

**CORPORATION OF THE MUNICIPALITY OF BRIGHTON**  
**COUNCIL MEETING**  
**November 16, 2009 at 6:30 p.m.**

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

**Members Present:** Mayor Chris Herrington, Councillors Dave Cutler, Craig Kerr, Brian Ostrander, Emily Rowley, Mike Vandertoorn and Chuck Ward

**Staff Members:** Gayle Frost, CAO; Jim Phillips, Director of Public Works & Environmental Services; Ken Hurford, Director of Planning & Development; Jim Millar, Director of Parks & Recreation; Linda Widdifield, Director of Finance & Administrative Services; and Vicki Kimmett, Deputy Clerk

**1 CALL TO ORDER**

**2 APPROVAL OF AGENDA**

**Resolution No. 2009-547**

Moved by: Councillor Dave Cutler

Seconded by: Councillor Chuck Ward

That the Municipality of Brighton Council approves the Agenda for the November 16<sup>th</sup>, 2009 Council Meeting.

*Carried*

**3 DECLARATIONS OF PECUNIARY INTERESTS & THE GENERAL NATURE THEREOF**

Councillor Brian Ostrander declared that regarding Item 8.1(a), that he attended the meetings of the ENSS Joint Use Project as a private citizen, not as a member of Council.

**4. STATUTORY PUBLIC MEETING- None**

**5. ADOPTION OF COUNCIL MINUTES**

**1. Council Minutes – November 2, 2009**

**Resolution No. 2009-548**

Moved by: Councillor Chuck Ward

Seconded by: Councillor Brian Ostrander

That the Municipality of Brighton Council approves the minutes of the Council Meeting of November 2, 2009 as presented.

*Carried*

**6. PLANNING ISSUES**

**1. Consent Application B14/2009, Applicants Kevin, Michael, Elizabeth & Carl Clitherow**

**Resolution No. 2009-549**

Moved by: Councillor Chuck Ward

Seconded by: Councillor Ostrander

That the Municipality of Brighton Council, based on the review of the consent application, the applicable Official Plan policies, the zoning and the agency comments, grants the Consent application **B14-2009** subject to the following conditions:

1. That the applicants submit a site plan, to the satisfaction of the Municipality of Brighton, the Haliburton, Kawartha, Pine Ridge District Health Unit, Lower Trent Conservation and the County of Northumberland illustrating the location of the existing and proposed dwelling, septic system and well;
2. That the applicants shall register, to the satisfaction of the County of Northumberland, sufficient covenants on the title of the severed and retained portions to protect overland surface water drainage patterns to ensure that drainage from the adjacent County road allowance properties shall remain unimpeded over the properties;
3. That an Environmental Protection (EP) Zone be established, adjacent to the watercourse with a total width of 60 metres, measured as 30 metres each side of the centre line of the watercourse, as requested by Lower Trent Conservation;
4. That the retained parcel, outside of the Environmental Protection (EP) Zone, be rezoned to a special Agricultural Exception zone to recognize the lot area and frontage and to prohibit residential uses;
5. That the severed parcel, outside of the Environmental Protection (EP) Zone, be rezoned to a special Rural Residential Exception Zone, such zone to include the 30 metre setback from the centre line of County Road No. 27, as requested by the County of Northumberland;
6. That all taxes on the severed and retained parcels be in compliance with

- Municipal requirements prior to the deed being stamped; and
7. 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.

***Before voting on the motion, the following amending motion was put on the floor:***

**Resolution No. 2009-550**

Moved by: Councillor Brian Ostrander

Seconded by: Councillor Craig Kerr

That Council amends the motion to remove condition 2:

*(That the applicants shall register, to the satisfaction of the County of Northumberland, sufficient covenants on the title of the severed and retained portions to protect overland surface water drainage patterns to ensure that drainage from the adjacent County road allowance properties shall remain unimpeded over the properties).*

***Carried***

***Council voted on 2009-549 as amended:***

**Resolution No. 2009-549**

Moved by: Councillor Chuck Ward

Seconded by: Councillor Brian Ostrander

That the Municipality of Brighton Council, based on the review of the consent application, the applicable Official Plan policies, the zoning and the agency comments, grants the Consent application **B14-2009** subject to the following conditions, as amended:

1. That the applicants submit a site plan, to the satisfaction of the Municipality of Brighton, the Haliburton, Kawartha, Pine Ridge District Health Unit, Lower Trent Conservation and the County of Northumberland illustrating the location of the existing and proposed dwelling, septic system and well;
2. That an Environmental Protection (EP) Zone be established, adjacent to the watercourse with a total width of 60 metres, measured as 30 metres each side of the centre line of the watercourse, as requested by Lower Trent Conservation;
3. That the retained parcel, outside of the Environmental Protection (EP) Zone, be rezoned to a special Agricultural Exception zone to recognize the lot area and frontage and to prohibit residential uses;
4. That the severed parcel, outside of the Environmental Protection (EP) Zone, be rezoned to a special Rural Residential Exception Zone, such zone to include the 30 metre setback from the centre line of County Road No. 27, as requested by the County of Northumberland;
5. That all taxes on the severed and retained parcels be in compliance with Municipal requirements prior to the deed being stamped; and
6. 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***

