COMHAIRLE BHAILE MHUINEACHÁIN MONAGHAN TOWN COUNCIL

Minutes of Monthly Meeting of Monaghan Town Council held on Monday 17th September 2012 at 5.00pm in the Council Chamber of Monaghan Town Council, Town Hall, No. 1 Dublin Street, Monaghan.

Cathaoirleach: Cllr. Seamus Treanor

Present: Cllrs. Mary Carroll, Seán Conlon, Robbie Gallagher, Thomas Hagan, David

Maxwell, Paul McGeown, Donal Sherry and Pádraigín Uí Mhurchadha.

In Attendance: David Fallon, Acting County Manager, Gareth McMahon, Town Engineer,

Marie Deighan, Town Clerk and Janice Eardley, Clerical Officer.

1. Confirmation of July Monthly Meeting held on 16th July 2012

On the proposal of Cllr. Thomas Hagan seconded by Cllr. Donal Sherry it was agreed to adopt the Minutes of the July Monthly Meeting of Monaghan Town Council held on Monday 16th July 2012.

2. Matters Arising from the Minutes

Cllr. Seán Conlon congratulated all those involved in the organisation of the Harvest Time Blues Festival in the town which was a tremendous success. It was noted that a Country and Western Festival is taking place from the 18th to the 21st July 2013 in Monaghan.

Cllr. Donal Sherry welcomed work carried out to the road at Heatons corner.

Cllr. Seán Conlon stated that he attended the AMAI Conference in Ballinasloe.

On the proposal of Cllr. Seán Conlon seconded by Cllr. Pádraigín Uí Mhurchadha it was agreed to organise a book launch when Author, Brendan O' Grady visits Ireland. The book, "Exiles and Islanders" describes Irish settlement in Prince Edward Island from 1768 to 1880.

It was agreed to write to Coillte to enquire if the barrier to Rossmore Park could be lifted after 6pm in the evening to allow access for people who wish to go for a walk in the park. It was also agreed to enquire as to how much income has generated from the new charge on entering the park and it was noted that if this information was made available to the Council then it could be considered if a subvention could be made to Coillte by the Council so that the park could be left open to the public. The Members acknowledged Monaghan United Football Club for offering their car park facilities at Gortakeegan for anyone who wishes to go for a walk in the park.

Cllr. Pádraigín Uí Mhurchadha proposed and it was agreed to place the following item on the agenda for future Monthly Meetings "Vacant Apartments at Drumbear".

Cllr. Paul McGeown expressed disappointment at the level of service provided by Bus Éireann at their bus depot on the North Road in July 2012. It was noted that the bus coming from Dublin Airport to Letterkenny had failed to stop at the bus station in Monaghan thus leaving a number of people stranded. It was agreed to forward the details to the Manager of the Bus Depot for his attention.

3. Manager's Orders

The Members noted Managers Orders numbered 114/12 - 143/12.

4. Correspondence

The Members noted the following correspondence:

- Acknowledgement letter dated the 5th September 2012 from the Department of the Environment, Community and Local Government in relation to the extension of the sewage system on the Scotstown/Clones Road to the main sewage system of Monaghan town.
- Acknowledgement letter dated the 20th July 2012 from the Office of the Taoiseach regarding jobseeker payments to part-time firemen.
- Acknowledgement letter dated the 20th July 2012 from the Office of the Minister for Social and Family Affairs regarding jobseeker payments to part-time firemen.
- Letter dated the 2nd August 2012 from the Courts Service stating that it is not possible to reinstate the harp symbol over the Courthouse entrance as it was thrown out during the construction works. On the proposal of Cllr. Pádraigín Uí Mhurchadha seconded by Cllr. Mary Carroll it was agreed to write to the Courts Service calling for the reinstatement of a harp symbol over the Courthouse entrance.
- Letter dated the 30th July 2012 from Heather Humphreys, TD calling to have a public toilet installed at Killygoan playpark. The Members agreed that there is a need for a public toilet facility in the area but expressed the view that door to door consultation should be carried out before any decision is made. It was also agreed to refer the matter to the Budget Sub-Committee for consideration.
- Acknowledgement e-mail dated the 10th September 2012 from Jan O'Sullivan, TD,
 Minister for Housing and Planning regarding legislation to deal with private dwellings
 which have gone into disrepair. It was agreed to write again to the Minister's Office on the
 same matter and to ask the Minister to give power to Local Authorities to deal with rubbish
 that has accumulated at private household premises and which may not be visible from a
 public place.
- E-mail dated the 10th September 2012 from Damien Treanor, Acting Director of Services, Roads, Environment and Emergency Services, Monaghan County Council in relation to a meeting he had with representatives from Coillte regarding Admission Charges to Rossmore Park.
- E-mail dated 5th September 2012 from Brenda McMorrow, Monaghan Garda Youth Diversion Project applying for grant of €6,000 for the annual Halloween Festivities in Monaghan Town. On the proposal of Cllr. Seán Conlon seconded by Cllr. David Maxwell it was agreed to contribute €6,000 to the group. The Members expressed disappointment that the title "Monaghan Neighbourhood Youth Project" has been dropped and look forward to the name being reinstated.

