading.

Carried

Moved by: T. Black
Seconded by: J. McColl

14-308 That the Township of McKellar hereby give By-law No. 2014-33, being a by-law to confirm the proceedings of Council, Third reading and Passed in Open Council this 6th day of October, 2014.

Carried

Moved by: Ted Stroud
Seconded by: Jury Naklowych

14-309 That the Township of McKellar adjourn to meet again on October 20, 2014 or at the call of the Reeve. Meeting adjourned at 9:06 p.m.

Carried

Reeve

Clerk