

Minutes of the ordinary meeting of the council of the Municipality of the Township of Arundel held by teleconference this 1st day of October 2021 at 8: 01 a.m.

Present and having quorum, were councillors: Elisabeth Gendron-Wood, Jonathan Morgan, Hervey William Howe, Paul Pepin, Marc Poirier, Dale Rathwell and the mayor Pascale Blais.

The director general, France Bellefleur and the assistant secretary-treasurer, Carole Brandt are present.

Agenda

1. Establishment of a quorum and opening of the meeting

2. Authorization to hold the closed session and to record

3. Question period

4. Adoption of the Agenda

5. Approval of the minutes of the previous meeting

5.1 Ordinary meeting of September 21st 2021

6. Financial and administrative management

6.1 List of accounts payable as of September 30th 2021

6.2 Budgetary transfers

6.3 Filing of comparative financial statements as at August 31st, 2021

6.4 Change of the meeting date of November 16th, 2021

6.5 Complaint and request for an investigation to the Municipal integrity and investigations Commissioner (CIME) following a disclosure of wrongdoing

6.6 Mandate to Me Denis Dubé - Sending a formal notice

6.7 Request for support from the Ministry of Municipal Affairs and Housing

7. Public security

7.1 Hiring – First responder – Jean-François Desfossés

7.2 Authorization to sign an intermunicipal agreement relating to the provision of fire safety services with the City of Mont-Tremblant

8. Public work

8.1 Authorization - Call for tenders for the purchase of a backhoe

9. Urbanism and environmental hygiene

9.1 Adoption of the 2022 budget - Régie intermunicipale des matières résiduelles de l'Ouest (RIMRO)

10. Loisirs and culture

10.1 Authorization – Presentation of a grant application - Celebrate Canada 2022

10.2 Remembrance Day - Donation to the royal canadian Legion

11. Communication from the mayor to the public

12. Communications from councillors to the public

13. Termination of meeting

1. Establishment of a quorum and opening of the meeting

2. Authorization to hold the closed session and to record

WHEREAS the decree number 177-2020 of March 13th, 2020 which declares a state of health emergency throughout Quebec for an initial period of ten (10) days;

WHEREAS the decrees adopted which extend this state of health emergency until October 1st 2021 inclusively;

WHEREAS order 2020-004 of the Minister of Health and Social Services which allows the council to sit in camera and which authorizes the members to take part, deliberate and vote at a meeting by any means of communication;

WHEREAS that the order 2020-029 of April 26th, 2020 now introduces certain requirements concerning the meetings of the council including the obligation to make public any meeting, as soon as possible, by any means allowing the public to know the content of the discussions between the members of council and the result of their deliberations;

WHEREAS the Municipality is unable to accept the presence of the public while respecting the sanitary measures provided for by decree 689-2020, including that of maintaining a distance of two meters between those present;

WHEREAS that it is in the public interest and to protect the health of the population, the members of council and the municipal officers that this meeting be held behind closed doors and that the members of the council and the municipal officers be authorized to attend be present and take part, deliberate and vote at the meeting by teleconference;

CONSEQUENTLY,

It is moved by councillor Jonathan Morgan

And carried that the council accepts that this meeting be held behind closed doors, that the members of council and the municipal officers

2021-0142

can participate by teleconference and that the session be recorded and published in audio form on the website of the municipality.

ADOPTED UNANIMOUSLY

3. Question period

2021-0143

4. Adoption of the Agenda

It is moved by councillor Hervey William Howe

And carried that the agenda be adopted as presented.

ADOPTED IN MAJORITY

Councillors Elisabeth Gendron-Wood, Marc Poirier, Paul Pepin, Hervey William Howe and Jonathan Morgan votes in favour of the resolution.

Councillor Dale Rathwell votes against the resolution.

5. Approval of the minutes of the previous meeting

2021-0144

5.1 Ordinary meeting of September 21st 2021

TAKE NOTICE that a copy of the minutes was given to each member of the municipal council;

It is moved by councillor Elisabeth Gendron-Wood

And carried to adopt the minutes of the ordinary meeting of council held on September 21st 2021 as presented.

