

TOWNSHIP OF HARLEY
MINUTES OF THE REGULAR MEETING OF COUNCIL
of May 11th, 2021
Held at the Harley Community Hall

Present: **Reeve:** Pauline Archambault
 Councillors: Auldin Bilow
 Clifford Fielder
 Marc Gosselin
 Richard McNaughton
 Staff: Jordan Kemp, Clerk-Treasurer
 Guy Godmaire, Road Superintendent
 Arren Hearn, Fire Chief (Left After Fire Report)

Regrets: None

1. Open Regular Meeting of Council

2021-077 **Moved:** **Auldin Bilow** **Seconded:** **Clifford Fielder**
That we, the Council of the Township of Harley do hereby, open the Regular Meeting of Council of May 11th, 2021 at 7:24 p.m.
“CARRIED”

2. Adoption of Agenda

2021-078 **Moved:** **Clifford Fielder** **Seconded:** **Marc Gosselin**
That we, the Council of the Township of Harley do hereby, accept the agenda as presented:
“CARRIED”

3. Adoption of Minutes

2021-079 **Moved:** **Marc Gosselin** **Seconded:** **Richard McNaughton**
That we, the Council of the Township of Harley do hereby, adopt the Minutes of the Regular Council Meeting of April 13th, 2021 as presented.
“CARRIED”

4. Disclosure of Pecuniary Interest

None

5. Delegations/Presentations

None

6. Payment of Accounts – Voucher No. 2021-04

2021-080 **Moved:** **Richard McNaughton** **Seconded:** **Auldin Bilow**
That we, the Council of the Township of Harley, do hereby, approve the payment of accounts as presented:

Roads	\$828,979.73
Fire	\$2,953.82
Recreation	\$610.35
Admin	\$45,358.53
Total Voucher 2021-04	\$877,902.43

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TOWNSHIP OF HARLEY
MINUTES OF THE REGULAR MEETING OF COUNCIL
of May 11th, 2021
Held at the Harley Community Hall

7. Reports from Staff & Others

a. Road's Department Report

The Road Superintendent reports that all the roads crew have been vaccinated for COVID-19. In preparation for dust control, calcium has been ordered. A culvert collapsed on Howard Line Road and will need to be replaced. The roof on the municipal hall should be replaced shortly. The garbage at the landfill has been packed, the wood pile has been pushed up and a new trench has been dug. Road staff replaced one culvert at the landfill and still have two more to be done at a later date. The township is still looking for a Summer Student.

b. Fire's Department Report

The Fire Chief reported that there is a water leak in the roof of the Fire Hall.

The Fire Department responded to two calls in April. April 10th at Coutsville road for an uncontrolled grass fire that spread into a scrap yard, and on April 22nd for a smoke investigation for a large outside fire.

The Fire Department has had two new members join the department, Erik Laplante and Kyle Breault. They are both employees at Georgia Pacific in Englehart and are on their employer's fire team. They will both be on a three-month probation but will be a big asset to the fire department.

Last month with the dry weather the Fire Department had put on a municipal fire restriction. The Fire Department had two reports of burning during the restriction. The fire call on April 22nd is under investigation.

The grant money from the Ontario Fire Marshal was approved. A new Laptop has been purchased with the funds.

c. Others

- i. Timiskaming Health Unit Municipal Meeting of 26-Mar-2021**
- ii. Timiskaming Health Unit Municipal Meeting of 09-Apr-2021**
- iii. Timiskaming health Unit Municipal Meeting of 23-Apr-2021**
- iv. Provincial Offences Advisory Committee Minutes of 22-Mar-2021**
- v. Harley Fire Department – Minutes of 07-Apr-2021**

2021-081 **Moved: Marc Gosselin** **Seconded: Clifford Fielder**

That we, the Council of the Township of Harley do hereby, acknowledge receipt and accept the following reports/minutes, and that it be filed along with the minutes of the regular meeting:

- a. Road's Department Report
- b. Fire's Department Report
- c. Others
 - i. Timiskaming Health Unit Municipal Meeting of 26-Mar-2021
 - ii. Timiskaming Health Unit Municipal Meeting of 09-Apr-2021
 - iii. Timiskaming health Unit Municipal Meeting of 23-Apr-2021
 - iv. Provincial Offences Advisory Committee Minutes of 22-Mar-2021
 - v. Harley Fire Department – Minutes of 07-Apr-2021

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TOWNSHIP OF HARLEY
MINUTES OF THE REGULAR MEETING OF COUNCIL
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8. Correspondence for Council's Consideration:

a. City of Temiskaming Shores – Ontario Provincial Police Detachment Boards

2021-082 **Moved: Clifford Fielder Seconded: Richard McNaughton**
That we, the Council of the Township of Harley do hereby support the City of Temiskaming Shores resolution no. 2021-179 petitioning the Minister of the Solicitor General maintain the Temiskaming Shores Police Services Board as a separate entity from any proposed Detachment Board(s); and

Direct staff to issue a letter of support to the City of Temiskaming Shores.
“TABLED”

9. Township of Scugog – Bus Stops on Dead End Roads

2021-083 **Moved: Auldin Bilow Seconded: Marc Gosselin**
That we, the Council of the Township of Harley do hereby support the Township of Scugog's resolution as follows:

That exceptions to allow 3-point turns or backing up where necessary, to provide safer service to dead-end and private road kids, that policies be amended to reflect; when not possible;

That exceptions to allow indemnification agreements to access private land for bus turnarounds to keep bus stops safer and closer to prescribed 800m distance; when not possible;

That "Bus Stop Ahead" warning signage be required to notify oncoming traffic, prior to Student Transportation Services (STS) moving common stop to main roadway;

That STS be comprised of solutions like mini-buses, vans, taxis, or public transit, worked into funding formula so doesn't negatively impact STS funding stats;

That Kid KPI "Key Performance Indicator" be included for Ministry "Effectiveness & Efficiency Follow Up Reviews", establishing benchmarks for responsive-problem-solving for kids & parents' busing concerns, and this be an STS factor to receive funding;

That Province provide "Parent Portal" for ongoing busing feedback of their STS, so families and kids can review/provide comments, especially during Ministry STS reviews and revisions to funding;

That Province have GPS tracking software to notify parents when children picked up/dropped off, and

That this motion be distributed to the Township of Scugog.
“CARRIED”

TOWNSHIP OF HARLEY
MINUTES OF THE REGULAR MEETING OF COUNCIL
of May 11th, 2021
Held at the Harley Community Hall

a. Town of South Bruce Peninsula – Lottery Licensing to Assist Small Organizations

2021-084 **Moved: Auldin Bilow** **Seconded: Richard McNaughton**
That we, the Council of the Township of Harley do hereby support the Town of South Bruce Peninsula requesting the Attorney General give serious consideration to instituting an additional level of lottery licensing which would enable small organizations that are not able to sustain a non-profit or charitable status the eligibility to apply for lottery licenses if the proceeds go towards benefiting the community; and

Direct staff to issue a letter of support to the Town of South Bruce Peninsula.
“CARRIED”

b. City of Kitchener – Planning Act Timelines

2021-085 **Moved: Auldin Bilow** **Seconded: Marc Gosselin**
That we, the Council of the Township of Harley do hereby, support the City of Kitchener’s letter urging the Province of Ontario to review and reconsider the current timelines established for review of Planning Act applications before an appeal is permitted to the Local Planning Appeals Tribunal and to return the timelines that were in effect under Bill 139, the Building Better Communities and Conserving Watersheds Act, 2017; and

Direct staff to issue a letter of support to the City of Kitchener.
“CARRIED”

c. Provincial Offences Act – Part III Prosecutions

2021-086 **Moved: Clifford Fielder** **Seconded: Marc Gosselin**
Whereas the Stronger, Fairer Ontario Act, 2017 was passed by the Legislative Assembly of Ontario on December 14, 2017; and

Whereas the Stronger, Fairer Ontario Act, 2017 enabled the Attorney General to enter into agreements with municipalities to transfer responsibility for certain prosecutions currently prosecuted by the Ministry’s Criminal Law Division under Part III of the Provincial Offences Act (POA); and

