

Comhairle Baile Mhuineacháin
Monaghan Town Council

Minutes of Monthly Meeting of Monaghan Town Council held on Monday 17th January 2011 at 5.00pm in the Council Chamber of Monaghan Town Council, Town Hall, 1 Dublin Street, Monaghan.

Cathaoirleach: Cllr. Robbie Gallagher

Present: Cllrs. Mary Carroll, Seán Conlon, Thomas Hagan, David Maxwell, Paul McGeown, Donal Sherry, Seamus Treanor and Pádraigín Uí Mhurchadha.

In Attendance: David Fallon, A/County Manager, Gareth McMahon, Town Engineer, Marie Deighan, Town Clerk and Aisling Greenan, Clerical Officer.

1. Confirmation of December Monthly Meeting held on 20th December 2010.

On the proposal of Cllr David Maxwell seconded by Cllr Paul McGeown it was agreed to adopt the Minutes of the December Monthly Meeting of Monaghan Town Council held on Monday 20th December 2010.

2. Matters arising from the Minutes

It was noted that all signs removed to facilitate the regeneration works in the town will be replaced within the next few weeks.

Gareth McMahon, Town Engineer stated that the Council are in discussion with the National Roads Authority and the HSE and are awaiting confirmation from them regarding the text to be included on a sign for Monaghan General Hospital. Cllr. Pádraigín Uí Mhurchadha stated that all signage should be bilingual.

The Cathaoirleach, Cllr Robbie Gallagher referred to the Draft Local Area Action Plan for lands to the North East of Dublin Street, Rooskey, Monaghan and stated that the notice of the proposed Variation of the Monaghan Town Development Plan 2007-2013 has been advertised and that the closing date for receipt of submissions is the 11th February 2011. The Cathaoirleach encouraged the public to make submissions where they have an interest.

3. Manager's Orders

The Members noted Manager's Orders numbered 248/10 –253 /10.

4. Correspondence

The Members noted the following correspondence:-

- Acknowledgement dated 7th January 2011 from An Garda Síochána regarding the directing of patrons exiting a night club in the centre of the town to the rear of the Courthouse.
- Letters of support from various Local Authorities regarding a Notice of Motion adopted at the September Monthly Meeting regarding ESB costs. Cllr. Pádraigín Uí Mhurchadha acknowledged the support from the Local Authorities.

- Letters of support from various Local Authorities regarding a Notice of Motion adopted at the September 2010 Monthly Meeting regarding the abolishing of Town Councils. Cllr. Pádraigín Uí Mhurchadha welcomed the support from the Local Authorities.
- Letters of support from various Local Authorities regarding a Notice of Motion adopted at the October 2010 Monthly Meeting calling on the Government to address the plight of the self employed, who now find themselves unemployed, to access welfare assistance more speedily. Cllr. Donal Sherry welcomed the support from the Local Authorities.
- Acknowledgement dated 11th January 2011 from the Minister for Communications, Energy and National Resources regarding the Liquified Petroleum Gas Market.
- Acknowledgement dated 10th January 2011 from the Minister for Enterprise, Trade and Innovation regarding the Liquified Petroleum Gas Market. The Town Clerk was requested to send the Notice of Motion to the Commissioner for Energy Regulation and the Competition Authority.
- Correspondence received on 14th January 2011 from Richard Mc Kenna regarding Casual Trading. The Members agreed with the sentiments of the correspondence and on the proposal of Cllr David Maxwell seconded by Cllr Thomas Hagan it was agreed to obtain charges levied by other towns in the country for casual trading.

5. Business submitted by An Cathaoirleach

The Cathaoirleach, Cllr Robbie Gallagher informed the Members that he attended, on behalf of the Council and the people of the town, the wake of Michaela Harte McAreavey, Tyrone who was murdered while on her honeymoon in Mauritius. The Members and officials joined with the Cathaoirleach in passing a vote of sympathy with the Harte and McAreavey families on their bereavement. Cllr McGeown stated that a number of business people in the town had organised a Book of Condolence for signing at Monaghan Courthouse which will be brought to the Harte family within the next few weeks.

