

**PROVINCE OF QUEBEC  
MUNICIPALITY OF PONTIAC**

MINUTES of the regular municipal council meeting held on Tuesday, June 10, 2008 at 8:00 p.m. at the Pontiac community centre situated at 2024 route 148, Pontiac, those who were present :

Edward McCann, mayor, Dr Jean Amyotte acting mayor, and councillors: Lawrence Tracey, Harold McKenny, Jim Coyle, Garry Dagenais, Raymond Gougeon and Brian Middlemiss.

Equally present were the director general and a few ratepayers.

The meeting began at 8:00 p.m.

**FLOOR OPEN TO PUBLIC**

- |                      |   |
|----------------------|---|
| Jean-Claude Carisse  | - A word of thanks for the "Open house"               |
|                      | - Acknowledgement of receipt of letters               |
|                      | - False report on the bicycle trail                   |
| Madeleine Carpentier | - Subsidy – roads department                          |
|                      | - Copy of the registre of correspondence for citizens |
|                      | - Situation – paving                                  |
| Roger Larose         | - Division of electoral districts                     |

**08-06-197**

**ADOPTION OF THE AGENDA**

- 1. Opening of the meeting**
- 2. Floor open to public**
- 3. Adoption of the agenda**
- 4. Adoption of the minutes of previous meetings**
  - 4.1 Minutes of the regular meeting of May 13, 2008
  - 4.2 Minutes of the special meeting of May 21, 2008
  - 4.3 Minutes of the special meeting of May 29, 2008
- 5. Administration**
  - 5.1 List of invoices to pay
  - 5.2 List of fixed expenses
  - 5.3 List of expenses for the month of June
  - 5.4 Affected surplus - sewage system and potable water
    - 5.4.1 Affected surplus – sewage system and potable water
  - 5.5 Budgetary transfers to May 31, 2008
  - 5.6 Electoral districts
  - 5.7 Cancellation of an invoice
- 6. Public security**
  - 6.1
- 7. Public works**
  - 7.1 Mandate – beaver control
  - 7.2 Park-and-ride facility
  - 7.3 Drainage – chemin Lavigne
  - 7.4 Street light – route 366
- 8. Public hygiene**
  - 8.1 By-law abrogating by-law 02-07 pertaining to the taxation and levy of taxes for the extension or connection to the water and sewer network
- 9. Urban renewal and zoning**
  - 9.1 Second mandate – development plan
  - 9.2 Remuneration – members of the C.C.U.

- 9.3 137 chemin Bélisle - Tender
- 9.4 William Twolan – Request to the C.P.T.A.Q.
- 10. Recreation and culture**
  - 10.1 Bicycle path
- 11. Miscellaneous**
  - 11.1 ESPOIR JEUNESSE – Requesting authorization – awareness campaign
- 12. Various reports and correspondence**
  - 12.1 Tabling of various municipal reports: a) animals ; b) Statement of revenues and expenses ; c) Tabling of the 2007 management indicator report
- 13. Tabling of the registre of correspondence**
  - 13.1 Registre of the correspondence received in April
- 14. Question period**
- 15. Closing of meeting**

It is

Moved by Harold McKenny  
 Seconded by Lawrence Tracey

AND RESOLVED to adopt the agenda with the following modification:

Withdrawal: The by-law regarding the division of electoral districts  
 9.3 Tender – 137 chemin Bélisle

Brian Middlemiss votes against the withdrawal of the by-law pertaining to the division of electoral districts.

Carried

**08-06-198**

**ADOPTION OF THE MINUTES OF THE REGULAR MEETING HELD  
 MAY 13, 2008**

Moved by Garry Dagenais  
 Seconded by Dr. Jean Amyotte

AND RESOLVED to adopt the minutes of the regular meeting held May 13, 2008 as written and distributed.

Carried

**08-06-199**

**ADOPTION OF THE MINUTES OF THE SPECIAL MEETING HELD  
 MAY 21, 2008**

Moved by Garry Dagenais  
 Seconded by Dr. Jean Amyotte

AND RESOLVED to adopt the minutes of the special meeting held May 21, 2008 as written and distributed.

Carried

**08-06-200**

**ADOPTION OF THE MINUTES OF THE SPECIAL MEETING HELD  
 MAY 29, 2008**

Moved by Garry Dagenais  
 Seconded by Dr. Jean Amyotte

AND RESOLVED to adopt the minutes of the special meeting held May 29, 2008 as written and distributed.

