



REGULAR COUNCIL # 27

Monday, July 8, 2002
Meeting began at 7:30 p.m.

PRESENT: A regular Council meeting was held this evening with the following members present: Mayor Brian Sylvester, Councillors Susan Carter, Donald Deebank, Korey Kennedy, Naresh Bhargava, Claude Poirier and André Rivette

ABSENT: Councillors Denis Carr, Syd Gardiner, Perry Lalonde and Dean Hollingsworth

ADMINISTRATION: Cecil Vincent, Chief Administrative Officer, Denise Labelle-Gélinas, City Clerk; and the following Management Personnel: David Dick, Paul Fitzpatrick, Dave Fielding, Fire Chief Roger Desjardins, Fernand Hamelin, Victor Leroux, Sherman Goodwin, Stephen Alexander, Frances Lafave and Debora Daigle

Mayor Brian Sylvester called the meeting to order at 7:30 p.m.

INVOCATION: Mr. Mark Gold hammer - Jewish Community

ADDITIONS / CORRECTIONS / DELETIONS:

DISCLOSURE OF INTEREST ~ Nil

COMMITTEE OF THE WHOLE

Moved by Councillors André Rivette and Don Deebank that Council go into the Committee of the Whole and that all Minutes, Presentation, Delegation, Resolution, Consent/Correspondence, Reports and By-laws 108 to 111 2002 be referred to that Committee; and that the agenda of the Committee of the Whole for the meeting of July 8th, 2002 be approved.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Susan Carter, Donald Deebank, Korey Kennedy, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillors Denis Carr, Syd Gardiner, Perry Lalonde, and Dean Hollingsworth

Motion Carried

GENERAL CONSENT

ADOPTION OF MINUTES

The following minutes were presented for adoption. There being no corrections noted, the minutes stand approved.

1. That the Committee of Council Meeting # 19-02 dated July 8, 2002 be approved and verified correct;
2. That the Regular Council Meeting # 27-02 dated July 8, 2002 be approved and verified correct;

PRESENTATION

DELEGATIONS

1. Marlborough Place - Rest and Retirement Home - Mr. Bashir Janjua [page 24]

Mr. and Mrs. Janjua stood before Council this evening as new owners of Marlborough Place, a rest and retirement home within the City of Cornwall. Mr. Janjua indicated to Council that as new owners of this place, a substantial amount of money has been invested to renovate and upgrade the property to conform to the City Bylaws with regards to boarding and lodging houses. They are now licensed to house twenty seven beds under the EOHU and the City's Bylaw 112-1998.

Mr. Janjua indicated his frustration in trying to obtain subsidies to assist persons in need and the application made to the city was denied on the grounds that a status quo is to be maintained with respect to the number of service contracts for domiciliary hostels. It was pointed out by Mr. Janjua that according to CCAC, TMHA, TCHMS, FCC and ACTT, that there is a great need for good facilities like ours in the City of Cornwall.

In conclusion, Mr. Janjua requested Council to kindly consider his case and perhaps grant him subsidies like other subsidized homes.

It was moved by Councillors Naresh Bhargava and Claude Poirier that this matter be referred to the Manager of Social Support Services for review and report at the next meeting of August 12, 2002.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Susan Carter, Donald Deebank, Korey Kennedy, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillors Denis Carr, Syd Gardiner, Perry Lalonde, and Dean Hollingsworth

Motion Carried

2. Mr. Garry Guzzo - Bill 48 [page 32]

Mr. Garry Guzzo, M.P.P. for Ottawa West-Nepean and Mr. John Cleary, M.P.P. for Cornwall and Charlottenburgh riding, stood before Council this evening to request Council's support for Bill 48 and the payment of funds for civil lawsuits which are now being cancelled/withdrawn at considerable costs.

Mr. Guzzo, spokesperson on this matter, indicated to Council that he was prepared to recommend amendments to the Bill in any reasonable manner requested by the Council in order that this Bill get its full support before the Legislature. The main concerns surrounding this issue, indicated Mr. Guzzo, relate to the police involvement, or lack thereof.

