

**MINUTES
VILLAGE OF NORTH HATLEY**

JULY 7, 2014

AT A REGULAR MEETING of the Municipal Council at the Community Centre at 7:00 p.m.

PRESENT are the following councillors :

- | | |
|-----------------------------|-------------------|
| 1. Pauline Farrugia | 4. |
| 2. Marcella Davis Gerrish : | 5. |
| 3. Michael Munkittrick | 6. Alain Beaulieu |

ABSENT: Claude Villeneuve

QUORUM is present with Mayor Michael Page presiding.

ALSO PRESENT is Mr. Léonard Castagner, Town Manager and Secretary-Treasurer.

AGENDA

1. Adoption of the Agenda
2. Reports from the mayor and the councillors
3. Question period
4. Adoption of the Minutes of the Regular meeting of June 2nd 2014

CORRESPONDENCE

5. List provided to the members of council

ADMINISTRATION

6. Tabling of the 2013 financial statements
7. Statement of revenues and expenses as at June 30th 2014
8. Authorization to sell the Scooter

URBAN PLANNING, ENVIRONMENT AND SAFETY

9. Permit subject to PIIA guidelines for the 4255, ch. Magog
10. Permit subject to PIIA guidelines for the 830, ch. Sherbrooke
11. Permit subject to PIIA guidelines for the 680, ch. Sherbrooke
12. Permit subject to PIIA guidelines for 55 to 61, rue Main
13. Permit subject to PIIA guidelines for 91 to 99, rue Main
14. Mandate to finalize the preparation of the Special Planning Program (SPP)

INFRASTRUCTURES, ROADS AND SANITATION

15. Mandate to expropriate for a servitude - Lot 4 028 643
16. Award of contract for pond drainage - Sewage treatment plant
17. Contract to determine the remaining capacity of the sewer and water systems

CULTURE AND OTHER

NOTICES OF MOTION AND BY-LAWS

18. Notice of Motion - By-law 2014-579 - By-law providing for special duties in lieu of transfer duties (transfer taxes)

APPROVAL OF PURCHASES

19. Approval of expenses
20. Expenditures over \$5,000

OTHER BUSINESS

21. OTHER BUSINESS
22. Question period
23. Adjournment of meeting

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2014-07-07.01

ADOPTION OF THE AGENDA

UPON PROPOSAL DULY MOVED BY ALAIN BEAULIEU
THE COUNCILLORS UNANIMOUSLY RESOLVE

THAT the Agenda be adopted as submitted.

PASSED

2014-07-07.02

REPORTS FROM THE MAYOR AND THE COUNCILLORS

The mayor and the councillors report on the various cases in which they intervened.

2014-07-07.03

QUESTION PERIOD

Twenty-nine (29) citizens and one journalist are present in the audience.

SPEAKER	SUBJECT
Michael Grayson	Drinking water budget - current situation
Margaret Webster	Is the developer ready for a presentation
Stephen Stafford	Government grant for the fireworks
Ouida Moliner	Request a grant for the fireworks from Patrimoine Canada
Brian Merrett	Wants to understand the process involved with respect to the Laliberté file Create a committee of peers to discuss the project
James Cameron	Wants to see the plans of the Laliberté project Wants to make sure the council did not make decisions before the citizens had a chance to express their opinion
Paul St-Pierre	The preparation of the Special Planning Program before the amendment to the definition of the flood zone
Judith Berlyn	Change regarding the flood zone - what is the procedure
Tom Wilcox	Does the municipality want to redefine the flood zone
Donald Watt	What assurances have been given to Mr. Laliberté and what leverage does the municipality have with respect to making changes to the project
Claude Gendron	Explain the by-laws via the Internet Why can the developer change by-laws but Mr. Gendron can't Water problems, communications
Michael Grayson	Why make a Special Planning Program in advance
Morgan Quinn	The election of the council was the best survey, collaboration is appropriate
Mrs. Gagnon	Flood zone, who determines the zones
Elizabeth O'Connor	In the process, indicate who has the decision-making authority
Paule Obermeir	If we change the status of the zone, what does this mean with respect to construction
Gabriel Moyal	What message are we sending to Mr. Laliberté when accepting the agreement in

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Peter Cuningnham	principle, there are other developers How is the height of the floors and building measured.
Patrick Downey	One hundred and fifty (150) units for seniors, who will be managing this What is the tax advantage for the municipality What is the budget for the expropriation? What are the plans? Mr. Downey does not agree with the procedure. The lot could be the property of the municipality.
Ouida Moliner	Is the MDDEFP aware this area is an old swampy area (village core)
Jacques Campbell	The municipality should increase its budget for fireworks Fireworks close to house Taxes on non-residential buildings, meeting with member of the council Has the rate of flow increased at the dam since the work was done
Michael Grayson	Scowen property, why do we want two (2) acres instead of one (1) Why does the municipality not want to transfer the lot
Annis Karpenko	Response from the Scowen family
James Cameron	Red boat making noise, call the SQ
Tom Wilcox	Water patrol spends more time on non powered boats than on powered boats
David Wilson	Question period postponed to end of meeting

