



Township of Chatsworth Council Minutes

Friday, November 4, 2016 @ 3:00 p.m.
Special Council Meeting

Members Present:

Mayor – Bob Pringle
Deputy Mayor – Scott Mackey
Councillor – Brian Gamble
Councillor – Shawn Greig
Councillor – Elizabeth Thompson

Staff Present:

CAO/Clerk, Patty Sinnamon

1. Call to Order:

Mayor Pringle called the meeting to order at 3:10 p.m.

2. Opening Ceremonies:

Mayor Pringle called for a moment of reflection before proceeding with the Council Meeting.

3. Adoption of Agenda

Resolution 2016-38-01

Moved by: Scott Mackey

Seconded by: Shawn Greig

Be it resolved that the Council of the Corporation of the Township of Chatsworth adopt the Special Council Meeting Agenda of November 4, 2016 as circulated.

Carried

4. Waiver of Notice Requirement

Resolution 2016-38-02

Moved by: Shawn Greig

Seconded by: Brian Gamble

Whereas on November 2nd, 2016 the CAO Clerk executed a " Notice of Events of Default and Conditional Waiver to Avoid Immediate Termination" to be served upon SusGlobal Canada Ltd.

And Whereas Council was advised by the CAO Clerk on Thursday, November 3, 2016 that an acceptable response to any of the breaches set out in the Notice had not been received and that as of November 4, 2016 there will be no licensed operator for the biodigester

In light of the potential risk to public health and property, and liability to the Township of Chatsworth, Council deems that this is a bona fide emergency, and as such relies on Section 3.7 of Procedural By-law 2016-31 for the giving of notice of such meeting.
Carried

5. Disclosure of Pecuniary Interest:

Mayor Pringle reminded Council members to disclose any pecuniary interest that may arise during the course of the meeting.

Councillor Thompson declared an indirect pecuniary interest as she provides accounting services for the engineering firm involved. Councillor Thompson left the Council table and remained for the public information and did not participate in the discussion or vote on the decision.

6. Agreement between Township of Chatsworth, township of Georgian Bluffs and SusGlobal Canada Ltd.

The CAO Clerk advised Council that the Notice of Default and Waiver of Conditions had been previously served upon SusGlobal Canada Ltd. An acceptable response has not been received and as such, following discussions with the Joint Board's solicitors, the CAO's of the Township of Chatsworth and Georgian Bluffs are recommending immediate termination of the contract between the two municipalities and SusGlobal.

Resolution 2016-38-03

Moved: Scott Mackey

Seconded: Shawn Greig

Whereas, the Corporation of the Township of Chatsworth and the Corporation of the Township of Georgian Bluffs issued a "Notice of Events of Defaults and Conditional Waiver to Avoid Immediate Termination" on SusGlobal Energy Canada Ltd. on Wednesday, November 2, 2016; and

Whereas, an acceptable response to the Notice has not been received from SusGlobal Energy Canada Ltd.,

Therefore be it resolved that, the Council of the Corporation of the Township of Chatsworth hereby directs the CAO Clerk to issue a Notice of Termination on SusGlobal Energy Canada Ltd to terminate the Biodigester Expansion and Operation Agreement, effective immediately. **Carried**

Councillor Greig requested a recorded vote:

Councillor Gamble Yea

Councillor Greig Yea

Deputy Mayor Mackey Yea

Mayor Pringle Yea

7. Adjournment:

The Mayor adjourned the meeting at 3:52 p.m.

Original Signed by Mayor Bob Pringle

Original Signed by CAO/Clerk Patty Sinnamon