

April 7th, 2021

MINUTES OF A REGULAR COUNCIL MEETING OF THE MUNICIPALITY OF MULGRAVE-ET-DERRY HELD ON APRIL 7th AT 7H35 PM IN GATINEAU, QUÉBEC, UNDER THE PRESIDENCY OF THE MAYOR, MR. MICHAEL KANE.

WERE PRESENT by conference call: The Mayor Mr. Michael Kane and the Councillors; Marcel Beaubien, John Abraham, Marimilie Lalonde, Charles Meunier, Gerald Teske and Roland Barnabé.

IT IS,

Moved by Roland Barnabé,

Seconded by Charles Meunier;

1. OPENING OF THE SESSION

These forming quorum and sitting under the presidency of the Mayor Mr. Michael Kane, and the Director General and Secretary-treasurer, Isabelle Cusson, also present and the assembly is declared deliberated as follows;

AGENDA

1. OPENING OF THE SESSION
2. APPROVAL OF THE AGENDA
3. APPROVAL OF THE MINUTES OF MARCH 10TH, 2021
4. QUESTION PERIOD
5. APPROVAL OF ACCOUNTS
6. PERMITS AND CORRESPONDENCE
7. RESOLUTION – FOR THE DEPOSIT OF THE QUARTERLY FINANCIAL STATEMENTS
8. RESOLUTION – TO MANDATE DHC AVOCATS FOR 18 LAURA LANE, LOT 3 299 291
9. RESOLUTION – FOR THE DISSOLUTION OF THE PIRVP
10. RESOLUTION – FOR THE PROJECT OF PAPINEAU NUMÉRIQUE PHASE 1- AGREEMENT FOR MUNICIPAL ACCESS
11. RESOLUTION – FOR THE MTQ REGARDING THE AUDITED ACCOUNTS FOR 2020
12. REPORTS FROM THE COMMITTEES
 - 12.1 Public works
 - 12.2 Public security
 - 12.3 Environment
 - 12.4 Recreation, culture and communication
13. CLOSING OF THE SESSION

2. TO ADOPT THE APPROVAL OF THE AGENDA

2021-04-026

IT IS MOVED by Marimilie Lalonde, **SECONDED** by Charles Meunier to adopt the agenda as presented and remains open for any modifications.

CARRIED UNANIMOUSLY

3. APPROVAL OF THE MINUTES OF A REGULAR MEETING HELD ON MARCH 10TH, 2021

2021-04-027

WHEREAS the council members have reviewed the minutes of the March 10th, 2021 session;

WHEREAS the members renounce to the reading of the minutes;

IT IS MOVED by Roland Barnabé, **SECONDED** by Gerald Teske to adopt the minutes of the March 10th, 2021 regular meeting.

CARRIED UNANIMOUSLY

4. QUESTION PERIOD

5. APPROVAL OF THE ACCOUNTS

2021-04-028

WHEREAS the council has reviewed the list of the accounts payable and in accordance to the delegation of expenditures hereby authorises the Director General and Secretary-treasurer to disburse the accounts payable included in the listing;

IT IS MOVED by Roland Barnabé, **SECONDED** by Gerald Teske to approve the list of accounts payable and to authorise the payments.

CARRIED UNANIMOUSLY

00004-6137	Claude Philippe – rent : april 2021	1,960.00
00114-6336	Receveur Général du Canada – employer’s remittance	2,051.76
00115-6337	Ministre du Revenu du Québec – employer’s remittance	5,246.28
00116-6338	CNESST – 0025 2223 3 : management fees	54.89
00117-6339	Serv. Sanitaires Richard Lanthier – garbage : april 2021	5,044.53
00118-6340	Serv. Sanitaires Richard Lanthier – recycling : april 2021	2,639.63
00119-6341	Excavation J.B.G. Lajeunesse – snow removal 3/3	21,918.07
00120-6342	Clayton Berndt Excavation Inc. – snow removal 3/3	137, 183.51
00121-6343	Randy Miller – km : 29 march 2021 (6)	1,096.16
00122-6344	Bell Conférences Inc. – 115331730	111.07
00123-6345	Bell Canada - 530720363 : internet	78.15
00124-6346	Bell Canada – 819 986 9519 039	1,141.70
00125-6347	Bell Canada – 819 281 5600 (508) : chapel	54.94
00126-6348	Dépanneur Mauzeroll – 8133 : mail and transport	115.19
00127-6349	Imprimerie Papineauville Inc. – 520904 : copies	68.51
00128-6350	Fournitures de Bureau Denis – 780518 supplies Biblio	643.81
00129-6351	Imprimerie Eco – 13502 : maps	206.96
00130-6352	Gazifère Inc. – 0005223805-0001590890	296.84
00131-6353	ADTEX enr. – ADTX-2021-03-31-19 : update	51.74

