

**CANADA
PROVINCE DE QUÉBEC
MUNICIPALITY OF THE TOWNSHIP OF HARRINGTON
SPECIAL SITTING OF APRIL 28, 2022**

Minutes of the special Council sitting of the Municipality of the Township of Harrington held at 2811, Route 327 in Harrington, on April 28, 2022 at 4:07 p.m.

ARE PRESENT:

The Mayor	Pierre Richard
The Councillors	Julie James Richard Francoeur Gerry Clark

ARE ABSENT:

The Councillors	Chantal Scapino Daniel St-Onge Robert Dewar
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IS ALSO PRESENT:

Director General and Clerk-Treasurer	France Bellefleur
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1.0 OPENING OF THE SPECIAL SITTING

Mr. Pierre Richard, Mayor, welcomes everyone. The quorum being noted, the Mayor declares the special sitting open at 4:07 pm and adds that the recording of the sitting is in progress. For the purpose of this, it is noted that the Councillors absent have been duly convened.

2.0 ADOPTION OF THE AGENDA

2022-04-R086

IT IS moved by Councillor Julie James and resolved to approve the agenda of the special Council sitting of April 28, 2022, as presented:

AGENDA

1. Opening of the special sitting
2. Approval of the agenda
3. Audience question period #1
4. Resignation of Mrs. Brigitte Dubuc, Assistant Director General and Assistant Clerk-Treasurer
5. Change in status of Mr. Rodney Hoar - regular part-time employee - ecocentre attendant and daily employee in the public works department
6. Adoption and signature of the collective agreement
7. Hiring - Assistant Director General and Assistant Clerk-Treasurer
8. Hiring - administrative assistant finance/taxation/payroll, urban planning/roads
9. Hiring of Mr. Paul Knerr - temporary employee for the position of laborer at the public works department

10. Notice of motion of By-Law 294-2022 regarding the adoption of the revised code of ethics and professional conduct for the municipal employees of the municipality of the Township of Harrington
11. Filing of the draft By-Law 294-2022 regarding the adoption of the revised code of ethics and professional conduct for the municipal employees of the municipality of the Township of Harrington
12. Increase in the Visa Desjardins credit card limit
13. Audience question period #2
14. Closure of the special sitting

CARRIED UNANIMOUSLY BY COUNCILLORS

3.0 AUDIENCE QUESTION PERIOD # 1

No question was asked.

4.0 RESIGNATION OF MRS. BRIGITTE DUBUC, ASSISTANT DIRECTOR GENERAL AND ASSISTANT CLERK-TREASURER

2022-04-R087

IT IS moved by Councilor Gerry Clark and resolved that the Municipal Council of the Township of Harrington accepts the resignation of Mrs. Brigitte Dubuc, as Assistant Director General and Assistant Clerk-Treasurer, effective May 6, 2022 and thank her warmly for the work done.

CARRIED UNANIMOUSLY BY THE COUNCILLORS

5.0 CHANGEMENT CHANGE IN STATUS OF MR. RODNEY HOAR - REGULAR PART-TIME EMPLOYEE - ECOCENTRE ATTENDANT AND DAY LABORER IN THE PUBLIC WORKS DEPARTMENT

2022-04-R088

WHEREAS the Council of the Municipality of the Township of Harrington has hired Mr. Rodney Hoar as a temporary part-time employee at the ecocentre (resolution no 2020-07-R146);

WHEREAS Mr. Rodney Hoar has completed one hundred and sixty (160) days of work and that his employee status must be changed;

THEREFORE, it is moved It is proposed by Councilor Richard Francoeur and resolved that Council modify the hiring of Mr. Rodney Hoar, as a regular part-time employee, with the titles of ecocentre attendant and day laborer in the public works department, retroactive to February 23, 2022.