ADOPTED UNANIMOUSLY

6. Financial and administrative management

2021-0145

6.1 List of accounts payable as of September 30th 2021

It is moved by councillor Jonathan Morgan and carried to approve the list of bills to pay as presented:

Alliance Ford (2 nd battery)	1 846.04 \$
Amyot Gélinas (TECQ 2014-2018)	2 299.50 \$
Avocats Lecorre	200.06 \$
Batteries Experts	51.63 \$
Bell Canada (fax)	92.95 \$

Bellefleur, France (reimb.expenses)	229.26 \$
Canadian Tire (parts)	49.38 \$
Carquest Canada Ltée (parts)	12.64 \$
C.R.S.B.P. (stickers biblio)	50.02 \$
Déco Surfaces Mont-Tremblant (carpet grass)	2 047.36 \$
Dicom	128.72 \$
Dubé Guyot (legal services)	2 020.41 \$
Énergies Sonic * (diezel and gas)	2 414.63 \$
Équipements Baraby Inc. (brush ventrac)	1 080.94 \$
Flanagan, Lloyd (reimb. Taxes)	49.38 \$
Flanagan, Lloyd et Noel, Judith (reimb. Taxes)	1 133.26 \$
Fournitures de bureau Denis * (stationary)	148.27 \$
Goulding, Tanya (day camp program)	250.00 \$
H2Lab (water test)	104.63 \$
Hydro-Québec	136.19 \$
L'Information du Nord (roll filing 2022)	306.98 \$
Jardins de Julie Grégoire (flower beds and weeding)	507.50 \$
Juteau Ruel (copies copiers)	66.40 \$
La Capitale (group insurance)	4 335.50 \$
Location Alary (grader)	4 024.13 \$
Marc Marier (dog control)	150.00 \$
Matériaux McLaughlin (materials)	758.78 \$
Meyer, Valérie (non-resident program)	90.00 \$
Outils Mont-Tremblant (equipment rental)	141.70 \$
Plomberie St-Jovite* (community hall sink)	387.21 \$
Rathwell, Andrew et Rathwell, Dale (reimb. taxes)	186.40 \$
Rathwell, Andrew (reimb. taxes)	68.38 \$
Rathwell, Andrew (reimb. taxes)	131.33 \$
R. Dion Mobilité (stairway chair repair)	650.00 \$
RIMRO (3rd payment)	19 934.00 \$
Rona Forget * (materials)	653.41 \$
Services d'entretien ménager M.C. (maintenance)	1 034.78 \$
Shaw Direct (music pavillion)	40.10 \$
Simag Informatique (computer)	677.43 \$
Ville de Ste-Agathe (opening of files april to june 2021)	258.69 \$
Visa Desjardins* (zoom, convention FQM, flags, stamps)	1 573.56 \$
Salaries and employer contributions	39 438.29 \$
Bank fees	127.24 \$

List of checks issued:

6728 Albero	1 308.00 \$
6729 Habillons un enfant	400.00 \$
6730 Ministre du Revenu	1 149.36 \$
6731 OBV RPNS	100.00 \$

* Report in virtue of by-law # 171 delegation of power

That the municipal council acknowledges receipt of the report in virtue of by-law # 171 delegating power for the period of the month of September 2021, transmitted September 30th 2021.

I, the undersigned, director general secretary treasurer, certify that the Municipality of the Township of Arundel has the necessary available funds for the expenses listed above.

France Bellefleur, CPA, CA
Director general

ADOPTED UNANIMOUSLY

2021-0146

6.2 Budgetary transfers

WHEREAS it is necessary to make some modifications to the current budget, with the aim of encouraging better monitoring of expenditures and reallocating certain budgets;

It is moved by councillor Elisabeth Gendron-Wood

And carried that council authorizes the following budgetary transfers:

From (credit) (-):

02-130-00-141 Salaries - administration	342 \$
02-230-00-141 Salaries -civil security	4 \$
02-320-00-141 Salaries - voirie	41 \$
02-610-00-141 Salaries- urbanism	1 308 \$
02-701-90-972 Contribution non-resident fees	1 273 \$

To (debit) (+):

02-130-00-522 CSST – administration	342 \$
02-230-00-421 Insurance	4 \$
02-320-00-455 Registration	41 \$
02-610-00-970 Other organization - donation	1 308 \$
02-701-50-421 Insurance	1 273 \$

ADOPTED UNANIMOUSLY

6.3 Filing of comparative financial statements as at August 31st, 2021

The director general, France Bellefleur, files the comparative financial statements, in conformity with article 176.4 of the *municipal Code of Quebec*.

