



Council Meeting Minutes
Tuesday, May 17, 2011
1:00 p.m.
Council Chambers, Town Hall

Mayor M. Morrison
D. Beffort
N. deBoer
P. Foley
G. McClure
R. Mezzapelli
R. Paterak
A. Thompson
R. Whitehead

Chief Administrative Officer: D. Barnes
Fire Chief: B. Bigrigg
Director of Planning & Development: M. Hall
Acting Director of Public Works: J. Hasselbacher
Legislative Administrator: B. Karrandjas
Director/Chief Financial Officer/Deputy CAO: R. Kaufman
Town Counsel/Director: N. Koltun
Director of Administration/Town Clerk: K. Landry
Manager of Economic Development: N. Lingard
Deputy Fire Chief: T. Lippers
Director of Recreation: K. Scott
Treasurer: F. Wong

Other Staff Present Specific Items Only

Heritage Resource Officer: S. Drummond
Senior Policy Planner: T. Manley
Chief Building Official: G. Middlebrook
Director of Human Resources: R. Moore-Whitsitt
Court Services Manager: D. Noakes
Environmental Progress Officer: S. Peckford
Customer Service Supervisor/Deputy Clerk: D. Publow
Senior Policy Planner: M. Williams

1. **CALL TO ORDER**

Mayor Morrison called the meeting to order at 1:07 p.m.

2. **APPROVAL OF AGENDA**

Moved by A. Thompson - Seconded by R. Whitehead

2011-298

That Council waive the procedural by-law to add an item of urgent business during Closed Session regarding personal matters about an identifiable individual, including municipal or local board employees and labour relations or employee negotiations – Organizational Structure.

Carried.

Moved by D. Beffort - Seconded by N. deBoer

2011-299

That the agenda for the May 17, 2011 Regular Council Meeting, be approved as amended.

Carried.

3. **DISCLOSURE OF PECUNIARY INTEREST**

- (i) Councillor McClure disclosed a pecuniary interest with respect to regular business item 13, Report TC-2011-018 and By-law 2011-061 as his son is a property owner in the area. He vacated his seat at the table and did not partake in any discussion or voting on this matter.
- (ii) Councillor Foley noted that she knows a local Town Crier but she does not have a pecuniary interest regarding Notice of Motion – Town Crier.

4. CLOSED MEETING

Council was in Closed Meeting from 1:11 p.m. to 1:50 p.m.

Moved by R. Whitehead – Seconded by A. Thompson

2011-300

That Council shall go into closed session under Section 239 of the *Municipal Act* for the purpose of:

- Personal matters about an identifiable individual, including municipal or local board employees and labour relations or employee negotiations;
 - Organizational Structure.
- Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - Confidential Report TC-2011-022 – Subdivision 43M-651 (Venta Investments Limited), Liability regarding Failure of Wall at 48/50 Bambi Trail, Bolton.

Carried.

Moved by N. deBoer – Seconded by R. Whitehead

2011-301

That Council move into open session.

Carried.

5. MATTERS ARISING FROM CLOSED MEETING

1. Confidential Report TC-2011-022 re: Advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Subdivision 43M-651 (Venta Investments Limited), Liability regarding Failure of Wall at 48/50 Bambi Trail, Bolton.

Moved by R. Whitehead – Seconded by A. Thompson

2011-302

That Confidential Report TC-2011-022 regarding advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Subdivision 43M-651 (Venta Investments Limited), Liability regarding Failure of Wall at 48/50 Bambi Trail, Bolton, be deferred to the June 14, 2011 Council Meeting.

Carried.

2. Confidential Verbal Report from CAO regarding personal matters about an identifiable individual, including municipal or local board employees and labour relations or employee negotiations - Organizational Structure.

Moved by A. Thompson – Seconded by R. Whitehead

2011-303

That Confidential Verbal Report from CAO regarding personal matters about an identifiable individual, including municipal or local board employees and labour relations or employee negotiations - Organizational Structure, be received.