CARRIED UNANIMOUSLY BY THE COUNCILLORS

6. ADOPTION AND SIGNATURE OF THE COLLECTIVE AGREEMENT

2022-04-R089

WHEREAS the collective agreement with the Canadian Union of Public Employees - Local Section 4852 expired on December 31, 2020;

WHEREAS there has been an agreement between the Municipality of the Township of Harrington and its unionized employees;

THEREFORE, it is moved by Councillor Julie James and resolved unanimously

- That the municipal Council approve the terms of the collective agreement negotiated with the Canadian Union of Public Employees - Local Section 4852;
- To authorize Mr. Pierre Richard, Mayor and Mrs. France Bellefleur, Director General and Clerk-Treasurer, to sign the collective agreement for and to the name of the municipality;
- That the modification of the employment of Mrs. Catherine Rowlands as interim urban planning responsible as granted by resolution 2022-02-R035 ends on the date of signature of this collective agreement.

CARRIED UNANIMOUSLY BY THE COUNCILLORS

7. HIRING - ASSISTANT DIRECTOR GENERAL AND ASSISTANT CLERK-TREASURER

2022-04-R090

WHEREAS the departure of Mrs. Brigitte Dubuc as Assistant General Director and Assistant Clerk-Treasurer;

THEREFORE, it is moved by Councillor Richard Francoeur and resolved

- That the Council of the Municipality of the Township of Harrington proceed with the hiring of Mr. Mathieu Dessureault as Assistant Director General and Assistant Clerk-Treasurer, effective on May 2, 2022, subject to a probationary period of six (6) months, under the conditions specified in his contract, dated April 28, 2022.

CARRIED UNANIMOUSLY BY THE COUNCILLORS

8. HIRING - ADMINISTRATIVE ASSISTANT FINANCE/TAXATION/PAYROLL, URBAN PLANNING/ROADS

2022-04-R091

WHEREAS the reduction in the number of workdays by the administrative assistant - finance/ taxation/payroll and by the administrative assistant urban planning /roads presently employed;

WHEREAS the Municipality wish to offer its citizens a continuous quality service;

THEREFORE, it is moved by Councillor Richard Francoeur and unanimsously resolved

- **THAT** the Council of the Municipality of the Township of Harrington proceeds with the hiring of Mrs. Carole Brandt as a regular part-time employee as administrative assistant finance/taxation/payroll and town planning/roads, level 3, effective May 9, 2022 , under the conditions specified in the collective agreement in force.

CARRIED UNANIMOUSLY BY THE COUNCILLORS

9. HIRING OF MR. PAUL KNERR - TEMPORARY EMPLOYEE FOR THE POSITION OF LABORER AT THE PUBLIC WORKS DEPARTMENT

2022-04-R092

WHEREAS the workload in the Public Works Department justifies the addition of an additional employee;

THEREFORE, it is moved by the Councillor Gerry Clark and resolved that Council proceed with the hiring of Mr. Paul Knerr as a temporary employee as a day laborer

in the public works department of the Municipality of the Township of Harrington, starting May 2, 2022, according to the conditions of the collective agreement in force.

CARRIED UNANIMOUSLY BY THE COUNCILLORS

10. NOTICE OF MOTION - BY-LAW NUMBER 294-2022 ENACTING THE CODE OF ETHICS AND DEONTOLOGY FOR EMPLOYEES OF THE MUNICIPALITY OF THE TOWNSHIP OF HARRINGTON

IN ACCORDANCE with article 445 of the *Municipal Code of Quebec*, Councillor Richard Francoeur gives a notice of motion for the presentation, at a future Council sitting, of a By-Law enacting the code of ethics and professional conduct for employees of the Municipality of the Township of Harrington;

IN ACCORDANCE with article 445 of the *Municipal Code of Quebec*, Councillor Richard Francoeur mentions that the purpose of the By-Law is to revise the code of ethics and conduct of municipal employees in order to comply with the new laws in force;

IN ACCORDANCE with article 445 of the *Municipal Code of Quebec*, copies of the draft By-Law are made available to the public and are also available on the municipality's website during this present Council sitting;

IN ACCORDANCE with article 445 of the *Municipal Code of Quebec*, the responsible for access to municipal documents will issue a copy of the draft By-Law to anyone who requests it within the two (2) calendar days preceding the holding of the meeting during from which it will be adopted.