Discussion surrounding this issue were extensive and in conclusion, it was moved by Councillor André Rivette and Susan Carter that the delegation be received and that the Council's position be discussed under Resolution #10-2002 on this evening's agenda.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Susan Carter, Donald Deebank, Korey Kennedy, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillors Denis Carr, Syd Gardiner, Perry Lalonde, and Dean Hollingsworth

Motion Carried

BY-LAWS

- 108-2002 A Bylaw to enter into a food and beverages service at the Cornwall Civic Complex with Norbro Holdings Ltd . (Approved June 24, 2002)
- 109-2002 A Bylaw to enter into a Transportation Service Agreement with the Upper Canada District School Board, the Catholic District School Board of Eastern Ontario and Le conseil scolaire du district catholique de l'est ontarien for the school year of 2002 - 2003.
- 110-2002 A bylaw to further amend By-law 132-1999 and repeal Bylaw 066-2002 respecting the provision of Vital Services by Landlords, under Part VII of the Tenant Protection Act.
- 111-2002 A Bylaw to enter into a Connecting Link Agreement with the Ministry of Transportation to improve Brookdale Avenue.

CONSENT / CORRESPONDENCE

A. Cash Flow Management - Final Policy Endorsement

That council endorse policy Cash Flow Management - no. FI.adm02-04 as recommended by the Council at their regular meeting of Monday June 24, 2002.

B. P.A.C. Report no. 05-1 ~ Bruyere's Restaurant

Review of a proposed Zoning Bylaw Amendment by Penny and Mike Bruyere .

- ① That the proposed rezoning from Residential 20 (RES 20) to Highway Commercial (C.H.) Restricted to a commercial satellite parking lot in the rear yard of the property Municipally described as 1228 Hebert Street, (Part of Lot 88, Registered Plan 148), Cornwall, be denied; and
- ② That the owner be notified by the appropriate City Department (i.e. Permits), to remove the existing illegal parking lot use within 30 days of said notice or face a prosecution action for violation(s) of City Zoning Bylaw provision(s).

C. S.D.&G. 2403 Highlanders Army Cadet Corps

That Council endorse permission to hold a Tag Day on Saturday October 12, 2002 from 9:00 a.m. to 4:00 p.m.

D. Staff Replacement - Machine Operator I

That Council endorse Report MWS #22-02 by the Manager Municipal Works and Services under date of June 27, 2002, the filling of the Machine Operator I position.

E. Staff Replacement - Transit Bus Operator

That Council approve report MWS #24-2002 prepared by Divisional Manager of Transit Services under date of June 27, 2002 the replacement of a Transit Bus Operator.

General Consent Motion

Moved by Councillors André Rivette and Korey Kennedy that all items listed under the General Consent portion of this agenda be adopted.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Susan Carter, Donald Deebank, Korey Kennedy, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillors Denis Carr, Syd Gardiner, Perry Lalonde and Dean Hollingsworth

Motion Carried

RESOLUTIONS / BUSINESS ARISING FROM NOTICE OF MOTION

Moved by Councillors Don Deebank and Susan Carter to adopt the following Resolution:

009-2002 **AMO BOARD OF DIRECTORS**

That the Council of The City of Cornwall endorse Mayor Brian Sylvester offering his name for re-nomination as a Director to the Board of the Association of Municipalities of Ontario for a one year term 2002-2003.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Susan Carter, Donald Deebank, Korey Kennedy, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillors Denis Carr, Syd Gardiner, Perry Lalonde and Dean Hollingsworth.

Motion Carried

010-2002 **Project Truth - Public Enquiry**

Moved by Mayor Brian Sylvester and Councillor André Rivette

WHEREAS Project Truth, an extensive investigation by members of the Ontario Provincial Police Criminal Investigation Branch, in conjunction with the OPP Eastern Ontario Crime Unit began in 1997 concluded in August 2001; and

WHEREAS, as reported by the OPP August 22, 2001, that the OPP interviewed 672 individuals and identified a total of 69 complainants during the course of the investigation, as a result, 15 individuals were charged with a total of 115 offences; and

WHEREAS the OPP have stated that their investigation found no evidence of a pedophile ring operated in the city; and

WHEREAS the OPP have stated that investigators thoroughly reviewed and followed up on all information provided by a former member of the Cornwall Police Service and by a member of the Ontario Legislature; and

WHEREAS, the OPP further stated that allegations of a criminal conspiracy, including a coverup were also thoroughly investigated, and no evidence of any such criminal wrong doing was discovered; and

WHEREAS, allegations of criminal wrong doing against the Cornwall Community Police Service have been investigated on 3 occasions, and as a result of those investigations, it was confirmed by the 3 separate investigations that there is no evidence of such criminal wrong doing; and

WHEREAS, there continues to be concerned members of the public that question the results of the investigations and judicial process;

THEREFORE BE IT RESOLVED that the Ontario Government through the office of the Attorney General address the concerns of the public in a manner that will clarify and answer these questions; and

BE IT FURTHER RESOLVED that the Council of the City of Cornwall would support a public enquiry into the causes of any delays of laying charges and the timely prosecution of those charges that were initiated as a part of the Project Truth Investigations; and

BE IT FURTHER RESOLVED that any other matters deemed appropriate to inquire into as decided by the Attorney General of the Province, would be welcomed.

