

Municipality of Morin-Heights

PROVINCE OF QUEBEC ARGENTEUIL COUNTY MRC DES PAYS D'EN-HAUT

MINUTES

In case of discrepancy, the French version prevails over the English translation.

Minutes of the regular session of the Municipal council of Morin-Heights, held at the Community Room, 567, Village, on Wednesday, December 8th, 2010 at which were present Councillors Jean-Pierre Dorais, Jean Dutil, Peter MacLaurin and Claude P. Lemire, forming quorum under the chairmanship of Mayor Timothy Watchorn.

Councillor Mona Wood is absent.

The Director general, Yves Desmarais, is present.

At 7:30 p.m., the Mayor states quorum, welcomes the public and Council deliberates on the following dossiers.

242.12.10 ADOPTION OF THE AGENDA

It is proposed by Councillor Jean Dutil
And unanimously resolved by all Councillors:

That Council adopt the agenda as presented by the Director general.

AGENDA

- 1 Opening of the meeting held at the community room located at 567, Village road
- 2 Adoption of the minutes
- 3 ADMINISTRATION
- 3 1 Approval of the minutes
- 3 2 Finances
- 3 2 1 Expense statement
- 3 2 2 Statement of financial activities to November 30th, 2010
- 3 2 3 List of those indebted to the Municipality
- 3 3 Correspondence
- 3 4 Personnel
- 3 4 1 Notice of presentation of the elected representative's pecuniary interests
- 3 4 2 2010 and 2011 remuneration adjustment
- 3 5 Resolution
- 3 5 1 Allocation of the rolling fund
- 3 5 2 2011 council meeting schedule
- 3 5 3 Contractual management policy
- 3 6 Regulations
- 4 PUBLIC SAFETY
- 4 1 1 Monthly report from the Director
- 4 2 Personnel
- 4 3 Resolution
- 4 4 Regulations
- 5 PUBLIC WORKS
- 5 1 Monthly report from the Director
- 5 2 Personnel
- 5 2 1

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5	3	Resolution
5	3	1 Grant – improvement to roads network
5	3	2 Snow removal – Jackson, Hurtubise and Lac Noiret roads
5	4	Regulations
6		ENVIRONMENT & PARKS
6	1	Monthly report from the Director
6	2	Personnel
6	3	Resolution
6	3	1 Climate – Municipality program
6	4	Regulations
7		URBANISM AND LAND DEVELOPMENT PLANNING
7	1	Monthly report from the Director
7	1	2 Minutes of the Planning advisory committee meeting
7	2	Personnel
7	3	Resolution
7	3	1 Minor derogation – 859, route 364
7	3	2 Minor derogation – Husky road
7	3	3 Integrated project – Husky road
7	4	Regulations
8		RECREATION DEPARTMENT
8	1	1 Monthly report from the Coordinator
8	2	Personnel
8	2	1 Hiring – Supervision of the skating rink
8	3	Resolution
8	3	1 Financial assistance to parents
8	4	Regulations
9		New Business
10		Question period
11		End of the meeting

243.12.10 APPROVAL OF THE MINUTES

The minutes of the regular meeting of November 10th, 2010 were given to members of Council, by means of the electronic assembly file folder, saved on their portable computers.

Consequently, the Director general is exempt from reading them.

It is proposed by Councillor Leigh MacLeod
And unanimously resolved by all Councillors:

That Council adopt the minutes of the regular meeting of November 10th, 2010.

244.12.10 EXPENSE STATEMENT

The list of accounts payable and accounts paid during the month of November 2010 was given to Council members by means of the electronic assembly as well as the list of authorized expenses as per the delegation of competency by-law 351.

Council has studied the lists and:

It is proposed by Councillor Claude Philippe Lemire
And unanimously resolved by all Councillors:

That Council approve the accounts as detailed on the lists presented.

