

CITY COUNCIL NO. 27-70

September 28, 1970.

A Special Meeting of City Council was held this evening with the following members present: His Worship Mayor N. Kaneb, Aldermen L. Gauthier, R. Carrara, A. Clement, R. Brunet, D. A. Fawthrop, D. Webster, F. Guindon, G. Cameron, K. Bough, A. M. Lebano, J. Pescod and M. Holden.

St. Lawrence College - Mayor Kaneb reported that he had been criticized for not having made available, to members of Council at the last meeting, a copy of a letter forwarded by Mr. R. C. Short to Mr. Jack Billings, President of St. Lawrence Glass Limited. The Mayor stated that, upon receipt of a wire from Mr. Short, asking permission to address Council at its next meeting, he had written to him on September 18th inviting him to attend the Council meeting of September 28th. At the request of the Mayor, Mr. M. A. Boyer read the letter of September 11th from Mr. Short to Mr. Billings.

Rule '48' - Moved by Alderman Pescod, seconded by Alderman Clement that Rule '48' be suspended in order to hear Mr. Billings. Unanimously adopted.

Mr. Billings read from a brief noting that questions in the brief were directed to Mr. Short who is not present at the meeting this evening. He commended Council for taking proper action and felt that the Chamber of Commerce was not aware of the facts as he laid them out this evening. Answering Alderman Brunet, Mr. Billings stated that one of the tenders submitted by Entwistle Construction was on the Company's

letterhead as it was often most difficult to prepare a proposal bid on the given form. However, in his opinion, the bid should have been thrown out in the first place if the form used was considered incorrect. Alderman Pescod noted that many damaging statements had been made and felt that the Board of Governors should submit facts accounting for the manner in which the members acted. Alderman Lebano upheld the action taken by Council pointing out that Council is interested in getting our people back to work.

Mayor Kaneb stated that the document received in his office was placed in his hands at 4:45 p.m. on the day of the last Council meeting and he did not read the copy of the letter nor did he know what was in it. Answering Mr. George Harrop, Mayor Kaneb reiterated what he had said earlier i.e. that he had read only Mr. Short's letter and did not read the attached copy of letter nor the five year plan. Mr. Boyer confirmed that, at the time he looked at the letter, it was 4:45 p.m. He was not aware of the time the letter was received. Replying to Mr. Guy Marchand as to whether a local contractor must be hired, Mayor Kaneb stated that, as a Canadian, there should be no discrimination.

Alderman Brunet said that, if he would have had all the facts the night of the last Council meeting, he never would have voted to send wires objecting to the manner of tendering. He further stated that Mr. Shaw, business agent of the Carpenters Union, had received a letter the same day from the successful bidder stating that the Company would use local labour with the exception of possibly six men from out of town. Speaking of the other companies who submitted tenders, he noted that one firm was

not unionized and one had applied for de-certification and either one could quite possibly obtain help from out of town. He went on to state that the work could have been delayed another year and was advanced because of local conditions. Mayor Kaneb reminded Alderman Brunet that the College had notified Council in the summer of 1969 that they would no longer require our premises because they were putting up a new building.

Alderman Brunet then moved a motion that a letter of apology be sent to Mr. Short, telling him that he did the right thing. There was no seconder to the motion.

Answering Alderman Cameron, Mr. Shaw informed Council that two local sub-contractors are on the job at the present time and he has been given assurance that 90 percent of the sub-contractors will be local trades.

Adoption of Minutes - Moved by Alderman Gauthier, seconded by Alderman Guindon that the Council minutes of meeting held September 14th be adopted as received. Unanimously adopted.

Rule '48' - Moved by Alderman Clement, seconded by Alderman Lebano that Rule '48' be suspended in order to allow Mr. Fred Bonneville to speak.

Mr. Bonneville reminded Council that, approximately, three months ago, he had attended a meeting and asked to be kept informed as to what actions are taking place by the Technical Co-ordinating Committee. A short time ago, he was told by Alderman Pescod that a meeting would be held soon and that he would be advised to attend. Mr. Bonneville indicated his concern about the men now working for Cornwall Street Railway as he had heard rumors that a certain party could be

taking over the transit system and, in his opinion, if this particular company took over, the employees could suffer. He asked for some assurance that something is going to be done. Mr. Bonneville was advised by both the Mayor and Alderman Pescod that no decision has been reached and meetings to date, have been of a very technical nature and would be of little interest to the union. Alderman Pescod assured Mr. Bonneville that the Committee is very concerned with the fact that the employees could be without a job at the end of this year. He further stated that the Board of Directors of Sun Life are studying this question at a meeting being held today and he hoped that the results of this meeting could assist the Committee.

