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CANADA

HOLDING OF A PUBLIC MEETING

REGULAR MEETING of the Municipal Council of Bury, held on **Thursday, August 20th, 2009 at 7:30 p.m.** at the Bury Community Centre and at which are present **Councillors James Cork, Linda Harper McMahon, Lynn Martel Bégin, Nicole Fortier, Daniel Breton and Walter Dougherty** all members of the said Council all having been duly convened and forming quorum, under the chairmanship of the mayor Marc Jacques Gosselin and according to the provisions of the Municipal Code.

The Director General/Secretary-Treasurer, Yvan Fortin is present.

AGENDA

1. **Opening**
2. **Approval of the Agenda**
3. **Approval of the Minutes**
 - 3.1 **Regular meeting of July 6th 2009**
4. **Mayor's Report**
 - 4.1 **Report of the Mayor's activities**
5. **Opening, analysis and/or acceptance of tenders**

None
6. **Information to Council and correspondence**

The Director-General/Secretary-Treasurer reads the list of correspondence
7. **Reports of the Committees**
 - 7.1 **Finances - Grants**
 - 7.2 **Human resources**
 - 7.3 **Environmental health**
 - 7.4 **Public safety**
 - 7.5 **Sports & Leisure**
 - 7.6 **Culture and cultural activities**
 - 7.7 **Public works & equipment**
 - 7.8 **Golf**
 - 7.9 **Town planning**
 - 7.10 **Development committee**
8. **New Business**
 - 8.1 **Resolutions submitted for approval**
 - 8.1.1 **List of bills payable**
 - 8.1.2 **Deposit of the biannual financial statement**
 - 8.1.3 **Municipality of Bury employee code of conduct and ethics**
 - 8.1.4 **Approval of the second bylaw project number 0001 modifying zoning bylaw number 339-2008**
 - 8.1.5 **Public post offices and rural environment delivery**
 - 8.1.6 **Asphalt repairs**
 - 8.1.7 **Request to the CPTAQ – Observation tower**
9. **Approval of Bylaws**
 - 9.1 **Approval of a bylaw decreeing the imposition of a tax for the financing of 9-1-1 emergency centres**
 - 9.2 **Approval of the bylaw concerning the control of outdoor lighting (light pollution)**
10. **Notices of Motion**

None
11. **Other issues and new items**
12. **Question Period**
13. **Adjournment**
14. **Next ordinary meeting**



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Monday, September 14th 2009 at 7:30 p.m. at the Community Centre (563 Main Street).

1. Opening

Quorum verification and welcoming at 7:30 P.M.

2. Approval of the Agenda

Resolution # **2009-08-097**

IT IS PROPOSED BY Councillor James Cork seconded by Councillor Nicole Fortier **TO APPROVE** the Agenda of the August 20th 2009 ordinary meeting by adding the following points: « 8.1.8 Truck Inter 1994 Work », « 8.1.9 Special rating for a new golf member », « 11.1 Dealing with those late with money or reports » et « 11.2 Installation of water meters »

****APPROVED UNANIMOUSLY BY THE MEMBERS IN ATTENDANCE****

3. Approval of the Minutes

3.1 Regular meeting of July 6th 2009

Resolution # **2009-08-098**

IT IS PROPOSED BY Councillor Daniel Breton seconded by Councillor Lynda Harper McMahon **THAT** the Minutes in French of the July 6th 2009 ordinary meeting would be approved as proposed.

****APPROVED UNANIMOUSLY BY THE MEMBERS IN ATTENDANCE****

4. Mayor's Report

4.1 Report of the Mayor's activities

The Mayor lists his activities

5. Opening, analysis and/or acceptance of tenders

None

6. Information to Council and correspondence

The Director General/Secretary-Treasurer reads the list of correspondence

7. Reports of the Committees

7.1 Finances - Grants

7.2 Human resources

7.3 Environmental health

7.4 Public safety

7.5 Sports & Leisure

7.6 Culture and cultural activities

7.7 Public works & equipment

7.8 Golf

7.9 Town planning

7.10 Development committee

8. New Business

8.1.1 List of bills payable

Resolution # **2009-08-099**

CONSIDERING THAT according to Bylaw 403-2008 regarding delegation of powers and rules for the control and follow-up of budget expenses, the Director



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General must prepare and periodically present to Council, at a regular meeting, a report detailing expenses he has authorized.

IT IS THEREFORE MOVED by Councillor Nicole Fortier seconded by Councillor James Cork **THAT** the Municipal Council accept the inclusion of a list of authorized expenses with the list of accounts payable and that the payment of corresponding bills totalling 195 685,72\$ be approved. The report is to be filed under number 07-2009 and is to be considered as an integral part of these Minutes.