IN ACCORDANCE with article 445 of the *Municipal Code of Quebec*, the Director General mentions that there is no cost associated with the implementation of this By-Law.

Draft By-Law number 294-2022 enacting the code of ethics and professional conduct for employees of the Municipality of the Township of Harrington the code of ethics and professional conduct is presented by Councillor Richard Francoeur.

11. FILING OF BY-LAW NUMBER 294-2022 ENACTING THE CODE OF ETHICS AND DEONTOLOGY FOR EMPLOYEES OF THE MUNICIPALITY OF THE TOWNSHIP OF HARRINGTON

IN ACCORDANCE with article 445 of the *Municipal Code of Quebec*, draft By-Law 294-2022 enacting the code of ethics and professional conduct for employees of the Municipality of the Township of Harrington is filed to Council by Councillor Richard Francoeur.

DRAFT BY-LAW NUMBER 294-2022 ENACTING THE EMPLOYEE CODE OF ETHICS AND CONDUCT FROM THE MUNICIPALITY OF THE TOWNSHIP OF HARRINGTON

WHEREAS the Municipal Ethics and Deontology Act (LEDMM), assented to on December 2, 2010, created the obligation for all local municipalities to adopt a code of ethics and deontology that sets out the main values of the Municipality in terms of ethics and the rules that must guide the conduct of employees;

WHEREAS the Act to amend the Act respecting elections and referendums in municipalities, the Act respecting ethics and professional conduct in municipal matters and various legislative provisions, commonly known as "PL 49" and assented to November 5, 2021, requires the addition of a rule relating to the receipt of a gift or advantage by an employee;

WHEREAS, in accordance with Article 18 of the LEDMM, any decision relating to the adoption of the Code of Ethics and Professional Conduct is taken by regulation;

WHEREAS a notice of motion was given at a Council meeting held on April 29, 2022;

WHEREAS the adoption was preceded by the presentation and filing of a draft By-Law dated April 29, 2022 as well as an employee consultation on the draft By-Law held on May 2, 2022;

WHEREAS, in accordance with section 12 of the said Act, a public notice containing a summary of the draft regulation was published on April 29, 2022;

WHEREAS Council deems it appropriate, essential and in the public interest to comply with the requirements of the Act by amending the Code of Ethics and Professional Conduct for Municipal Employees;

CONSEQUENTLY,

It is offered by -----

And unanimously resolved by the Councilors present, that the following By-Law be adopted:

Article 1 Preamble

The preamble of this regulation is an integral part of it.

Article 2 Purpose

The purpose of this By-Law is to replace the Code of ethics and professional conduct for employees of the Municipality, in particular, to add a clarification concerning gifts and benefits received by a municipal employee.

Article 3 Code of Ethics and Professional Conduct for Employees

The Code of Ethics and Professional Conduct for employees of the Municipality of the Township of Harrington, attached as Appendix A is adopted.

Article 4 Acknowledgment of the Code of Ethics and Professional Conduct

A copy of the Code of Ethics and Professional Conduct is given to each employee of the Municipality. The employee must certify to the general manager, on the form provided for this purpose, that he has received a copy and has read it within ten (10) days of receipt. The completed certificate is placed in the employee's file.

The Mayor receives a copy of the certificate from the director general and clerk-treasurer.

Article 5 Replacement

This regulation replaces the following regulations:

- By-Law number 208-2012 aimed at adopting the code of ethics and professional conduct for municipal employees adopted on November 5, 2012;
- By-Law number 263-2016 amending By-Law 208-2012 aimed at adopting the code of ethics and professional conduct for employees of the Municipality of the Township of Harrington adopted on September 23, 2016;
- By-Law number 263-2-2018 modifying By-Law 208-2012 as amended, the purpose of which is to adopt the code of ethics and professional conduct for employees of the Municipality of the Township of Harrington, adopted on October 15, 2018.

Any mention or reference to a code of ethics and conduct for municipal employees, whether in a By-Law, resolution, policy, contract, etc., is deemed to refer to this By-Law.

Article 6 Entry into force

These rules come into force in accordance with the Law.