In order to bring Mr. Bonneville up-to-date as to what has recently transpired, he was given a copy of the minutes of the last two meetings of the Technical Co-ordinating Committee, which reports are to be presented to Council this evening.

#### COMMUNICATIONS

1. County Board of Education - Shift system at Lawrence High School - Moved by Alderman Webster, seconded by Alderman Gauthier that the letter be filed. Unanimously adopted.
2. Department of Lands and Forests - Waterfront between McConnell Avenue & Alice Street - Moved by Alderman Pescod, seconded by Alderman Lebano that the letter be filed until further information is received. Unanimously adopted.
3. Canadian Section, American Water Works Association - A.W.W.A. certificate "Award of Merit" - Moved by Alderman Lebano, seconded

by Alderman Carrara that the letter be referred to the Public Works Committee. Unanimously adopted.

4. R. J. Adams for M. M. Matheson - Zoning of property at 15 Fourth Street East - Moved by Alderman Gauthier, seconded by Alderman Bough that the letter be referred to the Cornwall Planning Board and that they be asked to study this request as soon as possible. Unanimously adopted.

5. J. E. Bergeron - Proposed increase in Natural Gas Rates - Moved by Alderman Cameron, seconded by Alderman Bough that the letter be referred to the Finance Committee. Unanimously adopted.

6. Horwitz & Swedko - Richard Abraham rezoning - Moved by Alderman Lebano, seconded by Alderman Clement that the letter be filed. Unanimously adopted.

7. St. Lawrence & Ottawa Valleys Health Unit - Additional space in the Nativity building - Moved by Alderman Clement, seconded by Alderman Lebano that Council is in agreement with the St. Lawrence and Ottawa Valleys Health Unit leasing additional space available in the Nativity building which space was formerly occupied by the Department of Indian Affairs. Unanimously adopted.

8. Rankin, Swan & Carty - St. Lawrence College lease - Moved by Alderman Pescod, seconded by Alderman Gauthier that Council is in agreement with the St. Lawrence College of Applied Arts and Technology remaining in possession of the premises which the Board now rents from the City pursuant to a lease dated July 25, 1969 and renewed May 27, 1970. Unanimously adopted.

9. & Resolution #61-70 - Canadian National Railways - Proposed private siding - Members of Council were in agreement with the request as contained in this letter provided that, if a siding is constructed, such construction will not obstruct or delay the Municipality in the future to providing service to the abutting land. Mr. Adams pointed out that the company has consulted with the City on all aspects of their building.

It was thus moved by Alderman Lebano, seconded by Alderman Brunet that the City of Cornwall has no objection to the construction and operation, across an unopened portion of Ninth Street, of a siding to serve Domtar Construction Materials Ltd., as shown on C.N.R. Plan 3-669, dated May 19, 1970. All costs of this work to be borne by others. This authorization is subject to approval of the City Engineer and the City Solicitor. Carried.

10. Property Owners & Rate Payers Association - Intersection of First Street and McConnell Avenue - Moved by Alderman Gauthier, seconded by Alderman Cameron that the letter be referred to the Public Works Committee. Unanimously adopted.

11. Addition to St. Lawrence College building - Moved by Alderman Lebano, seconded by Alderman Pescod that the letter be filed. Unanimously adopted.

#### PETITIONS

PE #32-70 - Fred Rivier & Others - Parking signs on First Street East

Moved by Alderman Guindon, seconded by Alderman Gauthier that the petition be referred to the Public Works for study and report to Council. Unanimously adopted.

Aldermen Lebano, Webster and Fawthrop spoke in support of the petition as signed by Mr. Fred Rivier and others

Living on First Street East.

REPORTS

Finance Committee Reports No. 13-70 and No. 14-70 -

Moved by Alderman Fawthrop, seconded by Alderman Bough that the reports be received. Unanimously adopted.

