

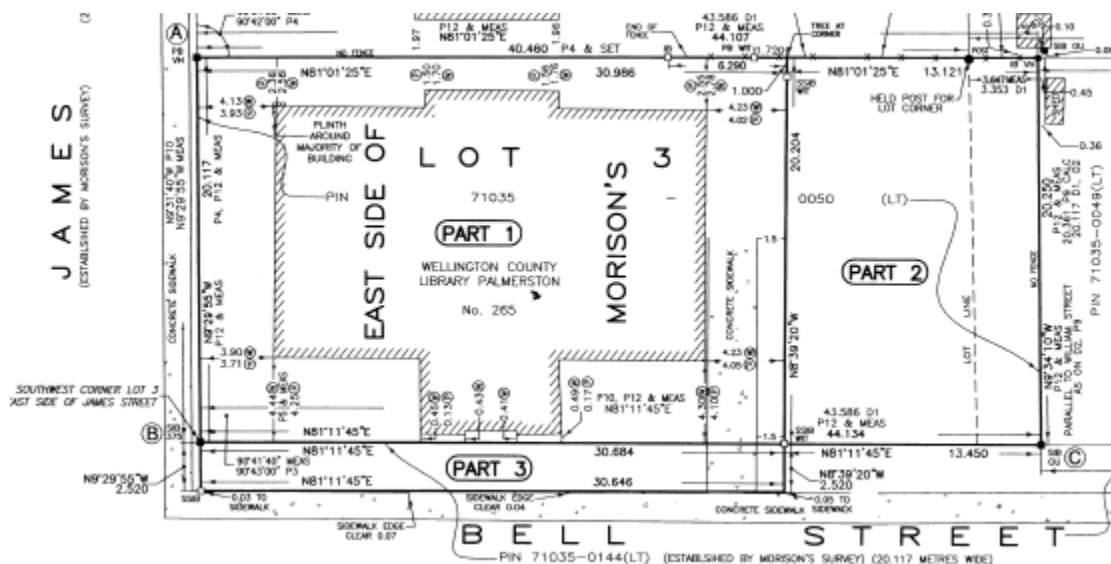
suggested an encroachment agreement be signed detailing responsibilities of each party. The encroachment agreement will stipulate the County can go on Part 3 at any time and maintain the landscaped wall, flower beds, sidewalk heating and any other County appurtenance to the Library property at its sole cost.

The Town is obligated to maintain a minimum five foot wide sidewalk and the boulevard as well as any water or sewer servicing within Part 3. There would be wording regarding the restoration of the lands and property. For example if Town repairs to the road damaged the County assets then the Town would restore them accordingly. Whereas if County repairs to their assets damaged the roadway, sidewalk or services then it would be up to the County to repair Town assets.

As shown in the picture the boulevard work is not yet finished. Public Works intends to do this work in concert with completion of James Street this spring. The detailed encroachment agreement will be prepared by the Town for review by legal counsel for final approval by Minto Council.



In addition to the encroachment agreement, the County proposes to convey the cenotaph lands to the Town once the site improvements are complete (Part 2 below). The Town already cuts the grass and maintains the cenotaph property, but if the land is transferred from the County to the Town the next time site improvements are needed they will be a Town responsibility. With the quality of work the County is known for it should be many years before major issues arise. Not only did the County improve the cenotaph they also removed some trees that were shedding branches and a potential safety concern.





Cenotaph Lands before restoration by County

FINANCIAL CONSIDERATIONS:

The encroachment agreement and transfer of lands are to be for nominal consideration. There will be legal costs that should be less than \$2,000. For some time now the Federal Government has provided grants for restoring and improving cenotaphs. So long as this program continues, the Town should be eligible for grant funding under this program.

<http://www.veterans.gc.ca/eng/remembrance/funding-programs/community-war-memorial>

RECOMMENDATION:

That Council receives the CAO Clerk's report dated March 11, 2016 regarding Update Palmerston Library and Cenotaph, County Upgrades, and that Council approve the following:

1. The Town signing with the County an encroachment agreement for part of Bell Street in front of the Palmerston Library to deal with maintenance and repair of individual assets within that part of the road allowance; and
2. Conveyance of the cenotaph lands to the Town at nominal consideration on the basis that Minto assumes all future maintenance and capital replacement costs for the cenotaph.

Bill White, C.A.O. Clerk