



MINUTES of the REGULAR MEETING of COUNCIL
Held at 7 pm **Thursday February 8, 2024**
In the Municipal Hall

Called to Order at 7 pm

Land Acknowledgement was read by Mayor Peter Murphy

PRESENT: Mayor Peter Murphy
Councillor Don Lemaire
Councillor Beverly Bell
Councillor Michelle Lahaye
Councillor Clwyd Edwards

Also Present: Clerk Treasurer JoAnne Montreuil
Road Supervisor Phil Bangs

Absent:

Public in Attendance:

Delegation:

No Disclosure of Pecuniary interest or the general nature thereof was declared.

Resolution No. 2024-008 **Agenda**

Moved by Councillor Lemaire
Seconded by Councillor Lahaye

BE IT RESOLVED that the agenda for the Regular Meeting of Council being held February 8, 2024 is accepted as presented.

CARRIED

Resolution No. 2024-009 **Minutes**

Moved by Councillor Lahaye
Seconded by Councillor Lemaire

BE IT RESOLVED that the minutes of the Regular Meeting of Council held on January 11, 2024 are accepted as presented.

CARRIED

Resolution No. 2024-010 **Road Supervisor's Cost-of-Living Increase**

Moved by Councillor Lemaire
Seconded by Councillor Lahaye

BE IT RESOLVED that a cost-of-living increase of 4.8% is added to the Road Supervisor's monthly contract service totaling \$1,537.86 plus HST retroactive to January 1, 2024 until December 31, 2024.

CARRIED



Resolution No. 2024-011 **Closed Meeting**

Moved by Councillor Lemaire
Seconded by Councillor Lahaye

BE IT RESOLVED that under the provision of the Municipal Act Section 2.39 (2)(e) and (f) “litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local boards;” and “advice that is subject to solicitor-client privilege, including communication necessary for that purpose,” the meeting is closed at 7:20 pm in order to discuss documents received from the municipality’s lawyer.

CARRIED

Resolution No. 2024-012 **Open Meeting**

Moved by Councillor Lahaye
Seconded by Councillor Lemaire

BE IT RESOLVED that the closed portion of the meeting is now adjourned at 7:40 pm and the remainder of the meeting is open to the public.

CARRIED

Resolution No. 2024-013 **Direction to the Municipality’s Lawyer**

Moved by Councillor Lemaire
Seconded by Councillor Lahaye

BE IT RESOLVED that the municipality agrees to initiate an OLT proceeding with respect to the Lehtiniemi expropriation.

CARRIED

Resolution No. 2024-014 **Resolution of Support for the Development of a Municipal Equipment Operator Course**

Moved by Councillor Lahaye
Seconded by Councillor Lemaire

WHEREAS, municipal public works departments from across the Province of Ontario provide invaluable services to our communities ensuring the health and safety of all residents;

AND WHEREAS, if it was not for our municipal public works employees from across the Province of Ontario maintaining our public roads systems, our communities would not be able to function as emergency personnel could not respond to calls, school buses could not get our children to school, residents would not be able to get to work, school or appointments and many more basic functions would not be able to happen;

AND WHEREAS, municipal public works departments are already feeling the impacts of a labour shortage, which will only be exasperated over the next three to five years, which will cause levels of service municipalities are able to provide to ensure the health and safety of our residents to decrease;

AND WHEREAS, there is currently no provincial-wide course that properly trains potential municipal public works employees, specifically relating to municipal heavy equipment.

THEREFORE, IT BE RESOLVED, that the Corporation of the Municipality of Mattawan supports the work of the Association of Ontario Road Supervisors to develop a Municipal Equipment Operator Course to address this issue;



AND THAT, the Corporation of the Municipality of Mattawan calls on the Province of Ontario's Ministry of Labour, Training, Immigration and Skilled Trades to fully fund the Municipal Equipment Operator Course in 2024 through the Skills Development Fund;

AND THAT, a copy of this resolution be sent to the Minister of Labour, Training, Immigration and Skilled Trades David Piccinni, the Corporation of the Municipality of Mattawan's Member of Provincial Parliament Vic Fedeli, and the Association of Ontario Road Supervisors.

CARRIED

Resolution No. 2024-015

Crown Land Disposition

Moved by Councillor Lahaye

Seconded by Councillor Lemaire

BE IT RESOLVED that Council directs the Clerk Treasurer to contact the team directly at cldt.mnrf@ontario.ca regarding crown land disposition.

CARRIED

Resolution No. 2024-016

Resolution of Support to Amend the Occupational Health and Safety Act

Moved by Councillor Lahaye

Seconded by Councillor Lemaire

WHEREAS many municipalities in Ontario have seen an increase to their insurance rates due to Joint and Several Liability;

WHEREAS in 2015 the City of Greater Sudbury (the "City") entered into a contract with a contractor experienced in road construction projects to complete a project on Elgin Street in the City's downtown core;

AND WHEREAS the contract provided that the contractor would be the constructor for the project as that term is defined in the Occupational Health and Safety Act (the "Act");

AND WHEREAS an employee of the constructor operating a grader on the project struck and killed a pedestrian;

AND WHEREAS the City was charged with offences under the Act as the constructor and the employer;

AND WHEREAS after being acquitted at trial and on appeal, the Ontario Court of Appeal, in a decision issued on April 23, 2021, found the City to be liable for contraventions of the Construction Regulations as an employer as it employed quality control inspectors to monitor the quality of work on the project from time-to-time;

