

MINUTES
VILLAGE OF NORTH HATLEY
NOVEMBER 4, 2019

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

PRESENT are the following Councillors:

- | | |
|---------------------------|------------------------------|
| 1. Pauline Farrugia | 4. Elizabeth Fee |
| 2. Marcella Davis Gerrish | 5. Aaron Patella |
| 3. Guy Veillette | 6. Alexandre-Nicolas Leblanc |

ABSENT:

QUORUM is present with Mayor Michael Page presiding.

ALSO PRESENT are Benoit Tremblay, Director-General and Secretary-Treasurer, and Bruno Bélisle, Assistant Secretary-Treasurer.

AGENDA – NOVEMBER 4, 2019

1. Adoption of the Agenda
2. Adoption of the Minutes of the Regular Meeting held October 7, 2019
3. Information from Council members
4. Question period on Issues listed on the Agenda

ADMINISTRATION, TOWN CLERK AND LEGAL AFFAIRS

5. Schedule for the Holiday Season – Municipal office hours
6. Nomination of a main administrator – AccèsD Affaires
7. Municipal offices – Change to opening hours

HUMAN RESOURCES AND WORK RELATIONS

8. By-law 2019-624 amending By-law 2005-493 on the delegation of power authorizing certain expenses at the Municipality of the Village of North Hatley – Adoption
9. Hiring of employees at Public Works
10. Hiring of an attendant for skating rink maintenance
11. Group insurance - Renewal

FINANCE AND TREASURY

12. Approval of Accounts Payable
13. Reports on Net Salaries – 2019-10
14. Quarterly Comparative Financial Reports

ENGINEERING AND PUBLIC WORKS

15. Road salt supply – Award of contract
16. Road sand supply – Award of contract

PLANNING, HERITAGE AND ENVIRONMENT

17. By-Law 2019-623 amending By-law 2018-608 on the demolition of buildings – Adoption
18. Request for exemption to By-law 8-99 of the MRC de Memphrémagog – Municipal park development for recreational purposes
19. Heritage Site – lot 4 028 880 – Lot subdivision
20. Minor derogation – 410, rue Woodward – Height of fence in the front yard
21. Agreement relative to municipal work projects – Extension of chemin Virgin

CULTURE, RECREATION AND COMMUNITY LIFE

22. Free access to the Community Centre

PUBLIC SECURITY

OTHER BUSINESS

23. Question Period on Issues of local public interest
24. Meeting Adjourned

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2019-11-04.01

ADOPTION OF THE AGENDA

I, MARCELLA DAVIS-GERRISH, MOVE

THAT the Agenda be adopted with the addition of item 22 – FREE ACCESS TO THE COMMUNITY CENTRE.

PASSED

2019-11-04.02

ADOPTION OF THE MINUTES OF THE REGULAR MEETING HELD OCTOBER 7, 2019

I, ALEXANDRE-NICOLAS LEBLANC, MOVE

THAT the Minutes of the Regular Meeting held October 7, 2019 be adopted.

PASSED

2019-11-04.03

INFORMATION FROM COUNCIL MEMBERS

The Mayor and Councillors inform citizens on their various files and on upcoming events.

2019-11-04.04

QUESTION PERIOD ON ITEMS LISTED ON THE AGENDA

(15) citizens are present at the Meeting.

CITIZENS

PAUL ST-PIERRE
JANE MAGHER
MICHAEL GRAYSON
MICHAEL GRAYSON
DONALD WATT
ALEXANDRA REED

ALEXANDRA REED
PAUL ST-PIERRE

PAUL ST-PIERRE
PAUL ST-PIERRE
DONALD WATT
MICHAEL GRAYSON

ISSUES

MORE DETAILS ON ITEM 18
HAS POWERED BEEN RESTORED TO A PORTION OF HOVEY?
EXPLANATION OF ITEM 21
STRATEGIC PLAN VS FLOODZONE PLAN
SHOULD THE ACTUAL INVESTMENT AMOUNT BE KNOWN
ARE CRITERIA IN PLACE REGARDING THE STRATEGIC PLAN
CONSULTANT?
WHO WILL FORMULATE THE REQUEST FOR A CONSULTANT?
WHEN WILL FINANCIAL STATEMENTS BE AVAILABLE ON THE
WEBSITE?
HAS A MEETING WITH MINISTRE LAFOREST TAKEN PLACE
RE: CONSULTANT?
IS \$10,000 SUFFICIENT FOR A CONSULTANT?
HAS A MINISTER BEEN MET REGARDING THE FLOODZONE?