Carried

**08-06-201**

**LIST OF INVOICES TO PAY**

Moved by Garry Dagenais  
Seconded by Dr. Jean Amyotte

AND RESOLVED THAT this Council authorizes the payment of invoices amounting to **\$39,587.93** (see appendix in file no.102-102) for the period ending May 29, 2008 and to debit budget posts related to the expenses mentioned on said list.

Carried

**08-06-202**

**LIST OF FIXED EXPENSES**

Moved by Lawrence Tracey  
Seconded by Raymond Gougeon

AND RESOLVED THAT this Council approves the list of expenses from the history of cheques which includes:

- fixed expenses;
- payments via Internet;
- the true amount of invoices paid following approval by incurring expenses or by resolution;

all for a total of **\$260,656.48** (see appendix) for the period ending May 29, 2008 and to debit related budget accounts for the expenses mentioned on said list.

Carried

**08-06-203**

**LIST OF INCURRED EXPENSES FOR THE MONTH OF JUNE**

Moved by Dr. Jean Amyotte  
Seconded by Harold McKenny

AND UNANIMOUSLY RESOLVED to accept the incurring expenses that appear in annex A (see file 102-102), for a total amount of **\$14,182.53** taxes included.

Carried

**08-06-204**

**AFFECTED SURPLUS – SEWAGE SYSTEM AND POTABLE WATER**

WHEREAS budgetary transfers of April 30, 2008 ;

WHEREAS deficits in the operating activities of the following budget items:

02-413-01-411	\$676.03
02-414-00-411	\$3,883.50
02-414-01-411	\$812.22

It is

Moved by Harold McKenny  
Seconded by Jim Coyle

AND RESOLVED THAT the Municipality of Pontiac allocate the affected surplus for the potable water of \$676.03 and the affected surplus for the sewage system of \$4,695.72. The entry of accounts is the following:

Assets	55-992-09-000	\$4,695.72 debit	
EAF	03-510-00-003		\$4,695.72 credit
Assets	55-992-08-000	\$676.03 debit	
EAF	03-510-00-004		\$676.03 credit

Carried

**08-06-205**

**AFFECTED SURPLUS – SEWAGE SYSTEM AND POTABLE WATER**

WHEREAS budgetary transfers of May 31, 2008 ;

WHEREAS deficits in the operating activities of the following budget items:

02-413-01-411	\$600.00
02-414-00-411	\$9,924.50

It is

Moved by Harold McKenny  
Seconded by Jim Coyle

AND RESOLVED THAT the Municipality of Pontiac allocate the surplus for the potable water for the sum of \$600.00 and the surplus for the sewage system for the amount of \$9,924.50. The entry of accounts is the following:

Assets	55-992-08-000	\$600.00 debit	
	55-992-09-000	\$9,924.50 debit	
EAF	03-510-00-004		\$600.00 credit
	03-510-00-003		\$9,924.50 credit

Carried

**08-06-206**

**BUDGETARY TRANSFERS TO MAY 31, 2008**

It is

Moved by Harold McKenny  
Seconded by Dr. Jean Amyotte

AND RESOLVED THAT this Council accepts the budgetary transfers in the amount of \$13,651.00 as described in the attached list.

Carried

**08-06-207**

**INVOICE CANCELLATION**

WHEREAS article 17.1 of the *Act respecting real property transfer tax*;

It is

Moved by Dr. Jean Amyotte  
Seconded by Lawrence Tracey

AND RESOLVED THAT the municipality reimburse the land transfer tax for the property under roll number 4742-35-0935 in the amount of \$9,750.00, this property has become a registered agricultural enterprise.

Carried

The director general tables the by-law concerning the division of the Municipality of Pontiac territory into six (6) electoral districts.

**08-06-208**

**PERSON IN CHARGE - CAPTURING BEAVERS**

It is

Moved by Lawrence Tracey  
Seconded by Jim Coyle

AND RESOLVED THAT the Municipality of Pontiac request the services of Mr. Florian Gervais to capture beavers on the municipality's territory, under the existing terms.

Carried

**08-06-209**

**DRAINAGE – CHEMIN LAVIGNE**

WHEREAS in 2007, the sum of \$ 3,200.00 was granted for the drainage of chemin Lavigne, between the properties situated at 13 and 15 chemin Lavigne;

WHEREAS the increase in cost because the work was postponed;

It is

Moved by Dr. Jean Amyotte  
Seconded by Garry Dagenais

AND RESOLVED THAT the municipality accepts to pay \$9,580.00 (taxes included) to Mr. Christian St-Louis for work on the drainage between 13 and 15 chemin Lavigne.