Whereas the Ministry’s effort to modernize POA prosecutions has been ongoing for over three years; and

Whereas the delay in implementing the transfer of responsibility of certain Part III POA prosecutions to municipalities has resulted in inefficiencies and additional costs; and

Whereas on November 19, 2019 the Director of Crown Operations North Region advised the City of Temiskaming Shores it was continuing its plan for a phased approach to transfer the responsibility of certain Part III prosecutions based on local site readiness and capacity to assume the responsibility; and

Whereas the City of Temiskaming Shores is responsible for the administration of POA matters in the District of Timiskaming with the exception of prosecutions under Part III of the Provincial Offences Act; and

Whereas the Timiskaming District POA Intermunicipal Advisory Committee met on March 22, 2021 and passed a resolution to indicate its readiness and

TOWNSHIP OF HARLEY
MINUTES OF THE REGULAR MEETING OF COUNCIL
of May 11th, 2021
Held at the Harley Community Hall

capacity to assume certain Part III prosecutions under the Provincial Offences Act as enabled by the Stronger, Fairer Ontario Act, 2017.

Now therefore be it resolved that the Corporation of the Township of Harley hereby petitions the Ministry of the Attorney General to honour its commitment to modernize the prosecution of Provincial Offences Act (POA) matters and transfer responsibility of permitted Part III POA prosecutions to the City of Temiskaming Shores as soon possible; and

Further that a copy of this resolution be circulated to all municipalities in the District of Timiskaming; the Federation of Northern Ontario Municipalities; and the Association of Municipalities of Ontario for their support.
“CARRIED”

10. Correspondence for Council’s Information:

- a. **Tri-Town Welding Letter**
- b. **Solicitor General – Community Safety and Policing Act, 2019**
- c. **Ministry of Municipal Affairs and Housing – Ontario Government Consultation**
- d. **Ministry of Transportation – Internal Organizational Changes**
- e. **City of Temiskaming Shores – Library Information**
- f. **Ministry of the Attorney General – Liquor Licensing Updates**
- g. **Northeastern Ontario Public Works Organization – Letter**
- h. **Township of the Archipelago – Road Management action on Invasive Phragmites**
- i. **Kirkland Lake Opioid Poisoning Task Force - Funding**

11. Other Business:

a. Budget 2021

2021-087 **Moved: Richard McNaughton Seconded: Clifford Fielder**
That we, the Council of the Township of Harley do hereby, direct the Clerk-Treasurer to prepare a by-law to provide the adoption of tax rates given budget option #1, which is to be presented to council at the next regular meeting.
“CARRIED”

b. B01-2021-Loranger Consent Application

2021-088 **Moved: Marc Gosselin Seconded: Auldin Bilow**
That we, the Council of the Township of Harley do hereby, acknowledge receipt of J.L. Richards Memorandum JLR No. 28772(06) dated May 10th, 2021 which is to be filed along with the minutes of the Regular Meeting for Application for Consent B01-2021-Loranger; and

That Council does hereby, acknowledge neither oral nor written statements were given for or against the application for consent prior to the date of the decision; and

That Council does hereby agree to J.L. Richards professional opinion that the proposal to sever a southern portion of PT N1/2 LT 4 CON 6 HARLEY, PT 3 54R5442; HARLEY; DISTRICT OF TIMISKAMING for the purpose of creating a new rural residential lot shall be granted on condition of the following:

TOWNSHIP OF HARLEY
MINUTES OF THE REGULAR MEETING OF COUNCIL
of May 11th, 2021
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1. That the Owner file with the Clerk a copy of the registered Reference Plan, Surveyor registered in the Province of Ontario, to include the following:
 - a. Parts for the retained lot and severed lot
 - b. Lot dimensions and area in accordance with the applications.
2. That the Owner provides confirmation that the severed lot can be appropriately serviced by private well and septic system.
3. That the Owner provides evidence that the cash-in-lieu of parkland representing 5% of the value of the land has been paid to the Township of Harley.
4. That the applicant obtains an Official Plan amendment to permit a fourth severance from the original parcel.