2019-11-04.05

SCHEDULE FOR THE HOLIDAY SEASON – MUNICIPAL OFFICE HOURS

WHEREAS the Holiday Season is coming up and includes statutory holidays;

I, MICHAEL PAGE, MOVE

THAT Town Hall be closed from December 23, 2019 to January 5, 2020 inclusively.

PASSED

2019-11-04.06

NOMINATION OF A MAIN ADMINISTRATOR – ACCÈSD AFFAIRES

WHEREAS the Municipality of the Village of North Hatley previously registered with AccèsD Affaires and at the time nominated Daniel Décary, Director-General and Secretary-Treasurer as main administrator;

WHEREAS a name change is to be made in terms of main administrator;

I, ALEXANDRE-NICOLAS LEBLANC, MOVE

THAT Benoit Tremblay, Director-General and Secretary-Treasurer, be nominated as main administrator to replace Daniel Décary for user services at AccèsD Affaires and be given all related authority for this purpose.

PASSED

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2019-11-04.07

MUNICIPAL OFFICES – CHANGE TO OPENING HOURS

WHEREAS the workload for municipal employees is on the increase due to various citizen requests, government requirements and requirements under the various committees of the Municipality;

WHEREAS the Municipality is committed to providing employees with a stress-free working climate;

WHEREAS the Municipality is committed to improving its productivity and efficiency;

I, ÉLIZABETH FEE, MOVE

THAT the municipal office be closed to the public on Wednesday of every week starting November 6, 2019 to allow municipal employees to adequately deal with all of the required paperwork;

THAT municipal office opening hours as such be the following: Monday, Tuesday and Thursday from 8 a.m. to noon and 1 p.m. to 4:30 p.m. and Friday from 8 a.m. to noon;

THAT the Public Works team be present for work every Wednesday;

THAT in the event of an emergency, the same procedure be followed as for weekends by pressing '1' when indicated under the phone system of the Municipality.

PASSED

2019-11-04.08

BY-LAW 2019-624 AMENDING BY-LAW 2005-493 ON THE DELEGATION OF POWER AUTHORIZING CERTAIN EXPENSES AT THE MUNICIPALITY OF THE VILLAGE OF NORTH HATLEY – ADOPTION

WHEREAS a notice of motion was given by Councillor Pauline Farrugia October 7, 2019 and a resolution on its presentation was adopted;

WHEREAS public notice was given by the Director-General and Secretary-Treasurer to the effect that Council will adopt the said by-law at the Regular Meeting of November 4, 2019;

WHEREAS copies of the draft by-law were made available for consultation by citizens;

WHEREAS all Council members present declared having read the by-law and pass on further reading;

I, PAULINE FARRUGIA, MOVE

THAT the by-law entitled 'By-law 2019-624 amending By-law 2005-493 on the delegation of power authorizing certain expenses at the Municipality of the Village of North Hatley' be adopted.

PASSED

2019-11-04.09

HIRING OF EMPLOYEES AT PUBLIC WORKS

WHEREAS there is a vacant position at Public Works following the departure of Trevor Lowry, October 16, 2019;

WHEREAS following a review of overtime having taken place at Public Works in recent years it has been deemed appropriate to hire additional staff;

WHEREAS there has been an increased workload at Public Works during the winter season;

WHEREAS a call for applications was put out and a selection process was conducted in order to fill the vacancy;

WHEREAS François Mongeau and G r me Gaudet-Gr goire were hired following the selection process;

I, GUY VEILLETTE, MOVE

THAT Council proceed with the hiring of Fran ois Mongeau and G r me Gaudet-Gr goire as Employees for Public Works, in accordance with the criteria discussed and approved by all parties concerned, notably the employment conditions for group 3 employees, as

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outlined in the personnel management guide (August 2014), and to be included in the employment contract on the working conditions;