2014-07-07.04 ADOPTION OF THE MINUTES OF THE REGULAR MEETING OF JUNE 2ND 2014

UPON PROPOSAL DULY MOVED BY MARCELLA DAVIS GERRISH
THE COUNCILLORS UNANIMOUSLY RESOLVE

THAT the Minutes of the Regular Meeting of June 2nd 2014 be adopted as submitted.

PASSED

2014-07-07.05 CORRESPONDENCE

The list of correspondence received was provided to the members of the council.

2014-07-07.06 TABLING OF THE 2013 FINANCIAL STATEMENTS

The town manager presents to the Council the financial statements for the year 2013.

2014-07-07.07 STATEMENT OF REVENUES AND EXPENSES AS AT JUNE 30TH 2014

The statement of revenues and expenses as at June 30th 2014 is presented by the town manager.

2014-07-07.08 AUTHORIZATION TO SELL THE SCOOTER

WHEREAS the council put the 1996 Yamaha CY50H Scooter for sale by advertising in the fall 2013 Info-Village issue;

WHEREAS only one person submitted an offer;

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UPON PROPOSAL DULY MOVED BY MICHAEL MUNKITTRICK
THE COUNCILLORS UNANIMOUSLY RESOLVE

THAT the municipal council accept Mr. Alain Larrivée's offer of \$25;

THAT the municipality sell the vehicle without warranty, for parts only.

PASSED

2014-07-07.09

PERMIT SUBJECT TO PIA GUIDELINES FOR THE 4255 CHEMIN MAGOG

WHEREAS the CCUP held a Regular Meeting on June 26th 2014;

WHEREAS Resolution 2014-036 regarding a request for a permit for an addition to the residence on the left side yard at 4255, ch. Magog was passed with the recommendation that the permit be granted by the Town Council;

UPON PROPOSAL DULY MOVED BY ALAIN BEAULIEU
THE COUNCILLORS UNANIMOUSLY RESOLVE

TO accept the recommendation of the CCUP.

PASSED

2014-07-07.10

PERMIT SUBJECT TO PIA GUIDELINES FOR THE 830, CH. SHERBROOKE

WHEREAS Resolution 2014-037 regarding a request for a permit for an addition to the residence on the right side yard at 830, ch. Sherbrooke was passed with the recommendation that the permit be granted by the Town Council;

UPON PROPOSAL DULY MOVED BY ALAIN BEAULIEU
THE COUNCILLORS UNANIMOUSLY RESOLVE

TO accept the recommendation of the CCUP.

PASSED

2014-07-07.11

PERMIT SUBJECT TO PIA GUIDELINES FOR THE 680, CH. SHERBROOKE

WHEREAS Resolution 2014-038 regarding a request for a permit to build a screened-in porch at the back of the building;

WHEREAS the work does not meet the assessment criteria under the site planning and architectural integration by-law of the municipality;

WHEREAS the CCUP recommends that the citizen propose another solution;

UPON PROPOSAL DULY MOVED BY ALAIN BEAULIEU
THE COUNCILLORS UNANIMOUSLY RESOLVE

TO accept the recommendation of the CCUP and ask the citizen to propose another solution.

PASSED

2014-07-07.12

PERMIT SUBJECT TO PIA GUIDELINES FOR 55 TO 61, RUE MAIN

WHEREAS Resolution 2014-039 was passed regarding a project for ambiance lighting of the river from the Restaurant & Bistro le Pilsen;

WHEREAS the project contravenes Article 10 of By-law 2014-576;

WHEREAS the CCUP recommends that council refuse the permit for the lighting project;

UPON PROPOSAL DULY MOVED BY ALAIN BEAULIEU
THE COUNCILLORS UNANIMOUSLY RESOLVE

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TO accept the recommendation of the CCUP.

PASSED

2014-07-07.13

PERMIT SUBJECT TO PIIA GUIDELINES FOR 91 TO 99, RUE MAIN

WHEREAS Resolution 2014-040 was passed regarding an ambiance lighting project at 91 to 99 rue Main;

WHEREAS the project contravenes Article 10 of By-law 2014-576;

WHEREAS the CCUP recommends that council refuse the permit for the lighting project;

UPON PROPOSAL DULY MOVED BY ALAIN BEAULIEU
THE COUNCILLORS UNANIMOUSLY RESOLVE

TO accept the recommendation of the CCUP.