2. Consent Application B15/2009, Applicant 1628707 Ontario Ltd. (operating as Stalwood Homes

**Resolution No. 2009-551**

Moved by: Councillor Brian Ostrander

Seconded by: Councillor Dave Cutler

That the Municipality of Brighton Council, based on the review of the consent application, the applicable Official Plan policies, the zoning and the agency comments, grants the Consent application **B15-2009** subject to the following conditions:

1. That all taxes on the severed and retained parcels be in compliance with Municipal requirements prior to the deed being stamped; and
2. 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***

3. Consent Application B16/2009, Applicant Kerry Boehme

**Resolution No. 2009-552**

Moved by: Councillor Mike Vandertoorn  
Seconded by: Councillor Craig Kerr

That the Municipality of Brighton Council, based on the review of the consent application, the applicable Official Plan policies, the zoning and the agency comments, grants the Consent application **B16-2009** subject to the following conditions:

1. That the applicant undertake and complete the works necessary to ensure that each unit has a separate and distinct water service including separate shutoff valves;
2. That all taxes on the severed and retained parcels be in compliance with Municipal requirements prior to the deed being stamped; and
3. 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** - There were no delegations.

8. **STAFF UPDATES**

1. CAO – Gayle Frost

a) ENSS Track and Field Agreement

**Resolution No. 2009-553**

Moved by: Councillor Mike Vandertoorn  
Seconded by: Councillor Craig Kerr

That Council approves the ENSS Track and Field Agreement as presented and authorizes the Mayor and CAO to execute the agreement.

*Carried*

b) DBIA Extension of Boundaries

**Resolution No. 2009-554**

Moved by: Councillor Craig Kerr  
Seconded by: Councillor Emily Rowley

That Council receives the report of the CAO dated November 16, 2009 regarding the DBIA Extension of Boundaries and directs staff to bring forward a by-law to expand the boundaries of the Brighton DBIA at the December 7, 2009 Council meeting.

*Carried*

c) Southern Ontario Development Program Application

**Resolution No. 2009-555**

Moved by: Councillor Craig Kerr  
Seconded by: Councillor Emily Rowley

That Council authorizes staff to submit an application under the Federal Southern Ontario Development Program to improve municipal productivity and service by enhancing the municipal information technology capabilities.

*Carried*

d) Physician Recruitment & Retention Committee Appointment

**Resolution No. 2009-556**

Moved by: Councillor Emily Rowley  
Seconded by: Councillor Craig Kerr

That Council appoints Cynthia Lecours to the Physician Recruitment & Retention Committee to replace Mary Robertson as the Brighton Chamber of Commerce member.

*Carried*

e) Special Assistance Grant – Use of Funds

**Resolution No. 2009-557**

Moved by: Councillor Mike Vandertoorn

Seconded by: Councillor Emily Rowley

That Council authorizes the Special Assistance Grant from the Province of Ontario be applied to the capital works for the King Edward Community Centre.

*Carried*

2. Director of Parks & Recreation – Jim Millar

a) Proposed Marina Fees for 2010

**Resolution No. 2009-558**

Moved by: Councillor Brian Ostrander

Seconded by: Councillor Chuck Ward

That Council receives the report of the Director of Parks and Recreation regarding proposed marina fees for the 2010 boating season and approves the proposed 2010 marina rates.

*Carried*

3. Director of Public Works & Environmental Services – Jim Phillips

a) Mutual Support Agreements with Northumberland County

**Resolution No. 2009-559**

Moved by: Councillor Chuck Ward

Seconded by: Councillor Dave Cutler

That Council approves the passing of a by-law to authorize the Mayor and Clerk to enter into an agreement with Northumberland County for mutual support during an emergency.

*Carried*

**Resolution No. 2009-560**

Moved by: Councillor Craig Kerr

Seconded by: Councillor Emily Rowley

That Council approves the passing of a by-law to authorize the Mayor and Clerk to enter into an agreement with Northumberland County for emergency social services.

*Carried*

4. Director of Finance & Administrative Services

a) Funding Application/Community Comparison Report

**Resolution No. 2009-561**

Moved by: Councillor Dave Cutler

Seconded by: Councillor Chuck Ward

That Council receive the Funding Application/Community Comparison Report, as amended.