THAT the start date of employment for François Mongeau and G r me Gaudet-Gr goire be established during the month of November 2019 based on the agreement between all parties;

THAT Fran ois Mongeau and G r me Gaudet-Gr goire be subject to a six-month probation period as of their respective start dates of employment;

THAT the Mayor, Michael Page, and the Director-General and Secretary-Treasurer, Benoit Tremblay, be authorized to sign the employment contracts on behalf of and in the name of the Municipality;

THAT funds required to cover the salaries be taken from budgetary items 02.190.00.141, 02.320.00.141, 02.330.00.141, 02.412.00.141, 02.414.00.141, 02.414.01.141, 02.415.00.141 and 02.701.50.141 according to the nature of the tasks performed.

PASSED

2019-11-04.10

HIRING OF AN ATTENDANT FOR SKATING RINK MAINTENANCE

WHEREAS the Municipality wishes to provide its citizens with an optimal skating experience;

I, AARON PATELLA, MOVE

THAT one of our employees at Public Works be assigned to maintain the skating rink following related training.

THAT the expense be covered under budgetary item 02-701-50-141.

PASSED

2019-11-04.11

GROUP INSURANCE – RENEWAL

WHEREAS the contract for the Municipality group insurance plan was up for renewal November 1st;

WHEREAS group insurance costs are shared between the Municipality and the employees on a 50/50 basis;

I, ELIZABETH FEE. MOVE

To grant the contract for the Municipality group insurance plan to the firm of Sun Life Canada, at the one-year cost of \$17,301.84, plus taxes;

THAT payment be made under budgetary item 55-139-98-000.

PASSED

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2019-11-04.12 APPROVAL OF ACCOUNTS PAYABLE

I, PAULINE FARRUGIA, MOVE

THAT Accounts Payable listed on the statement presented November 4, 2019 by the Treasury Department, in the amount of \$106,302.37, including expenses in excess of \$5,000, be included as in the following list:

Municipalité du
VILLAGE DE NORTH HATLEY

**DÉBOURSÉS DE PLUS DE 5 000\$
DISBURSED OVER \$ 5,000**

**RÉUNION DU : lundi 4 novembre 2019
MEETING OF : November 4, 2019**

Déposé : 2019-10-28
Submit : 28-10-2019

FOURNISSEURS/SUPPLIERS	DATE	FACTURE/INVOICE	MONTANT/AMOUNT
<i>SANI-ESTRIE INC.</i>			
CONTRAT COLLECTE ORDURE, RECYCLAGE, COMPOST			6 584.99 \$
CONTENEUR			333.43 \$
CONTENEUR			339.18 \$
TOTAL			7 257.60 \$
			Taxes incluses
<i>MARINA NORTH HATLEY</i>			
CONTRAT TONTE DE GAZON 2019			7 959.91 \$
TOTAL			7 959.91 \$
			Taxes incluses
<i>PLOMBERIE CÔTÉ ET FRÈRES</i>			
AQUEDUC RUE LAFLEUR			6 125.35 \$
TOTAL			6 125.35 \$
			Taxes incluses
<i>REVENU CANADA</i>			
DAS OCTOBRE			5 239.54 \$
TOTAL			5 239.54 \$
<i>REVENU QUÉBEC</i>			
DAS OCTOBRE			11 763.53 \$
TOTAL			11 763.53 \$
<i>PRUDENT - MESURES D'URGENCES</i>			
HONORAIRES PROFESSIONNELS			5 336.57 \$
TOTAL			5 336.57 \$
			Taxes incluses
<i>SEL WARWICK</i>			
SEL DE DÉGLAÇAGE			8 754.01 \$
TOTAL			8 754.01 \$
			Taxes incluses
GRAND TOTAL			52 436.51 \$
			Taxes incluses

PASSED

2019-11-04.13 REPORTS ON NET SALARIES – 2019-10

ELECTED	\$4,998.72
PERMANENT	\$24,240.94
SEASONAL	\$4,165.50
CCUP	\$268.56
\$33,673.72	

2019-11-04.14 QUARTERLY COMPARATIVE FINANCIAL REPORTS

The Director-General/Secretary-Treasurer presented the Quarterly Comparative Financial Report as required by law.