- E-mail dated the 17th August 2012 from RTE calling on the general public to help people with the digital switchover (Saorview) which is due to take place on the 24th October this year. The Members queried if there is a reduction in the price of a Saorview Box for Old Age Pensioners and on the proposal of Cllr. Seán Conlon seconded by Cllr. Thomas Hagan it was agreed to point out to RTE the difficulties that can be experienced in the Border areas in relation to TV Signals.
- Letter from Thom Brennan, Catholic Christian Activist regarding the National Pro-Life Campaign.
- Copy of the National Tidy Towns Adjudicator's Report 2012 for Monaghan Town. Cllr.
 Robbie Gallagher congratulated all those involved in Tidy Towns on the excellent work
 which they have carried out. This was seconded by Cllr. Mary Carroll. The Members also
 congratulated Denis Flannery, Town Council Horticulturist and the outdoor staff. It was
 noted that Monaghan Town received the Endeavour Award in the Competition.
- Copy of the Irish Business Against Litter (IBAL) results 2012.
- Letter dated 28th August 2012 from Cllr. Phelim Gildernew, Dungannon and South Tyrone extending an invitation to the Cathaoirleach to attend the official opening of a £5.5m Arts and Visitor Centre on Wednesday 24th October 2012.
- E-mail dated 6th September 2012 inviting the Members who participated in the twinning visits to Geel to attend at Tydavnet Community Centre on Friday 21st September to celebrate the 20th Anniversary of twinning with Geel.
- Letter dated the 14th September 2012 from Peadar Morgan, Clontibret O'Neill Pipe Band who are celebrating their 40th Anniversary this year. It was noted that nine pipe bands are coming to Monaghan Town on Saturday the 6th October 2012 to participate in a pipe band get together in the town. The Members look forward to the visit of the bands.
- Letter dated the 17th September 2012 from Eileen Costello, Administrator, Garage Theatre, Monaghan seeking an opportunity for the Board of Directors of the Garage Theatre to make a presentation to the Members of Monaghan Town Council. On the proposal of Cllr. David Maxwell seconded by Cllr. Paul McGeown it was agreed that the presentation take place at the October Monthly Meeting of the Town Council. It was noted that the new Garage Theatre will be ready for opening to the public on the 21st December 2012.
- Card of thanks from the family of the late Bridget Josephine (Josie) Duffy, Scotshouse thanking the Members for their letter of sympathy.

5. Planning Applications

The members noted Planning Application number MT12/15.

6. Business Submitted by An Cathaoirleach

No business was submitted by An Cathaoirleach.

7. Consideration of Reports of Committees

The Members noted the Minutes of the Planning Sub-Committee meeting held on Monday 16th July 2012.

The Members noted the Minutes of the Budget Sub-Committee meeting held on Monday 16th July 2012.

The Members agreed to contribute €5,000 to the Taste of Monaghan Festival 2012. The Members noted correspondence dated the 14th September 2012 from the Taste of Monaghan Festival Committee requesting the closure of Church Square from 6pm on Thursday 4th October until 6pm on Sunday 7th October 2012 to facilitate the Festival. The Members agreed to refuse the request as it was noted that at least 21 days notice of closing a road is required in accordance with the Roads Regulations 1994.

