



## **MINUTES**

**DATE:** Wednesday, April 19, 2017

**CLOSED MEETING:** 6:00 P.M.

**REGULAR MEETING:** 6:30 P.M.

The April 19, 2017 Regular Council Meeting was held on the above date and called to order at 6:00 p.m. in the Council Chambers, Aberfoyle.

### 1. **ATTENDANCE:**

Mayor Dennis Lever  
Councillor Matthew Bulmer  
Councillor Susan Fielding  
Councillor Ken Roth  
Councillor John Sepulis

#### **STAFF IN ATTENDANCE:**

1. Karen Landry, CAO/Clerk
2. Mary Hasan, Director of Finance/Treasurer
3. Don Creed, Director of Public Works and Parks
4. Nina Lecic, Deputy Clerk

#### **OTHERS IN ATTENDANCE**

1. Jean and Fred Stahlbaum
2. Dianne Paron
3. V and H.J Hildebrant
4. Barbara Chillingsworth
5. Bob O'Krafka
6. Kyle Davis
7. Doug Smith
8. Gerry Hayden
9. Julie Gagnon
10. Robin Wayne
11. Karen Lever
12. Rachel Newmayer
13. Cathy Smith
14. Barbara Murphy
15. Christa Johnson
16. Kathy White
17. Aldo Salis

### 2. **DISCLOSURE OF PECUNIARY INTEREST & THE GENERAL NATURE THEREOF:**

Councillor Bulmer declared a pecuniary interest with respect to the Aberfoyle Farmers' Market Agreement as he provides services to the Aberfoyle Farmer's market. Councillor Bulmer left Council Chambers or refrained from discussions on the matter.

### 3. **CLOSED MEETING**

Council was in closed session from 6:01: p.m. to 6:10 p.m.

Council recessed from 6:10 p.m. to 6:30 p.m. and again from 6:34 p.m. to 7:00 p.m.

#### **Resolution No. 2017-119:**

Moved by Councillor Roth and  
Seconded by Councillor Bulmer

**That Council shall go into closed session under Section 239 of the Municipal Act for the purpose of:**



- (a) **Confidential Verbal Report from Karen Landry, CAO/Clerk, regarding litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board – 599 Arkell Rd.**

**CARRIED**

**Resolution No. 2017-120:** Moved by Councillor Bulmer and  
Seconded by Councillor Roth

**THAT Council move into open session.**

**CARRIED**

Council resumed into open session at 6:10 p.m.

**Resolution No. 2017-121:** Moved by Councillor Roth and  
Seconded by Councillor Bulmer

**That Council receives the:**

- (a) **Confidential Verbal Report from Karen Landry, CAO/Clerk, regarding litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board – 599 Arkell Rd.**

**CARRIED**

4. **ADOPTION OF THE MINUTES: ≠**

- (a) Council Meeting – April 5, 2017

**Resolution No. 2017-122:** Moved by Councillor Bulmer and  
Seconded by Councillor Roth

**That the minutes of the following meetings be adopted as written and distributed:**

- (a) **Council Meeting – April 5, 2017, as amended.**

**CARRIED**

5. **BUSINESS ARISING OUT OF THE MINUTES:**

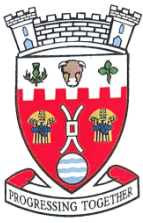
6. **PUBLIC MEETINGS:**

7. **COMMUNICATIONS: ≠**

1. Municipal addressing
  - (a) Correspondence from Canada Post dated March 27, 2017
  - (b) Correspondence from Ted Arnott, MPP dated March 27, 2017
2. Environmental Registry alert Nexcycle Industries Ltd.
  - a. EBR posting dated March 28, 2017
3. 2016 Groundwater Monitoring Report, Capital Paving Inc. License No. 20085, 6660 Wellington Rd 34
  - a. Correspondence from Capital Paving Inc. dated March 21, 2017
  - b. Comments from Harden Environmental dated April 11, 2017.

Council directed staff to inquire and report back on the differences in precipitation levels as noted in the Capital Paving report and Nestles Annual Report, as they vary significantly. Staff is to notify the Ministry of the Environment of the discrepancy in order to ensure consistency.