ANNEX A CODE OF ETHICS AND DEONTOLOGY MUNICIPAL EMPLOYEES

1. Presentation

This "Code of Ethics and Professional Conduct for Municipal Employees of the Municipality of the Township of Harrington" is adopted under articles 2, 16 and 18 of the Act respecting ethics and professional conduct in municipal matters (L.R.Q, c .E-15.1.0.1).

Under the provisions of this law, the Municipality of the Township of Harrington must adopt by By-Law a code of ethics and professional conduct for municipal employees which sets out the main values of the Municipality in terms of ethics and the rules which must guide their conduct. according to the application and control mechanisms provided for this purpose.

2. Values

2.1 The values of the Municipality in terms of ethics are:

- 1° the integrity of municipal employees;
- 2° the honor attached to the duties of an employee of the Municipality;
- 3° prudence in the pursuit of the public interest;
- 4° respect and civility towards the members of the municipal Council, the other employees of the Municipality and the citizens, including during communications on the web and social media;
- 5° loyalty to the Municipality;
- 6° the search for equity.

2.2 All employees must demonstrate integrity, honesty, objectivity and impartiality in the performance of their duties.

2.3 The values set out in this Code should guide any employee to whom they apply in assessing the ethical rules that apply to him, from a perspective of public interest.

3. The general principle

3.1 The employee must carry out his duties and organize his professional activities in such a way as to preserve and maintain public confidence in the Municipality.

4. Objectives

4.1 The rules provided for in this Code are intended to prevent, in particular:

- 1° any situation where the personal interest of the employee may influence his independence of judgment in the performance of his duties;
- 2° any situation that would go against the values set out in this Code of Ethics and Professional Conduct;
- 3° favouritism, embezzlement, breach of trust or other misconduct.

5. Interpretation

5.1 Unless the context requires otherwise, the words used in this Code retain their usual meaning, except for expressions and words defined as follows:

- 1° advantage: any advantage, of whatever nature, as well as any promise of such an advantage;

- 2° conflict of interest: any situation where the employee must choose between the interest of the Municipality and his personal interest;
- 3° confidential information: information that is not public and that the employee has because of his employment relationship with the Municipality;
- 4° immediate superior: person who represents the first level of authority above an employee and who exercises control over his work. In the case of the director general, the immediate superior is the Mayor.

6. Scope

- 6.1 This Code applies to all employees of the Municipality.
- 6.2 The Municipality may add to this Code: regulations, policies or directives to which employees are bound and which, in the event of contravention, are likely to result in disciplinary action. In case of incompatibility, the Code prevails.
- 6.3 A law, a federal or provincial regulation as well as an employment contract to which the Municipality is a party prevail over any incompatible provision of this Code.
- 6.4 The Code is in addition to any other code of ethics or professional conduct to which the employee is subject, in particular under the Professional Code (L.R.Q., c. C 26) or a law governing a profession mentioned therein. . The Municipality cannot, however, under this Code or otherwise, force an employee to contravene another code of ethics or professional conduct adopted under a law.

7. General obligations

- 7.1 The employee must:
 - 1° to perform the work inherent in his duties, with diligence;
 - 2° to respect this Code as well as the policies, rules and directives of the employer;
 - 3° respect its duty of confidentiality towards the Municipality. He must not harm the dignity or reputation of his employer or, when there is a link with his work, that of a member of Council, of another employee of the Municipality;
 - 4° act with integrity and honesty;
 - 5 at work, be dressed appropriately;
 - 6° communicate to his employer any information brought to his knowledge and that he knows to be relevant for the Municipality.
- 7.2 During an election to the Council of the Municipality, this Code must not be interpreted as prohibiting an employee from performing an act that the Act respecting elections and referendums in municipalities (RSQ, c. E-2.2) declares that it does not constitute a work of a partisan nature;
- 7.3 This Code shall not be interpreted or applied as preventing the employee from taking all reasonable measures to protect his health, his safety or his physical and mental integrity, or that of another person.

8. Specific obligations

8.1 RULE 1 - Conflicts of interest

8.1.1 An employee must avoid any situation where he must knowingly choose between the interest of the Municipality and his personal interest or, abusively, that of any other person.