It was then moved by Councillors André Rivette and Claude Poirier that the main Resolution be amended to include an additional clause as follows:

BE IT FURTHER RESOLVED THAT the Council of the Corporation of the City of Cornwall also encourage the Attorney General to further review the actions of the Cornwall Police Service in these matters to reconfirm the findings of the three independent investigations that have been concluded to date.

A recorded vote on the Amendment resulted as follows:

For: Councillors Naresh Bhargava, Susan Carter, Donald Deebank , Korey Kennedy, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillors Denis Carr, Syd Gardiner, Perry Lalonde and Dean Hollingsworth

Motion Carried

A recorded vote on the Main Motion as Amended resulted as follows:

For: Councillors Naresh Bhargava, Susan Carter, Donald Deebank , Korey Kennedy, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillors Denis Carr, Syd Gardiner, Perry Lalonde and Dean Hollingsworth

Motion Carried

011-2002 ONTARIO TRANSIT RENEWAL PROGRAM

Moved by Councillors André Rivette and Korey Kennedy

WHEREAS the Corporation of the City of Cornwall has received and considered the Ontario Transit Renewal Program (OTRP) Application Program Guidebook; and

WHEREAS the Corporation of the City of Cornwall has assessed the capital priorities of the municipality against the requirements, as set out in the OTRP Guidelines and Requirements; and

WHEREAS Council considers the “transit renewal fund“, described in the Guidelines for replacement or major refurbishment of aging municipal transit vehicles, to be a priority; and

WHEREAS Council acknowledges and agrees that the Corporation shall be bound by all the terms and conditions set out in the Guidelines and Requirements; and

NOW THEREFORE, Be it Resolved that the Council endorse and direct staff to submit the application to the Ontario Transit Renewal Program by July 31, 2002.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Susan Carter, Donald Deebank, Korey Kennedy, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillors Denis Carr, Syd Gardiner, Perry Lalonde and Dean Hollingsworth.

Motion Carried

REPORTS from UNFINISHED BUSINESS

1. Coalition for Action - {Unfinished Business - Delegation of June 24, 2002}

NO MOTION - NO RESOLUTION

WHEREAS investigations into child sexual abuse allegations in the community have raised many unanswered questions and left the citizenry in doubt about the ability of their institutions to function properly in the protection of our children; and

WHEREAS it is necessary to begin the healing process by seeking out the truth, identifying the guilty, clearing the names of the innocent, and bringing comfort and closure to any victims or others adversely affected by the allegations and investigations;

THEREFORE BE IT RESOLVED, that Council support the efforts of MPP Garry Guzzo and MPP John Cleary through Bill 48 to have the Province of Ontario launch an independent public inquiry into the child sexual abuse allegations and investigations; and

BE IT FURTHER RESOLVED that this resolution be forwarded to all other councils in Stormont, Dundas and Glengarry asking for their endorsement.

2. Project 2000 - Update

Moved by Councillors Korey Kennedy and André Rivette that Council receive report MWS #23-02 prepared by the Manager of Municipal works and Services.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Susan Carter, Donald Deebank, Korey Kennedy, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillors Denis Carr, Syd Gardiner, Perry Lalonde and Dean Hollingsworth.

Motion Carried

3. Cornwall Lift-Off

Moved by Councillors Korey Kennedy and Don Deebank that Administration be directed to inform promoters of Cornwall Lift-Off that Council voted not to provide any subsidy for this event and that employees be encouraged to purchase a Lift-off button on their own.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Susan Carter, Donald Deebank, Korey Kennedy, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillors Denis Carr, Syd Gardiner, Perry Lalonde and Dean Hollingsworth.

Motion Carried

4. **Transit Fare Adjustment**

Moved by Councillors Naresh Bhargava and André Rivette that Council approve a \$50 rate for the purchase of a non-restricted monthly student bus pass effective September 1, 2002.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Susan Carter, Donald Deebank, Korey Kennedy, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillors Denis Carr, Syd Gardiner, Perry Lalonde and Dean Hollingsworth.