Carried.

6. PRAYER AND O CANADA

Councillor Whitehead opened the meeting with a prayer.

7. SUMMARY OF ADDENDUM ITEMS

Urgent Business Items

Added Confidential Verbal Report from CAO regarding personal matters about an identifiable individual, including municipal or local board employees and labour relations or employee negotiations – Organizational Structure

Added Notice of Motion regarding an amendment to an Aggregate Resource Act licence.

8. **DISCLOSURE OF PECUNIARY INTEREST**

See 3(i) and 3(ii).

9. **DELEGATIONS**

1. Maureen Tymkow, Caledon Community Services re: Program update and plans of Caledon Community Services' Small Business Enterprise Centre (Caledon SBEC).

Moved by P. Foley – Seconded by N. deBoer 2011-304

That the delegation of Maureen Tymkow, Caledon Community Services regarding Program update and plans of Caledon Community Services' Small Business Enterprise Centre (Caledon SBEC), be received.

Carried.

2. Cynthia Brown, TRCA and Donna Ferron, Chair, ecoCaledon re: Launch of "Paint a Picture for Water Conservation" and "Caledon's First Annual Artist Rain Barrel Collection".

Moved by R. Whitehead – Seconded by P. Foley 2011-305

That the delegation of Cynthia Brown and Donna Ferron, Chair, ecoCaledon and TRCA regarding Launch of "Paint a Picture for Water Conservation" and "Caledon's First Annual Artist Rain Barrel Collection", be received.

Carried.

3. Mary Harinck and Shannon Bertuzzi, Enbridge Gas re: Drain Water Heat Recovery system.

Moved by D. Beffort – Seconded by P. Foley 2011-306

That the delegation of Mary Harinck and Shannon Bertuzzi, Enbridge Gas regarding Drain Water Heat Recovery system, be received.

Carried.

NOTE: Council requested that staff look into the feasibility of implementing a requirement into the draft approval process that requires developers to comply with Energuide 80 standards and/or consider including a provision in the Town's OP policies.

4. Clyde & Barbara Crocker, Residents re: Collapse of Retaining Wall between 48 and 50 Bambi Trail, Bolton – ***Withdrawn as the matter was deferred to the June 14, 2011 Council Meeting.***

5. Mauro & Melissa Piccinin, Residents re: Collapse of Retaining Wall between 48 and 50 Bambi Trail, Bolton – ***Withdrawn as the matter was deferred to the June 14, 2011 Council Meeting.***

10. **COUNCIL COMMUNICATIONS/INQUIRIES AND ANNOUNCEMENTS**

- 10.1 Announcements - None.
10.2 Urgent Business - None.
10.3 Notices of Motion – printed with the agenda.

- (i) Councillor Paterak re: Town Crier.

Moved by R. Paterak – Seconded by D. Beffort 2011-307

Whereas the Town of Caledon from time to time may need to engage the services of a Town Crier; and

Whereas there are Town organized community events where the services of a Town Crier may be called upon e.g. Caledon Day and Winterfest; and

Whereas other Town of Caledon community organizations may wish to engage the services of a Town Crier; and

Whereas the costs for the services of a Town Crier for Town organized events has not been allocated or coordinated through one cost centre; and

Whereas the Town of Caledon deems it appropriate to initiate either an RFP or RFQ for the purpose of retaining and appointing a Town Crier; and

Whereas to become a member of the Ontario Guild of Town Criers the Town Crier must be officially appointed by Council;

Now therefore be it resolved that staff proceed with issuing an RFP or RFQ and report back on the costs for a Town Crier to be considered in the 2012 budget as an urgent unmet need; and

That the Town Crier be required to be a registered Member in good standing with the Ontario Guild of Town Criers which is a professional organization that promotes the ancient art of town crying and ensures that their members adhere to a strict Code of Ethics; and

That the RFP or RFQ require and/or outline the following:

- That the designated department be advised of all official public appearances; and
- That colour and design of the uniform represent the heritage of Caledon; and
- That a not for profit fee for charitable organizations be considered; and
- That the Town Crier be appointed for the term of Council; and
- That the number of Town events where the Town may utilize a Town Crier be limited to 3 per annum.