2019-11-04.15 ROAD SALT SUPPLY – AWARD OF CONTRACT

WHEREAS road maintenance within the Municipality requires the purchase of de-icing salt for the winter season;

WHEREAS the Municipality requested proposals from three suppliers:

WHEREAS the Municipality received the following three proposals:

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SUPPLIERS	PRICE PER METRIC TONNE 2019 DELIVERED TO THE DEPOT	COMMENTS
Windsor Mines Seleine	\$110.29	Non-conformity
Compass Minerals Canada Corp.	\$121.57	
Sel Warwick Inc.	\$104.00	

I, PAULINE FARRUGIA, MOVE

To award the road salt contract for the winter season to Sel Warwick inc. at its proposed unit price of \$104.00 per metric tonne, for approximately 500 metric tonnes, for an approximate amount of \$52,000 plus taxes.

THAT payment be made under budgetary item 02-330-00-635

PASSED

2019-11-04.16

ROAD SAND SUPPLY – AWARD OF CONTRACT

WHEREAS road maintenance within the Municipality requires the purchase of sand for the winter season;

WHEREAS the Municipality requested proposals from five suppliers;

WHEREAS the Municipality received the following three proposals:

SUPPLIERS	PRICE PER METRIC TONNE 2019 DELIVERED TO THE DEPOT	COMMENTS
A. Préfontaine & Associés	\$10.34	
Couillard Construction	\$12.50	
Gravière Bouchard Inc.	\$14.10	

I, AARON PATELLA, MOVE

To award the road sand contract for the winter season to à A. Préfontaine & Associés. at its proposed unit price of \$10.34 per metric tonne, for approximately 1,700 metric tonnes, for an approximate amount of \$17,578 plus taxes.

THAT payment be made under budgetary item 02-330-00-622

PASSED

2019-11-04.17

BY-LAW 2019-623 AMENDING BY-LAW 2018-608 ON THE DEMOLITION OF BUILDINGS – ADOPTION

WHEREAS changes were made to the by-law initially presented with the addition to the second paragraph of Article 2 of the original French document, next to the word : 'are', the words : 'prohibited and' and in the same paragraph, remove the words: 'and prohibited' behind the words 'present by-law' and adding a comma and reading as in the following translation:

'All demolition work for the following is prohibited and subject to the present by-law unless the Municipality has granted a certificate of authorization to this effect.

WHEREAS amendments were brought to the by-law initially presented by removing paragraphs 2 and 3 of Article 2 and replacing them with the following:

'It is prohibited to demolish more than 50% of the total surface area of exterior walls and roof of a building with a floor space of more than 20 m2 or of any other structure located at less than 10 m from the high water mark without having obtained a prior certificate of authorization for demolition.'

The surface area of doors, windows, stairwells and other openings is included in the total surface area referred to in the first paragraph.

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The total surface area of a foundation wall and of a common wall is excluded in the calculation of the total surface area referred to in the first paragraph.

Demolishing a building without a certificate of authorization and contravening paragraph 1 does not as such remove the obligation to obtain a certificate in compliance with the present by-law'.

I, ALEXANDRE-NICOLAS LEBLANC, MOVE

THAT the by-law entitled 'By-law 2019-623 amending By-law 2018-608 on the demolition of buildings on the territory of the Municipality of the Village of North Hatley', be adopted..

PASSED

2019-11-04.18

REQUEST FOR EXEMPTION TO BY-LAW 8-99 OF THE MRC DE MEMPHRÉMAGOG – MUNICIPAL PARK DEVELOPMENT FOR RECREATIONAL PURPOSES

WHEREAS a number of parks within the Municipality are located in 0-20 floodzones such as Dreamland Park, parc de la Rivière, parc des Vétérans, as well as the municipal parking lot;

WHEREAS park development is subject to paragraph k) of Article 4.2.2, entitled 'Structures, undertakings and works eligible for an exemption', of the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains Environment Quality Act (chapter Q-2, r.35);

WHEREAS the MRC de Memphrémagog has adopted By-law 8-99 entitled 'Règlement sur la procédure de dérogation aux dispositions réglementaires relatives à certaines zones inondables';