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November 1st to 30th, 2010	
Accounts to be paid	\$ 244,044.83
Accounts paid in advance	\$ 618,268.23
Total purchases	\$ 862,313.06
Direct bank payments for the month	\$ 13,977.88
Total expenses	\$ 876,290.94
Net salaries	\$ 78,620.89
<u>GRAND TOTAL</u>	<u>\$ 954,911.83</u>

The Mayor and the Director general are authorized to make the payments.

STATEMENT OF REVENUES AND EXPENSES TO
NOVEMBER 30TH, 2010

The Director general presents Council, who acknowledge receipt of the statement of financial activities to November 30th, 2010.

245.12.10 LIST OF THOSE INDEBTED TO THE MUNICIPALITY

In accordance to the specifications of Article 1022 of the Municipal Code, the Director general presents to Council the list of those indebted to the Municipality to December 1st, 2010;

Considering that Council studied the contents of the dossier;

It is proposed by Councillor Jean-Pierre Dorais
And unanimously resolved by all Councillors:

That Council authorize the Director general to send all dossiers of those indebted to the Municipality to collection whose accounts could be prescribed to the MRC Les Pays-d'en-Haut for collection and, if applicable, for the properties to be sold for non-payment of taxes.

That a last notice for the request of payment before January 17th, 2011 be sent to the property owners before sending the dossier for collection.

That a reminder be sent to all property owners whose account shows an unpaid balance exceeding \$ 100.

That the Director general be authorized to bid for and in the name of the Municipality at the time of the auction sale.

CORRESPONDENCE

The Director general reviews the correspondence for the month of November 2010. Council acknowledges receipt of the letters presented to its members. The Director General will take action and follow up, if necessary.

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Correspondence received

- 1 Conference given by Me. S. Sansfaçon
- 2 O. Chicoine – complaint SPCM
- 3 SQ PDH – Info – October 2010
- 4 Xplornet – benefits for citizens
- 5 MRC – By-law 226-2010
- 6 La Cuisine spontanée: information
- 7 R. MacLaurin : speed on Christieville road
- 8 Québec Municipal: 2011 membership
- 9 FQM : information and 2009-2010 report
- 10 Réseau québécois de villes et villages en santé : annual report
- 11 SQ : speed problem – Christieville road
- 12 FCM : request for 2011 membership
- 13 Arts Morin-Heights : association members
- 14 Association des propriétaires du Domaine Balmoral : work on roads
- 15 D. Lamoureux : garbage collection
- 16 J. Peters : Lake Binns
- 17 B. Greene : water line to 111, Beaulieu
- 18 MRC des Pays-d'en-Haut : By-law 239-2010
- 19 UMQ : invitation to become a member
- 20 Residence Morin Heights Inc. : bus service

Correspondence sent

- A Y. Dion : locating a lot
- B R. Gravel : Blue Hills road
- C S. Valois : offer
- D J. Richard : servitude
- E D. Carignan : damages
- F Minister of education, recreation and sports : request for financial assistance

NOTICE OF PRESENTATION OF THE ELECTED REPRESENTATIVE'S PECUNIARY INTERESTS

Notice is given by the Director general that all Council members have presented their declaration of pecuniary interests in accordance to the provisions of the Referendums and elections in municipalities Act for 2010-2011.

246.12.10 2010 – 2011 REMUNERATION ADJUSTMENT

Considering the remuneration of the non-unionized and management personnel has not been adjusted for the year 2010;

Considering the proposed adjustment is the same as the one approved at the time of the negotiation for the unionized employees' collective agreement;

Considering the contractual employees are excluded from this dossier for 2010 since they have already received their increases during the year;

It is proposed by Councillor Claude Philippe Lemire
And unanimously resolved by all Councillors:

That the salaries for non-unionized employees and management be adjusted to a percentage of 2,75% retroactive to January 1st, 2010;

That the salaries for non-unionized, contractual employees and management be adjusted to a percentage of 2.75% to January 1st, 2011.