00132-6354	Stanley Sécurité – 5065165 : garage	91.87
00133-6355	Waste Management – 00017039-0732-7	412.31
00134-6356	Serge Bisson – 126404 : culverts Derry sector	321.93
00135-6357	Les Huiles à Chauffage Raymond – FC90159798	110.04
00136-6358	Résidence Le Monarque – annual donation : 2021	2,000.00
00137-6359	Association des Lacs Lombard – contribution : july-dec.	1,509.44
00138-6360	CRSBP de l’Outaouais Inc. – contribution municipal 2021	1,601.14
00139-6361	ADMQ – municipal document management guide	103.48
6362 – 6364	CANCELLED (printer error)	
00140-6365	Microrama Informatique Inc. – 747710-747684	819.13
00141-6366	Microrama Informatique Inc. – 748026 : backup	68.93
00142-6367	Corporation des loisirs Papineau – membership CLP 2021	60.00
00143-6368	Équipe Laurence – 21-17058 : services rendered	357.86
00144-6369	Infotech – 202101550 : bank of hours	2,253.51
00145-6370	Denis Mageau Camionnage – 002748 : snow banks	424.26
00147-6371	French Excavation Transport – 28002-04-06-07-05 repair	1,425.23
00148-6372	Agritibi R.H. Inc – 170129 : tractor	863.17
00149-6373	Municipalité de L’Ange-Gardien – 210027 : 1 ch. Perdrix	2,449.47
00150-6374	Waste Management – 0016961-0732-3	1,153.50
	Pay cheques from 202190027 to 202190036	19,186.42
CARRIED UNANIMOUSLY		\$215,175.43

6. PERMITS AND CORRESPONDENCE

REQUEST FOR PERMITS

Septic installations (1)
 Accessory building (2)
 Construction (1)
 Demolition (1)
 Renovations (1)
 Water access and channelling (1)
 Certificate of authorization ()
 Renewal of permits ()
 Sub-divisions ()
 Forestry ()
 Certificate to cut trees (1)
 Well ()
 Dock ()
 Porch ()
 Fence ()
 Pool ()

CORRESPONDENCE

MRC Papineau – Dissolution of the PIRVP
 MRC Papineau – Papineau Numérique Phase 1

7. RESOLUTION – FOR THE DEPOSIT OF THE QUARTERLY FINANCIAL STATEMENTS

2021-04-029

Proposed by Roland Barnabé,
Seconded by Charles Meunier;

THAT the municipal council of Mulgrave-et-Derry has received the deposited quarterly financial report dated March 31st, 2021 for their review and questions and clarifications.

ADOPTED UNANIMOUSLY

8. RESOLUTION – TO MANDATE DHC AVOCATS FOR 18 LAURA LANE, LOT 3 299 291

2021-04-030

WHEREAS the major work carried out in the riparian protection zone by the owner of lot 3 299 291 (registration number 9667-40-3964), Mr. Jeffrey Samson-Burke;

WHEREAS the said work was carried out without municipal authorization and does not comply with the zoning regulations in force (by-law no. 2017-012);

WHEREAS the owner was found guilty on October 29th, 2020 by the Municipal Court of having carried out unauthorized work in the riparian protection zone;

WHEREAS the owner expressed his intention not to proceed with the work required to restore the riparian protection zone to its original state;

WHEREAS the powers available to municipalities under articles 227 and subsequent of the Planning and Urbanism Act;

IT IS,

Moved by Marcel Beaubien,

Seconded by Roland Barnabé;

THAT the Municipal Council mandates its attorney, Me. Rino Soucy, to undertake the legal procedures required under articles 227 and subsequent of the Planning and Urbanism Act so that the Superior Court orders the discontinuation of usage of the land and inconsistent constructions made in violation of the zoning by-law and request, at the owner's expense, the execution of the work required to make usage of the land and the constructions conform to said zoning by-law.

CARRIED UNANIMOUSLY

9. RESOLUTION – FOR THE DISSOLUTION OF THE PIRVP

2021-04-031

WHEREAS an intermunicipal agreement was entered into between the parties on December 10th, 2012 for the creation of the Papineau Green Regional Industrial Park (PIRVP) (hereinafter "the Agreement");

WHEREAS the intermunicipal Agreement concluded with respect to the creation of the Papineau Green Regional Industrial Park (PIRVP) was authorized on February 12th, 2013, in accordance with article 13.8 of the *Act respecting municipal industrial buildings* (L.R.Q., c. 1-01) and article 580 of the *Municipal Code of Québec* (L.R.Q., c. 27.1);

WHEREAS resolution number PI-2020-09-025, adopted at the meeting of the Board of Directors of the Intermunicipal Board of the Papineau Regional Green Industrial Park (PIRVP) held on September 16th, 2020, relating to the process of dissolving the Intermunicipal Board;

WHEREAS the parties wish to terminate the Intermunicipal Agreement concluded regarding the creation of the Papineau Regional Green Industrial Park (PIRVP) and agree on the terms of termination of the said Intermunicipal Agreement;

WHEREAS the Intermunicipal Agreement entered between the parties on December 10th, 2012 contains a term and renewal clause (article 11) providing that the Agreement expires on February 12th, 2038, but that it remains silent as to the possibility for the parties to end it before that date;