On the proposal of Cllr David Maxwell seconded by Cllr Mary Carroll it was agreed that correspondence be sent to Taoiseach Brian Cowan, T.D. and the Brian Lenihan, T.D., Minister for Finance regarding Quinn Insurance requesting them to take on board what the Dáil Deputies from the region are saying and to give a fair hearing to the Quinn Group in order to try and save jobs at Quinn Insurance, Cavan.

6. Considerations of Reports of Committees

The Members noted the Minutes of the Planning Sub-Committee meeting held on Monday 20th December 2010 in relation to the following:-

Consideration of site for Football pitch for Monaghan Town Football Club

The Town Engineer presented a detailed report to the Members in relation to a request from Monaghan Town Football Club for land for a football pitch. The Members noted that a detailed examination of lands in the possession of the Town Council had shown that no suitable lands are available for the project as it could cost the Club more to develop the lands as it would to purchase a site elsewhere. The Members appealed to any land owner in the vicinity of the town who owns lands suitable for a football pitch to come forward and to offer these lands for sale. It was noted that Monaghan Town Council would provide whatever support it could to the Football Club in their endeavour.

Presentation by Monaghan Allotment Society for a proposed Allotment Scheme on Elliotts Land at Mullaghcroghery, Monaghan.

The Members expressed support for the proposal from the Monaghan Allotment Society for a proposed Allotment Scheme on Elliotts land at Mullaghcroghery, Monaghan. Gareth McMahon, Town Engineer stated that the society members agreed to speak to the developer and the Residents Association of an adjoining housing estate in the area to ascertain if they could secure access through the estate to the lands. The Town Engineer stated that there is only agricultural access onto the Clones Road from the lands. Cllr Donal Sherry stated that if there was no agreement between the parties that there is a site in Tirkeenan (Killygoan) which could be explored for the same purpose. Cllr David Maxwell stated that the Council should look at improving the access to the lands at Mullaghcroghery.

7. Roads/Housing

A number of matters were noted for the attention of the Town Engineer:-

- Pothole – Drumbear and Glen Road (on exit from Mc Nally’s Car Park)
- Footpath requires repair on Plantation Road (opposite Garda Station)
- Burst water pipe – entrance to Cluain Lorcáin Housing Estate
- Dropped kerb required at disabled parking bay in Dublin Street
- Door warped – No.1 Ard Glas, Killygoan
- Illegal dumping – Mullaghmatt area
- Grass cut and lying on footpath – Clones Road
- Water lying on road – dangerous in frosty weather – Clones Road (Agrihealth)
- Disabled parking bay in front of Motor Tax office to be examined
- Footpath on Glen Road – same level as the road

The Town Engineer informed the Members that funding has been secured to install traffic calming measures on the Glen Road and that the Road Design Office of the County Council are recommending that the pedestrian crossing be relocated nearer the Mall Road Junction.

The Members complimented Dan Collins, Town Foreman who was the emergency contact during the severe weather conditions and praised the work undertaken by all of the Outdoor staff over the Christmas period. David Fallon, Acting County Manager stated that the Town Council and County Council are reviewing how they both had managed the recent weather crisis in order to formulate an action plan for future weather events.

Gareth McMahon, Town Engineer stated that he would check with the Contractor for an update on the installation of central heating in dwellings in Mullaghmatt.

Gareth McMahon, Town Engineer stated that the owner of the alleyway located in Dublin Street which is in bad condition has had some work carried out to the area and is in discussion with a pub owner who uses the laneway for deliveries/storage.

The Members noted from the Town Engineer that parking on the laneway leading up to schools off the Clones road was creating a traffic danger for children. Gareth McMahon stated that the Town Council, in consultation with the Principals of the schools installed a double yellow line on the road to make it illegal to park on.

8. Telecommunication Mast at Killygoan

The Members look forward to the removal of the Telecommunication Mast at Killygoan.