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247.12.10 ALLOCATION OF THE ROLLING FUND

Considering the Municipality presently has a rolling fund totalling \$ 250,000;

Considering a rolling fund is used in order to face unforeseen expenses and that Council would like to increase its value;

Considering that any loan from this fund must be reimbursed over a maximum period of 5 years;

Considering the amount is available in the non-allocated surplus;

It is proposed by Councillor Jean Dutil
And unanimously resolved by all Councillors:

That Council allocate the amount of \$ 50,000 from the available surplus in order to bring the value of the rolling fund to \$ 300,000.

248.12.10 2011 COUNCIL MEETING SCHEDULE

Considering Article 148 of the *Quebec Municipal Code* stipulates, at the beginning of each civil year, Council must establish the calendar of its regular sittings for the year, by setting the date and time for each sitting;

Considering that, as per these new provisions, By-law 305 and the provisions of Articles 1 and 3 of By-law 252 are void and obsolete;

Consequently,

It is proposed by Councillor Jean-Pierre Dorais
And unanimously resolved by all Councillors:

That the following calendar be adopted with regards to the holding of the municipal council's regular sittings for 2011 which will be held on Wednesday and will begin at 7:30 p.m.:

January 12	February 9
March 9	April 13
May 11	June 8
July 13	August 10
September 14	October 12
November 9	December 14

That a public notice with the contents of the following calendar be published by the Director general and Secretary-treasurer, in accordance to the Act which regulates the Municipality.

249.12.10 CONTRACTUAL MANAGEMENT POLICY

Considering that as per the new provisions of Article 938.1 of the Quebec municipal Code, municipalities must adopt a contractual management policy code before the end of 2010;

Considering the present policy was proposed by the Québec Federation of municipalities;

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It is adopted unanimously:

That the policy entitled “contractual management policy” be adopted as follows.

CONTRACTUAL MANAGEMENT POLICY

PRESENTATION

The present « Contractual management Policy » is adopted as per Article 938.1.2 of the Quebec municipal Code, L.R.Q., c. C-27.1.

As per this provision, every Municipality must adopt a Contractual management Policy which applies to municipal contracts which must forecast measures in order to ensure health competition between those who contract and those thinking of entering into a contract with the Municipality. The measures in question must pertain to seven (7) areas of concern clearly specified in this legislative provision. These themes must contain a minimum of two specific measures.

It must be noted that the present policy is not meant to replace, modify or improve any legislative provision or jurisprudential regulation with regards to the granting or management of municipal contracts.

MAINTENANCE MEASURES FOR A SOUND COMPETITION

1. Measures aimed at ensuring that every tenderer or one of his representatives has not contacted or attempted to contact, for the purpose influencing, with one of the selection committee members with regards to the request for a bid for which he has presented a bid
 - a) Council delegates to the Director general, the power to form any selection committee which is necessary in order to receive, study the bids received and draw the appropriate conclusions.
 - b) Every selection committee must be formed before proceeding with the call for tenders, and consist of at least three members.
 - c) Every Council member, every employee and each of its representatives must protect, at all times, the confidentiality of the identity of the selection committee members.
 - d) Each call for tender that requires the forming of a selection committee, the tender documents must include the following provisions:
 - Every tenderer must include in his bid, a declaration attesting that he nor any of his representatives have contacted or tried to contact a member of the selection committee in order to exert an influence on them.
 - If a tenderer or one of his representatives contact or try to contact a member of the selection committee with the intent of influencing him, the bid will be automatically rejected.