The Members congratulated the organizers of the Monaghan 10miler event which took place in the town in August and it was noted that Monaghan Phoenix Club are holding their Credit Union 5k event on Friday evening.

8. Roads/Housing

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

- Handrail to be replaced on Poundhill/Old Cross Square
- Killyconnigan footpaths/potholes/weeds
- Gullies blocked Poundhill
- Water on roadway Poundhill
- High Street smell of sewage
- Horseshoe Bridge illegal dumping
- Knockroe Glen Public Lighting out of order

Cllr. Donal Sherry stated that some residents in Beechgrove Lawns and Knockroe Glen are experiencing poor TV reception in these areas due to trees located at the back of their properties which are blocking the TV signal. It was noted that the trees do not pose a health and safety problem.

9. Telecommunication Mast at Killygoan

The Members look forward to the removal of the telecommunication mast at Killygoan.

10. Mullaghmatt Remedial Works Scheme

The Town Engineer reported that snagging is ongoing in relation to Phase 2 of the scheme and it was noted that a meeting has been arranged in early October with the Department of the Environment, Community and Local Government in relation to seeking clarity on a number of matters relating to Phase 3 of the scheme.

11. Progress on Windows/Doors - Killygoan Area

It was agreed to defer this matter until the October monthly meeting of the Town Council.

12. Report on Mixed Use Development at Rooskey

The Acting County Manager reported that work has began on the reinstatement of the carpark at Rooskey and that all licenses and permits are in order. The Members welcomed this report.

13. Vacant Revenue Commissioners Office, Coolshannagh, Monaghan

The Members noted correspondence dated the 27th July 2012 from the Office of the Minister for Jobs, Enterprise and Innovation and correspondence dated the 23rd August 2012 from the Office of the Minister for Small Business in relation to the vacant former Revenue Commissioners Offices at Coolshannagh, Monaghan and the potential for the establishment of an Enterprise Centre. On the proposal of Cllr. Seán Conlon seconded by Cllr. David Maxwell it was agreed to forward the correspondence received from the Minister for Jobs, Enterprise and Innovation to Enterprise Ireland requesting them to explore the proposal and to engage with the approved agencies in order to further the initiative. It was also agreed that the Planning Sub-Committee arrange a meeting with the Monaghan County Enterprise Board on the matter.

14. Consideration of approval to dispose of the Freehold Interest in Council dwelling

On the proposal of Cllr. David Maxwell seconded by Cllr. Pádraigín Uí Mhurchadha it was agreed to dispose of the freehold interest in no. 8 Dr. McKenna Terrace, Monaghan in accordance with Notice dated 5th September 2012 under Section 183 of the Local Government Act 2001.

15. Consideration of approval to dispose of land at Annahagh, Monaghan.

The Members noted correspondence dated the 4th September 2012. Cllr. David Maxwell proposed and it was agreed to seek independent legal advice to ensure that the Town Council's interest is protected in this matter.

16. Consideration of Parks and Open Spaces Draft Bye-Laws 2012 (amended)

The Members noted a copy of the Monaghan Town Council Parks and Open Spaces Draft Bye-Laws 2012 (amended). The Members also noted submissions received dated 23rd August 2012, e-mail dated 18th July 2012, e-mail dated 17th July 2012 and e-mail dated 19th July 2012 in relation to the public consultation which took place regarding the Draft Bye-Laws. On the proposal of Cllr. David Maxwell seconded by Cllr. Seán Conlon it was agreed to amend item no. 21 of the Bye-Laws (Bonfires, barbeques, etc.) to read as follows:

No persons should make any bonfire, fire or barbeque or light any fireworks in any parks save the written permission of the Council and subject to the terms and conditions of such permission.

On the proposal of Cllr. Seán Conlon seconded by Cllr. Pádraigín Uí Mhurchadha it was agreed to adopt the Parks and Open Spaces Draft Bye-Laws 2012 as amended. The Members expressed the hope that the Bye-Laws will prevent skateboarding activities taking place on the new Plaza area in The Diamond.