IT IS FURTHER RESOLVED to request a signature from the two property owners for the right of way and a statement to attest to the work was done to their satisfaction and that the drainage problem is resolved.

Brian Middlemiss votes against the motion.

Carried

**08-06-210**

**STREET LIGHT – ROUTE 366**

WHEREAS the cost for installing a street light in the curb close to 330 route 366;

It is

Moved by Lawrence Tracey  
Seconded by Garry Dagenais

AND RESOLVED THAT the municipality proceed with having a street light installed in the curb close to 330 route 366.

Carried

**08-06-211**

**BY-LAW 08-08 ABROGATES BY-LAW 02-07 PERTAINING TO THE TAXATION AND LEVY OF TAXES FOR THE EXTENSION OR CONNECTION TO THE WATER AND SEWER NETWORK**

WHEREAS the Municipality of Pontiac intends to abrogate by-law no. 02-07;

WHEREAS a motion of the present by-law was given at a previous council meeting held on *April 8, 2008*;

It is

Moved by Harold McKenny  
Seconded by Raymond Gougeon

AND RESOLVED that this Council adopt the present by-law which orders and decrees the following:

**WATER SUPPLY SERVICES**

**ARTICLE 1**

Any property may be connected to the existing water network as long as the property owner deposits the sum of \$750.00 for the water service to Municipality of Pontiac before any such work begins.

When the work for the connection is complete, the ratepayer shall pay the true cost of said work to the municipality. This cost takes into account the material, labour and equipment used. A statement of accounts shall be given to the ratepayer, stipulating the cost of the work, the deposits given and the outstanding amount.

**ARTICLE 2**

The work will consist of connecting the water pipes from the existing network, up to the property line to which connection the owner has requested.

**ARTICLE 3**

The work will be done under the supervision of the person responsible for the sewer network and by his representative.

**ARTICLE 4**

Revenues from the waterworks system will be used to pay the cost of supplying water to part of the Municipality of Pontiac's territory and to the inherent cost of maintaining the water distribution network.

**ARTICLE 5**

The work will be done with diligence by the municipality as soon as possible, keeping in mind the weather, the availability of material and the manpower.

## ARTICLE 6

All work pertaining to new pipes or the extension of existing services shall be done between April 15 and November 30.

## ARTICLE 7

The municipality will supply potable water from its pumping station, situated in the Quyon sector, with the exception of downtime now and then, for the necessary repairs at the pumping station and to the water distribution system. In which case, no damages may be claimed to the municipality, as long as these repairs are done within a reasonable delay.

## ARTICLE 8

It is expressly forbidden for an occupant of any property that is being serviced by the municipality's waterworks system, to supply water to anyone else, or to serve for other than his/her own use.

## ARTICLE 9

During the month of June, July and August, it is prohibited to water gardens, turf, and lawns with an oscillating sprinkler, hose or soaker hose, automatic or mechanical equipment without surveillance, or an underground irrigation system on all properties serviced by the Municipality of Pontiac waterworks system. However, if council notices that there is sufficient supply, it may, by resolution, allow watering mechanically for the period in question.

Notwithstanding the provisions of article 9, watering with a hand-held hose in a continuous fashion by a person is authorized.

## ARTICLE 10

In the event of a water shortage, the Mayor of the municipality or in his absence or incapacity to act, two members of council are hereby authorized to decree a total ban by way of a simple affidavit signed by the director general.

## ARTICLE 11

Notwithstanding the provisions of the present by-law, watering of a newly installed lawn either manually or otherwise, is permissible during a period of 15 consecutive days, under the condition that a written permission to that effect is obtained from the municipality beforehand.

## ARTICLE 12

The owners who are serviced by the water supply system must ensure that the pipes on the property or within the building(s) are in good condition. There must be no leaks and the pipe must be protected from frost. The pipes will be installed and charged to the persons affected who have a responsibility towards the Municipality of Pontiac for any damage that may occur as a result of their negligence.

## ARTICLE 13

Upon a ratepayer's request, municipal employees will shut down the water supply to a ratepayer's building. There will be no fee for this work unless it is being done after the employee's regular working hours. In such a case, the cost of this work will be charged to the ratepayer, as established by the finance department.

#### ARTICLE 14

A new installation of pipes or plumbing may not be opened or reopened until it has been inspected or approved by the municipal inspector.

#### ARTICLE 15

Changes may not be brought to any of the pipes or connections to the municipal network except if it is being done by a municipal employee or under his/her supervision.