8.1.2 The employee must:

1° faithfully perform his duties in accordance with applicable legislation, including the regulations in force at the Municipality or in any other municipal body;

2° refrain from having knowingly, directly or indirectly, by himself or his partner, a contract with the Municipality. However, this prohibition does not apply to a contract authorized by law;

3 when a situation is likely to place him in a conflict of interest, inform his superior.

8.1.3 Without limiting the particularity of the foregoing, it is prohibited for any employee:

1 to act, attempt to act or omit to act in such a way as to promote, in the performance of his duties, his personal interests or, in an abusive manner, those of any other person;

2 availing himself of his position to influence or attempt to influence the decision of another person in such a way as to promote his personal interests or, in an abusive manner, those of any other person.

8.2 RULE 2 - Benefits

8.2.1 It is forbidden for any employee:

1° soliciting, inducing, accepting or receiving, for himself or for another person, any advantage whatsoever in exchange for a decision, an act, the omission to decide or acting, or exercising any influence in the course of his duties;

2° to accept any gift, any sign of hospitality or any other advantage, whatever its value, which is offered by a supplier of goods or services or which may influence his independence of judgment in the performance of his duties or which risks compromising its integrity.

8.2.2 It is permissible to accept an advantage that is not offered by a supplier of goods or services if the following three conditions are met:

1° he is received in accordance with a rule of courtesy, protocol, hospitality or custom;

2° it does not consist of a sum of money or any financial security such as a share, a bond or a commercial paper;

3° it is not such as to cast doubt on the integrity, independence or impartiality of the employee.

An employee who receives a benefit that meets these conditions must declare it to his immediate superior. The declaration must be entered in a register kept for that purpose by the clerk-treasurer.

8.3 RULE 3 - Discretion and confidentiality

8.3.1 An employee shall not knowingly use, communicate or attempt to use or communicate any information obtained in the performance of or in connection with the performance of his duties and which is not generally available to the public, to further their personal interests or, abusively, those of any other person.

8.3.2 The employee must take all reasonable measures to ensure the protection of confidential information, in particular during electronic communication.

8.3.3 In case of doubt, the employee must contact the person responsible for applying the Act respecting access to documents held by public bodies and the protection of personal information to ensure the public or confidential nature of the information. an information.

8.4 RULE 4 - Use of Municipal Resources

8.4.1 It is forbidden for an employee to use the resources of the Municipality for personal purposes or for purposes other than the performance of his duties.

This prohibition does not apply, however, to the use of resources on non-preferential terms, made available

8.4.2 The employee must:

1° use Municipal property with care. He must use it, for the performance of his work, in accordance with the policies, rules and directives;

2° hold, at all times, any authorization or permit required when using a Municipality vehicle.

8.5 RULE 5 - Respect for people

8.5.1 The relationship of an employee with a co-worker, a member of the Council of the Municipality or any other person must be based on respect, consideration and civility.

8.5.2 The employee must:

1° act fairly in the performance of their duties and must not give preferential treatment to one person to the detriment of others;

2° refrain from making insulting remarks or harassing a person through attitudes, words or gestures that could undermine their dignity or integrity;

3 use language appropriate to the performance of his duties.

8.6 RULE 6 - Duty of loyalty

8.6.1 The employee must be loyal and faithful to his commitments to the employer.

8.7 RULE 7 - Sobriety

8.7.1 An employee is prohibited from consuming or encouraging anyone to consume any alcoholic beverage or drug while on the job. An employee cannot be under the influence of such drink or drug while performing his job.

However, an employee who, as part of his duties, participates in an event where alcoholic beverages are served does not contravene this rule if he consumes them reasonably.

8.8 RULE 8 - Announcement at Political Fundraising Event

8.8.1 It is forbidden for any employee to announce, during a political fundraising activity, the realization of a project, the conclusion of a contract or the awarding of a grant by the municipality unless a final decision regarding this project, contract or grant has already been made by the competent authority of the municipality.