*Carried*

**Resolution No. 2009-562**

Moved by: Councillor Chuck Ward

Seconded by: Councillor Dave Cutler

That Council directs staff to invite the MP and MPP to a Council meeting to discuss municipal funding applications.

*Carried*

5. Community Development Officer – Vaughn Finch

1) Olympic Torch Relay

**Resolution No. 2009-563**

Moved by: Councillor Emily Rowley

Seconded by: Councillor Mike Vandertoorn

That Council receives the report of the Community Development Officer regarding the Olympic Torch Relay.

*Carried*

9. **MEMBER REPORTS**

- 1. Councillor Dave Cutler
  - a) Brighton Public School

**Resolution No. 2009-564**

Moved by: Councillor Dave Cutler  
Seconded by: Councillor Chuck Ward

- 1. That Council receives recommendations contained in two resolutions from the minutes of the October 29<sup>th</sup> 2009 Growth Management Advisory Committee meeting as follows:

**Resolution No. GM 09-005**

Moved by: Councillor Craig Kerr  
Seconded by: Mayor Chris Herrington

That the Committee recommend to Council that the Municipality take no further action with regard to the use of Brighton Public School.

**Resolution No. GM 09-006**

Moved by: Mayor Chris Herrington  
Seconded by: Councillor Chuck Ward

That the Committee recommend to Council that they have discussions with the School Board regarding possible archaeological features of the old school to be used in the new school.

***Before voting on the motion, the following amending motion was put on the floor:***

**Resolution No. 2009-565**

Moved by: Councillor Craig Kerr  
Seconded by: Councillor Emily Rowley

That Council amends the motion to change the word ***receives*** to ***supports***.

***Councillor Brian Ostrander called for a recorded vote on the resolution:***

Dave Cutler	Nay	Brian Ostrander	Yea
Mayor Chris Herrington	Yea	Emily Rowley	Yea
Craig Kerr	Yea	Mike Vandertoorn	Yea
		Chuck Ward	Yea
	<b>Yeas</b>	<b>6</b>	
	<b>Nays</b>	<b>1</b>	

***Carried***

***Council voted on Resolution No. 2009-564 on as amended:***

**Resolution No. 2009-564**

Moved by: Councillor Dave Cutler  
Seconded by: Councillor Chuck Ward

- 1. That Council supports recommendations contained in two resolutions from the minutes of the October 29<sup>th</sup> 2009 Growth Management Advisory Committee meeting as follows:

**Resolution No. GM 09-005**

Moved by: Councillor Craig Kerr  
Seconded by: Mayor Chris Herrington

That the Committee recommend to Council that the Municipality take no further action with regard to the use of Brighton Public School.

**Resolution No. GM 09-006**

Moved by: Mayor Chris Herrington  
Seconded by: Councillor Chuck Ward

That the Committee recommend to Council that they have discussions with the School Board regarding possible archaeological features of the old school to be used in the new school.

***Carried***

- 2) Mayor Chris Herrington  
a) Great Lakes and St. Lawrence Cities Initiative

**Resolution No. 2009-566**

Moved by: Councillor Mike Vandertoorn

Seconded by: Councillor Emily Rowley

That the *Great Lakes and St. Lawrence Cities Initiative* report be referred to Council for consideration during the 2010 budget deliberations.

*Carried*

**10. UNFINISHED BUSINESS - None**

**11. BY-LAWS**

1. By-Law No. 056-2009 of the Municipality of Brighton, *being a By-Law to authorize the execution of a Mutual Support Agreement with the County of Northumberland*

**Resolution No. 2009-567**

Moved by: Councillor Brian Ostrander

Seconded by: Councillor Chuck Ward

That the Municipality of Brighton Council gives a By-Law 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 Mutual Support Agreement between the County of Northumberland and the Municipality of Brighton.**

*Carried*

2. By-Law No. 057-2009 of the Municipality of Brighton, *being a By-Law to authorize the execution of an Emergency Social Service Agreement with the County of Northumberland*

**Resolution No. 2009-568**

Moved by: Councillor Emily Rowley

Seconded by: Councillor Craig Kerr

That the Municipality of Brighton Council gives a By-Law its first, second and third reading and finally passed this date:

**Being a by-law to authorize the Mayor and the Clerk to execute an Emergency Social Service Agreement between the County of Northumberland and the Municipality of Brighton.**

*Carried*

**12. REPORTS OF ADVISORY COMMITTEES OF COUNCIL**

1. Committee of the Whole – Minutes, November 9, 2009

**Resolution No. 2009-569**

Moved by: Councillor Chuck Ward

Seconded by: Councillor Dave Cutler

That the Municipality of Brighton Council approves the report of the Committee of the Whole – November 9, 2009.