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2. Measures which favour respect of applicable laws aimed at fighting against rigging bids
 - a) Every tenderer must include in his bid, a declaration attesting that his offer was prepared and presented without any collusion, communication, agreement or arrangement with any other tenderer or person to agree upon a price to be submitted or to influence the submitted price.
 - b) Must also be included in the offer documents, a provision stipulating that should a tenderer has denounced a collusion, a press release or has entered into an agreement or an arrangement with another tenderer or competitor to influence or fix the submitted prices, his bid will automatically be rejected.
3. Measures aimed at ensuring respect of the «*Loi sur la transparence et l'éthique en matière de lobbyisme* et du *Code de déontologie des lobbyistes* » adopted as per this Law
 - a) Every Council member or every employee ensures that anyone contacting him with regards to obtaining a contract that they are registered with the "Registre des lobbyistes prévu par la Loi sur *la transparence et l'éthique en matière de lobbyisme*".
 - b) Every tenderer must attach to his bid, a declaration attesting that he nor any of his representatives have tried to contact and influence in order to obtain a contract or, if such communication took place, attach a declaration to his bid with regards that this communication did take place after every registration was done as required by the "Loi au Registre des lobbyists".
4. Measures to be taken to prevent intimidation gestures, traffic of influence or corruption
 - a) The Municipality must, in the case of call for tenders by written invitation, favours as much as possible, invitations to various businesses. The identity of those who have been invited cannot be made public until the opening of the bids.
 - b) Every tenderer must attach to his bid, a declaration attesting that he nor any of his associates or employees have not made any gestures of intimidation, traffic of influence or corruption.
 - c) Every call for tender must indicate if a person has engaged in one or any of the acts mentioned in the previous paragraphs, this person's bid will be automatically rejected.
5. Measures to be taken in order to prevent conflict of interest situations
 - a) Every person who participates in the drawing up, execution or follow-up of a call for tenders or contract, as well as the secretary and members of a selection committee, if applicable, must declare having a conflict of interest and any situation of a potential conflict of interest.

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- b) A person in conflict of interest cannot participate in the drawing up, execution or follow-up of a call for tenders or contract.
 - c) Every tenderer must attach to his bid, a declaration attesting there has not been any link to interest in a conflict of interest because of his connection to a Council member or a civil servant.
6. Measures to be taken in order to prevent any situation susceptible of compromising fairness and objectivity of the process for requesting an offer and the management of the resulting contract
- a) For the purpose of every call for tenders, is identified a person responsible for the call for tenders who was given the mandate to supply any information regarding the call for tenders and must be stipulated in every call for tender document that every potential tenderer or every tenderer must only contact the person responsible in order to obtain any precision with regards to the call for tenders.
 - b) For any call for tender, it is prohibited for any Council member and any municipal employee to answer any request for a precision regarding any call for tender other than referring the requestor to the person responsible.
7. Measures aimed at surrounding the decisions taken in order to authorize the modification of a document
- a) The Municipality must, in every contract, establish a procedure surrounding any authorization for modification and foresee that such modification is not possible unless it is an addenda to the contract and does not change its nature.
 - b) The Municipality must anticipate in the call for tenders document the holding of the on-site meetings will be done regularly during the execution of the work in order to ensure the follow-up of the execution of the contract.

MONTHLY REPORT FROM THE DIRECTOR, PUBLIC SAFETY

The Director general presents Council who acknowledges receipt of the monthly report for the month of November and the list of expenses authorized during the month as per the delegation of competency, by-law 351.

MONTHLY REPORT FROM THE DIRECTOR, PUBLIC WORKS

The Director general presents Council who acknowledges receipt of the monthly report as well as the list of daily calls for the month of November and the list of expenses authorized during the month as per the delegation of competency, by-law 351.

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250.12.10 GRANT – IMPROVEMENT TO ROADS NETWORK

Considering the Municipality has obtained a grant from the Minister of transport in the amount of \$ 40,000 for the improvement of Village road pursuant to deputy David Whissell, representative for Argenteuil's recommendation;

Considering the work has been done at the cost of \$ 67,329.94;

It is proposed by Councillor Peter MacLaurin
And unanimously resolved by all Councillors:

That Council approve the expenses for the improvement work on Village road for an amount of \$ 40,000, for which copies of the supporting documents are attached herewith in accordance to the Minister of transport's stipulations.

That Council confirm that the work was done on the roads which was managed by the Municipality and that the expenses do not pertain to any another grant.