That staff report back to Council regarding the appointment and the associated costs as part of the 2012 budget process.

Carried.

(ii) Councillor Whitehead re: Procedural By-law – Delegation Time.

Moved by R. Whitehead – Seconded by R. Mezzapelli

2011-308

Whereas Council deems it expedient to amend the Procedural By-law to assist with the orderly and timely conduct of business; and

Now therefore be it resolved that Council enact a by-law to amend the procedural by-law to change the following:

The time permitted when delegating Council from a maximum of five (5) minutes to a maximum of ten (10) minutes; and

To add a provision to provide further clarification to section 8(6) that authorizes the Clerk to schedule presentations which are not subject to the delegation time limits by staff, staff retained consultants and other government bodies or agencies for the purpose of presenting information to Council.

Carried.

10.4 Notices of Motion – presented at meeting.

Moved by R. Whitehead – Seconded by N. deBoer

2011-309

That Council waive the procedural by-law to introduce a Notice of Motion regarding an amendment to an Aggregate Resource Act licence as it is time sensitive.

Carried.

- (i) Councillor Whitehead re: Pit Application Expansion.

Moved by R. Whitehead – Seconded by N. deBoer

2011-310

Whereas Brock Aggregates, owner of the Tottenham Pit in the Town of Caledon, has applied for an amendment to its Aggregate Resource Act license number 6677 to increase the approved extraction limit; and

Whereas the complexity of this application results in a number of concerns to the Council of the Town of Caledon and the residents of the Town of Caledon; and

Whereas the Council of the Town of Caledon represents an engaged progressive community wanting the best public process for its residents;

Therefore Be It Resolved by the Council of the Town of Caledon, that the Mayor be authorized to write a letter to the Minister of Natural Resources outlining the Town's concerns with the application and requesting the Minister to withhold making a final decision on the application until Council of the Town of Caledon has had opportunity to provide the Ministry with a formal position on the application; and

Further Be It Resolved that Town staff be directed to prepare a report for a Council Meeting in June 2011 which outlines the Town's concerns with the application; and

Further Be It Resolved that Town staff be directed to hold a public information meeting with the participation of the applicant, review agencies (including the Nottawasaga Valley Conservation Authority and the Region of Peel), County of Simcoe and Town of New Tecumseth and area residents; and

Further Be It Resolved that the Ontario Government Institute changes to the current ARA amendment processes that allow for timely public participation and municipal.

Carried.

10.5 Council Inquiries:

- (i) Boston Mills Road and Creditview Road

Councillor McClure indicated a fatal accident occurred at the intersection of Boston Mills Road and Creditview Road a year ago and inquired if a flashing light would be installed.

John Hasselbacher advised he would look into the matter and advise the area Councillors.

11. REGULAR BUSINESS

1. ADM-2011-018 re: Provincial Offences Statistical Report – First Quarter 2011.

Moved by N. deBoer – Seconded by R. Whitehead

2011-311

That Report ADM-2011-018 regarding the Provincial Offences Statistical Report for the First Quarter of 2011, be received.

Carried.

NOTE: Council requested additional information on the parking program as it relates to accessible and fire route parking enforcement.

NOTE: It was suggested that fine revenue be placed in a Reserve for funding Capital items instead of showing as a revenue in the POA.

2. ADM-2011-029 re: 2010 Municipal Election – Notice of Default – Financial Filing Requirements.

Moved by A. Thompson – Seconded by R. Whitehead

2011-312

That Report ADM-2011-029 regarding the 2010 Municipal Election – Notice of Default – Financial Filing Requirements, be received.

Carried.