PASSED

2014-07-07.14

MANDATE TO FINALIZE THE PREPARATION OF THE SPECIAL PLANNING PROGRAM (SPP)

WHEREAS the municipality of the Village of North Hatley wants to redevelop the village core area;

WHEREAS the town planning tool required to achieve this redevelopment is the Special Planning Program;

WHEREAS the firm "Les Services EXP inc." has already started working on the preparation;

WHEREAS "Les Services EXP inc." has submitted an offer to complete the work for \$9,900 exclusive of taxes;

UPON PROPOSAL DULY MOVED BY PAULINE FARRUGIA
THE COUNCILLORS UNANIMOUSLY RESOLVE

THAT the contract to complete the preparation of the SPP be given to "Les Services EXP inc." on an hourly rate up to a maximum of \$9,900 plus taxes, subject to the approval of the amendment redefining the flood zone by the proper authorities.

PASSED

2014-07-07.15

MANDATE TO EXPROPRIATE FOR A SERVITUDE - LOT 4 028 643

WHEREAS the municipality owns a sewer pipe which crosses lot 4 208 643 of the Québec cadastre, property of Mrs. Linda Labrecque

WHEREAS this sewer pipe was installed on said lot in the 1990s when the property was owned by the Compagnie de chemin de fer de la Vallée de Massawippi;

WHEREAS, in 1991, the municipality had obtained a permanent servitude guaranteeing the presence of the aqueduct and sewer system on the property of said "chemin de fer" (railroad);

WHEREAS the municipality purchased this lot on August 7, 1997 from the Compagnie du chemin de fer de la Vallée de Massawippi;

WHEREAS the municipality, on November 13, 1997, sold lot number 1613-1 of the Canton de Hatley cadastre to Mr. James Ross, Mrs. Mary Lynn Boys and Mrs. Shirley Stevenson without however reserving a servitude for the passage of the sewer pipe on the lot at the time;

WHEREAS on April 29, 2005 Mrs. Mary Lynn Boys sold said lot to Mr. Patrick Downey and Mrs. Linda Labrecque;

WHEREAS the present owners of said property object to the presence of the sewer pipe and demand that the municipality remove it from its property;

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WHEREAS this sewer services properties located inside the municipality limits as well as some located in the neighbouring municipality, Canton d'Hatley, under an inter-municipal agreement;

WHEREAS the survey work was carried out by Mr. Michel Gauthier, land surveyor, on March 12, 2014, as stated under number 3147 of his minutes;

WHEREAS on January 30th 2014 or thereabouts the representatives of the municipality met with the owners Mr. Patrick Downey and Mrs. Linda Labrecque for the purpose of obtaining their agreement to a servitude for the passage of the sewer line;

WHEREAS the owners' response is negative;

WHEREAS the municipality has no other choice than to proceed by expropriation;

UPON PROPOSAL DULY MOVED BY MARCELLA DAVIS GERRISH
THE COUNCILLORS UNANIMOUSLY RESOLVE

WHEREAS the "WHEREAS" clauses are an integral part of the present resolution;

THAT the municipality purchase through mutual agreement or expropriation a permanent servitude for the passage of the existing sewer line over a width of 10 metres touching a part of lot 4 028 643 of the Quebec cadastre, land registry district of Stanstead, municipality of the Village of North Hatley, all being more fully described in the plan and technical description prepared by the land surveyor Mr. Michel Gauthier on March 12, 2014, under number 3147 of his minutes;

THAT the municipality authorize Mr. Paul Bureau, notary, of Delorme Le Bel Bureau Savoie, s.e.n.c., to begin expropriation proceedings in accordance with the law and represent the municipality in this case;

THAT the secretary-treasurer, Mr. Léonard Castagner, send a certified copy of this resolution to the municipality of the Canton de Hatley and to the "ministère du développement durable, de l'environnement et des parcs" (Dept. of Sustainable Development, Environment and Parks) to advise them of the decision of Council.

PASSED

2014-07-07.16

AWARD OF CONTRACT FOR POND DRAINAGE - SEWAGE TREATMENT PLANT

WHEREAS the municipality issued invitations to tender for drainage work and disposal of sludge from the sewage plant located at 50, rue Laprise;

WHEREAS the municipality has received proposals from:

BIDDER	AMOUNT PROPOSED
	(inclusive of taxes)
Newalta	Declined to bid
ADSR environnement	\$42,679.98 + taxes

WHEREAS the proposal from the least expensive bidder meets the specifications;

WHEREAS the town manager has made a recommendation;

UPON PROPOSAL DULY MOVED BY PAULINE FARRUGIA
THE COUNCILLORS UNANIMOUSLY RESOLVE

TO award the contract for the drainage work and the disposal of sludge from the sewage plant to "ADSR environnement" according to the unit prices submitted.