Alderman Carrara stated that he was against the recommendation of the Committee regarding the Children's Aid Society. However, Alderman Fawthrop stated that the Committee realize that there is only three months left to the end of the year and the additional cost to the City in interest charges would be quite small and the members felt that it might be wise to have the whole matter discussed by the Board of Review. Aldermen Lebano and Webster felt that the Finance Committee was acting wisely in trying to control the budget. Voting against the adoption of Finance Committee Report No. 13 was Alderman Carrara.

Referring to the recommendation of the Finance Committee, as contained in Report No. 14, to meet with the Department Heads, the Mayor pointed out that this meeting is suggested by the Committee to go over variable costs and see that nothing has been overlooked. Council, however, will have the final say. Report No. 14 was unanimously adopted.

Technical Co-ordinating Committee Reports No. 6-70 and No. 7-70 - Moved by Alderman Pescod, seconded by Alderman Cameron that the reports be adopted as received. Unanimously adopted.

Aldermen Guindon and Bough declared their interest in these reports and refrained from discussing or voting on the

adoption of the minutes.

Alderman Brunet asked as to whether Council should consider the transit system as a top priority item. Alderman Pescod replied that there is no easy answer to this problem and that members of Council are open to a great deal of criticism regardless of what action will be taken. He further stated that, when proposals had been asked for companies interested in taking over the system, four groups had indicated an interest but only one proposal had been submitted.

Fire Committee Interim Report No. 3-70 - Moved by Alderman Webster, seconded by Alderman Brunet that the report be adopted as received. Unanimously adopted.

Excused from Meeting - Aldermen A. Clement and F. Guindon were excused from the meeting at this time.

Public Works Committee No. 12-70 - Moved by Alderman Gauthier, seconded by Alderman Pescod that the report be adopted as received. Unanimously adopted.

Alderman Lebano asked that the Public Works Committee take under advisement, the heavy pedestrian and vehicle traffic, on Churchill, Thirteenth and Cumberland Streets.

Anti-Pollution Committee Report No. 12-70 - Moved by Alderman Carrara, seconded by Alderman Gauthier that the report be adopted as received. Unanimously adopted.

Special Committee re McLaren's Brief No. 1-70 - Moved by Alderman Lebano, seconded by Alderman Holden that the report be adopted as received. Unanimously adopted.

Cornwall Tourist and Convention Bureau No. 6-70 -

Moved by Alderman Webster, seconded by Alderman Bough that the report be adopted as received. Unanimously adopted.

Engineer's Summary of Final Report No. 18-70 -

Moved by Alderman Gauthier, seconded by Alderman Pescod that the report be adopted as received. Unanimously adopted.

Report re Tree Cutting and Trimming, Tender No.

36-70 - Moved by Alderman Gauthier, seconded by Alderman Brunet that the tender for tree cutting and trimming be awarded to Robert Fox Tree Service of Brockville at a total price of \$2,605.00. Unanimously adopted.

Mr. Adams assured Alderman Lebano that the work of this out-of-town firm has been investigated and, further, that the company has insurance coverage for \$150,000.00.

Report re Corrugated Culvert Pipe, Tender No.

37-70 - Moved by Alderman Gauthier, seconded by Alderman Pescod that Armco Canada Limited be awarded the tender for corrugated culvert pipe at a total price of \$3,388.98. Unanimously adopted.

Report re Printing of Voters List, Tender No.

40-70 - Moved by Alderman Bough, seconded by Alderman Gauthier that the tender of O'Neil Printing be accepted for the printing of the Voters List at a price of 4½¢ per name. Unanimously adopted.

Report re Meeting to discuss childhood education,

Misc. #4-70 - Moved by Alderman Lebano, seconded by Alderman

Webster that the report be received. Unanimous.

Mayor Kaneb thanked Alderman Lebano for attending this meeting and submitting such a comprehensive report.

E.M.O. Reports of September 10th and 15th - Moved by Alderman Bough, seconded by Alderman Brunet that the reports be adopted as received. Unanimously adopted.

Alderman Bough reported that the Counties Council is looking into the possibility of dissolving the E.M.O. He felt that, possibly, they did not have sufficient information as changes in the functions of this organization are now being made and that the Federal and Provincial Governments will be using its facilities with more services to be given to the community at large. It was felt that, if no Co-ordinator is hired, it is quite possible the 90 percent grant will not be forthcoming from the Province. Alderman Bough further stated that a meeting of E.M.O. is to be held on Thursday and it is hoped that the Counties will reconsider its decision. Members of Council decided that they would withhold any recommendation until after the next E.M.O. meeting.