NOTE: Councillor Paterak indicated he will prepare a Notice of Motion for Council's consideration to request AMO to work with the Province to amend the Municipal Elections Act to improve accountability as it relates to financial reporting.

3. ADM-2011-033 re: Customer Service Centre Statistical Report – First Quarter of 2011.

Moved by R. Whitehead – Seconded by D. Beffort 2011-313

That Report ADM-2011-033 regarding Customer Service Centre Statistical Report - First Quarter of 2011, be received.

Carried.

4. ADM-2011-034 re: Update to Staff Appointment By-law.

Moved by R. Mezzapelli – Seconded by R. Whitehead 2011-314

That Report ADM-2011-034 regarding an update to the staff appointment by-law, be received; and

That Council enact a by-law to:

- a) To revoke the appointment of Angie Cuk and Charlene Tarrant as Building Inspectors and appoint Angie Mitchell and Charlene Pintwala as Building Inspectors; and
- b) Appoint Greg MacNaughtan, Angie Mitchell, Charlene Pintwala and Anthony Staniscia as Acting Deputy Chief Building Officials; and
- c) Appoint Andrew Seto as Livestock and Poultry Valuer and Municipal By-law Enforcement Officer.

Carried.

5. CS-2011-027 re: 2011 Final Tax Levy.

Moved by R. Whitehead – Seconded by N. deBoer 2011-315

That Report CS-2011-027 regarding the 2011 Final Tax Levy be received; and

That Council enact a by-law for the levy and collection of the 2011 Final Tax Levy; and

That Council enact a new by-law for the imposition of late payment charges for the non-payment of taxes and repeal By-law Number 97-06 effective June 15, 2011.

Carried.

6. FES-2011-003 re: Fire & Emergency Services – 1st Quarter Report 2011.

Moved by N. deBoer – Seconded by P. Foley 2011-316

That Report FES-2011-003 regarding Fire & Emergency Services – 1st Quarter Report 2011, be received.

Carried.

7. HR-2011-001 re: Corporate Group Benefit Program.

Moved by A. Thompson – Seconded by R. Paterak 2011-317

That Report HR-2011-001 regarding the corporate group benefit program, be received; and

That Council approves changing from a fully insured/premium-based to an Administrative Services Only (ASO) basis for funding Health and Dental Benefits effective June 1, 2011; and

That Council confirms that Life, Accidental Death and Dismemberment (AD&D) and Long Term Disability (LTD) insurance to remain fully insured/premium-based; and

That Council enact a By-law to authorize the Mayor and Clerk to execute a contract with Manulife Financial for the purpose of implementing an Administrative Services Only

(ASO) program for Health and Dental Benefits in accordance with provisions outlined in Report HR-2011-001; and

That the Mayor and the Clerk be authorized to execute an agreement to put ASO funding in place; and

That a Group Benefit Stabilization Reserve Fund be established; and

That any 2011 operating budget savings from Long-Term Disability (LTD), Accidental Death & Dismemberment (AD&D), Life, Health, and Dental Insurance be transferred to the Group Benefit Stabilization Reserve Fund at the end of each year; and

That future budgets for LTD, AD&D, Life, Health, and Dental insurance not be reduced until the Town, in consultation with Buffet Taylor, has determined that the Group Benefit Stabilization Reserve Fund has sufficient funds to mitigate high health and dental payments in a future year and/or a large spike in premiums in a future year.

Carried.

8. PD-2011-033 re: Building Foundations: Building Features – Ontario's Long-Term Affordable Housing Strategy.

Moved by P. Foley – Seconded by R. Whitehead 2011-318

That Report PD-2011-033 regarding *Building Foundations: Building Futures* – Ontario's Long-Term Affordable Housing Strategy, be received; and

That staff prepare an official plan amendment to the Garden Suite policies contained in the Town's current Official Plan to reflect the *Housing Services Act, 2011*; and

That a copy of this report be forwarded to the Caledon Seniors Advisory Committee.

Carried.

