

CORPORATION OF THE MUNICIPALITY OF BRIGHTON
COUNCIL MEETING
April 20, 2009

The Council of the Corporation of the Municipality of Brighton met on the above date at 6:30 p.m. in the Council Chambers.

MEMBERS PRESENT: Mayor- Chris Herrington, Councillors Brian Ostrander, Chuck Ward, Emily Rowley, Craig Kerr, Mike Vandertoorn and Dave Cutler

Staff Members: Gayle Frost, CAO; Jim Phillips, Director of Public Works; Ken Hurford, Director of Planning; Linda Widdifield, Director of Finance and Helen Bryant, Administrative Assistant

1. CALL TO ORDER @ 6:30 p.m.

2 APPROVAL OF AGENDA -

RESOLUTION NO. 09-185

Moved by Dave Cutler, seconded by Chuck Ward -That the Municipality of Brighton Council approves the Agenda for the April 20, 2009 Council Meeting subject to the addition of Item 8.2(4) Infrastructure Stimulus Fund

Carried

3 DECLARATIONS OF PECUNIARY INTERESTS & THE GENERAL NATURE THEREOF

Councillor Cutler declared a conflict with Item 7.2 Brighton Library as his spouse was the chair for 2008

Mayor Herrington declared a conflict with Items 7.3 and 7.4 as she is a member of the Carman Church congregation and a conflict with item 11.1 the Accounts as her spouse is the Livestock Valuator

4 STATUTORY PUBLIC MEETING UNDER THE PLANNING ACT - NONE

5. APPROVAL OF COUNCIL MINUTES

1. Council Minutes of April 6, 2009

RESOLUTION NO. 09-186

Moved by Brian Ostrander, seconded by Chuck Ward -That the Municipality of Brighton Council approves the minutes of the Council Meeting of April 6, 2009

Carried

6. PLANNING ISSUES

1. Consent B03-2009 – Carl Chipman, –Part of Lot 3 Conc 1, Part 1 & Part of Part 2 on Plan 38R-3601 - 24 Butler Street West

RESOLUTION NO. 09-187

Moved by Chuck Ward, seconded by Dave Cutler - That the Municipality of Brighton Council grants Consent Application B03-2009 subject to the following conditions:

1. That the severed parcel being Part 1 and Part of Part 2 on Plan 38R-3601 be added to the 32 Butler Street West property (Roll No. 1408 108 050 006-10) and will merge in title;
2. That the lands must conform to Sections 50(3) and 50(5) of the *Planning Act, R.S.O., 1990*, as amended;
3. That all taxes on the severed and retained parcels be in compliance with Municipal requirements prior to the deed being stamped; and
4. That three paper copies and a digital copy of a registerable survey and the appropriate deeds be prepared and deposited with the Municipal Clerk within one year of the granting of consent.

Carried

7. DELEGATIONS

1. County Warden Linda Thompson, CAO Bill Pyatt & Treasurer Jennifer Moore – 2009 County Budget, Strategic Plan and EOWC update.

RESOLUTION NO. 09-188

Moved by Mike Vandertoorn, seconded by Emily Rowley - That the Municipality of Brighton Council receives the information presented from delegation County Warden Linda Thompson, CAO Bill Pyatt & Treasurer Jennifer Moore re: 2009 Northumberland County Budget, Strategic Plan and EOWC update

Carried

2. Joanna Park & Richard Steinginga -Collins Barrow Auditors – Financial Statements

RESOLUTION NO. 09-189

Moved by Craig Kerr, seconded by Emily Rowley - That the Municipality of Brighton Council approves the draft Financial Statements as presented from the Municipal auditors of Collins Barrow

Carried

As Mayor Herrington declared a conflict on the Carman United Church Restorations, Councillor Craig Kerr assumed the chair for this portion of the meeting. Mayor Herrington did not take part in the discussions or vote on the matters.

3. Peter Stewart re: Carman United Church Restoration

RESOLUTION NO. 09-190

Moved by Brian Ostrander, seconded by Mike Vandertoorn - That the Municipality of Brighton Council receives the information presented from delegation Peter Stewart re: Carman United Church Restoration and refer to the Committee of the Whole.

Carried

5. Ian Kennedy - ACO re: Carman United Church Restoration

RESOLUTION NO. 09-191

Moved by Emily Rowley, seconded by Craig Kerr - That the Municipality of Brighton Council receives the information presented from delegation Ian Kennedy – ACO re: Carman United Church Restoration

Carried

Mayor Herrington reassumed the chair.