Senior Citizens Club - Alderman Lebano gave a verbal report on a meeting he attended with the Senior Citizens Club on September 18th. He stated that Mrs. Johnson is the President of this organization and that the Parks and Recreation Committee have been working with this group. He informed Council that, in May of this year, the local club became affiliated with the United Clubs of Senior Citizens of Ontario and now have a local membership of 125 persons.

The Club is now asking for assistance in obtaining a Day Care Centre within the confines of the centre of the City. At present, Alderman Lebano reported, the Club only has temporary quarters and he asked Council if they would consider assisting this group to try and find some suitable accommodation as they are very active and are most anxious to have permanent quarters for meetings and their various projects.

#### RESOLUTIONS

RE #59-70 - City of Owen Sound - Triple Trailer Truck Trains

Moved by Alderman Pescod, seconded by Alderman Gauthier that the resolution from the City of Owen Sound be endorsed. Unanimous.

RE #60-70 - City of Victoria, B.C. - Administration of Justice and Enforcement of Law

Moved by Alderman Cameron, seconded by Alderman Bough that the resolution from the City of Victoria, B.C. be filed. Unanimous.

#### BY-LAWS

- By-law No. 949 - To authorize the sale of part of Lot D in the First or Broken Front Concession to Compo Records (Ontario) Limited
- 950 - Authorize the Mayor and Clerk to exchange properties with Irvin Brown and to sign the deed necessary to exchange the said properties
- 951 - Authorizing the Mayor and Clerk to sign an agreement between the City of Cornwall and Amplitrol Electronics Limited
- 952 - Temporary Loan re By-law No. 605/68 - \$271,815.20
- 953 - Temporary Loan re By-law No. 606/68 - \$97,821.60
- 954 - Temporary Loan re By-law No. 894/70 - \$6,074.51

1st & 2nd Reading Cont'd.

By-law No. 955 - Temporary Loan re By-law No. 919/70 - \$657,625.00

956 - To license and regulate public garages and automobile service stations where gasoline is stored or kept for sale

Moved by Alderman Gauthier, seconded by Alderman

Cameron that the by-laws be read a First and Second Time.

Unanimously adopted.

By-law No. 605 - To authorize the construction of an extension of Sydney Street northerly - \$271,815.20 (Ninth to Twelfth)

606 - To authorize the construction of an extension of Sydney Street northerly - \$97,821.60 (Twelfth to Thirteenth)

882 - Adopting a redevelopment plan for the Ninth to Twelfth Streets area

894 - To authorize the construction of a Sanitary Sewer on First Street from 65 feet west of W.S.L. of Gardner to Gardner and from 155 feet west of W.S.L. of Jarvis to Jarvis - \$6,074.51

919 - Approving the construction of a Police Office - \$657,625.00

949 - To authorize the sale of part of Lot D in the First of Broken Concession to Compo Records (Ontario) Ltd.

950 - Authorize the Mayor and Clerk to exchange properties with Irvin Brown and to sign the deed necessary to exchange properties

951 - Authorize the Mayor and Clerk to sign an agreement with Amplitrol Electronics Limited

952 - Temporary Loan re By-law No. 605/68 - \$271,815.20

953 - Temporary Loan re By-law No. 606/68 - \$97,821.60

954 - Temporary Loan re By-law No. 894/70 - \$6,074.51

955 - Temporary Loan re By-law No. 919/70 - \$657,625.00

956 - To license and regulate public garages

Moved by Alderman Carrara, seconded by Alderman Gauthier

that the by-laws be read a Third Time, Passed, Signed and Sealed.

An amendment to the motion was made by Alderman Cameron, seconded by Alderman Brunet that third reading of By-law No. 956, 1970 be deferred until the next Council meeting. The amendment carried. The motion was defeated.

NEW BUSINESS

Council Meeting - Mayor Kaneb reported that, at the last Council meeting, it had been decided that the next regular meeting would be held on October 13th. He now informed the members that this date is not suitable and it was therefore moved by Alderman Cameron, seconded by Alderman Holden that the October Council meeting be held on the 19th. Unanimously adopted.

Lyle McLaren's Brief - Mayor Kaneb reported that, in accordance with Council's direction, he had appointed Aldermen Holden and Lebano to the committee to study the brief submitted by Mr. Lyle McLaren and that the Chamber of Commerce had appointed Mr. J. C. Tremblay as its representative on this committee.