9. Mullaghmatt Remedial Works Scheme

Gareth McMahan, Town Engineer stated that works on the Mullaghmatt Remedial Scheme had suffered a set back due to the recent bad weather. The Town Engineer stated that the National Building Agency are been wound down into another organization and it was not clear yet how much of a design or technical role they will have or who will handle the design and procurement requirements for Phase 3 of the Scheme. It was noted by the Members that the Council are awaiting a further update from the Department on the matter.

10. Gateways and Hubs ERDF Grant Scheme – Works at the Diamond/Dublin Street/Old Cross Square and Provision of Recreational Facilities.

It was noted that there is a light pole to be removed from the front of the bandstand in the Diamond area. It was noted that the ESB will complete their works in Dublin Street within the next few weeks.

11. Up to date report on windows/doors in Killygoan area.

Gareth Mc Mahon, Town Engineer stated that significant progress has been made towards finding a solution for the problem of draughts coming through windows in a number of houses in the Killygoan area and that the work will be carried out in all the houses experiencing difficulties.

12. Report on Mixed Use Development at Rooskey, Monaghan

The Members were circulated with a copy of letter dated 6th January 2011 from T.J. Clarke, Managing Director, P. Clarke & Sons proposing the following sequence of events to meet Council approval on the principle of a Variation Agreement to suspend the project until an improvement in economic conditions facilitates the return of DPT Mixed Use Developments to the site:-

- DPT Mixed Use Developments to restore Car Park
- DPT Mixed Use Developments via Monaghan Town Council provide notice regarding cancellation of requirement for the existing temporary car park at McNallys yard to the owner of the property
- Town Council Car Park to revert to its original site.

The correspondence also gave an undertaking that outstanding amounts owing to Monaghan Town Council shall continue to be paid.

The Acting County Manager stated that the Mixed Use Development has cost the Council approx. €1m to date through the leasing of alternative car parking spaces and investing in the project through legal fees, etc. Mr. Fallon stated that €35,000 has been received from Clarkes so far and a bond in the sum of €2.4m is in place.

Cllr. Treanor suggested that the Town Council draw down the bond and arrange to get the car park reinstated. Cllr. Treanor expressed criticism that Clarkes decision to reinstate the car park was made public in a media statement by Deputy Caoimhghín Ó Caolain following the December Monthly Meeting and was of the opinion that the Cathaoirleach should have been the first person to have been told of their proposals. David Fallon, Acting County Manager replied by stating that the matter could not have gone into the public arena at the last Council Meeting as there were some outstanding issues to be discussed by the Council with Clarkes.

Cllr. Seán Conlon stated that Sinn Féin were asked by the Dublin Street traders and others to do their best to ensure that conclusion would be brought to the matter and Cllr. Donal Sherry pointed out that Cllr. Conlon was the Cathaoirleach of the Town Council when the Sinn Féin grouping began its process of engagement with Clarkes.

The Members welcomed the fact that the developer has come to the Council, is being pro-active in his proposals and wishes to remedy the situation. Cllr. Maxwell stated that the question now is whether to fill in the site with the prospect of developing it when the economy returns or fill it in and never return to it.

David Fallon stated that the Council will seek legal advice on the situation but in the best case scenario the car park would not be reinstated for at least another year due to the need for planning permission and filling in the site.

13. Ceisteanna/Questions:-

Cllrs. Uí Mhurchadha, Conlon, Sherry and McGeown asked:-

- (a) Owing to the emergency situation that has arisen over the past two winters particularly at Christmas time can this Council put a more in-depth contingency plan in place in emergency situations?

Town Council staff and contractors worked tirelessly over the Christmas period which correlated with an unprecedented cold spell. Staff endeavoured to maintain roads and footpaths free of ice despite limited salt supplies. Staff and contractors also responded to an unprecedented number of housing call outs arising from frozen pipes and heating systems. Staff and contractors were on call every day except Christmas day.