251.12.10 SNOW REMOVAL – JACKSON, HURTUBISE AND LAC NOIRET ROADS

Considering an agreement regarding the sharing of maintenance costs has been entered into between the municipalities of Morin-Heights and Wentworth Nord at the time of the municipalisation of Montée Hurtubise and chemin Lac Noiret;

Considering for geographical reasons, it is more beneficial to entrust the snow removal to a contractor which services this area of the Wentworth Nord territory;

Considering the Municipality of Wentworth nord's offer;

It is proposed by Councillor Peter MacLaurin
And unanimously resolved by all Councillors:

That Council accept the Municipality of Wentworth Nord's offer in order for the contractor under contract for the snow removal in this area extend its route to the Municipality of Morin-Heights for the 2010-2011 winter.

That Council approve the agreement for the price of \$ 5,692.62, including taxes, per kilometre for snow removal of approximately 2.2 kilometers for Jackson road, 1,000 m., 610 m for Montée Hurtubise and Lac Noiret, 600 m.

That the Mayor and the Director general be authorized to make the payments to the Municipality of Wentworth Nord.

MONTHLY REPORT FROM THE DIRECTOR, ENVIRONMENT & PARKS DEPARTMENT

The Director general presents to Council, who acknowledge receipt, the monthly report from the Director, Environment & Parks Inspector as well as the weekly water flow reports. A utility trailer has been purchased for the transportation of snowmobiles and Rhino in the amount of \$ 2,103.99, including taxes.

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252.12.10 CLIMATE MUNICIPALITIES PROGRAM

Considering that the Municipality intends to benefit from the program to prepare an inventory and a working plan to reduce its ecological footprint;

It is proposed by Councillor Leigh MacLeod
And unanimously resolved by all Councillors:

That Council confirm that it will carry out, within 120 days of the confirmation of the financial assistance, an inventory of Greenhouse Gas Inventory and will prepare a working plan in conformity to the MDDEP program in order to reduce its GGI emissions.

**MONTHLY REPORT FROM THE DIRECTOR,
URBANISM DEPARTMENT**

The Director general presents Council who acknowledge receipt of the monthly report from the Director of the Urbanism department for the month of November 2010.

**253.12.10 MINUTES OF THE PLANNING ADVISORY
COMMITTEE**

The Director General presents the minutes of the Planning Advisory committee meeting of November 23rd, 2010;

It is proposed by Councillor Claude Philippe Lemire
And unanimously resolved by all Councillors:

That Council accept the minutes of the meeting of November 23rd, 2010 and makes the pertinent recommendations.

254.12.10 MINOR DEROGATION – 859, ROUTE 364

- The president of the assembly opens the consultation meeting regarding the minor derogation at 8:05 p.m.
- The president of the assembly invites the Director general to read the proposal and explains the requested derogation.
- The president of the assembly invites anyone interested who were duly convened to this meeting by public notice dated November 23rd, 2010 to be heard in this dossier.

Council proceeds with the adoption of the following resolution:

Considering Council has received a request for minor derogation aimed at modifying two provisions of Zoning by-law 416 in order to legalize the location of the existing house enlarged between 1969 and 1979 and to permit an encroachment inside the front set-back for a balcony and the stairs on lot 3 735 637, cadastre of Quebec;

Considering the request is aimed at the property located at 859, Route 364 road within zone 41;

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Considering this request was studied by the Planning Advisory committee who recommend to Council the approval of the derogation to reduce the rear set-back but to refuse the encroachment on the front set-back by resolution 50.11.10;

Considering that according the Urbanism and development Act, those interested were invited by public notice to be heard at this consultation;

Consequently,

It is proposed by Councillor Jean-Pierre Dorais
And unanimously resolved by all Councillors:

That Council agree to the recommendation and grant the minor derogation to reduce the rear set-back from 10 meters to 5.84 meters for the existing building only, as shown on surveyor Roch Labelle's certificate of location, minutes 11,261.

255.12.10 MINOR DEROGATION – HUSKY ROAD

- The president of the assembly opens the consultation meeting regarding the minor derogation at 8:10 p.m.
- The president of the assembly invites the Director general to read the proposal and explains the requested derogation.
- The president of the assembly invites anyone interested who were duly convened to this meeting by public notice dated November 23rd, 2010 to be heard in this dossier.