Inverarden House - Mayor Kaneb reported that he had appointed Aldermen R. Carrara and D. Webster as City representatives on the committee to study the possible use that may be made of the building on the old Campbell Farm. He has invited the Historical and Museum Societies to also name their representatives.

Ontario Mayors and Reeves Convention - Mayor Kaneb advised members of Council that Mr. Collins of the Ontario Water Resources Commission was in attendance at the recent Ontario Mayors and Reeves Convention who pointed out that, by 1985,

85 percent of phosphates will be removed from the Great Lakes Basin. The Mayor noted the great awareness, at this time, of pollution problems by the Federal and Provincial Governments who are working with the American Government and that positive steps are being taken by both levels of government.

Unethical Business Practices - Alderman Brunet

stated that he had contacted the local Chamber of Commerce regarding an account he received from Time International of Canada for subscription which he had not authorized. He stated that other residents had received similar accounts and asked that the matter be turned over to Mr. Gunn, Executive Manager of the Chamber of Commerce. Mr. Barry Wilson gave his opinion that, if merchandise or subscriptions are not ordered, there is no need to return the material and a person would not be held liable for payment.

Elections at Large - Alderman Brunet inquired as to a petition submitted to the City asking for elections at large. Mr. Boyer explained that, when the petition came up in Council, he was directed to find out if the petition was sufficiently signed and, at the same time, the opinion of the City Solicitor was asked as to whether a question of this nature could be submitted at the School Board election to be held this fall. The solicitor's opinion was that the coming election is not a municipal one. Mr. Boyer stated that he was not directed to pursue the matter any further. However, Alderman Brunet went to the legal branch of the Department of Municipal Affairs and, upon his return, Alderman Brunet asked Mr. Boyer to write on his behalf and obtain additional information. Mr. Boyer stated

that he acted in this instance on behalf of Alderman Brunet and not City Council.

Mr. Wilson was asked his opinion on this question and replied that he had read the opinion of the solicitor in the law branch of the Department of Municipal Affairs and noted that this was a personal opinion and not that of the Department. Mr. Wilson stated that, in his opinion, the school election was not a municipal election.

Moved by Alderman Brunet, seconded by Alderman Carrara that we obtain, in writing, the opinion of our City Solicitor, on the question as to whether a school election may be considered a municipal election. Unanimously adopted.

Aldermen Lebano and Carrara suggested that official information be received from the Department of Municipal Affairs and the question submitted to the legal department of Municipal World.

Municipal Licences - Alderman Brunet complained that tradesmen are coming into the City from outside the Province and are able to obtain a temporary permit within a day from the Department of Labour and, at the same time, receive a municipal licence. He pointed out that the same does not apply for persons in this Province and that anyone from here is unable to obtain a certificate to work in the Province of Quebec. Alderman Holden replied that, last year, Mr. Shaw, business agent of the Carpenters Union, came before Council complaining that contractors came in from Quebec whereas Ontario contractors could not obtain work in the Province. At that time, the City sent forth a resolution

to the Municipal Associations asking that they petition the government to have these laws changed. This matter is not a local problem and it is impossible, under the existing legislation, to discriminate against anyone.

Rule '48'- Moved by Alderman Cameron, seconded by Alderman Brunet that Rule '48' be suspended in order to allow Mr. Guy Marchand to speak. Unanimously adopted.

Mr. Marchand referred to the practice of having to obtain both a Provincial and Municipal licence and pointed out that, if an immigrant applied for a licence, the Department of Labour would issue him a temporary licence for a certain period of time. He noted that a plumber is not required to pay a Provincial licence of \$5.00 then obtain a Municipal licence in order to work in his own trade in his own City.

Moved by Alderman Gauthier, seconded by Alderman Brunet that the matter be referred to the City Solicitor. Unanimously adopted.

Adjournment - Moved by Alderman Gauthier, seconded by Alderman Carrara that Council adjourn into Committee of the Whole.

Following a meeting of Committee of the Whole, Council reconvened.

Committee of the Whole Report No. 23-70 - Moved by Alderman Holden, seconded by Alderman Fawthrop that the report be adopted as received.

Adjournment - Moved by Alderman Lebano, seconded by Alderman Fawthrop that Council adjourn.

  
Clerk

  
Mayor