

**PROVINCE OF QUEBEC
MUNICIPALITY OF PONTIAC**

MINUTES of the municipal council's special meeting held on Tuesday, April 27, 2010 at 7:30 p.m. at the Luskville Library, situated at 2024 route 148, Pontiac. Those who were present :

Edward McCann, mayor, Dr. Jean Amyotte, acting mayor and councillors, Roger Larose, Lynne Beaton, Jim Coyle, Inès Pontiroli and Brian Middlemiss.

ALSO PRESENT: the director general and his assistant.

The meeting started at 7:35 p.m.

FLOOR OPEN TO THE PUBLIC

Mr. Denis Dubé - Mr. Dubé asks council for a meeting with municipal representatives for the right of way on his property regarding the excess water pipe of the new pumping station on Egan and storm sewer.

10-04-182

ADOPTION OF THE AGENDA

1. Adoption of the agenda
2. Business fair
3. By-law – tolerance roads
4. Request for a subdivision – 1544 chemin Proven – Shawn Kluge
5. Request for a subdivision – 391 et 393 route 366 ouest – Paul André Brunette
6. Municipal inspector
7. Request for a subdivision – 330 ch. Bradley – Harold Nugent et Glenn Nugent
8. Adjournment of the sitting

It is

Moved by Inès Pontiroli
Seconded by Edward McCann

AND RESOLVED to adopt the agenda with the following addition:

8. Digging a trench at the municipal dump
9. Purchase – post
10. Adjournment of the sitting

Carried

10-04-183

BUSINESS FAIR

It is

Moved by Jim Coyle
Seconded by Inès Pontiroli

AND RESOLVED THAT a \$2,000.00 budget be allocated for organizing the business fair. These monies will be taken from budget item 02-62900-349.

Carried

10-04-184

BY-LAW 03-10 ABROGATING BY-LAW 16-08 - TOLERANCE ROADS

WHEREAS on the Municipality of Pontiac' territory, certain lots or rights of way occupied as roads, are such, simply by tolerance of the owner or the occupant;

WHEREAS the majority of ratepayers on certain roads who are interested, have submitted a request that the municipality take charge of the maintenance of said road as per article 70 of "Act on municipal competences";

WHEREAS this Council deems it appropriate to follow up on the ratepayers' request;

WHEREAS a motion of the present by-law was given at a previous council meeting held on March 9, 2010;

WHEREAS article 6, paragraph 4 of the Municipal Code allows a municipality to contract out, within its' field of competence;

It is

Moved by Inès Pontiroli
Seconded by Jim Coyle

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

ARTICLE 1

Definition:

Residents:

Any person who has the right to be registered on the permanent electoral roll as a resident of the road that is the object of the request.

ARTICLE 2

The preamble and appendix « A » (name of associations and plans revised in 2008) are an integral part of the present by-law.

ARTICLE 3

The council orders, according to article 70 of the "Act on municipal competences" that, upon request from the majority of the ratepayers interested, the maintenance of the roads, named tolerance roads by sector, in Appendix « A », attached and being an integral part of the present by-law.

ARTICLE 4

The length of the said roads will be established in accordance to the official "cadastre plan" if existing, or as per the municipal "graphic register" if the cadastre does not exist.

ARTICLE 5

The F.R.A.P.P. « Fédération représentant les associations des propriétaires de Pontiac » « *Federation Representing the Pontiac Owners Association* » will be the only organization representing the associations with the Municipality, as listed in appendix A. These associations must be registered as active members within the F.R.A.P.P.

ARTICLE 6

According to article 6, paragraph 4 of the Municipal Code, the municipality awards the winter and summer maintenance of the said roads to the various associations of the sectors concerned which consists of snow removal and sanding roads in winter, and in the

summer, consists of laying gravel, levelling, spreading calcium, brush cutting and cleaning ditches, if needed, and to keep the said roads in a satisfactory condition so as to allow free circulation to emergency vehicles, snow ploughs, municipal service vehicles, among others.

ARTICLE 7

New associations

Once all of the required documents have been submitted, the new associations may ask to be recognized by Council as such at any time during the course of the year.

Council may recognize a new association at any given time during the course of the year.

A request for financial assistance for the current year may be granted whether funds required were included in the current budget or not.

A request for financial assistance may be allocated in a pro-rated fashion, as of the date the association was officially recognized by Council, if the required funds were included in the current budget or not.

A new association must be a member of the F.R.A.P.P. before any monies are given.

A new association will be immediately eligible to request special project funding.

Existing associations:

Requests for financial assistance must be filled out and submitted to the municipal office by October 31st of each year.

ARTICLE 8

Each association will be eligible for the sums described as per the resolution.

ARTICLE 9

Each sector will receive the sums established in article 5 as follows:

- 1st instalment: 50% payable between January 15th and 30th of the current year, upon submission of supporting documents related to the 2nd instalment of the previous year. Any unused amounts from the previous year will be deducted from the budget of the current year;
- 2nd instalment: 50% payable before December 15th of the current year upon submission of supporting documents related to the 1st instalment, plus or minus 10%.

ARTICLE 10

For the exceptional road maintenance, mentioned in article 3, each sector's association mentioned in article 4 could benefit from additional sums from the special projects budget.