8. STAFF UPDATES

1. Jim Millar – Director of Parks & Recreation

- 1) Tender #2009-10 - 2009 Model 60-inch Gasoline Powered Zero-turn Radius Mower

RESOLUTION NO. 09-192

Moved by Emily Rowley, seconded by Craig Kerr - That the Municipality of Brighton Council approves the recommendations from the Director of Parks and Recreation to award Tender #2009-10 for a 2009 model 60-inch gasoline powered zero-turn radius mower to Bob Mark of Campbellford Ontario for the total cost of \$11,978.00 including taxes

Carried

- 2) Tender #2009-11 – New Evaporative Condenser for King Edward Park Arena

RESOLUTION NO. 09-193

Moved by Dave Cutler, seconded by Chuck Ward - That the Municipality of Brighton Council approves the recommendation from the Director of Parks and Recreation to award Tender #2009-11 to supply and install one new evaporative condenser for King Edward Park Arena to Black and McDonald Ltd of Stoney Creek, ON for the total cost of \$38,184.30 including taxes

Carried

2. Jim Phillips – Director of Public Works

- 1) Elevator – 35 Alice Street

RESOLUTION NO. 09-194

Moved by Chuck Ward, seconded by Dave Cutler - That the Municipality of Brighton Council directs staff to submit an application to the Small Projects Enabling Accessibility for \$50,000 for funding to replace the elevator at 35 Alice Street
And that staff be directed to submit an application to the Small Projects Enabling Accessibility program and to the Ontario Trillium Foundation.

Carried

- 2) By-Law 020-2009 -Site Plan Agreement with 692536 Ontario Limited (O/A Applefest Lodge)

RESOLUTION NO. 09-195

Moved by Brian Ostrander, seconded by Dave Cutler - That the Municipality of Brighton Council gives By-Law 020-2009 its first, second and third reading and finally passed this date:

BEING A BY-LAW TO AUTHORIZE THE MAYOR AND THE CLERK TO EXECUTE A SITE PLAN AGREEMENT BETWEEN THE CORPORATION OF THE MUNICIPALITY OF BRIGHTON AND 692536 ONTARIO LIMITED REGARDING AN ADDITION TO APPLEFEST LODGE SITUATED IN PART OF LOT 34, CONCESSION “A” BEING PARTS 2,3,4,7,8 AND 9 ON PLAN 38R-1753.

Carried

Brian Ostrander	Yea	Emily Rowley	Yea
Mike Vandertoorn	Nay	Chuck Ward	Nay
Chris Herrington	Nay		

Yeas 3 Nay 4

defeated

2. Councillor Brian Ostrander
 - 1) Community Centre use for Benefit Dance/Auction

RESOLUTION NO. 09-203

Moved by Brian Ostrander, seconded by Craig Kerr -That the Municipality of Brighton Council waives the fee for the use of the community centre for a benefit dance to support a local resident in their efforts to raise funds for healthcare expenses not covered by the provincial health system, currently scheduled for May 30, 2009

Carried

Councillor Cutler asked staff to prepare a policy on the use of municipal property. CAO Frost stated this would be done as the policies are under review.

3. Mayor Herrington
 - 1) Appointment to QWBHAC

RESOLUTION NO. 09-204

Moved by Dave Cutler, seconded by Chuck Ward - That the Municipality of Brighton Council appoints Reverend Michael Calderwood to the Quinte West Brighton Healthcare Advisory Committee

Prior to voting on **Resolution No. 09-204**, the following amending motion was put forward

RESOLUTION NO. 09-205

Moved by Dave Cutler, seconded by Chuck Ward - That the Municipality of Brighton Council amends the motion to add that the QWBHAC prepare a Terms of Reference for their committee.

Carried

RESOLUTION NO. 09-204

Moved by Dave Cutler, seconded by Chuck Ward - That the Municipality of Brighton Council appoints Reverend Michael Calderwood to the Quinte West Brighton Healthcare Advisory Committee and that the QWBHAC prepare a Terms of Reference for their committee.

Carried

10. UNFINISHED BUSINESS -

- 1) Appointment of Representative - Invitation to Consult – Great Lakes Vision, Goals & Strategies

RESOLUTION NO. 09-206

Moved by Brian Ostrander, seconded by Chuck Ward -That the Municipality of Brighton Council appoints Councillor Dave Cutler as the representative to the Great Lakes Vision, Goals & Strategies

Carried

11. RESOLUTIONS & BY-LAWS –

1. Approval of Accounts

RESOLUTION NO. 09-207

Moved by Dave Cutler, seconded by Chuck Ward -That the Municipality of Brighton Council approves the payment of the accounts listed on the cheque listings dated April 16, 2009 for \$ 105,612.22 as paid.

Carried

2. By-Law 021-2009 - Adopt Tax Rates for 2009

RESOLUTION NO. 09-208

Moved by Dave Cutler, seconded by Chuck Ward – That the Municipality of Brighton Council gives By-Law 021-2009 its first, second and third reading and finally passed this date:

BEING A BY-LAW TO PROVIDE FOR THE ADOPTION OF TAX RATES FOR 2009 AND TO FURTHER PROVIDE FOR PENALTY AND INTEREST IN DEFAULT OF PAYMENT THEREOF

Carried

3. By-Law 022-2009 - By Law to Authorize Temporary Borrowing

RESOLUTION NO. 09-209

Moved by Mike Vandertoorn, seconded by Craig Kerr –That the Municipality of Brighton Council gives By-Law 022-2009 its first, second and third reading and finally passed this date:

BEING A BY-LAW TO PROVIDE AUTHORIZE TEMPORARY BORROWING FROM TIME TO TIME TO MEET CURRENT EXPENDITURES DURING THE FISCAL YEAR ENDING DECEMBER 31, 2009