As it is being predicted by some meteorologists that such dramatic winter events are to become more common, Monaghan Town Council staff are reviewing all callouts recorded over the recent cold period with a view to developing a remedial works action plan. This action plan will coincide with a revised information sheet to tenants that will give practical advice on how to avoid damage caused by freezing pipes.

Cllr. Seamus Treanor asked:-

- (b) How much has been paid to date by Monaghan Town Council for the lease of Mc Nallys Car Park and how much has been paid by the Clarke Group?

Monaghan Town Council entered into a lease in August/October 2006 with the owners of the lands on which the car park known locally as Mc Nallys carpark is situated on. This property is composed of two plots owned separately by McNally's and Pattons. At that time a 2 year lease was obtained. This time period was deemed sufficient to allow for the necessary works to convert the lands to carparking use and also facilitate the relocation of carparking during the construction of the Monaghan Mixed Use Development Project. The carparking element of the project was programmed to be completed by 14th November 2008. A Capital Contribution of €100,000 was paid by Clarkes in 2007 as part payment of the €320,000 contribution towards the cost of constructing the temporary car park as per the Project Agreement. During the period August 2006 to November 2008 Monaghan Town Council paid €329,008 for the lease of the lands. Due to the non-completion of the Car Park Element, under the terms of the Project Agreement, the Council is entitled to recover an interim payment form DPT for the loss sustained by it in providing alternative car parking facilities from the period commencing on the 14th November 2008, therefore from the 14th November 2008 to the 29th May 2010 Clarke's have been invoiced €182,547.10.

An invoice for a further sum in excess of €60,000 is being prepared at present to cover the period 30th May 2010 to the 31st December 2010.

During the period November 2008 to December 2010 Monaghan Town Council paid €328,273 for the lease of lands. The lease with the property owners was renewed on a yearly basis and a decrease of 17% was recently negotiated by Monaghan Town Council.

© How much has the Town Council invested in the hole in the ground project?

Monaghan Town Council have invested €339,270 in the project which includes legal fees, tenders, clerk of works, advertising etc.

(d) How much is the bond guarantee worth to the Town Council?

The Bond amount is the aggregate sum of €2,439,286.65

(e) When the Town Council Offices in Dublin Street were put up for sale by the Council of the day, why was there no public auction, considering it is a public building. Why was it put out to tender and why was no deposit demanded from the proposed developer?

The Town Council Offices in Dublin Street were not put up for sale.

14. Resolutions from other Local Authorities:-

(a) “That any monies collected for N.P.P.R. Charges be collected by the Local Authority involved, be it Borough, Town, County or City Council and be re-enforced within that Council”

Macroom Town Council

It was agreed to mark the above Resolution read.

(b) “That this Council calls on the Government to maximise in forthcoming legislation the protection of An Post from the liberalisation of postal services”.

Donegal County Council

It was agreed to adopt the above Resolution.

© “Donegal County Council calls on the Government to recognise the unique and vital role of the postal service in Ireland particularly rural Ireland, as a means of communication, a vital economic tool, an intrinsic part of the fabric of the community, and thus demands that as the Government drafts legislation to open the postal market to full competition, it ensures that the priceless social service provided by An Post, the Universal Service Obligation and the jobs of An Post staff are protected”.

Donegal County Council

It was agreed to adopt the above Resolution.

(d) “That Donegal County Council contact all relevant authorities and raise the need for addressing the serious issues facing the undocumented Irish in America including many Donegal people taking into account the following;-

1. The problems encountered in obtaining visas
2. The need to reinstate the 245(i) which would benefit a large majority of the undocumented Irish.
3. Necessity of reducing detention times for Irish Citizens detained on an overstay of their waiver, together with the assurance that there would be no associated criminal conviction”.

Donegal County Council

It was agreed to adopt the above Resolution.

- (e) “At the December Meeting of Leixlip Town Council the Members passed a motion expressing deep concern at the proposal to cut the minimum wage. As there are only 4% of workers on the minimum wage this measure would add nothing to the national exchequer and targeted the lowest paid workers”.

Leixlip Town Council

It was agreed to adopt the above Resolution.