Council proceeds with the adoption of the following resolution:

Considering Council has received a request for minor derogation aimed at modifying a provision of Parcelling by-law 417 in order to reduce the minimum frontage on the road for a lot (common part of an integrated housing project) on lots 3 736 098 and 3 736 112, cadastre of Quebec;

Considering the request is aimed at the property located on a vacant lot on Husky road, within zone 7;

Considering this request was studied by the Planning Advisory committee who recommend to Council the approval of the derogation by resolution 51.11.10;

Considering that according the Urbanism and development Act, those interested were invited by public notice to be heard at this consultation;

Consequently,

It is proposed by Councillor Claude Philippe Lemire
And unanimously resolved by all Councillors:

That Council grants the minor derogation, as presented by the requestor, specifically, to reduce from 25 meters to 12.36 meters, the frontage on the road for a lot without services, as shown on surveyor Sylvie Filion's draft plan, minutes 3182, under certain conditions.

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256.12.10 **INTEGRATED PROJECT – HUSKY ROAD**

Considering the Urbanism department has received a request for an integrated parcelling project (joint ownership) for the parcelling of five lots to be built;

Considering the development proposal prepared by surveyor Sylvie Filion meets the provision of zoning by-law 416 pertaining to an integrated project;

It is proposed by Councillor Claude Philippe Lemire
And unanimously resolved by all Councillors:

That Council authorize the Building inspector to issue a parcelling project for the integrated parcelling project as shown on the draft plan prepared by the Sylvie Filion, surveyor, as per the following conditions:

- That the construction plan for the road be modified in order to level out the encroachments on private properties or for that the owners of these properties give their consent and agree to prepare a servitude;
- That a cadastral operation plan representing the subdivision of lots be presented in accordance to Parcelling by-law 417 in effect;
- That the co-ownership declaration for this project be registered before the issuance of the construction permit for this road;
- That the property owners agree to pave the first 30 meters of the road should Husky road be paved;

**MONTHLY REPORT FROM THE COORDINATOR,
RECREATION DEPARTMENT**

The Director general presents Council who acknowledge receipt of the monthly report from the Coordinator, Recreation department for the month of November 2010 as well as the list of expenses authorized during the month of November 2010 as per the delegation of competency and the Réseau Biblio des Laurentides' individual delegation report.

257.12.10 **HIRING – SUPERVISION OF THE SKATING RINK**

Considering the report prepared by the Coordinator, Recreation department dated November 30th, 2010;

Considering the amounts are provided for in the Recreation department's operations budget;

It is proposed by Councillor Leigh MacLeod
And unanimously resolved by all Councillors:

That Council authorize the hiring of an employee for the supervision of the skating rink for the 2010-2011 winter at the conditions established in the job description attached herewith as follows:

Name	Hourly rate	Hours
Danny Gauvin-Ferron	\$ 11,50	40 hr/week

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258.12.10 FINANCIAL ASSISTANCE TO PARENTS

Considering that as per the Seniors and Family Policy, the Municipality will provide financial assistance to parents whose children frequent arenas outside of the Municipality;

Considering the Municipality has received six requests as shown on the report presented by the Coordinator, Recreation and culture;

Considering the credits are provided for in the budget;

It is proposed by Councillor Peter MacLaurin
And unanimously resolved by all Councillors:

That Council authorize the payment of financial assistance as shown below:

Child's name	Address	Amount to be reimbursed
Brian Roberge	11, rue Normand	100 \$
Maude Laroche	65, rue Provence	100 \$
Sébastien Lono	55, Cédrière	100 \$
Alexandra Lono	55, Cédrière	100 \$
Philippe Renault	27, Feux-Follets	100 \$
Mitchell Turbide	55, Cédrière	100 \$

NEW BUSINESS

QUESTION PERIOD

Council answers questions asked by the public.

259.12.10 END OF THE MEETING

It is proposed by Councillor Claude P. Lemire
That the meeting end at 8:52 p.m.

I have approved each and every resolution in these minutes

Tim Watchorn
Mayor

Yves Desmarais
Director general
Secretary-treasurer

Nineteen people attended the meeting.