2021-0147

6.4 Change of the meeting date of November 16th, 2021

WHEREAS that the proclamation of the elected candidates must be made after the time allowed to request a recount, that is, November 12th, 2021 at the earliest;

WHEREAS it would be preferable to postpone the regular council meeting scheduled for November 16th, 2021 to November 23rd 2021;

CONSEQUENTLY,

It is moved by councillor Marc Poirier

And carried:

THAT the regular council meeting for the month of November 2021 will take place on November 23rd, 2021 at 7 p.m.

THAT the regular meeting of November 23rd, 2021 will take place at the municipal office, located at 2, rue du Village, if the sanitary rules allow it;

THAT if the sanitary rules in force do not allow the holding of the regular council meeting of November 23rd, 2021 at the municipal office, that this meeting be held at the Arundel Elementary School, located at 2 School Street, in compliance with health rules in force at the time of the session;

THAT if the sanitary rules in force do not allow the meeting to be held at the municipal office and at the school or if the school room is not available, that the regular council meeting of November 23rd, 2021 be held in camera and for council members and municipal officers to participate by teleconference with a recording and audio publication on the municipality's website.

ADOPTED IN MAJORITY

Councillors Elisabeth Gendron-Wood, Marc Poirier, Paul Pepin, Hervey William Howe and Jonathan Morgan vote in favour of the resolution.

Councillor Dale Rathwell votes against the resolution.

2021-0148

6.5 Complaint and request for an investigation to the Municipal integrity and investigations Commissioner (CIME) following a disclosure of wrongdoing

WHEREAS during the public meeting held on September 21st, 2021, Mrs. Susan Rathwell was present and made several interventions, outside the authorized question periods;

WHEREAS these unauthorized interventions by Mrs. Rathwell were particularly aggressive towards the director general, the assistant secretary-treasurer and the municipal council;

WHEREAS Mrs. Rathwell addressed herself aggressively and brazenly to the director general, pointing her finger at her, ordering her to answer the questions she had asked at the previous meeting, when these questions, as they should be, must be addressed to the mayor or the municipal councillors;

WHEREAS that the mayor in no way exercised her authority and duties to restore order during a municipal council meeting, councillor Jonathan Morgan had to intervene to try to bring the mayor to order by reminding her that during a public meeting it was not up to the director general to answer questions from the public during a municipal council meeting;

WHEREAS that despite everything Ms. Rathwell continued to address aggressively the director general, the assistant secretary-treasurer and the Town council, obviously in an attempt to intimidate;

WHEREAS that towards the end of the council meeting, while the councillors were preparing to make their communications from the councillors to the public, Mrs. Rathwell took the floor while the question

periods provided for in the by-law of internal management of the sessions were over, and addressed the town council, the director general and the assistant secretary-treasurer in a very aggressive way, without any control, by shouting, insulting, defaming, harassing and intimidating, for several minutes, the mayor allowing this unacceptable situation to degenerate, forcing the municipal councillors to raise the assembly;

WHEREAS that the mayor has failed in her duties and obligations provided for in the *Municipal Code of Quebec*, the internal management regulations of the municipality as well as *the Code of ethics and professional conduct of elected officials of the municipality* by not interrupting Mrs. Rathwell and by not summoning her to immediately cease her inappropriate and inadmissible behavior towards the general director, the assistant secretary-treasurer and the municipal council, failing which she would see to request her expulsion from the assembly;

WHEREAS the behavior and incivility of Mrs. Susan Rathwell towards the director general, the assistant secretary-treasurer and the Town council must be considered as psychological harassment;

WHEREAS the obligations of the municipal council under the terms of article 4.1 of the Policy for the prevention of harassment, incivility and violence at work, adopted in January 2019 by the municipal council, confirming the obligation of the municipal council to take reasonable means to prevent and put an end to harassment and incivility at work, also including the obligation to support general management and municipal employees;