Carried

12. REPORTS OF ADVISORY COMMITTEES OF COUNCIL

1. Emergency Planning – Mar 27/09

RESOLUTION NO. 09-210

Moved by Emily Rowley, seconded by Craig Kerr – That the Municipality of Brighton Council approves the report from Emergency Planning - Mar 27/09

Carried

2. Committee of the Whole – Apr 14/09

RESOLUTION NO. 09-211

Moved by Craig Kerr, seconded by Emily Rowley – That the Municipality of Brighton Council approves the report from the Committee of the Whole – Apr 14/09

Carried

Councillor Cutler declared a conflict on Item 13.1 and did not take part in any discussions or vote on the matter

13. REPORTS OF STATUTORY COMMITTEES, BOARDS & EXTERNAL AGENCIES

1. Brighton Library – Mar 25/09

RESOLUTION NO. 09-212

Moved by Brian Ostrander, seconded by Chuck Ward – That the Municipality of Brighton Council receives the report from the Brighton Public Library – Mar 25/09

Carried

14. CORRESPONDENCE

1. Coaches Association of Ontario – Declare April 18 – 26th as Ontario Coaches Week

RESOLUTION NO. 09-213

Moved by Craig Kerr, seconded by Emily Rowley - That the Municipality of Brighton Council supports the Correspondence from the Coaches Association of Ontario to Declare April 18th – April 26th as Ontario Coaches Week

Carried

2. DBIA – Permission to use Memorial Park for concerts on Saturdays for the summer of 2009

RESOLUTION NO. 09-214

Moved by Chuck Ward, seconded by Dave Cutler - That the Municipality of Brighton Council supports the Correspondence from the DBIA requesting permission to use Memorial Park and the Gazebo for short concerts on Saturdays for the 2009 summer in conjunction with the Farmers' Market remaining on Proctor Street

Carried

3. Community Care – Requesting Financial Support

RESOLUTION NO. 09-215

Moved by Dave Cutler, seconded by Chuck Ward - That the Municipality of Brighton Council supports the Correspondence from Community Care requesting financial support in the amount of \$4,500 to be taken from the hospital donation line in the budget

Carried

4. Quinte Access – Requesting Minimal Operating Increase

RESOLUTION NO. 09-216

Moved by Dave Cutler, seconded by Chuck Ward - That the Municipality of Brighton Council supports the Correspondence from Quinte Access requesting an operating increase of \$1.00 per trip based on 2008 rider-ship statistics which will result in a \$611.00 increase for Brighton

Carried

5. Proclaim April 27th – May 3rd, 2009 as Rail Safety Week

RESOLUTION NO. 09-217

Moved by Mike Vandertoorn, seconded by Craig Kerr

WHEREAS, Rail Safety Week was created in 2003 by Operation Lifesaver and its partners to raise public awareness of the potential dangers at highway/railway crossings and from trespassing on railway property; and

WHEREAS, Operation Lifesaver and its partners will hold their 2009 Rail Safety Public Awareness Week the week of April 27th to May 3rd, 2009; and

WHEREAS, CN Police and CP Police will conduct a safety blitz at the Prince Edward Street crossing in Brighton on April 29th, from 8:00 to 10:00 a.m., to remind motorists and pedestrians about the importance of safety at railway crossings and to warn them about the deadly risks of trespassing on railway tracks and property; and

WHEREAS Railway Safety is a priority in Brighton 365 days of the year;

NOW, THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE MUNICIPALITY OF BRIGHTON DOES HEREBY PROCLAIM APRIL 27TH TO MAY 3RD AS

Rail Safety Week

and we urge all citizens to participate in rail safety awareness and promotion year round.

Carried

15. FYI CORRESPONDENCE

1. National Air Force Museum – Thank You
2. ENSS Track & Field Facility Project
3. Government of Ontario – New Intake Under Communities Component of Building Canada

RESOLUTION NO. 09-218

Moved by Craig Kerr, seconded by Emily Rowley -That the Municipality of Brighton Council receives the FYI Correspondence 1) National Air Force Museum of Canada 2) ENSS Track & Field Facility Project 3) Government of Canada re: New Intake for Applications under the Communities Component of Building Canada

Carried

16. QUESTION PERIOD – Residents & Press

17. IN CAMERA SESSION - NONE

18. CONFIRMATORY BY-LAW NO. 023- 2009

RESOLUTION NO. 09-219

Moved by Chuck Ward, seconded by Dave Cutler-That the Municipality of Brighton Council gives By-Law No. 023-2009 its first, second and third reading and finally passed this date:

BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE MUNICIPALITY OF BRIGHTON MEETING HELD ON APRIL 20, 2009

Carried

19. ADJOURNMENT

RESOLUTION NO. 09-220

Moved by Emily Rowley, seconded by Craig Kerr - THAT the meeting be adjourned, Council to meet again on May 4, 2009 or at the call of the Mayor.

Carried

Christine Herrington, Mayor

Gayle J. Frost, CAO/Clerk