ARTICLE 11

Each project will be submitted to a committee consisting of a minimum of three (3) members from various geographical regions of the municipality, appointed by the F.R.A.P.P. executive and of a minimum of one (1) municipal councillor. This committee may engage subject matter experts.

The priority of projects will be determined by a committee consisting of a minimum of three (3) members from various geographical regions of the municipality, appointed by the F.R.A.P.P. executive, and of a minimum of three (3) municipal councillors. This committee will exercise the power of recommendation to the municipal council.

ARTICLE 12

Each association will receive the additional sum(s) established in article 8, after having submitted the special project in full. The established sum is at the discretion of the municipality. The project submitted should consist of:

- Project details (problem description, impacts, alternative solutions, preferred option, expert opinion);
- the costs involved;
- the (approximate) date(s) of work execution.

ARTICLE 13

To be eligible to request financial aid, an association must have a Quebec business number and be comprised of at least 5 distinct property owners (having no conjugal bond) of which 2 are residents. The notion of « tolerance road » must be applied word for word. See AMC article 70. Nevertheless, if certain circumstances and a request for recognition could make it advantageous for the municipality, it could then recognize an association even if the standards listed in the present by-law are not met, notably with regard to the number of property owners (ref. art. 3).

ARTICLE 14

All associations recognized as per appendix “A” of this by-law cannot be divided as such to gain additional financial aid from what is already subsidized.

ARTICLE 15

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

Carried

10-04-185

SUBDIVISION – 1544, Proven Road, Shawn Kluke

WHEREAS the applicant wishes to subdivide part of lot 15A, range 5, Township of Onslow in order to create lots 15A-29, range 5, Township of Onslow;

WHEREAS the request is in conformity with the L.A.U;

WHEREAS that the request is to recognize an existing situation;

WHEREAS that the request is in conformity with the subdivision by-law 178-01;

CONSEQUENTLY, it is

Moved by Roger Larose
Seconded by Jim Coyle

AND RESOLVED that council supports the applicant’s request to create lot 15A-29, range 5, Township of Onslow; as shown in the plan prepared by land surveyor Michel Fortin, under his minutes 20310.

Carried

10-04-186

SUBDIVISION – 391 an 393, route 366 Ouest – Paul-André Brunette

WHEREAS the applicant wishes to subdivide part of lot 26B, range 13, Township of Onslow in order to create lots 26B-8 and 26B-9, range 13, Township of Onslow;

WHEREAS the request is in conformity with the L.A.U;

WHEREAS that the request is to recognize an existing situation;

CONSEQUENTLY, it is

Moved by Roger Larose
Seconded by Lynne Beaton

AND RESOLVED that council supports the applicant's request to create lots 26B-8 and 26B-9, range 13, Township of Onslow; as shown in the plan prepared by land surveyor Richard Fortin, under his minutes 8574 dated from October 20th 2009.

Carried

10-04-187

MUNICIPAL INSPECTOR

WHEREAS extra work generated by the number of construction permits issued;

WHEREAS the necessary follow-up of files and violations to the nuisance by-law;

Il est

Moved par Dr Jean Amyotte
Seconded par Brian Middlemiss

AND RESOLVED THAT Mr. Pierre-Louis Chartrand's working hours be increased to 40 hours per week for a period of 22 weeks, that is from May 3, 2010 to October 2, 2010.

Carried

10-04-188

REQUEST FOR A SUBDIVISION – 330, chemin Bradley, Glen and Harold Nugent

WHEREAS the object of the request is to replace lots 4 438 473 and 4 443 004 approved by resolution 09-08-280;

WHEREAS lots were registered with the ministry of natural resources as lots 4 471 546 and 4 471 547;

CONSEQUENTLY, it is

Moved by Brian Middlemiss
Seconded by Jim Coyle

AND RESOLVED THAT Council support the new numbering of lots 4 471 546 and 4 471 547, as shown on the plans submitted by land surveyor Mr. André Durocher under his minutes #18 155, dated June 9, 2009.

Carried

10-04-189

DIGGING A TRENCH AT THE MUNICIPAL DUMP

It is

Moved by
Seconded by

AND RESOLVED THAT the municipality authorize the Director of Public works to proceed with an invitation to tender for digging a trench at the municipal dump. The Director of Public works is also authorized to grant the contract to the lowest bid in compliance with our specifications.

Carried

10-04-190

POST – PUMPING STATION – EGAN STREET

Il est

Proposé par Jim Coyle
Appuyé par Lynne Beaton

AND RESOLVED THAT the municipality proceed with purchasing a 40-foot post made of treated wood, to accommodate the electrical input to the pumping station on Egan street.

Adoptée

10-04-191

ADJOURNMENT OF THE MEETING

It is

Moved by Jim Coyle
Seconded by Lynne Beaton

AND RESOLVED to close the meeting at 9:05 p.m., having gone through the agenda.

Carried

MAYOR

DIRECTOR GENERAL

« I, mayor Edward McCann, hereby certify that the signature on the present minutes is equivalent to the my signature on each and every resolution herein, as specified in article 142 (2) of the Municipal Code».