WHEREAS that article 2.25 of By-law # 257 concerning the internal management of municipal council meetings provides that any person who attends a council meeting must remain silent, subject to the question period and refrain from disturbing the order and decorum;

WHEREAS article 2.27 prohibits anyone from disturbing the peace and order in the council chamber or disturbing people there in any way whatsoever, in particular by making noise, shouting, heckling, swearing, vociferating, chanting or using foul, insulting or obscene language, using coarse, abusive, violent or hurtful language or defaming someone and speaking without first obtaining permission;

WHEREAS that the mayor never intervened to bring to order Mrs. Rathwell who disrupted the council meeting and harangued without right the director general and the municipal council, thus contravening her obligations as president of the council assembly including, but not limited to article 2.23, paragraphs 1, 10, 11, 15 and 16 of said By-law # 257;

WHEREAS the Mayor did not follow up on the request of a municipal councillor, during this meeting of September 21st, 2021, who asked for a vote on a proposed resolution;

WHEREAS the Mayor did not allow a municipal councillor to speak, whereas on two occasions, during the same meeting, he raised a point of order relating to a draft resolution;

CONSEQUENTLY,

It is moved by councillor Marc Poirier

And carried:

THAT the preamble is an integral part of this resolution;

TO send to the regional directorate of the Ministry of Municipal Affairs and Housing a copy of this resolution accompanied by a request for intervention;

TO prepare and transmit a complaint and a request for an investigation to the Municipal Integrity and Investigations Commissioner following a disclosure of wrongdoing (CIME) against the mayor.

ADOPTED IN MAJORITY

Councillors Elisabeth Gendron-Wood, Marc Poirier, Paul Pepin, Hervey William Howe and Jonathan Morgan vote in favour of the resolution.

The mayor Pascale Blais and councillor Dale Rathwell votes against the resolution.

2021-0149

6.6 Mandate to Me Denis Dubé - Sending a formal notice

WHEREAS during the public meeting held on September 21st, Mrs. Susan Rathwell was present and made several interventions, outside the authorized question periods;

WHEREAS these unauthorized interventions by Mrs. Rathwell were particularly aggressive towards the director general, the assistant secretary-treasurer and the municipal council;

WHEREAS Mrs. Rathwell addressed herself aggressively and brazenly to the director general, pointing her finger at her, ordering her to answer the questions she had asked at the previous meeting, when these questions, as they should be, must be addressed to the mayor or the municipal councillors;

WHEREAS that the mayor in no way exercised her authority and duties to restore order during a municipal council meeting, councillor Jonathan Morgan had to intervene to try to bring the mayor to order by reminding her that during 'a public meeting it was not up to the director general to answer questions from the public during a municipal council meeting;

WHEREAS despite everything Mrs. Rathwell continued to address aggressively the director general and Town council, obviously in an attempt to intimidate;

WHEREAS that towards the end of the council meeting, while the municipal councillors were preparing to make their communications from the councillors to the public, Mrs. Rathwell took the floor while the question periods provided for in the by-law of internal management of the sessions were over, and addressed the town council, the director general and the assistant secretary-treasurer in a very aggressive way, without any control, by shouting, insulting, defaming, harassing and intimidating, for several minutes, the mayor allowing this unacceptable situation to degenerate, forcing the municipal councillors to raise the assembly;

WHEREAS the mayor has failed in her duties and obligations provided for in the *Municipal Code of Quebec*, the internal management by-laws

of the municipality as well as the *Code of ethics and professional conduct of elected officials of the municipality* by not interrupting Mrs. Rathwell and by not summoning her to immediately cease her inappropriate and inadmissible behavior towards the director general and the municipal council, failing which she would see to request her expulsion from the assembly;

WHEREAS the behavior and incivility of Mrs. Susan Rathwell towards the director general, the assistant secretary-treasurer and the Town council must be considered as psychological harassment;

WHEREAS the obligations of the municipal council under the terms of article 4.1 of the *Policy for the prevention of harassment, incivility and violence at work*, adopted in January 2019 by the municipal council, confirming the obligation of the municipal council to take reasonable means to prevent and put an end to harassment and incivility at work, also including the obligation to support general management and municipal employees;