- (f) “I propose that each private vehicle that is owned or driven by any person under the age of 25 years old or within at least having 10 years driving experience, become mandatorily fitted with a speed inhibitor that will allow the states maximum speed limit only. I support that this proposal for the mandatory installation of speed inhibitors will allow for young drivers to become conditioned to a safer way of driving when they become accustomed to a governing speed that cannot be exceeded by the installation of a speed inhibitor”.

Tuam Town Council

The Members opposed the above Resolution.

15. Conferences:-

- (a) TGR Seminars – “Time Management Success; Double your Productivity and Double your Time Off” – Maritime Hotel, Bantry, Co. Cork – 21st – 23rd January 2011 – (approx. cost €1020)
- (b) TJK Conferences Ltd – “The Role of State Institutions and Law Reform in Promoting Ireland’s Economic Future” – Thomond Park Stadium, Limerick – 28th – 29th January 2011 – (approx. cost €670)
- © AMAI Spring Seminar – “The Case for Municipal Government” – Westlodge Hotel, Bantry, Cork – 11th – 12th February 2011 – (approx. cost €900)

It was agreed that the two delegates to the AMAI (Cllrs. Maxwell and Uí Mhurchadha) attend the Conference and it was also agreed that any Member wishing to attend the AMAI Spring Seminar will contact the Town Clerk.

- (d) 22nd Colmcille Winter School – “The Future of the Irish Educational System” – The Colmcille Heritage Centre, Gartan, Letterkenny – 25th – 27th February 2011- (approx. cost €60)

On the proposal of Cllr David Maxwell seconded by Cllr Seán Conlon it was agreed that Cllr Mary Carroll attend Conference (d). On the proposal of Cllr David Maxwell seconded by Cllr Mary Carroll it was agreed that Cllr Robbie Gallagher attend Conference (d).

16. Any Other Business

Cllr Paul McGeown informed the Members that the majority of General Practitioners in Monaghan Town were on leave for approximately 8/9 days over the Christmas period and that the Doctor-on-call service in Castleblayney was unable to cope with appointments. On the proposal of Cllr Paul McGeown seconded by Cllr Seán Conlon it was agreed to write to all General Practitioners in the town asking them to support the establishment of a Doctor-on-call service in Monaghan Town due to the extreme difficulties in accessing medical services over the Christmas period and to agree to participate in a locally based Doctor-on-call service to cater for those in need of medical attention out of surgery hours.

Cllr Conlon also called for a letter to be written to the HSE Doctor-on-call service asking them how many ambulance calls they made on behalf of people who contacted them over the Christmas period.

Cllr David Maxwell called on the general public to make full use of the Medical Assessment Unit at Monaghan General Hospital.

Cllr Seán Conlon requested a report for the February Monthly Meeting of the Town Council on the impact of the measures to be implemented following the Review of the Local Government Efficiency Report.

Cllr Thomas Hagan stated that the Christmas lighting in the town at Christmas time was very effective.

It was noted that preparations are well underway for the St. Patricks Day Parade in the town. The Members acknowledged the work of Julie Brannigan, Secretary of the Committee on the excellent work she is doing. The Cathaoirleach called on local groups and bands to participate in the parade.

16. Sympathy/Congratulations

A vote of congratulations was extended to:

- Chloe Cagney and Hayley Mc Kenna on their success at the World Championship Line Dancing Competitions. It was agreed to mark their achievements at the next Town Council meeting.

Get well wishes were extended to Cllr Uí Mhurchadha's husband, Matt following his recent illness.

Cllr Donal Sherry congratulated the staff of the County Museum on the recent exhibition "Seen but not heard".

A vote of sympathy was extended to the family of the late Michaela Harte McAreavey, daughter of Mickey Harte, Tyrone Senior Football Manager who was murdered while on honeymoon in Mauritius.

The Cathaoirleach, Cllr. Robbie Gallagher invited all those present to join him for refreshments in the Westenra Arms Hotel.

This concluded the business of the meeting.

Dated this the 21st day of February 2011

Cathaoirleach