9. PD-2011-036 re: Proposed Changes to the Ontario Building Code.

Moved by R. Whitehead – Seconded by P. Foley 2011-319

That Report PD-2011-036 regarding the Development Approval & Planning Policy Department Proposed Changes to the Ontario Building Code, be received.

Carried.

10. PD-2011-040 re: Request for Sign Variance for Richard & Barbara Abela, 15426 Airport Road, Caledon.

Moved by D. Beffort – Seconded by N. deBoer 2011-320

That Report PD-2011-040 regarding a request for a sign variance for Richard & Barbara Abela at 15426 Airport Road, Caledon, be received; and

That Council grant a variance to Sign By-law 94-14, as amended to permit wall signage with an increase in sign area to a maximum sign area of 7.4 square metres.

Carried.

11. PD-2011-041 re: Heritage Designation – 15955 Innis Lake Road and 15780 Kennedy Road.

Moved by R. Whitehead – Seconded by D. Beffort 2011-321

That Report PD-2011-041 regarding Heritage Designation – 15955 Innis Lake Road and 15780 Kennedy Road, be received; and

That Council enact a By-law for the purpose of designating these properties under Part IV of the Ontario Heritage Act.

Carried.

12. PW-2011-014 re: Property Line Retaining Wall, 48/50 Bambi Trail.

Moved by R. Whitehead – Seconded by A. Thompson

2011-322

That Report PW-2011-014 regarding Property Line Retaining Wall, 48/50 Bambi Trail Retaining Wall, be deferred to the June 14, 2011 Council Meeting.

Carried.

13. TC-2011-018 re: Alloa Municipal Drain Maintenance Assessment.

See Item 3(i) regarding Disclosure of Pecuniary Interest – Councillor McClure.

Moved by A. Thompson – Seconded by R. Mezzapelli

2011-323

That Report TC-2011-018 regarding Alloa Municipal Drain Maintenance Assessment, be received; and

That Council enact a by-law recognizing that maintenance and repair of the Alloa Drain (located between Heritage and Mississauga Roads north of Mayfield Road) as recommended by Public Works Report 2007-41 has been completed and assess upstream land and road owners \$7,883.95 for this maintenance and repair according to s. 74 of the *Drainage Act* 1990 and By-law 80-73; and

That any drain-related recovery that is less than \$20.00 be added directly to the Final 2011 property tax bill; and

The Town's share of the costs, in the total amount of \$89.07, be funded from Town of Caledon's 2007 capital project, PW-07-08 – Drainage and Erosion Works.

Carried.

14. TC-2011-021 re: Official Plan Amendment 230 – Withdrawal of Appeal by Solmar Development Corp.

Moved by R. Whitehead – Seconded by P. Foley

2011-324

That Report TC-2011-021 regarding Official Plan Amendment 230, Withdrawal of Appeal by Solmar Development Corp., be received.

Carried.

12. RECEIPT OF MINUTES

Moved by R. Mezzapelli - Seconded by A. Thompson

2011-325

That the minutes of the following meetings be adopted as written and distributed:

- Council Meetings held May 3, 2011.
- Closed Council Meeting held May 3, 2011.

Carried.

13. PROCLAMATIONS

1. National Access Awareness Week – May 29, 2011.

Moved by R. Mezzapelli – Seconded by P. Foley

2011-326

Whereas the Government of Ontario wishes to see all citizens able to enjoy full participation in their communities; and

Whereas many persons living with disabilities face barriers in the areas of employment, access to information, transportation, housing, education, recreation, and other disability related supports; and

Whereas we believe that all citizens with disabilities should have the chance to access appropriate disability related supports to improve their opportunities in Ontario; and

Whereas we support the theme "Disability Awareness – Yes We Can"; and

Whereas the Town of Caledon's Accessibility Advisory Committee (AAC) is dedicated to increase awareness and break down the barriers faced by persons with disabilities;

Therefore be it resolved that the week of May 29, 2011 be proclaimed "National Access Awareness Week" in the Town of Caledon.