17. Notices of Motion:-

(a) "In its role as a considerable stakeholder in the annual Harvest Time Blues Festival, that Monaghan Town Council hosts a meeting of the relevant stakeholders in preparation for The Gathering 2013, to include the Arts Office, Publicans, Hotel and B&B sector, Chamber of Commerce, Gardaí...".

Cllrs. Uí Mhurchadha, Conlon, Sherry, McGeown

On the proposal of Cllr. Seán Conlon seconded by Cllr. Donal Sherry it was agreed to adopt the above Notice of Motion and to include the Tourism Office as a stakeholder in preparation for The Gathering 2013.

(b) "In preparation for the annual public outdoor performance of local young musicians that coincides with the Harvest Time Blues Festival that the issue of a temporary closure of Mill Street to facilitate this performance is added as an item for discussion on the July 2013 agenda".

Cllrs. Uí Mhurchadha, Conlon, Sherry, McGeown

On the proposal of Cllr. Seán Conlon seconded by Cllr. Paul McGeown it was agreed to adopt the above Notice of Motion.

(c) "That Monaghan Town Council calls for the immediate release of Gerry McGeogh, Marion Price and Martin Corey. Everyone is entitled to due process and these Irish citizens have been denied this. Their continued detention without trial is an infringement of their human rights and clearly undermines the justice system on this island. Their imprisonment is unjust and is in defiance of rulings by the courts in both cases. Both have been granted bail by the courts and yet remain in prison".

Cllrs. Uí Mhurchadha, Conlon, Sherry, McGeown

Cllr. Pádraigín Uí Mhurchadha proposed the Notice of Motion and Cllr. Seán Conlon seconded the Motion. Cllr. Robbie Gallagher proposed the following amendment to the Motion and Cllr. Seamus Treanor seconded the amendment - "That Monaghan Town Council write to the relevant Authorities to expedite the trial of Gerry McGeogh, Marion Price and Martin Corey forthwith and determine whether they should be charged or released". Following a discussion a vote was taken which resulted as follows:

In favour of Cllr. Uí Mhurchadha's proposal – Cllrs. Carroll, Conlon, McGeown, Sherry, Uí Mhurchadha (5)

Against Cllr. Uí Mhurchadha's proposal – Cllrs. Hagan, Maxwell, Gallagher (3) Cllr. Seamus Treanor abstained from voting.

In favour of Cllr. Gallagher's amendment to the motion – Cllrs. Gallagher, Hagan, Maxwell, Treanor (4)

Against Cllr. Gallagher's amendment to the motion – Cllrs. Carroll, Conlon, McGeown, Sherry, Uí Mhurchadha (5)

The Motion, as presented was carried.

Cllr. Pádraigín Uí Mhurchadha requested that the Motion be circulated to all Local Authorities. Following a discussion, a vote was taken which resulted as follows:

In favour of circulating the motion to all Local Authorities – Cllrs. Carroll, Conlon, McGeown, Sherry, Uí Mhurchadha (5)

Against circulating the motion to all Local Authorities – Cllrs. Hagan, Maxwell (2) Cllrs. Gallagher and Treanor abstained from voting.

Cllr. Uí Mhurchadha's proposal was carried.

(d) "That this Council call on the Minister for Finance to rescind his decision to withdraw tax relief for first time buyers from January 2013".

Cllr. Treanor

On the proposal of Cllr. Seamus Treanor seconded by Cllr. Robbie Gallagher it was agreed to adopt the above Notice of Motion and to circulate it to all Local Authorities.

(e) "Write to the Minister for the Environment regarding his proposal to change the rules that cars over 10 years old would have to be tested every year instead of the present 2 years".

Cllr. Treanor

On the proposal of Cllr. Seamus Treanor seconded by Cllr. Donal Sherry it was agreed to adopt the above Notice of Motion and to circulate it to all Local Authorities.

(f) "That this Council calls on the Government to ensure that any property tax that might be introduced is based on the taxpayers ability to pay".