WHEREAS the request for an exemption is eligible by virtue of paragraph k) of Article 4 of MRC de Memphrémagog By-law 8-99;

WHEREAS the Municipality wishes to establish a seniors footpath, with the addition, among others, of paths for pedestrians and cyclists, park furniture, an electrical outlet for increased lighting, water games, recharging stations, permanent roofing on concrete slabs for the public market, concerts and the skating rink;

WHEREAS the Municipality is committed to registering with the publication of rights registry office a real and permanent servitude for the immovables in question, in favor of the MRC;

WHEREAS the Municipality must provide a technical and cadastral description of the immovables considered, an implementation plan for the proposed work projects, a technical report by an engineer and a report by a biologist to be included and submitted with the request;

WHEREAS the request complies with the zoning and land management by-laws of the Municipality;

I, PAULINE FARRUGIA, MOVE

THAT the Municipality submit a request for exemption to the MRC Memphrémagog by virtue of By-law 8-99.

PASSED

2019-11-04.19

HERITAGE SITE – LOT 4 028 880 – LOT SUBDIVISION

WHEREAS the Municipality has received a purchase offer for a section of lot 4 028 880 according to the technical description and staking certificate submitted July 16, 2019 by land surveyor Christian de Passillé in minutes 13419;

WHEREAS in order to normalize an encroachment on public domain, the Municipality has agreed to sell an area of 25 m² of the lot by resolution 2019-05-06.13;

WHEREAS the lot is located under the Heritage Site By-law 277 of North Hatley;

WHEREAS the cadastral division is subject to Article 141 of the Cultural Heritage Act (RLRQ, chapitre P-9.002) ;

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WHEREAS the Town Planning and Heritage Committee submitted a favorable recommendation to municipal Council on October 21, 2019 ;

I, GUY VEILLETTE, MOVE

To approve the lot subdivision as submitted in the surveyor plan.

PASSED

2019-11-04.20

MINOR DEROGATION – 410, RUE WOODWARD – HEIGHT OF FENCE IN THE FRONT YARD

WHEREAS a request for minor derogation was submitted to authorize the installation of a 2.4 m fence at the edge of the property, considered to be the front yard of the building at 410, rue Woodward;

WHEREAS resolution 2019-10-07.17 regarding the same issue concerned only a request for derogation for the side yard area, but the applicant submitted a request mainly for the front yard;

WHEREAS the by-law calls for a maximum height of 1 m in a front yard;

WHEREAS the by-law does not allow for the building at 410 to install a fence of more than 1 m in height as the main building has a setback of 17 m from the front property line, and the building at 400, rue Woodward could have a 2 m high fence as the yard is considered to be a side yard;

WHEREAS 400, rue Woodward has its main facade facing south (lakeside) and also facing 410, rue Woodward, thus diminishing the privacy of the latter;

WHEREAS 400, rue Woodward overlooks 410, rue Woodward that sits lower;

WHEREAS the approval of the said derogation could hardly be transferred elsewhere on the territory considering the particular setting of existing buildings;

WHEREAS it has been shown that the fence would not block the existing view onto the lake, neither from the point of view of the area close to the house nor of the parking lot towards the tennis court;

WHEREAS according to Jean-Pierre St-Amour, at paragraph 348 of the author's Le droit municipal de l'urbanisme discrétionnaire au Québec, consideration of a hindrance to enjoyment of property for neighbors is a matter for municipal Council, without consideration of further property right constraints;

WHEREAS the courts are clear on the question of views and a property right does not confer a right to a view when there is no protection under servitude rights;

WHEREAS the derogation can include mitigation measures, in the form of a condition;

I, GUY VEILLETTE, MOVE

THAT as recommended by the CCUP, the fence be approved for the front yard at a height of 2.4 m, and the section of the fence from 2 m to 2.4 m consist of at least 40% openwork from the beginning of the parking space at 400, rue Woodward and that it have of a maximum height of 1.5 m in the section that separates the two parking areas - at 400 and 410 Woodward.