Motion Carried

5. **Cenotaph Repairs 2002**

Moved by Councillors André Rivette and Claude Poirier that \$40,000 be taken from the Working Reserves in order to complete the Cenotaph Repair project.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Susan Carter, Donald Deebank, Korey Kennedy, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillors Denis Carr, Syd Gardiner, Perry Lalonde and Dean Hollingsworth.

Motion Carried

6. **Cornwall Transit Service on Queen Street**

Moved by Councillors Don Deebank and Susan Carter that the City of Cornwall continue to operate Transit Services on Queen Street.

It was then moved by Councillors Don Deebank and André Rivette that Administration provide a report that would offer additional information as to the ridership numbers, hours and routes used by patrons on the Queen Street route and in addition that Administration review it's policy on "No Truck Zone" and if it could be applied to the Queen Street Area.

A recorded vote on the amendment resulted as follows:

For: Councillors Naresh Bhargava, Donald Deebank, Korey Kennedy, Claude Poirier, André Rivette and Mayor Brian Sylvester

Against: Councillor Sue Carter

Absent: Councillors Denis Carr, Syd Gardiner, Perry Lalonde and Dean Hollingsworth.

Motion Carried

A recorded vote on the main motion as amended resulted as follows:

For: Councillors Naresh Bhargava, Susan Carter, Donald Deebank, Korey Kennedy, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillors Denis Carr, Syd Gardiner, Perry Lalonde and Dean Hollingsworth.

Motion Carried

7. Municipal Web Site - Bilingual Services

Moved by Councillors Korey Kennedy and André Rivette that all bilingual services be identified by Council that should be resident on the City of Cornwall's website and how to move forward to accomplish this goal.

It was then moved by Councillors Claude Poirier and André Rivette that this matter be deferred and referred back to Administration and they be directed to provide information on what is the best option for The Corporation's Web site, how this could be implemented, how the information could be brought to date and kept up to date. In addition, the report should identify if there any subsidies that are available to assist in paying for this project and could the City obtain assistance from "Smart City".

A recorded vote on the deferral resulted as follows:

For: Councillors Naresh Bhargava, Susan Carter, Donald Deebank, Korey Kennedy, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillors Denis Carr, Syd Gardiner, Perry Lalonde and Dean Hollingsworth.

Motion Carried

COMMUNICATIONS/REPORTS

1. Employee Recognition - Policy

Moved by Councillors Susan Carter and Don Deebank that council approve the revised Policy CS-hr02-01 on Employee Recognition.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Susan Carter, Donald Deebank, Korey Kennedy, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillors Denis Carr, Syd Gardiner, Perry Lalonde and Dean Hollingsworth.

Motion Carried

2. WWTP Plant - Transformer Station

Moved by Councillors Claude Poirier and Korey Kennedy that Council authorize the Manager of Engineering, Environmental & Construction Services to proceed with implementing the repairs related to electrical services at the Waste Water Treatment Plant at a cost of \$125,000.00, and that this cost be funded from the Sewer Reserve

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Susan Carter, Donald Deebank, Korey Kennedy, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillors Denis Carr, Syd Gardiner, Perry Lalonde and Dean Hollingsworth.

Motion Carried

3. **Structural Inspections and Conditions**

Moved by Councillors André Rivette and Claude Poirier that Council authorize the Structural Inspections and Conditions Report be undertaken and financed as outlined in report EDR #25-02 under date of July 4, 2002.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Susan Carter, Donald Deebank, Korey Kennedy, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillors Denis Carr, Syd Gardiner, Perry Lalonde and Dean Hollingsworth.

Motion Carried

4. **Seaway Bridge Environmental Study**

Moved by Councillors Naresh Bhargava and Susan Carter that City Council endorse the Waterfront Committee's position on bridge replacement options by advising the consultant that the following 3 options should be carried forward for further analysis.

- ① Rehabilitation of the existing structure.
- ② Lower level bridge option, Brookdale corridor.
- ③ Tunnel under the Canal, bridge over the river, Brookdale corridor option.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Susan Carter, Donald Deebank, Korey Kennedy, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillors Denis Carr, Syd Gardiner, Perry Lalonde and Dean Hollingsworth.