*Carried*

2. Growth Management Committee – Minutes, October 29, 2009

**Resolution No. 2009-570**

Moved by: Councillor Craig Kerr

Seconded by: Councillor Emily Rowley

That the Municipality of Brighton Council approves the report of the Advisory Committee of Council: Growth Management Committee – October 29, 2009

*Carried*

**13. REPORTS OF STATUTORY COMMITTEES, BOARDS & EXTERNAL AGENCIES**

1. Warkworth Institution Task Force – Minutes, October 27, 2009
2. Brighton Public Library Board – Minutes, September 23, 2009
3. DBIA Board Meeting – Minutes, October 7, 2009
4. Municipality of Brighton Police Services Board – Minutes, September 30, 2009

**Resolution No. 2009-571**

Moved by: Councillor Emily Rowley

Seconded by: Councillor Mike Vandertoorn

That Council receives the reports of Statutory Committees, Boards and External Agencies:

1. Warkworth Institution Task Force – Minutes, October 27, 2009
2. Brighton Public Library Board – Minutes, September 23, 2009
3. DBIA Board Meeting – Minutes, October 7, 2009
4. Municipality of Brighton Police Services Board – Minutes, September 30, 2009

*Carried*

**Resolution No. 2009-572**

Moved by: Councillor Brian Ostrander

Seconded by: Councillor Chuck Ward

That Council refers the recommendation from the Brighton Police Services Board regarding the 3-way stop on Richardson Street to staff for a report.

*Carried*

**14. CORRESPONDENCE**

1. Fred Green, Canadian Pacific & Katharine Schmidt, Food Banks Canada re: Canadian Pacific's Holiday Train

**Resolution No. 2009-573**

Moved by: Councillor Emily Rowley

Seconded by: Councillor Craig Kerr

That Council supports the Correspondence from Fred Green, Canadian Pacific and Katharine Schmidt, Food Banks Canada regarding Canadian Pacific's Holiday Train stop in Brighton on November 30, 2009.

*Carried*

2. Peter Alker re: Track Facilities at ENSS

**Resolution No. 2009-574**

Moved by: Councillor Brian Ostrander

Seconded by: Councillor Dave Cutler

That the Municipality of Brighton Council receives the Correspondence from Peter Alker regarding Track Facilities at ENSS.

*Carried*

3. Margaret Walsh, Reeve, Tyendinaga Township re: Richmond Landfill

**Resolution No. 2009-575**

Moved by: Councillor Brian Ostrander

Seconded by: Councillor Chuck Ward

That Council receives the Correspondence from Margaret Walsh, Reeve of Tyendinaga Township regarding the Richmond Landfill site.

*Carried*

**15. FYI CORRESPONDENCE**

None

**16. QUESTION PERIOD – Residents & Press**

1. Mr. McMurray regarding a problem on Division Street North with the fencing.
2. Nancy Anderson regarding Brighton Public School funding.
3. Mr. McMurray objected to the amount of mail he receives from the M.P. and the waste of money that could be used on constructive things.
4. Nancy Anderson asked why a consultant was not hired to report on the Brighton Public School issue.
5. Mr. Anderson asked why there were still children attending school in the building if it was in such bad shape, requiring demolition.

6. Mr. McMurray asked what impact the harmonized sales tax would have on the municipality.
7. Press: asked what the percentage of increase was for the DBIA.

**17. IN CAMERA SESSION**

1. Quinte Health Care Community Advisory Council Applicants

**Resolution No. 2009-576**

Moved by: Councillor Brian Ostrander

Seconded by: Councillor Dave Cutler

That the Municipality of Brighton Council move into Closed Session to discuss:

1. Quinte Health Care Community Advisory Council Applicants

*Carried*

*The following resolution was passed in the closed session:*

**Resolution No. 2009-577** being a motion to return to open session.

*The following resolution comes from the closed session discussion.*

**Resolution No. 2009-578**

Moved by: Councillor Brian Ostrander

Seconded by: Councillor Mike Vandertoorn

That Council appoints Mr. David Graham as a Brighton representative to the Quinte Health Care Community Advisory Council.

*Carried*

**18. CONFIRMATORY BY-LAW NO. 058-2009**

**Resolution No. 2009-579**

Moved by: Councillor Mike Vandertoorn

Seconded by: Councillor Emily Rowley

That the Municipality of Brighton Council gives a By-Law 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 November 16, 2009.**

*Carried*

**19. ADJOURNMENT**

**Resolution No. 2009-580**

Moved by: Councillor Craig Kerr

Seconded by: Councillor Emily Rowley

That the Municipality of Brighton Council meeting be adjourned at 8:55 p.m., Council to meet again on Monday, December 7, 2009 or at the call of the Mayor.

*Carried*

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Christine Herrington, Mayor

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Gayle J. Frost, CAO/Clerk