****APPROVED UNANIMOUSLY BY THE MEMBERS IN ATTENDANCE****

8.1.2 Deposit of the biannual financial statement

Resolution # **2009-08-100**

WHEREAS as underlined by article 176.4 of the Municipal Code, the Director General/Secretary-Treasurer and/or his assistant must biannually prepare and deliver to Council a comparative statement of revenues and expenses for the Municipality;

WHEREAS the municipal Council requires that a temporary statement is also to be delivered;

WHEREAS the statement of revenues and expenses has been deposited at the regular meeting of July 6th 2009;

THEREFORE, IT IS PROPOSED BY Councillor Daniel Breton seconded by Councillor James Cork **TO DECREE THAT** the Council accepts the deposit of the biannual statement.

****APPROVED UNANIMOUSLY BY THE MEMBERS IN ATTENDANCE****

8.1.3 Municipality of Bury employee code of conduct and ethics

Resolution # **2009-08-101**

WHEREAS it is the municipality's duty to guarantee to its population, an honest, upright and impartial administration, in all fields;

WHEREAS the municipality of Bury wishes that all employees be managed by the same code of conduct;

WHEREAS the municipality of Bury wishes to inform all employees of the behaviour and actions judged incompatible with the responsibility, the function or the job they hold;

WHEREAS all transgressions of the code are subject to disciplinary actions;

IT IS PROPOSED BY Councillor Lyne Martel Bégin seconded by Councillor Nicole Fortier **TO DECREE** the approval of the code of conduct and ethics for employees of the Municipality of Bury. The Council members in attendance declare having read the document and therefore waive its reading and it is classified under its heading.

THE VOTE IS REQUESTED BY Councillor Linda Harper McMahon. 4 votes for and 2 votes against. Councillor Linda Harper McMahon and Councillor Walter Dougherty voted against.



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****APPROVED BY THE MAJORITY OF THE MEMBERS IN
ATTENDANCE****

**8.1.4 Approval of the second bylaw project number 0001 modifying zoning
bylaw number 339-2008**

Resolution # 2009-08-102

IT IS PROPOSED BY Councillor James Cork seconded by Councillor Lynne Martel Bégin **TO DECREE THAT** the municipal Council proceeds to approve the bylaw project modifying bylaw number 339-2008 entitled « Zoning bylaw », allowing a new use in zone A-32.

The Council members in attendance declare having read the bylaw and therefore waive its reading.

****APPROVED UNANIMOUSLY BY THE MEMBERS IN
ATTENDANCE****

8.1.5 Public post offices and rural environment delivery

Resolution # 2009-08-103

WHEREAS the report of the Canada Post Corporation Strategic Review (CPCSR) recommends that the current moratorium on post office closures in rural areas and small towns be replaced with a mechanism involving new rules and procedures, including the ability to replace public post offices with private outlets;

WHEREAS the report also recommends that rural mailbox delivery be reconsidered;

WHEREAS these recommendations, if implemented by the federal government, would undermine public postal service and jobs in our community and fundamentally change the nature of Canada Post's retail and delivery network;

WHEREAS the report proposes that Canada Post's highly inadequate community consultation process be used when closing or "rationalizing" a post office/outlet and that a similar process be used when replacing rural mailbox delivery with delivery to a community box, green box or post office

IT IS PROPOSED BY Councillor Walter Dougherty seconded by Councillor Lynne Martel Bégin **TO DECREE THAT** the municipal Council of Bury asks Rob Merrifield, minister responsible of Canada Post, that the government preserve public postal service and jobs in our community by rejecting CPCSR recommendations that would:

1. put an end to the moratorium on post office closures in rural areas and small towns and give Canada Post the flexibility to close post offices covered by the current moratorium or convert these public post offices to private outlets
2. cut delivery to rural mailboxes without exploring all options or properly consulting with residents or the representatives of rural delivery workers.

BE IT FURTHER RESOLVED that we request that Minister Merrifield consult with the public, postal unions and other major stakeholders to develop a uniform and democratic process for making fundamental changes to Canada Post's retail and delivery network.

THE VOTE IS REQUESTED BY Councillor James Cork.



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5 votes for and 1 vote against.

****APPROVED BY THE MAJORITY OF THE MEMBERS IN ATTENDANCE****

8.1.6 Asphalt repairs

Resolution # **2009-08-104**

IT IS PROPOSED BY Councillor Walter Dougherty seconded by Councillor Daniel Breton **TO AUTHORIZE** the *Pavage Saint-François* company to do asphalt repairs for the sum of 20 560.00\$ plus taxes, conforming with the August 10th 2009 submission.