#### ARTICLE 16

No one, unless authorized by the Municipality of Pontiac or any of its representatives, may open any fire-hydrant, disturb the lid and draw water from it.

#### ARTICLE 17

At any given time, between 9:00 a.m. and 5:00 p.m., the Municipality of Pontiac has the right to send a representative into any house or other buildings that are being supplied by the water system, in order to inquire about the condition of all pipes, taps, meters, tanks, reservoirs, or any other equipment used for the distribution of water, as well as to ensure that they are well maintained and to ascertain the quantity of water being used to ensure that there are no leaks. The municipality or its authorized representative may install any instrument necessary in order to exercise the level of control it wishes to obtain.

#### ARTICLE 18

Anyone who is approached by the municipality or its representative requiring improvements to their water distribution system in order to eliminate leaks, must proceed with the said repairs within 48 hours of the written request.

### **ASSESSMENT OF DUTIES**

#### ARTICLE 19

The Municipality of Pontiac will charge a tax each year on any building that is connected to the services or that can be connected, in order to provide sufficient funds to pay for incurred expenses for the treatment and distribution of potable water.

#### ARTICLE 20

The fee will be applicable on all vacant lots, except if it is registered and joined to a lot on which a residential or commercial building already exists.

#### ARTICLE 21

When the object of a request is to connect a property to the waterworks system and that this property is only accessible by passing in front of an unserved lot or lots, the necessary work will be done by the municipality and all those who are affected will be billed equally, including the owners of the vacant lots. Exceptionnally, the owners of the said vacant lots will be excluded from paying the user tax until a building is built.

### **SEWER SERVICES**

#### ARTICLE 22

Any property may be connected to the existing sewer system (if it is possible to do so) under the condition that the owner of the property pays the sum of \$750.00 to the Municipality of Pontiac for the sewer services, before any of the work begins.

When the work for the connection is complete, the ratepayer shall pay the true cost of said work to the municipality. This cost takes into account the material, labour and equipment used. A statement of accounts shall be given to the ratepayer, stipulating the cost of the work, the deposits given and the outstanding amount.

#### ARTICLE 23

The work will consist of connecting the sewage pipes from the existing network, up to the property line to which connection the owner has requested.

#### ARTICLE 24

The work will be done under the supervision of the person responsible for the sewer network and by his representative.

#### ARTICLE 25

Revenues from the waterworks system will be used to pay the cost of supplying water to part of the Municipality of Pontiac's territory and to the inherent cost of maintaining the sewage network.

#### ARTICLE 26

The work will be done with diligence by the municipality as soon as possible, keeping in mind the weather, the availability of material and the manpower.

#### ARTICLE 27

All work pertaining to new pipes or the extension of existing services shall be done between April 15 and November 30.

#### ARTICLE 28

Changes may not be brought to any of the pipes or connections to the municipal network except if it is being done by a municipal employee or under his/her supervision.

### **ASSESSMENT OF DUTIES**

#### ARTICLE 29

The Municipality of Pontiac will charge a tax each year on any building that is connected to the services or that can be connected, in order to provide sufficient funds to pay for incurred expenses for the treatment and maintenance of the sewage system.

#### ARTICLE 30

The fee will be applicable on all vacant lots, except if it is registered and joined to a lot on which a residential or commercial building already exists.

#### ARTICLE 31

When the object of a request is to connect a property to the sewage system and that this property is only accessible by passing in front of an unserved lot or lots, the necessary work will be done by the municipality and all those who are affected will be billed equally, including the owners of the vacant lots. Exceptionnally, the owners of the said vacant lots will be excluded from paying the user tax until a building is built.

## **CHECK VALVE**

### **ARTICLE 32**

A check valve shall be installed on horizontal lines receiving the sewage from all devices, notably returns, holding tanks, interceptors, reservoirs and any other siphons that are installed in basements and cellars. This check valve must be easily accessed to enable its maintenance and cleaning.

### **ARTICLE 33**

The check valve must be kept in good condition by the property owner at all times.

### **ARTICLE 34**

There cannot be any other type of check valve whatsoever installed on a drain pipe of a building.

### **ARTICLE 35**

In the event that the property owner omits to install the said check valves or to maintain them in good working order, the municipality will not be held responsible for damages caused to the building or its content because of flooding caused by sewage back-up. This is mandatory for any building built in the sector that is serviced by the sewer system, even if the construction was done before this by-law came into force.

### **ARTICLE 36**

This check valve must be in compliance with the standards stipulated in the *Quebec Plumbers Act*, A.C. 4028-72 and its modifications.