Carried.

14. CORRESPONDENCE PACKAGE

1. Moved by R. Mezzapelli – Seconded by P. Foley 2011-327

That the correspondence items as listed in the correspondence package for the May 17, 2011, Council meeting, be received; and

That the correspondence dated April 2011 from Caledon/Dufferin Victim Services be forwarded to Councillor Golf Tournament Committee.

Carried.

NOTE: Council requested staff report back to Council on the Brampton secondary plans which border Mayfield Road.

15. PUBLIC QUESTION PERIOD

Jim Cassell, resident indicated that at the Home Show arrangements were not initially made for blue and green recycling bins. Jim Cassell inquired if the Town could make it mandatory for an event organizer to provide recycling bins.

Jim Cassell referenced Report ADM-2011-029 regarding 2010 Municipal Election – Notice of Default – Financial Filing Requirements and suggested the Town needs to proactively enforce election signage violations.

16. BY-LAWS

- Moved by A. Thompson – Seconded by D. Beffort 2011-328

See Item 3(i) regarding Disclosure of Pecuniary Interest – Councillor McClure.

That the following by-law be taken as read three times and finally passed in open council:

- 2011-061 To levy assessments on lands and roads for the maintenance and repair to the Alloa Municipal Drain.

Carried.

- Moved by A. Thompson – Seconded by D. Beffort 2011-329

See Item 3(i) regarding Disclosure of Pecuniary Interest – Councillor McClure. (By-law 2011-061)

That the following by-laws be taken as read three times and finally passed in open council:

- 2011-056 To amend By-law 2007-128 with respect to the appointment of Acting Deputy Chief Building Official, Livestock and Poultry Valuer and By-law Enforcement Officer.

- 2011-057 To provide for a final tax levy in 2011 and the collection thereof.

- 2011-058 To provide for the imposition of late payment charges for non-payment of taxes and to repeal By-law No. 97-06.

- 2011-059 To authorize the execution of an agreement with The Manufacturers Life Insurance Company.

- 2011-060 To designate certain properties, known as the St. James Anglican Cemetery and the Robert Stewart Property, as being of cultural heritage value and interest.

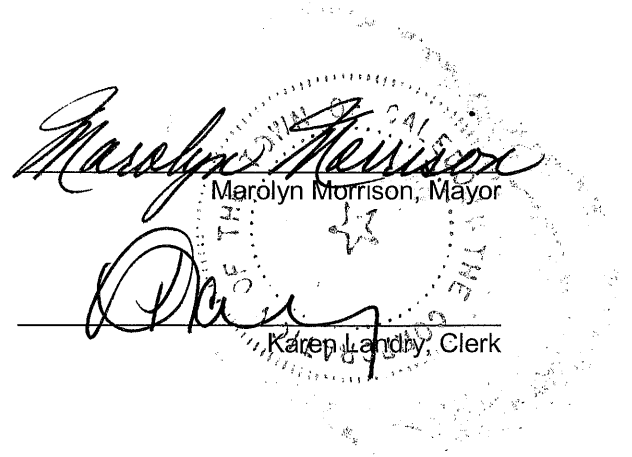
- 2011-062 To retain legal counsel in the matter of Regional Official Plan Amendment and Caledon Official Plan Amendment appeals before the Ontario Municipal Board.

- 2011-063 To confirm the proceedings of the May 17, 2011 Council Meeting.

Carried.

17. **ADJOURNMENT**

On verbal motion moved by Councillor Foley and seconded by Councillor Thompson, Council adjourned at 4:24 p.m.



The image shows two signatures with their respective titles and official seals. The top signature is in cursive and reads "Marilyn Morrison", with the printed name "Marilyn Morrison, Mayor" below it. The bottom signature is also in cursive and reads "Karen Landry", with the printed name "Karen Landry, Clerk" below it. Both signatures are overlaid on a circular official seal that features a star in the center and the text "CITY OF CALGARY" around the perimeter.