Cllr. Gallagher

On the proposal of Cllr. Robbie Gallagher seconded by Cllr. Seamus Treanor it was agreed to adopt the above Notice of Motion.

18. Ceisteanna/Questions

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

- (a) In an effort to enhance pedestrian and vehicle safety at the location where several schools and road networks converge on the Clones Road will the Engineering Section invite recommendations from the relevant schools and Gardaí in a view to improving on existing measures?
 - The Town Council Executive can arrange to invite recommendations from the schools and the Gardaí in a view to improving on existing measures in the area.
- (b) In an effort to optimize the use of public recreational facilities for town citizens and clubs renting the Council owned soccer pitch at Belgium Park will the Council Executive agree to a site meeting with interested parties?

 The Town Council Executive can arrange to meet with interested parties.
- (c) What number of buildings in Monaghan town are listed on the Derelict Sites Register? There is one dwelling (No. 49 Dublin Street) at present on the Derelict Sites Register. Two notices under Section 11 of the Derelict Sites Act 1990 have recently been issued. Warning letters have also been issued to a number of problem sites, some of which are now engaging with Monaghan Town Council.

Cllrs. Maxwell, Carroll, Hagan asked:-

(d) Can the Council explore the possibility of putting in parking bays between house no's 31 – 43 Fairview Drive, Killygoan, Monaghan?

Parking in this location could be included in the 2013 Road Programme.

It was agreed that public consultation take place between now and Christmas in relation to the provision of parking bays at this location.

Cllr. Robbie Gallagher asked:-

- (e) What is the procedure/timescale for members of the public who wish to register their septic tank and to avail of the €5 registration fee?

 From June 2012, owners of domestic waste water treatment systems are required to register their systems with their water services authority (Local Authority). Owners of properties connected to a domestic wastewater treatment system are required to register their systems by 1st February 2012. A person can register on-line at www.protectourwater.ie or at local authority offices or by sending their completed form and registration fee to Protect Our Water, PO Box 12204, Dublin 7.

 A once-off registration will apply a reduced fee of €5 can be paid until Friday 28th September 2012. It will then increase to €50.
- (f) Can the Council outline the likely starting date, timeline and detail for the proposed Greenway project through the town for which funding was announced earlier this year? This project is going out to tender for consultants this week. Construction will begin on the project next year.
- (g) Would the Council consider liaising with businesses in the town on the merits of a BIDS (Business Improvement District) for the town?

 The Council will check the legislation and examine the possibility of setting up a scheme.
- (h) Would the Council investigate the possibility of placing a Junction Box at the bottom of the road from Beech Hill College (one way) that leads on to the "Old N2" and any other measures that would aid the free flow of traffic entering town at morning school time? This matter will be referred to the Area Engineer for his attention. It was agreed that the Parents Association and Board of Management of the School be consulted prior to any works being carried out.

19. Resolutions from Other Local Authorities

(a) "That Clonmel Borough Council calls on the Government to finally publish the long awaited "National Positive Ageing Strategy" as a matter of urgency".

Clonmel Borough Council

The Members agreed to support the above Resolution.

(b) "That this Council call on the Minister for Social Protection and the Minister for the Environment, Community and Local Government to outline how they intend to financially assist all those residents who will lose the Refuse Waiver Scheme from the 1st November 2012 following the sale and privatisation of the Borough Council refuse collection service".

Clonmel Borough Council

It was agreed to mark the above Resolution read.

(c) "In keeping with the will of the Irish people as emphatically expressed in the referendum of 1983, Donegal County Council opposes any form of legislation of abortion in any circumstances".

Donegal County Council

Following a discussion on the above Resolution and on the proposal of Cllr. David Maxwell seconded by Cllr. Thomas Hagan the following amendment was agreed:-

"Monaghan Town Council is opposed to the introduction of abortion in this country in the absence of a referendum of the people approving such legislation".

(d) "That the Government assesses fairly "Small Enterprises" in the County to establish whether or not they are in a position to meet the current demand for commercial and water rates and that Donegal County Council offer to be involved in a pilot project for the review of rates nationally".

Donegal County Council

It was agreed to mark the above Resolution read.