PASSED

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2014-07-07.17 CONTRACT TO DETERMINE THE REMAINING CAPACITY OF THE MUNICIPAL SEWER AND WATER SYSTEMS

WHEREAS the municipality must know the capacity of the existing water and sewer systems;

WHEREAS the firm "Les Services EXP inc." has the competence and has submitted a proposal;

UPON PROPOSAL DULY MOVED BY ALAIN BEAULIEU
THE COUNCILLORS UNANIMOUSLY RESOLVE

THAT the council retain the services of the firm "Les Services EXP inc.", on an hourly basis up to a maximum of \$8,500 plus taxes, to assess the remaining capacity of the water and sewer systems ;

THAT the mayor and the town manager be authorized to sign any document necessary for this resolution to become effective.

PASSED

2014-07-07.18 NOTICE OF MOTION - BY-LAW 2014-579 - BY-LAW PROVIDING FOR SPECIAL DUTIES IN LIEU OF TRANSFER DUTIES (TRANSFER TAXES)

I, MICHAEL MUNKITTRICK, give notice that a By-law 2014-579 - By-law providing special duties in lieu of transfer duties (transfer taxes) will be presented for adoption at a future meeting.

2014-07-07.19 APPROVAL OF EXPENSES

UPON PROPOSAL DULY MOVED BY PAULINE FARRUGIA
THE COUNCILLORS UNANIMOUSLY RESOLVE

THAT the expenses listed on the statement presented on July 7th 2014 by the Treasury Department be approved for payment.

Regular expenses at July 7th 2014:	\$91,640.36
Pre-authorized payment :	\$39,709.87

PASSED

2014-07-07.20 EXPENDITURES OVER \$5,000

UPON PROPOSAL DULY MOVED BY PAULINE FARRUGIA
THE COUNCILLORS UNANIMOUSLY RESOLVE

TO authorize the following purchase(s):

PROVIDERS	DATE	INVOICE	AMOUNT
L'EXCELLENCE AGRICOLE DE COATICOOK			
STREET CLEANING	May 16, 2014	24104	\$179.69
MAINT. - TRUCK BOBCAT SHOVEL	May 31, 1014	24304	\$409.99
MAINT. - TRUCK BOBCAT SKID	May 31, 1014	24305	\$390.74
FLOODING - EMERGENCY	May 31, 1014	24306	\$5,173.88
FLOODING - EMERGENCY	May 31, 1014	24307	\$1,400.67
STREET CLEANING	May 31, 1014	24308	\$1,526.73
SNOW CLEARING	May 31, 1014	24309	\$1,727.03
STREET CLEANING	June 4, 2014	24377	\$213.56
		TOTAL:	\$11,022.29
			(Inclusive of Taxes)
LES POMPES R. FONTAINE			
SEWER - PUMP #1	May 26, 2014	18257	\$707.97

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AQUEDUCT - WEST RESERVOIR STATION	May 31, 2014	18288	\$892.10
MAINT. - PARKS - FLOWERS	June 17, 2014	18315	\$540.27
SEWER - PUMP #1	June 17, 2014	18316	\$3,433.90
DAM - FISH CAGE	June 23, 2014	18328	\$389.66
		TOTAL:	<u>\$5,963.90</u>
			(Inclusive of Taxes)

PASSED

2014-07-07.21 OTHER BUSINESS

2014-07-07.22 QUESTION PERIOD

Michael Grayson	Cost of the sand
Elizabeth O'Connor	Budget 2014
Donald Watt	Special Planning Program conditional
Jacques Campbell	Date of election for a councillor
	Response in the next few days - tax on non residential building
Patrick Downey	There are false declarations in the resolution on the expropriation. He was waiting for an answer from the municipality.
Paul St-Pierre	Special Planning Program - costs already - expenses
	Contract to determine the remaining capacity of the systems, why, has it been done
Donald Watt	What is involved in designing a water filtration plant
Patrick Downey	Study re wastewater in North Hatley
Jean-Yves Durocher	How much is being collected in transfer taxes
	At the time of the environmental study, will there be a study by the BAPE

2014-07-07.23 ADJOURNMENT OF MEETING

At 9:58 p.m., all issues on the Agenda having been addressed;

UPON PROPOSAL DULY MOVED BY MICHAEL MUNKITTRICK
THE COUNCILLORS UNANIMOUSLY RESOLVE

THAT this meeting be adjourned.

PASSED

Michael Page
Mayor

Léonard Castagner
Town Manager and Secretary-Treasurer

I, Michael Page, confirm that the signing of these Minutes is equivalent to the signing by me of all the resolutions contained herein in accordance with Article 142 (2) of the Municipal Code.

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This is not an official document. It has been translated from the French for information purposes only. In the event of a discrepancy between the French and the English documents, the French will prevail.
E.& O.E.