4. Meadows of Aberfoyle- 2016 Annual monitoring report.
  - a. Correspondence from Banks Groundwater Engineering dated February 22, 2017.
  - b. Comments from Harden Environmental dated April 3, 2017



Councillor Sepulis directed staff to ask for comments from Harden Environmental with respect to Section 2.5.3 of the Banks Groundwater report titled "Expiry of Current PTTW" which recommends that Conditions 4.2, 4.3 and 4.5 should not be included in the amended or new Permit to take water.

**5. Intergovernmental Affairs≠**

**Resolution No. 2017-123:** Moved by Councillor Roth and  
Seconded by Councillor Bulmer

**That the Intergovernmental Affairs correspondence items listed on the Council Agenda for April 19, 2017 Council meeting be received.**

**CARRIED**

**8. DELEGATIONS/PRESENTATIONS≠**

**6:30 p.m.** – Presentation of the 2017 Puslinch Volunteer of the Year Award to Stella O'Krafka

Council presented Stella O'Krafka with the 2017 Puslinch Volunteer of the Year Award.

**7:05 p.m.** – Martin Keller, Source Protection Program Manager, Grand River Conservation Authority with respect to the Guelph/Guelph-Eramosa Tier 3 Water Budget and Local Area Risk Assessment.

Council requested that Lake Erie Region Source Protection staff contact the City of Guelph to confirm the water demand data used in the Tier 3.

**Resolution No. 2017-124:** Moved by Councillor Bulmer and  
Seconded by Councillor Roth

**That Council receives the presentation by Martin Keller, Source Protection Program Manager, Grand River Conservation Authority with respect to the Guelph/Guelph-Eramosa Tier 3 Water Budget and Local Area Risk Assessment.**

**CARRIED**

**7:25 p.m.** – Andreanne Simard, Natural Resource Manager, Nestle Waters Canada with respect to the 2016 Annual Monitoring Report.

Andreanne noted Nestle's interest in discussing the discrepancies in precipitation data with Capital Paving.

**Resolution No. 2017-125:** Moved by Councillor Roth and  
Seconded by Councillor Bulmer

**That Council receives the presentation by Andreanne Simard, Natural Resource Manager, Nestle Waters Canada with respect to the 2016 Annual Monitoring Report.**

**CARRIED**

Council requested that staff obtain clarification with respect to Nestle's reduction in water takings. In particular, Council requested that staff clarify whether the reduced percentage of water takings is from the amount allowed in the Permit to take Water, or from Nestle's actual water takings.

**7:35 p.m.** - Kyle Davis, Risk Management Official Wellington Source Water Protection with respect to Agenda Items # 9(3)(a) and (b).

**Resolution No. 2017-126:** Moved by Councillor Bulmer and  
Seconded by Councillor Roth



**That Council receives the presentation by Kyle Davis, Risk Management Official Wellington Source Water Protection with respect to the Wellington Source Water Protection Annual Report – 2016 and the update on Guelph and Guelph / Eramosa Tier 3.**

**CARRIED**

Council directed staff to obtain groundwater monitoring data from the City of Guelph and Region of Waterloo (for Cambridge) as it pertains to monitoring wells in or adjacent to the Township of Puslinch.

Council directed Grand River Conservation staff to amend the Frequently Asked Questions for the Tier 3 project to reflect that the Arkell Spring Grounds and other City wells are located outside of the City of Guelph in the County.

Councillor Bulmer disclosed a pecuniary interest, left Council Chambers, and refrained from discussion and voting on the item below:

**7:45 p.m.** - Blair Moch, Aberfoyle Farmers Market/President with respect to the renewal of the Market lease agreement, Agenda Item # 9(3)(e)

**Resolution No. 2017-127:** Moved by Councillor Roth and  
Seconded by Councillor Sepulis

**That Council receives the presentation by Blair Moch, Aberfoyle Farmers Market President with respect to the renewal of the Market lease agreement.**