“CARRIED”

c. Pedersen Construction (20113) Inc. Change Order #.1 to RFP-01-2020 (discussion)

Council directed staff to prepare and present a by-law to authorize the signing of Change Order #.1 to RFP-01-2020 as presented to formalize the previous agreement regarding the design-build submitted by Pedersen Construction (2013) Inc., as well as include certain scopes of work to be invoiced under the allocated contingency amount culverts located near the bridge.

d. Quantum Express – Internet at Hall (discussion)

Council directed staff to prepare and present a by-law to authorize the signing of an agreement between the Corporation of the Township of Harley and Quantum Express regarding the installation of a broadband tower at the municipal hall.

12. By-Laws

- a. By-Law 2021-09** Being a by-law to authorize a change order to modify an agreement between Pedersen Construction (2013) Inc. and the Corporation of the Township of Harley for the replacement of Roy’s Bridge located on Uno Park Road
[three readings]

2021-089 **Moved: Clifford Fielder** **Seconded: Auldin Bilow**
That **By-Law No. 2021-09**, being a by-law to a change order to modify an agreement between Pedersen Construction (2013) Inc. and the Corporation of the Township of Harley for the replacement of Roy’s Bridge located on Uno Park Road, be received and read a first and second time.
“CARRIED”

2021-090 **Moved: Marc Gosselin** **Seconded: Richard McNaughton**
That **By-Law No. 2021-09**, being a by-law to a change order to modify an agreement between Pedersen Construction (2013) Inc. and the Corporation of the Township of Harley for the replacement of Roy’s Bridge located on Uno Park Road, be read a third time and the same be engrossed in the by-law book.
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TOWNSHIP OF HARLEY
MINUTES OF THE REGULAR MEETING OF COUNCIL
of May 11th, 2021
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b. By-Law 2021-10 Being a by-law to authorize the execution of an intermunicipal agreement with municipal area partners with respect to the provincial offences act.
[three readings]

2021-091 **Moved: Richard McNaughton Seconded: Auldin Bilow**
That **By-Law No. 2021-10**, being a by-law to the execution of an intermunicipal agreement with municipal area partners with respect to the provincial offences act., be received and read a first and second time.
“CARRIED”

2021-092 **Moved: Auldin Bilow Seconded: Richard McNaughton**
That **By-Law No. 2021-10**, being a by-law to the execution of an intermunicipal agreement with municipal area partners with respect to the provincial offences act., be read a third time and the same be engrossed in the by-law book.
“CARRIED”

c. By-Law 2021-11 Being a by-law to authorize the signing of a license agreement between Quantum Express and the Corporation of the Township of Harley to operate a communications tower located at 999155 Highway 11.
[three readings]

2021-093 **Moved: Clifford Fielder Seconded: Marc Gosselin**
That **By-Law No. 2021-11**, being a by-law to authorize the signing of a license agreement between Quantum Express and the Corporation of the Township of Harley to operate a communications tower located at 999155 Highway 11, be received and read a first and second time.
“CARRIED”

2021-094 **Moved: Marc Gosselin Seconded: Auldin Bilow**
That **By-Law No. 2021-11**, being a by-law to authorize the signing of a license agreement between Quantum Express and the Corporation of the Township of Harley to operate a communications tower located at 999155 Highway 11, be read a third time and the same be engrossed in the by-law book.
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TOWNSHIP OF HARLEY
MINUTES OF THE REGULAR MEETING OF COUNCIL
of May 11th, 2021
Held at the Harley Community Hall

13. Resolution to Move to Closed Session:

- a. None

14. Adjournment:

2021-095 **Moved: Richard McNaughton Seconded: Auldin Bilow**
That we, the Council of the Township of Harley do hereby, adjourn the
Regular Meeting at 10:42 pm and will meet again on June 8th, 2021 or at the
call of the Reeve.
“CARRIED”

Pauline Archambault, Reeve

Jordan Kemp, Clerk-Treasurer