(e) "That this Town Council write to the appropriate Government Department to start the process of allowing Irish passport holders that are living abroad the right to a vote in our National elections and that we seek support from other Councils for this motion".

Nenagh Town Council

It was agreed to support the above Resolution.

20. Conferences:-

- (a) Awareness Education Services "National Conference on Home Life in Ireland Today" Regency Hotel, Dublin 18th September 2012 (approx cost €170).
- (b) Rattoo Heritage Society Kerry Autumn Environmental, Cultural and Heritage Conference and Training Seminar for Elected Members Meadowlands Hotel, Tralee 19th 22nd September 2012 (approx. cost €1,000)
- (c) Respond National Housing Conference "Does Ireland need a National Housing Plan? Of course we do!" Maldron Hotel, Tallaght 20th 21st September 2012 (approx. cost €385).
- (d) Greystones Town Council/Ards Borough Council/La Touche Legacy Committee 2012 Autumn Seminar "Local Democracy Myth or Reality" Charlesland Golf and Country Club Hotel, Greystones 28th 30th September 2012 (approx. cost €600).
- (e) Third Age Conference "An older wisdom, a younger vision Europe's recovery through intergenerational solidarity" Croke Park Conference Centre, Dublin 1st October 2012 (approx. cost 260).
- (f) Superior training "Constitutional and Political Reform and the Councillor" Carlton Millrace Hotel, Bunclody 5th 6th October 2012 (approx. cost €520).
- (g) Ace Training "Michael Collins and the creation of Irish Democracy" Celtic Ross Hotel, Rosscarbery 12th 14th October 2012 (approx. cost €80)
- (h) Nuclear Free Local Authorities Ireland Autumn Seminar "Key energy and nuclear policy issues affecting Ireland should it be concerned about UK new nuclear build and how can it take advantage of renewable energy?" Civic Centre, Downpatrick 12th October 2012 (approx. cost €155).

No attendance is to take place to the above Conferences.

21. Any Other Business

The Members welcomed correspondence from County Monaghan VEC in relation to Peace 3 funding which has been secured by them for the delivery of a project called "The Men's Hub" Project. On the proposal of Cllr. Donal Sherry seconded by Cllr. David Maxwell it was agreed to write to the Health Service Executive and to thank them for providing a building at the entrance to St. Davnets Estate in Monaghan to facilitate the project.

It was agreed to host a Civic Reception on Monday 15th October 2012 at 7.00p.m. for the Cavan Monaghan Emerging Talent Team who won The Galway Umbro Cup 2012.

It was agreed to contact the Arts Officer to explore the possibility of organising regular entertainment, i.e. musicians giving 1/2 hours of their time on a Saturday during July/August to perform on the bandstand in Monaghan town. Cllr. Seán Conlon remarked on the success of having the Nelson Doyle Dancers from New Brunswick perform in The Diamond in August and proposed that the Town Engineer source a suitable covering for the Bandstand.

22. Sympathy/Congratulations

A vote of sympathy was extended to the following:

- The family of the late Peter O'Reilly, 38 Killyconnigan, Monaghan.
- The family of the late Seamus Maguire, 13 Mall Road, Monaghan.
- The Dobbin family, 3 Cathedral View on the death of Mrs. Mollie Dobbin.
- Marie Donnelly, Monaghan County Council employee on the death of her brother, Patsy Trainor, Armagh.
- The Maguire family, Macknagh, Lisnaskea, on the tragic death of their son, Brian Óg.
- Mrs. Essie Spence and family, Ballynahinch, Co. Down on the tragic death of her husband Noel and sons Graham and Nevin.

A Minutes Silence was held.

A vote of congratulations was extended to the following:

- Monaghan Harps Minor Football Team who have reached the final of the Minor Championship.
- Cavan Monaghan Emerging Talent Team who won The Galway Umbro Cup 2012
- Donegal County Football Team on reaching the All Ireland Football Final

The Members commiserated with the County Monaghan Ladies Football Team who were beaten by Cork in the All Ireland Ladies Football Semi-Final in Birr.

This concluded the business of the meeting.	
Dated this the 15 th day of October 2012	
Signed: Cathaoirleach	(4.0)