**CARRIED**

**9. REPORTS: ≠**

**1. Puslinch Fire and Rescue Services ≠**

None

**2. Finance Department ≠**

(a) Report FIN-2017-016 Treasurer's Investment Report for 2016

**Resolution No. 2017-128:** Moved by Councillor Bulmer and  
Seconded by Councillor Roth

**That Report FIN-2017-016 regarding the Treasurer's Investment Report for 2016 be received; and**

**That Council accepts the Treasurer's statement that based on the information supplied by the Toronto Dominion Commercial Bank, the cash and equivalents held by the Township during the calendar year 2016 were all prescribed in accordance with Section 418 of the Municipal Act, 2001 and were all eligible as outlined in Ontario Regulation 438/97 and that all cash transactions in 2016 comply with the investment policies and goals adopted by the Township on August 13, 2014.**

**CARRIED**

(b) Report FIN-2017-017 2016 Annual Building Permit Report

**Resolution No. 2017-129:** Moved by Councillor Roth and  
Seconded by Councillor Bulmer

**That Report FIN-2017-017 regarding the 2016 Annual Building Permit Report be received.**

**CARRIED**



(c) Report FIN-2017-018 Ontario Regulation 284/09 - 2017 Budget

**Resolution No. 2017-130:** Moved by Councillor Fielding and  
Seconded by Councillor Sepulis

**That Report FIN-2017-018 regarding Ontario Regulation 284/09 - 2017 Budget be received; and**

**That Council adopts this report which meets the requirements of Ontario Regulation 284/09 and outlines the preparation of the 2017 Operating and Capital budgets to a Public Sector Accounting Board compliant format.**

**CARRIED**

(d) Report FIN-2017-019 2016 Lease Financing Agreement Summary Report

**Resolution No. 2017-131:** Moved by Councillor Sepulis and  
Seconded by Councillor Fielding

**That Report FIN-2017-019 regarding 2016 Lease Financing Agreement Summary Report be received; and**

**That Council accepts the Treasurer's statement that all lease financing agreements are non-material and have been made in accordance with the Township's Lease Financing Agreement Policy as outlined in Schedule B to Report FIN-2017-019.**

**CARRIED**

(e) Report FIN-2017-020 Township General Surplus – 2016

**Resolution No. 2017-132:** Moved by Councillor Fielding and  
Seconded by Councillor Sepulis

**That Report FIN-2017-020 regarding Township General Surplus - 2016 be received; and**

**That the General Surplus balance as of December 31, 2016 of \$429,858 be allocated in accordance with the policy adopted by Council through Council Resolution Number 2013-284.**

**CARRIED**

(f) Report FIN-2017-022 First Quarter Financial Report – 2017

**Resolution No. 2017-133:** Moved by Councillor Sepulis and  
Seconded by Councillor Fielding

**That Report FIN-2017-022 regarding the First Quarter Financial Report - 2017 be received.**

**CARRIED**

(g) Applications for Cancellation, Reduction or Refund of Taxes re: Chapter 25, Section 357, 358 – Municipal Act

**Resolution No. 2017-134:** Moved by Councillor Fielding and  
Seconded by Councillor Sepulis

**That Council does hereby authorize the applications for Cancellation, Reduction or Refund of Taxes chapter 25, section 357 or 358 of the Municipal Act, 2001 as follows:**

| Year | Application # | Roll #  | Write Off Amount |
|------|---------------|---------|------------------|
| 2016 | 14/16         | 6-16798 | -16.52           |
| 2014 | 30/16         | 3-19100 | -93.97           |



|      |       |         |         |
|------|-------|---------|---------|
| 2015 | 31/16 | 3-19100 | -99.86  |
| 2016 | 32/16 | 3-19100 | -105.57 |

**CARRIED**

**3. Administration Department**

(a) Wellington Source Water Protection Annual Reports – 2016

**Resolution No. 2017-135:** Moved by Councillor Sepulis and  
Seconded by Councillor Fielding

**That Council receives the 2016 Source Protection Annual Reports for information.**  
**CARRIED**

(b) Wellington Source Water Update on Guelph and Guelph / Eramosa Tier 3

**Resolution No. 2017-136:** Moved by Councillor Fielding and  
Seconded by Councillor Sepulis

**That Council receives the Update on Guelph and Guelph / Eramosa Tier 3 Report for information.**

**CARRIED**

(c) Report ADM-2017-012 RFP – Water Well and Associated Services Feasibility Study