Motion Carried

TENDER and REQUEST FOR PROPOSAL BLOCK

Moved by Councillors André Rivette and Korey Kennedy that the tenders listed within this block be approved as follows:

① **Tender no. 02-T30 - Supply of Winter Road Sand and Sand Fill**

PS #049-2002

That tender no. 02-T30 be awarded for a two year period as follows: Item 3 to: Cornwall Gravel Ltd., Cornwall at the total bid price of \$17,749.80 (net cost to Corporation - \$17,123.43) and item 4 to: Malyon Excavation Ltd., Cornwall at the total bid price of \$16,530.00 (net cost to Cornwall - \$15,930.03) being the best bids meeting the tender specifications.

② **Tender no. 02-T31 - Purchase of One (1) 4 WD Cab**

PS#054-2002

That Tender No. 02-T31 be awarded to Healy Motor Sales, Cornwall, Ontario at the total bid price of \$38,752.70 (net cost to the Corporation - \$37,404.84) being the best bid meeting the tender specifications.

③ **Tender no. 02-T34 - Underground Tank Evaluation**

PS #053-2002

That Tender no. 02-T34 be awarded to Triangle Pump Service Ltd., Gloucester, Ontario at the total bid price of \$8,955.90 (net cost to the Corporation - \$8,621.11) being the best bid meeting the tender specifications.

④ **Request for Proposal 02-R12 - Review of Operations - Glen Stor Dun Lodge**

That Council authorize the appointment of the firm of Envirimed Inc. as consultants for the operational review of the Glen Stor Dun Lodge.

A recorded vote on the Tender and RFP Block resulted as follows:

For: Councillors Naresh Bhargava, Susan Carter, Donald Deebank, Korey Kennedy, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillors Denis Carr, Syd Gardiner, Perry Lalonde and Dean Hollingsworth.

Motion Carried

**ITEMS SEPARATED FOR
DISCUSSION**

① **Tender no. 02-T32 - Refurbishing of Three (3) Buses**

PS#056-2002

Moved by Councillors André Rivette and Naresh Bhargava that Tender no. 02-T32 be awarded to Eastway Inc., Ontario at the total bid price of \$100,807.35 (net cost to Corporation \$97,301.17) plus provincial items which is not known at this time being the best bid meeting the tender specifications.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Susan Carter, Donald Deebank, Korey Kennedy, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillors Denis Carr, Syd Gardiner, Perry Lalonde and Dean Hollingsworth.

Motion Carried

② **Tender no.02-T35 - Supply of Optical Preemption System Equipment**

PS#-055-2002

Moved by Councillors André Rivette and Susan Carter that Tender No. 02-T35 be awarded to Fortram Traffic Systems Ltd., Toronto, Ontario at the total bid price of \$43,606.85(net cost to Corporation - \$42,090.16) being the best bid meeting the tender specifications.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Susan Carter, Donald Deebank, Korey Kennedy, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillors Denis Carr, Syd Gardiner, Perry Lalonde and Dean Hollingsworth.

Motion Carried

NEW BUSINESS

BY-LAWS - Third and Final Reading

Moved by Councillors Naresh Bhargava and Claude Poirier that By-laws 108 to 111-2002 inclusive listed on the agenda for third reading be taken as read a third time and finally passed.

NOTICE OF MOTION

UNFINISHED BUSINESS LISTING

CONFIRMING BY-LAW

Moved by Councillors Korey Kennedy and André Rivette that By-law 112-2002 being a by-law to confirm the proceedings of the Council of the Corporation of the City of Cornwall at its meetings held on Monday, July 8, 2002 having been read a first, second and third time be now taken as read and passed.

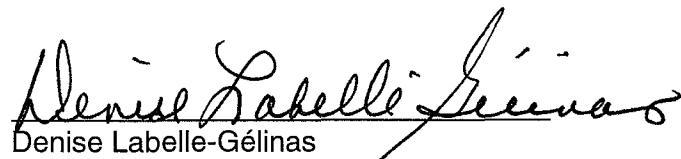
A recorded vote resulted as follows:

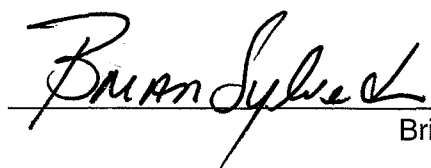
For: Councillors Naresh Bhargava, Susan Carter, Donald Deebank, Korey Kennedy, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillors Denis Carr, Syd Gardiner, Perry Lalonde and Dean Hollingsworth.

Motion Carried

ADJOURNMENT: 10:15 p.m.


Denise Labelle-Gélinas
City Clerk


Brian Sylvester
Mayor