

The Corporation of the Town of Bradford West Gwillimbury

Special Meeting 2010/20

Minutes

March 23, 2010

Meeting Location: Council Chambers, Court House,
57 Holland St.E., Bradford, ON

Members Present: Doug White, Mayor
Dennis Roughley, Deputy Mayor
Mark Contois, Councillor
Del Crake, Councillor
Peter Dykie, Councillor
James Leduc, Councillor
John McCallum, Councillor

Members Absent: Jeanny Salmon, Councillor – with regrets
Ron Simpson, Councillor – with regrets

Staff Present: Jay Currier, Town Manager
Frank Jonkman, Drainage Superintendent
Kelly Losak, Director of Human Resources
Patricia Nash, Municipal Clerk
Tara Reynolds, Deputy Clerk

Others: Carl Hordyk Miriam King Paul Courey
Michael Owen Robert Keffer Mikki Nanowski
Mike Brinkos Art Janse And others.

(a) OPENING

2010/20-001

Moved by: J. McCallum

Seconded by: D. Crake

"That this special meeting of Council come to order at 7:02 p.m. to discuss the Decision of the Appeal Tribunal regarding the Holland Marsh Drainage System Canal Improvement Project and to consider third reading of By-law 2009-042 and correspondence from Councillor Salmon."

CARRIED.

(b) DECLARATIONS OF PECUNIARY INTEREST & DISCLOSURE OF INTEREST

Mayor White reminded the Members of Council of the Municipal Conflict of Interest legislation and requirements for disclosure. There were no conflict of interest declarations made at this time or throughout the meeting.

(c) REPORTS OF MUNICIPAL OFFICERS

1. Paul Courey, Courey Law Office

Mr. Courey was in attendance to provide Members of Council with a brief verbal report on the history of the Holland Marsh Drainage System Canal Improvement Project and the decision of the Appeal Tribunal.

2. Appeal Tribunal Decision and Order

2010/20-002

Moved by: D. Crake

Seconded by: J. McCallum

"Whereas the Appeal Tribunal Decision dated March 12, 2010 ordered the Engineer to revise his report to:

- a) amend the Allowances on Page 78 of the Report to reflect Orders:
 - 2.a) *the Land Allowance (s.29) shall be reduced from \$10,900 to \$230.*
 - 2.b) *the Damages Allowance (s.30) shall be reduced from \$1,075 to \$95*
 - 6.a) *the Gleason Allowances under section 33 shall be increased from \$60,000 to \$214,600.*
- b) amend the Allowances sub-totals for each interval and in the Total Allowances in the Report.
- c) amend the Contingency Allowance on Page 97 of the Report to reflect Orders:
 - 2.c) *the Contingency Allowance in the Report shall be increased by \$11,650.*
 - 6.b) *the Contingency Allowance in the Report shall be decreased by \$154,600.*
- d) amend Page 43 of the Schedule of Assessments appended to the Report to reflect Order:
 - 6.c) *the Gleason Special Assessment of \$2,500 shall be reduced to zero.*
- e) increase the Outlet Assessment to all Roads in the watershed by \$2,500 apportioned pro rata to reflect:
 - 6.d) *the outlet liability assessment of the roads within the watershed shall be increased by \$2,500, apportioned to those roads pro rata.*
- f) make necessary amendments to the sub-totals and totals within the Estimated Construction Cost to reflect the net changes.
- g) amend the Specifications and Contract Documents to provide that all trees identified by the landowners as marketable for timber shall be cut separately and piled along the edge of the right of way for each land. If the landowners and the Engineer cannot agree on which trees are marketable for timber, we direct the Engineer to hire forester Jack Winkler, or if he is unavailable another qualified forester, to determine if the trees have marketable timber value and his decision will be final.

And that Council receive and approve the necessary amendments to the Engineering Report and schedules to reflect the Tribunal Decision Order."

RECORDED VOTE

	Support	Opposition
Mayor Doug White	X	
Deputy Mayor Dennis Roughley	X	
Councillor John McCallum	X	
Councillor Del Crane	X	
Councillor Mark Contois	X	
Councillor Ron Simpson	Absent	
Councillor Jeanny Salmon	Absent	
Councillor James Leduc	X	
Councillor Peter Dykie	X	

CARRIED.

(d) BY-LAW

- 1. **BY-LAW 2009-042**
Section 78, Holland Marsh Drainage System Canal Improvement Project

2010/20-003

Moved by: J. McCallum

Seconded by: P. Dykie

"That Council waive the formal reading of By-law 2009-042."

CARRIED.

2010/20-004

Moved by: J. McCallum

Seconded by: D. Crake

"That By-law 2009-042, as amended, being a by-law to provide for drainage works in the Town of Bradford West Gwillimbury in the County of Simcoe, Province of Ontario and in the Township of King in the Region of York be read a **third** time and finally passed and enacted as a By-law of the Corporation of the Town of Bradford West Gwillimbury this 23rd day of March, 2010."

CARRIED.

(e) CORRESPONDENCE

- 1. **Correspondence from Councillor Salmon**

Mayor White read correspondence received from Councillor Salmon.

2010/20-005

Moved by: D. Roughley

Seconded by: J. McCallum

"That Council acknowledge receipt of correspondence from Councillor Jeanny Salmon, Ward 1 dated March 23, 2010 regarding her personal leave of absence."

CARRIED.

(f) ADJOURNMENT

2010/20-006

Moved by: J. McCallum

Seconded by: D. Crake


"That this special meeting of Council being held to discuss the Decision of the Tribunal regarding the Holland Marsh Drainage System Canal Improvement Project and third reading of By-law 2009-042 close at 7:44 p.m."

CARRIED.

CONFIRMED IN OPEN SESSION THIS 6th DAY OF APRIL, 2010.



 Patricia Nash, Municipal Clerk



 Doug White, Mayor