WHEREAS it is therefore necessary that an amendment agreement (hereinafter “the Amendment Agreement”) be prepared to amend the Intermunicipal Agreement to add a provision allowing the parties to terminate it before the expected expiration date of February 12th, 2038;

WHEREAS resolution number PI-2021-03-006, adopted at the meeting of the Board of Directors of the Intermunicipal Board of Papineau Regional Industrial Park held on March 17th, 2021, which approves the amendment agreement aimed at adding a provision in the Intermunicipal Agreement relating to the termination of the latter;

IT IS,

Moved by Charles Meunier,

Seconded by Marcel Beaubien;

THAT the Council of the Municipality of Mulgrave-et-Derry approves, by means of this resolution, the amendment agreement to the Intermunicipal Agreement on the Green Regional Industrial Park of Papineau (PIRVP) entered between the member municipalities of the board;

THAT the Council of the Municipality of Mulgrave-et-Derry authorizes the mayor as well as the secretary-treasurer and director general to sign all documents giving effect to this resolution;

AND THAT this resolution be sent to the MRC de Papineau, in accordance with the schedule provided for this purpose.

ADOPTED UNANIMOUSLY

9. RESOLUTION – FOR THE PROJECT OF PAPINEAU NUMÉRIQUE PHASE 1 - AGREEMENT FOR MUNICIPAL ACCESS

2021-04-032

WHEREAS resolution number 2005-02-26, adopted at the meeting of the Council of Mayors of the MRC de Papineau held on February 16th, 2005, declaring the competence of the MRC regarding the establishment, operation and use a broadband telecommunications network ;

WHEREAS the request for financial assistance within the framework of the federal program "Brancher pour innover" and the provincial program "Québec branché" submitted for the "Papineau Numérique" project has been accepted and the memoranda of understanding have been signed;

WHEREAS the MRC de Papineau is the “owner of telecommunications infrastructures” as defined in the Telecommunications Act, S.C. 1993, c. 38 (the “**Telecommunications Act**”) is a Canadian telecommunications company (a “**company**”) and is subject to the requirements of the Canadian Radio-television and Telecommunications Commission (the “**CRTC**”);

WHEREAS in order to act as a company, the MRC de Papineau must build, maintain and operate its equipment on an easement – or above, below or around them (“**on**”) –, whether they are public roads, streets, road accesses,

tracks, bridges or viaducts that fall under the jurisdiction of the municipality (collectively the "**easements**") or any other public place as agreed between the parties;

WHEREAS under article 43 of the *Telecommunications Act*, the MRC de Papineau requires the consent of the municipality to install its equipment on an easement and that the municipality must grant the MRC de Papineau a right of access and use of the non-exclusive easement provided that such a right of access or use does not interfere improperly with the use and enjoyment by the public nor does it infringe any right or privilege granted prior to the date entry into force;

WHEREAS it is necessary to define the terms under which the municipality hereby gives its approval based on a municipal access agreement, which is filed with the members of the Council for consideration;

IT IS,

Moved by John Abraham,

Seconded by Marcel Beaubien;

THAT the Council of the Municipality of Mulgrave-et-Derry approves, by means of this resolution, the municipal access agreement proposed by the MRC de Papineau, as part of the implementation of the "Papineau Numérique" project, and thereby, grants the MRC a non-exclusive right of access and use of the easement in order to allow it, in particular to install its equipment;

THAT the Council of the Municipality of Mulgrave-et-Derry authorizes the mayor as well as the secretary-treasurer and director general to sign all documents giving effect to this resolution;

AND THAT this resolution be sent to the MRC de Papineau, in accordance with the schedule provided for this purpose.

ADOPTED UNANIMOUSLY

7. RESOLUTION FOR THE MTQ REGARDING THE AUDITED ACCOUNTS FOR 2020

2021-04-033

WHEREAS the Ministry of Transport has given a compensation of \$322,771.00 for the maintenance of the local municipal roads for the year 2020;

WHEREAS the compensations received by the municipality are exclusively for the current and preventive road maintenance for our local roads 1 and 2 as well as the elements of the bridges that are the responsibility of the municipality which are situated on its said roads;

WHEREAS an external Auditor has formally submitted in the official annual financial statements the detailed accounts of the expenses of the grant;

IT IS,

Moved by Marimilie Lalonde,

Seconded by Gerald Teske;

THAT we are to inform the Ministry of Transport that the applications of the subsidies that are received conform to the objectives of the program for subsidies for local road maintenance.

CARRIED UNANIMOUSLY

12. REPORTS FROM THE COMMITTEES

- 12.1 Public works
- 12.2 Public security
- 12.3 Environment
- 12.4 Recreation, culture and communication

13. CLOSING OF THE ASSEMBLY

2021-04-034

All the items on the agenda have been addressed, **IT IS MOVED** by Charles Meunier, **SECONDED** by Roland Barnabé **THAT** this session be closed.

ADOPTED UNANIMOUSLY

Michael Kane
Mayor

Isabelle Cusson
Director General and
Secretary-treasurer