AND WHEREAS the Supreme Court of Canada, in a decision issued on November 10, 2023, was evenly divided 4-4 on the issue resulting in dismissal of the City's appeal;

AND WHEREAS the consequence of this decision is that municipalities in Ontario, as well as all other owners of property in the province, who wish to undertake construction, are subject to being charged and convicted as an employer for offences in relation to project sites for which they have no control and have, in accordance with the Act, contracted with an entity to assume plenary oversight and authority over the work on such site as the constructor;

AND WHEREAS the potential of an owner being charged as an employer as that term is defined in the Act in circumstances where it has engaged a constructor, disregards and renders



meaningless the owner-constructor provisions contained in the Act and presents an unacceptable level of increased risk and confusion for owners and contractors throughout the province;

AND WHEREAS the Corporation of the Municipality of Mattawan believes that the safety of workers is paramount however the safety of workers on construction projects in Ontario is not increased by placing liability on parties that do not have control of and are not responsible for the conduct of the work on such sites;

NOW THEREFORE BE IT RESOLVED THAT the Council for the Corporation of the Municipality of Mattawan requests that the province amend the Occupational Health and Safety Act to clarify the definition of "employer" to exclude owners that have contracted with a constructor for a project;

AND BE IT FURTHER RESOLVED THAT this motion be provided to the Honourable Doug Ford, Premier of Ontario, the Honourable David Piccini, Minister of Labour, Immigration, Training and Skills Development, the Honourable Paul Calandra, Minister of Municipal Affairs and Housing, France Gelinas, MPP for Nickel Belt, Jamie West, MPP for Sudbury, the Association of Municipalities of Ontario, the Federation of Northern Ontario Municipalities, Ontario's Big City Mayors, Mayors and Regional Chairs of Ontario, Northern Ontario Large Urban Mayors, the Council of Ontario Construction Associations, the Ontario Chamber of Commerce and all Ontario municipalities, and the Clerk of the City of Greater Sudbury.

CARRIED

Resolution No. 2024-017

Moved by Councillor Lemaire
Seconded by Councillor Lahaye

Representatives for the New Mattawa and Area Police Service Board

BE IT RESOLVED that the Council for the Municipality of Mattawan have selected that Councillor Beverly Bell be the Mattawan Representative and that Teresa Taillefer be the person to represent the community at large person for the new Mattawa and Area Police Service Board effective April 1, 2024.

CARRIED

Resolution No. 2024-018

Moved by Councillor Lahaye
Seconded by Councillor Lemaire

Resolution of Support for a Review to Promote the Stability and Sustainability of Municipal Finances

WHEREAS current provincial-municipal fiscal arrangements are undermining Ontario's economic prosperity and quality of life;

WHEREAS nearly a third of municipal spending in Ontario is for services in areas of provincial responsibility, and expenditures are outpacing provincial contributions by nearly \$4 billion a year;

WHEREAS municipal revenues, such as property taxes, do not grow with the economy or inflation;

WHEREAS unprecedented population and housing growth will require significant investments in municipal infrastructure;



		Meeting Minutes, January 8, 2024 Special Meeting Minutes and the August 16, 2023 North Bay-Mattawa Source Protection Authority (SPA) Meeting Minutes
--	--	--

CARRIED

Resolution No. 2024-021 **Cheque Registers 10969 – 11037, 11039 – 11044, 11060, 11069 – 11074, and 11088**
 Moved by Councillor Lahaye
 Seconded by Councillor Lemaire

BE IT RESOLVED that cheque registers for 10969 – 11037, and 11039 - 11044 paid in December 2023 totalling \$176,471.33, should have read, BE IT RESOLVED that cheque registers for 10969 – 11037, 11039 – 11044, 11060, 11069 – 11074, and 11088 are approved as paid in December 2023 totalling \$187,906.70.

CARRIED

Resolution No. 2024-022 **Cheque Registers 1038, 11045 – 11048, 11050 – 11059, 11061 – 11068, 11075 – 11087, 11089 - 11094**
 Moved by Councillor Lahaye
 Seconded by Councillor Lemaire

BE IT RESOLVED that cheque registers for 11038, 11045 – 11048, 11050 – 11059, 11061 – 11068, 11075 – 11087, 11089 – 11094 are approved as paid in January 2024 totalling \$40,722.46.

CARRIED

Resolution No. 2024-023 **Extension of Garbage and Recycling Contract**
 Moved by Councillor Lahaye
 Seconded by Councillor Lemaire

BE IT RESOLVED that the Council of the Corporation of the Municipality of Mattawan agrees to extend the current contract with Paul Lafreniere Contracting, for garbage and recycling pick-up and disposal until December 31, 2026, with the attached changes to the original agreement.

CARRIED

Resolution No. 2024-024 **Invoice from Baker and Associates**
 Moved by Councillor Lahaye
 Seconded by Councillor Lemaire

BE IT RESOLVED that invoice number 1213 from Baker and Associates in the amount of \$3,116.54 for the Baker Software 2024 License fee be ordered paid.

CARRIED

Resolution No. 2024-025 **Adjournment**
 Moved by Councillor Lahaye



Seconded by Councillor Lemaire

BE IT RESOLVED that this regular meeting of Council held February 8, 2024 is adjourned.
Time: 9 pm.

CARRIED

The next Regular Council Meeting will be March 14, 2024 at 7 pm.

Mayor Peter Murphy

Clerk Treasurer, JoAnne Montreuil
Approved by Resolution No. 2024-

DRAFT