WHEREAS that article 2.25 of *By-law # 257* concerning the internal management of municipal council meetings provides that any person who attends a council meeting must remain silent, subject to the question period and refrain from disturbing the order and decorum;

WHEREAS article 2.27 prohibits anyone from disturbing the peace and order in the council chamber or disturbing people there in any way whatsoever, in particular by making noise, shouting, heckling, swearing, vociferating, chanting or using foul, insulting or obscene language, using coarse, abusive, violent or hurtful language or defaming someone and speaking without first obtaining permission;

WHEREAS that the mayor never intervened to bring to order Mrs. Rathwell who disrupted the council meeting and harangued without right the director general and the municipal council, thus contravening her obligations as president of the council assembly including, but not limited to article 2.23, paragraphs 1, 10, 11, 15 and 16 of said *By-law # 257*;

CONSEQUENTLY,

It is moved by councillor Marc Poirier

And carried:

THAT the preamble is an integral part of this resolution;

TO mandate Me Denis Dubé, lawyer, to prepare and serve on Mrs. Susan Rathwell a formal notice:

- to stop immediately and for the future, harassing and attempting to intimidate the director general of the municipality and cease her defamatory remarks against the latter;
- immediately and for the future stop harassing and attempting to intimidate officials and municipal employees and stop her defamatory remarks against them;
- to stop immediately and for the future harassing and attempting to intimidate the town council and stop her defamatory remarks against the members of the town council

THAT this formal notice also summons Mrs. Susan Rathwell to respect By-law # 257 concerning the holding of municipal council meetings while respecting order and decorum, by speaking only during question periods and by addressing members of the municipal council, the director general and municipal employees present in a polite and respectful manner.

ADOPTED IN MAJORITY

Councillors Elisabeth Gendron-Wood, Marc Poirier, Paul Pepin, Hervey William Howe and Jonathan Morgan vote in favour of the resolution.

The mayor Pascale Blais and councillor Dale Rathwell votes against the resolution.

2021-0150

6.7 Request for support from the Ministry of Municipal Affairs and Housing

WHEREAS the Municipality adopted a code of ethics and professional conduct for elected municipal officials in February 2019 mentioning the values and rules of conduct;

WHEREAS there is currently a problem with respect to this code of ethics by the mayor;

WHEREAS that in addition to the problems relating to the code of ethics, other issues must be resolved;

WHEREAS the current situation is unacceptable and cannot continue;

CONSEQUENTLY,

It is moved by councillor Marc Poirier

And carried that the municipal council ask the Ministry of municipal Affairs and Housing for support in order to help it with the current problem.

ADOPTED IN MAJORITY

Councillors Elisabeth Gendron-Wood, Marc Poirier, Paul Pepin, Hervey William Howe and Jonathan Morgan vote in favour of the resolution.

The mayor Pascale Blais and councillor Dale Rathwell votes against the resolution.

7. Public security

2021-0151

7.1 Hiring – First responder – Jean-François Desfossés

WHEREAS it is necessary to provide first-line interventions for medical emergencies on the territory of the municipalities of Barkmere, Huberdeau, Montcalm and Arundel, under an intermunicipal agreement;

WHEREAS there is a need to fill a first responder position;

WHEREAS Mr. Jean-François Desfossés has expressed his interest and is able to meet the hiring criteria for the position of first responder;

CONSEQUENTLY,

It is moved by councillor Jonathan Morgan

And carried that the Municipality proceed with the hiring of Mr. Jean-François Desfossés under the conditions currently in force for the first responders.

ADOPTED UNANIMOUSLY

2021-0152

7.2 Authorization to sign an intermunicipal agreement relating to the provision of fire safety services with the City of Mont-Tremblant

WHEREAS the agglomeration of Mont-Tremblant is formed by the territories of the City of Mont-Tremblant and the Municipality of Lac-Tremblant-Nord, in accordance with article 11 of the *Act respecting the exercise of certain municipal powers in certain agglomerations*, RLRQ, c. E-20.001 (hereinafter “LECCMCA”);

WHEREAS the fire safety services are an agglomeration jurisdiction which falls under the central municipality, in accordance with Article 19 (8o) a) of the LECCMCA;