PASSED

2019-11-04.21

AGREEMENT RELATIVE TO MUNICIPAL WORK PROJECTS – EXTENSION OF CHEMIN VIRGIN

WHEREAS a request for the construction of a residence on lot 4 028 661 with respect to the PIIA by-law was approved by municipal Council under resolution 2019-08-05.13;

WHEREAS extending chemin Virgin is required for the lot to comply with the by-law on the conditions for the issuance of a construction permit as it is adjacent to a street (Art. 3.1);

WHEREAS the work will be carried out by the Developer who will assume all related costs;

I, ÉLIZABETH FEE, MOVE

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THAT Council approve the protocol agreement relative to municipal work projects for the extension of chemin Virgin and give the Mayor and the Director-General and Secretary-Treasurer signing authority.

PASSED

2019-11-04.22

FREE ACCESS TO THE COMMUNITY CENTRE

WHEREAS the AFM/MADA age-friendly policy for seniors at the Municipality of the Village of North Hatley was adopted to better support seniors in the village in staying active for as long as possible;

WHEREAS many guest speakers at the 'Afternoon Tea and Talk' series launched by the AFM/MADA committee at the Municipality have stressed the importance of preventing falls by our seniors and that the risk is lessened through physical activity that improves balance and flexibility;

WHEREAS the Municipality recently received a request from a group of senior citizens to have free access to the Community Centre, for two hours twice a week, for light exercise sessions to stay fit and reduce the risk of falls during the winter season;

I, PAULINE FARRUGIA, MOVE

THAT the Municipality give the group of senior citizens free access to the Community Centre, for two hours twice a week, for the light exercise sessions;

THAT access be given based on availability at the Community Centre;

THAT a follow-up by management of the Community Centre take place in order to set up a schedule for the seniors exercise activity.

PASSED

OTHER BUSINESS

2019-11-04.23

QUESTION PERIOD ON ISSUES OF LOCAL PUBLIC INTEREST

CITIZENS	ISSUES
NAISI LEBARON KRISTA FIDLER	INFO ON THE AFM/MADA GROUP WHY NOT HAVE OPENED THE COMMUNITY CENTRE TO PEOPLE WITHOUT ELECTRICITY?
KRISTA FIDLER KRISTA FIDLER	WILL THE COMMUNITY CENTRE ROOF BE REPAIRED? WILL THE DRAINS ON RUE RIVIÈRE BE CLEARED BEFORE WINTER?
PATRICK LAJOIE PATRICK LAJOIE	HOW MANY PUMPING STATIONS DO WE HAVE? IS THERE A GENERATOR FOR EACH STATION? DOES THE MUNICIPALITY HAVE AN EMERGENCY MEASURES PLAN? THERE IS A COMMUNICATION PROBLEM WITH MUNICIPAL EMPLOYEES DURING MAJOR EVENTS
MICHEL DESROSIERS CLAUDE RIVARD	SPEED BUMPS? WHO ON COUNCIL IS RESPONSIBLE FOR ROAD SAFETY? MUNICIPAL SPEED LIMITS MUST BE RESPECTED
MICHAEL GRAYSON	STRATÉGIC PLAN: A PLAN FOR THE FUTURE IS NEEDED BUT WHAT HAS BEEN DONE REGARDING THE FLOODZONE? THERE HAS BEEN NO CONSULTATION
PAUL ST-PIERRE PAUL ST-PIERRE PAUL ST-PIERRE	GROUP INSURANCES QUESTION ON SALT PURCHASED FROM WARWICK SPEED INDICATOR ON SHERBROOKE: WE SHOULD HAVE BETTER...
DONALD WATT	CAN COMPOSTING PICKUP DATES BE ADDED FOR NOVEMBER?
DONALD WATT	CAN THE PROPOSED BUDGET BE SENT PRIOR TO THE BUDGET MEETING?
DONALD WATT DONALD WATT	WHAT IS THE POSSIBILITY OF PHOTO RADAR IN TOWN? INFO ON THE \$300,000

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2019-11-04.24

MEETING ADJOURNED

At 8:43 p.m., all issues on the Agenda having been addressed;

I, MARCELLA DAVIS-GERRISH, MOVE

THAT the meeting be concluded and adjourned.

PASSED

Michael Page
Mayor

Benoit Tremblay
Director-General 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 herewith in accordance with Article 142 (2) of the Municipal Code.

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 text will prevail. E.&O.

PROJET À ADOPTER