### **ARTICLE 37**

The use of a threaded cover to close a return is permissible but does not exempt the installation of a check valve, which is mandatory.

## **FINAL PROVISIONS**

### **ARTICLE 38**

Any difference between the true cost of the work and the \$750 deposit paid before the work to connect the water or sewage system began, may be payable as follows:

- a) \$0 à \$1,000 = Within 30 days of the invoice, without interest;
- b) \$1,001 to \$3,000 = Within one year of the invoice date, with 13% interest;
- c) \$3,001 to \$5,000 = Within a maximum 2 years of the invoice date, with 13% interest;
- d) \$5,001 or more = Within 5 years of the invoice date, with a 13% interest.

### **ARTICLE 39**

Anyone who infringes upon the provisions of the present by-law is liable to a fine set at \$150.00 for a first offence with or without fees, to a fine set at \$200.00 for a second offence with or without fees, or to a fine set at \$300.00 for any subsequent offence, with or without fees.

If an offence to the present by-law is continuing, this constitutes a separate daily offence.

ARTICLE 40

The present by-law comes into effect according to the law.

Jim Coyle votes against the motion.

Carried

**08-06-212**

**2<sup>nd</sup> MANDATE – CONSULTANT - TOWN PLANNING REGULATIONS**

It is

Moved by Raymond Gougeon

Seconded by Dr. Jean Amyotte

AND RESOLVED THAT this council award a second mandate to Mr. Pierre-Yves Guay, town planning consultant, to achieve the work relating to the urban planning regulations and to establish the legal procedures for adopting the documents, in compensation for a lump sum of \$16,000, as per his service offer of November 2006.

Carried

**08-06-213**

**REMUNERATION – MEMBERS OF THE U.R.C. (C.C.U.) AND THE RECREATION COMMITTEE**

WHEREAS the remuneration of the members of the U.R.C. and the Recreation committee was adopted by resolution no. 263-95;

It is

Moved by Edward McCann

Seconded by Dr. Jean Amyotte

AND RESOLVED THAT this resolution **modifies** the said remuneration as follows:

President	=	\$100.00 per meeting ( <b>if the position is filled by a municipal councillor, there is no remuneration</b> )
Secretary	=	\$75.00 per meeting
Member	=	\$50.00 per meeting ( <b>if the position being filled by a municipal councillor, there is no remuneration</b> )

IT IS FURTHER RESOLVED THAT this remuneration is payable on a quarterly basis.

Raymond Gougeon and Brian Middlemiss vote against the motion.

Carried

**08-06-214**

**REQUEST TO THE C.P.T.A.Q – Mr William Twolan – 25, Elm Road**

WHEREAS the request is for the alienation, subdivision and authorization to use lot 2 683 758 (11,817. 90 sq meters) situated at 25, ch. Elm, for other than agricultural purposes, in order build a single family dwelling.

WHEREAS the inventory of residential lot is limited;

CONSEQUENTLY, it is

Moved by            Jim Coyle  
Seconded by        Garry Dagenais

AND RESOLVED that council supports the applicant's request for the alienation, subdivision and authorization for the use of lot 2 683 758 (11,817.90 sq meters) situated at 25, ch. Elm, for other than agricultural purposes, in order build a single family dwelling.

Raymond Gougeon and Dr. Jean Amyotte vote against the motion.

Carried

#### **08-06-215**

#### **MANDATE CONSULTANT – BICYCLE PATH**

WHEREAS the municipality has received confirmation of subsidies for a portion of the payment of the fees for the consultant, Mr. David Massé, for the bicycle path project;

WHEREAS some monies have been provided for in the budget for the different between the subsidies and the true cost;

It is

Moved by            Dr. Jean Amyotte  
Seconded by        Raymond Gougeon

AND RESOLVED THAT the municipality renew the mandate with the consultant, Mr. David Massé (of *Conception Plein Air*) from July 1, 2008 to July 1, 2009 under the same terms provided for in the agreement of May 2007.

Brian Middlemiss and Harold McKenny vote against the motion.

Carried

#### **VARIOUS REPORTS AND CORRESPONDENCE**

- Tabling of various municipal reports: a) animals.

#### **TABLING OF DOCUMENTS**

- Registre of the correspondence received in May.

#### **QUESTION PERIOD**

#### **08-06-216**

#### **ADJOURNMENT OF THE MEETING**

It is

Moved by            Jim Coyle  
Seconded by        Harold McKenny

AND RESOLVED to close the meeting at 9:30 p.m. having gone through the agenda.

Carried

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MAYOR

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DIRECTOR GENERAL