WHEREAS as such, the City of Mont-Tremblant acts alone, through its agglomeration council, with regard to agglomeration powers and has jurisdiction, not only over its own territory, but also over that of the Municipality of Lac-Tremblant-Nord, in accordance with articles 17 and 18 of the LECCMCA;

WHEREAS the City of Mont-Tremblant has established and maintains a fire safety Service on the territory of the agglomeration of Mont-Tremblant;

WHEREAS that the Municipality of the Township of Arundel wishes to entrust the application of fire protection and prevention measures according to the terms and conditions provided for in the Fire safety risk coverage plan of the Regional County Municipality of the Laurentians to the fire safety Service of the City of Mont-Tremblant;

WHEREAS that an opportunity study was carried out by the City of Mont-Tremblant for a fire safety service considering the advantages of entering into intermunicipal agreements with the municipalities of the Township of Arundel, Huberdeau and Montcalm “Municipalities of District 3”;

WHEREAS the parties to the agreement wish to avail themselves of articles 468 and following of the Cities and Towns Act and 569 and following of the *Municipal Code of Quebec* in order to enter into an agreement relating to the provision of fire safety services;

CONSEQUENTLY,

It is moved by councillor Hervey William Howe

And carried to authorize the signing of an intermunicipal agreement relating to the provision of fire services by the mayor or the pro-mayor and director general and secretary-treasurer.

ADOPTED UNANIMOUSLY

8. Public work

2021-0153

8.1 Authorization - Call for tenders for the purchase of a backhoe

It is moved by councillor Hervey William Howe

And carried to authorize the director general to proceed with a call for tenders for the purchase of a backhoe.

ADOPTED UNANIMOUSLY

9. Urbanism and environmental hygiene

2021-0154

9.1 Adoption of the 2022 budget - Régie intermunicipale des matières résiduelles de l'Ouest

WHEREAS the Municipality of the Township of Amherst, the Municipality of the Township of Arundel, the Municipality of Brébeuf, the Municipality of Huberdeau and the Municipality of Montcalm are parties to an agreement relating to the creation of an intermunicipal collection board and the transport of residual materials;

WHEREAS the annual budget must be approved and adopted by resolution of each of the municipal councils participating in the agreement;

CONSEQUENTLY,

It is moved by councillor Elisabeth Gendron-Wood

And carried that council adopts the 2022 budget of the Régie intermunicipale des matières résiduelles de l'Ouest for an amount of \$563 431 serving as a distribution basis for the year 2022, the Municipality of Arundel's share being an estimated amount of \$66 357.

ADOPTED UNANIMOUSLY

10. Loisirs and culture

2021-0155

10.1 Authorization – Presentation of a grant application - Celebrate Canada 2022

WHEREAS the Municipality wishes to submit a grant request under the Celebrate Canada 2022 program for the Canada Day 2022 celebrations;

CONSEQUENTLY,

It is moved by councillor Dale Rathwell

And that Madame France Bellefleur, director general, be authorized to apply for a grant from the Government of Canada under the Celebrate Canada program as part of the Canada Day 2022 celebrations and that she be authorized to sign all the documents necessary to achieve this resolution.

ADOPTED UNANIMOUSLY

2021-0156

10.2 Remembrance Day - Donation to the royal canadian Legion

WHEREAS the Royal Canadian Legion is organizing, on Remembrance Day, a ceremony to recognize the contribution and valor of our veterans and soldiers;

WHEREAS the mission of the Royal Canadian Legion is to help veterans and their dependents, to promote Remembrance, to support serving military personnel and to get involved in all local and regional communities, throughout the Canada;

WHEREAS the Municipality wishes to support this organization within the framework of these celebrations;

CONSEQUENTLY,

It is moved by councillor Elisabeth Gendron-Wood

And carried that council authorize a donation of \$100 to the Royal Canadian Legion to honor our veterans and military personnel as part of Remembrance Day celebrations.

ADOPTED UNANIMOUSLY

2021-0157

Termination of the meeting

It is moved by councillor Marc Poirier and carried that the meeting be terminated at 8:57 a.m.

ADOPTED UNANIMOUSLY

Pascale Blais, LL. B., B.A.
Mayor

France Bellefleur, CPA, CA
Director general