****APPROVED UNANIMOUSLY BY THE MEMBERS IN ATTENDANCE****

8.1.7 Request to the CPTAQ – Observation tower

Resolution # **2009-08-105**

WHEREAS the municipality of Bury wishes to value its landscape with an observation tower;

WHEREAS the municipality of Bury recognizes that this use is non agricultural and that it is necessary to submit an authorization request to the CPTAQ;

WHEREAS the municipality of Bury underlines that this project conforms to the current urbanism bylaws.

THEREFORE IT IS PROPOSED BY Councillor Nicole Fortier seconded by Councillor Daniel Breton **THAT** the municipality of Bury submits an authorization request to the CPTAQ.

THE VOTE IS REQUESTED BY Councillor Linda Harper McMahon. 4 votes for and 2 votes against. Councillor Linda Harper McMahon and Councillor Walter Dougherty voted against.

****APPROVED BY THE MAJORITY OF THE MEMBERS IN ATTENDANCE****

8.1.8 Truck Inter 1994 Work

Resolution # **2009-08-106**

WHEREAS submission amount of 7 500 \$ was accepted by the Director General to authorize for last July 16th the painting of the truck and different others preparatory work and this by the delegation power to spent;

WHEREAS this Inter 1994 truck requires urgent attention before the winter because of the tank being rusted and that its preventive maintenance would allow a life span of at least 3 to 4 additional years;

WHEREAS following the preparatory sandblasting, many holes and problems caused by rust emerged for an additional amount after submission of 5 100 \$ plus taxes;

WHEREAS the purchase of a new truck tank would have cost at least 40 000 \$ plus installation without knowing the life span of the truck and it is therefore better to make these repairs;



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IT IS PROPOSED BY Councillor Daniel Breton seconded by Councillor James Cork **TO AUTHORIZE** the spending of 12 000 \$ plus taxes for repairs of the Inter 1994 truck for the work which, based on the submissions received, will be done by SCIM Enr.

****APPROVED UNANIMOUSLY BY THE MEMBERS IN ATTENDANCE****

8.1.9 Special rate for a new golf member

Resolution # 2009-08-107

WHEREAS the number of golf members is in decline because of the rise of the high competition on prices for new golf members with competitors

IT IS PROPOSED BY Councillor Walter Dougherty and seconded by Councillor Linda Harper McMahon **TO APPROVE** a special rate of 250,00\$ for 2010 to new members that have not renewed for 5 years at Pen-Y-Brin Golf Club and to grant authorization to play for the rest of the year.

****APPROVED UNANIMOUSLY BY THE MEMBERS IN ATTENDANCE****

9. Approval of Bylaws

9.1 Approval of a bylaw decreeing the imposition of a tax for the financing of 9-1-1 emergency centres

Resolution # 2009-08-108

IT IS PROPOSED BY Councillor Walter Dougherty and seconded by Councillor Daniel Breton **THAT** the municipal Council approve a bylaw number 0002 « **Bylaw decreeing the imposition of a tax for the financing of 9-1-1 emergency centres** ». The Mayor proceeds to the reading of the bylaw and explains it.

****APPROVED UNANIMOUSLY BY THE MEMBERS IN ATTENDANCE****

9.2 Approval of the bylaw number 0003 concerning the control of outdoor lighting (light pollution)

Resolution # 2009-08-109

IT IS PROPOSED BY Councillor Nicole Fortier seconded by Councillor Lynne Martel Bégin **THAT** the municipal Council approves bylaw number 0003 « **bylaw concerning the control of outdoor lighting (light pollution)** ». The Council members in attendance declare having read the bylaw and therefore give up its reading.

THE VOTE IS REQUESTED BY Councillor Nicole Fortier.

4 votes for and 2 votes against.

10. Notices of Motion

None

11. Other issues and new items

11.1 The proposition of Councillor James Cork « working with the delayed » is not seconded.

11.2 The proposition of Councillor James Cork concerning « installation of water meters » is not seconded.



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12. Question Period

Approximately 12 people assisted to the meeting. Some people voice their comments.

13. Adjournment

Resolution # **2009-08-110**

Closing of the assemble; it is proposed by Councillor Daniel Breton **THAT** the assemble be adjourned, at 9:25 p.m.

Certificate of sufficient funds:

I, Yvan Fortin Director General/Secretary-Treasurer, assure by the present that the funds are sufficient for the payable amount in these **Resolutions: 2009-08-099, 2009-08-104, 2009-08-106 and 2009-08-107.**

Signed this August 21th 2009

Yvan Fortin, Director General / secretary-treasurer

Marc Jacques Gosselin, Mayor

Yvan Fortin, Director General / secretary-treasurer