**Resolution No. 2017-137:** Moved by Councillor Sepulis and  
Seconded by Councillor Fielding

**That Report Report ADM-2017-012 RFP – Water Well and Associated Services Feasibility Study be received;**

**That Council authorize staff to proceed with engaging Ontario Clean Water Agency at a cost of \$15,300 to prepare, issue and evaluate submissions for the Water Well and Associated Services Feasibility Study.**

**CARRIED**

(d) Report ADM-2017-014 Encroachment Agreement – Gustav Karoly Lang and Nadya Bismillah-Lang - 38 Queen Street, Morriston

**Resolution No. 2017-138:** Moved by Councillor Fielding and  
Seconded by Councillor Sepulis

Council directed staff to add the creation of an encroachment policy to the list of future policies.

**That Report ADM–2017–014 regarding the Encroachment Agreement – Gustav Karoly Lang and Nadya Bismillah-Lang - 38 Queen Street, Morriston be received, as amended; and**

**That Council directs staff to prepare a by-law to authorize the Mayor and Clerk to execute an Encroachment Agreement with Gustav Karoly Lang and Nadya Bismillah-Lang as outlined in the draft agreement attached as Schedule C to Report ADM-2017-014.**

**CARRIED**

(e) Report ADM-2017-015 Aberfoyle Farmers' Market Agreement – 23 Brock Road –  
ORC





Councillor Bulmer disclosed a pecuniary interest, left Council Chambers, and refrained from discussion and voting on the item below:

**Resolution No. 2017-139:** Moved by Councillor Sepulis and  
Seconded by Councillor Fielding

**That Report ADM-2017-015 regarding the Aberfoyle Farmers' Market Agreement – 23 Brock Road - ORC be received; and**

**That Council enact a by-law to authorize the Mayor and Clerk to execute the Agreement as outlined in Report ADM-2017-015 with Aberfoyle Farmers' Market Association.**

**CARRIED**

(f) Report ADM-2017-016 Application for Noise Exemption for Wellington Common Elements Condo Corp #214, Mini Lakes Resident Association

**Resolution No. 2017-140:** Moved by Councillor Bulmer and  
Seconded by Councillor Roth

**That the period of the noise exemption for Wellington Common Elements Condo Corp #214, Mini Lakes Residents Association be April 21, 2017 to May 31, 2017.**

**CARRIED**

**Resolution No. 2017-141:** Moved by Councillor Bulmer and  
Seconded by Councillor Roth

**THAT Council receives the Application for Noise Exemption for Wellington Common Elements Condo Corp #214, Mini Lakes Residents Association;**

**And that Council authorizes an exemption to Section 4 - Prohibitions by Time and Place and Schedule 2, #1 of By-Law 5001-05 to permit the use of a scare gun to scare away geese at the Mini Lakes Resident Association from April 21, 2017 to May 31, 2017 between the hours of 9 a.m. to 7 p.m.;**

**And that Council directs staff to notify the Ontario Provincial Police of the noise exemption.**

**CARRIED**

(g) Report ADM-2017-017 Appointment of livestock valuers

**Resolution No. 2017-142:** Moved by Councillor Roth and  
Seconded by Councillor Bulmer

**THAT Report ADM-2017-017 regarding the appointment of livestock valuers be received;**

**AND THAT Council enacts a by-law appointing livestock valuers for the Township of Puslinch.**

**CARRIED**

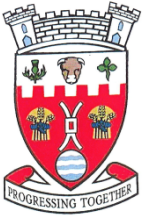
**4. Planning and Building Department ≠**

None

**5. Roads & Parks Department**

None

**6. Recreation Department**



None

7. **Mayor's Updates**

10. **NOTICE OF MOTION:**

(a) Councillor Sepulis- Morriston Bypass

**Resolution No. 2017-143:** Moved by Councillor Sepulis and  
Seconded by Councillor Fielding

**WHEREAS the Ministry of Transportation of Ontario (MTO) will be undertaking the construction of the Morriston Bypass, most of which is within the Township of Puslinch;**