8.9 RULE 9 - Obligations upon termination of employment

8.9.1 The following employees of the municipality are prohibited from:

- 1) The general manager and his deputy;
- 2) The clerk-treasurer and his deputy;
- 3) The treasurer and his deputy;
- 4) The clerk and his deputy;

within twelve (12) months following the end of his employment to occupy a position of director or officer of a legal person, a job or any other function in such a way that he or any other person draws a undue advantage of his previous duties as an employee of the municipality.

9. Penalties

9.1 A breach of this Code may result, upon decision of the Municipal Council or the Director General - if the latter has the power to do so in accordance with the Act, a regulation or a resolution - and in compliance with any contract of work, the application of any sanction appropriate to the nature and seriousness of this breach.

9.2 In the event of a breach of an obligation that applies after the end of the employment contract, the Municipality may, depending on the circumstances, go to court to obtain compensation or, in general, to protect its rights.

9.3 The Municipality recognizes the corrective aspect of discipline in the workplace. It recognizes that the disciplinary measure imposed will be fair and reasonable, and proportional to the seriousness of the misconduct alleged.

10. Application and control

10.1 Any citizen complaint under this Code must:

- 1° be filed in a confidential envelope with the director general and clerk-treasurer, who will, if necessary, determine whether there has been a violation of the Code of ethics and professional conduct;
- 2° be complete, be written, reasoned and accompanied, if necessary, by any supporting document, and come from any person having knowledge of a breach of this Code of Ethics and Professional Conduct.

10.2 With regard to the Director General and Clerk-Treasurer, any complaint must be filed with the Mayor of the Municipality. Subparagraphs 1° and

2° of the preceding paragraph apply with the necessary adaptations.

10.3 No sanction may be imposed on an employee unless the latter:

- 1° has been informed of the reproach addressed to him;
- 2° has had the opportunity to be heard.

**CERTIFICATE OF RECEIPT AND AWARENESS
CODE OF ETHICS AND DEONTOLOGY**

**CERTIFICATE
RECEPTION AND FAMILIARIZATION OF THE
CODE OF ETHICS AND DEONTOLOGY FOR EMPLOYEES OF THE
MUNICIPALITY OF THE TOWNSHIP OF HARRINGTON**

I, the undersigned, _____ name of employee|, _____ (job function), confirm that I have received a copy of the Code of Ethics and Professional Conduct for employees of the Municipality of the Township of Harrington.

I also confirm that I have read the rules mentioned therein.

For administration:

I confirm that I have received this certificate dated _____ (date) and have it placed in the employee's file on this _____ (date).

Name and signature of the person in charge

This _____ (date)

Signature of employee

12. INCREASE IN THE VISA DESJARDINS CREDIT CARD LIMIT

2022-04-094

WHEREAS; some suppliers require payment for purchases to be made in advance or by certified cheque;

WHEREAS the Visa Desjardins credit card limit is insufficient and the banking institution requires that the two (2) signatories be present at the branch for the issuance of a certified check;

THEREFORE, it is moved by Councillor Gerry Clark and resolved unanimously

- That the municipal Council approves the increase of the credit limit of the Visa Desjardins card to \$5,000;
- To authorize Mr. Pierre Richard, Mayor and Mrs. France Bellefleur, Director General and Clerk-Treasurer, to sign for and on behalf of the municipality, all the documents necessary for the implementation of this resolution.

CARRIED UNANIMOUSLY BY THE COUNCILLORS

13.0 AUDIENCE QUESTION PERIOD #2

No question was asked.

14.0 CORRESPONDENCE

N/A

15.0 CLOSURE OF THE SPECIAL SITTING

2022-04-R095

It is moved by Councillor Richard Francoeur and resolved unanimously to close the special sitting at 4:29 p.m.

CARRIED UNANIMOUSLY BY COUNCILLORS

I, Pierre Richard, Mayor attest that the signing of these Minutes is equivalent to the signature by me of all the resolutions contained within the meaning of section 142 (2) of the Municipal Code.

**Pierre Richard
Mayor**

**France Bellefleur, CPA, CA
Director General and
Clerk-treasurer**