**AND WHEREAS the MTO will be undertaking studies to mitigate construction and post construction impacts on the local environment and to the Township and its residents as part of the Environmental Assessment commitments and pre-construction activities;**

**AND WHEREAS certain roads will be constructed by MTO and turned over to the Township for ongoing maintenance and repair;**

**AND WHEREAS it is essential for the Township to participate in the review of any studies to ensure all potential impacts and appropriate measures are considered;**

**AND WHEREAS it is essential for the Township to ensure any road designs meet with the Township's requirements for future maintenance and extension into lands to be developed;**

**THEREFORE BE IT RESOLVED that staff be directed to contact the MTO and ask that the Township be a named stakeholder in the consultation and review processes for the construction of the Morriston Bypass;**

**AND FURTHER THAT staff be directed to liaise with other agencies involved in the consultation and review process in order to ensure that there is no duplication of effort by the Township;**

**AND FURTHER THAT staff accordingly allocate appropriate funds in subsequent budgets to engage consultants to participate in the review and consultation process as deemed appropriate by staff;**

**AND FURTHER THAT this resolution be sent to the MTO and MPP Ted Arnott for information and any necessary action.**

**CARRIED**

11. **COMMITTEE MINUTES**

- (a) Heritage Committee, February 6, 2017
- (b) Planning & Development Advisory Committee Meeting, March 14, 2017
- (c) Committee of Adjustment, March 14, 2017

**Resolution No. 2017-144:** Moved by Councillor Bulmer and  
Seconded by Councillor Roth

**That Council receives the following Committee Minutes:**

- (a) **Heritage Committee, February 6, 2017**
- (b) **Planning & Development Advisory Committee Meeting, March 14, 2017**
- (c) **Committee of Adjustment, March 14, 2017**





**CARRIED**

12. **MUNICIPAL ANNOUNCEMENTS**

- (a) Councillor Sepulis notified Council that he attended the Source Water Protection Meeting and the Mill Creek Committee meeting. Mayor Lever also noted that he attended the Source Water Protection meeting as a delegate.
- (b) Councillor Roth notified Council of the Green legacy tree give away.
- (c) Councillor Bulmer notified Council of Earth Day and the township clean up.

13. **UNFINISHED BUSINESS**

14. **BY-LAWS:**

- (a) Being a by-law to appoint Livestock Valuers
- (b) Being a by-law to authorize the entering into an Agreement with the Aberfoyle Farmer's Market Association Inc.

**Resolution No. 2017-145:** Moved by Councillor Roth and  
Seconded by Councillor Sepulis

**That the following By-law be taken as read three times and finally passed in open Council:**

- (a) **Being a by-law to appoint Livestock Valuers**

**CARRIED**

Councillor Bulmer disclosed a pecuniary interest and refrained from discussion and voting on the item below:

**Resolution No. 2017-146:** Moved by Councillor Roth and  
Seconded by Councillor Sepulis

**That the following By-law be taken as read three times and finally passed in open Council:**

- (a) **Being a by-law to authorize the entering into an Agreement with the Aberfoyle Farmer's Market Association Inc.**

**CARRIED**

15. **CONFIRMING BY-LAW**

- (a) By-Law to confirm the proceedings of Council for the Corporation of the Township of Puslinch

**Resolution No. 2017-147:** Moved by Councillor Bulmer and  
Seconded by Councillor Roth

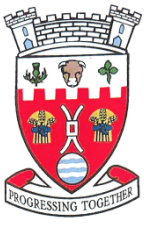
That the following By-law be taken as read three times and finally passed in open Council:

By-Law 029-2017 being a by-law to confirm the proceedings of Council for the Corporation of the Township of Puslinch at its meeting held on the 19th day of April 2017.

**CARRIED**

16. **ADJOURNMENT:**

**Resolution No. 2017-148:** Moved by Councillor Roth and  
Seconded by Councillor Bulmer



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH  
April 19, 2017 COUNCIL MEETING

That Council hereby adjourns at 9:31 p.m.

**CARRIED**

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Dennis Lever, Mayor

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Karen Landry, CAO/Clerk