

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
FOURTEENTH REGULAR 2011 COUNCIL MEETING
MINUTES

DATE: Wednesday, June 15, 2011

TIME: 7:30 P.M.

The Fourteenth Regular 2011 Council Meeting was held on the above date and called to order at 7:30 p.m. in the Council Chambers, Aberfoyle.

ATTENDANCE: All members of Council and the CAO/Clerk-Treasurer.

OTHERS IN ATTENDANCE:

1. Kathy White
2. Jean and Fred Stahlbaum
3. Mike Robinson, Wellington Advertiser
4. Fire Chief Bob Gordon
5. Deputy Fire Chief Steve Goode
6. Fire Training Officer John Uptegrove
7. Heather Krouskie, Deputy Clerk
8. Helen Purdy
9. Amanda Levy, Facilitator, Positive Workplace Inc.
10. Gord Barr, RLB Accountants
11. Janice Marr
12. Robert Milburn
13. Betty Coburn, Deputy Treasurer
14. Holly Franklin
15. Karen Lever

DISCLOSURE OF PECUNIARY INTEREST & THE GENERAL NATURE THEREOF:

None.

ADOPTION OF THE MINUTES:

Motion No. 1: Moved by Ken Roth and Seconded by Jerry Schmidt.

THAT: The Thirteenth Regular 2011 Council Meeting Minutes dated June 1, 2011, be and are hereby adopted as presented.

CARRIED.

BUSINESS ARISING OUT OF THE MINUTES:

1. Item #6 (c) – Former Martinello Pit, Lot 10, Concession 4 – confirm with Liz Yerex how the Township would like to proceed.

COMMUNICATIONS:

1. **City of Guelph**

- (a) Notice of Decision of a Draft Plan of Condominium Subdivision dated May 27, 2011 for 80 Frederick Drive. The developer is proposing a residential condominium with sixteen stacked townhouse units.
- (b) Committee of Adjustment Notice of Public Meeting dated May 27, 2011 regarding 1080 Southgate Drive. The meeting is scheduled for Tuesday, June 14, 2011 at 4:20 p.m. at City Hall. The applicant proposes to sever a parcel with a frontage along Southgate Drive of 385 metres.
- (c) Open House Notice dated May 26, 2011 regarding the York Trunk Sanitary Sewer and Paisley-Clythe Drinking Water Feedermain Class Environmental Assessment. A second public open house is scheduled for June 8, 2011 from 6 to 8 p.m. at City Hall. The open house will provide background information on the study, evaluation of various alternatives, and the recommended sewer and feedermain alignments and mitigation measures.

2. **Zoning By-law Amendment Application #P5/08**

1329334 Ontario Ltd. (Milburn Auto Sales) 219 Brock Road North

- (a) Site Plan Agreement.

Motion No. 2: Moved by Wayne Stokley and seconded by Susan Fielding.

THAT: The Council in and for the Township of Puslinch does hereby accept the Site Plan Agreement between the Corporation of the Township of Puslinch and 1329334 Ontario Ltd. and does hereby authorize the Mayor and the CAO/Clerk-Treasurer to execute the same regarding Part of Lot 16, Concession 8, Part 1 on Reference Plan 61R-11581 – Milburn Auto Sales, 219 Brock Road North.

CARRIED.

3. **Telecommunication Tower**

- (a) Correspondence from Bob Clermont, Transmission Site Co-ordinator of Xplornet dated June 4, 2011 providing notice of the proposed 45m communications tower for high speed wireless internet at 7094 Gore Road. The landowners within 3 times the height of the tower will be notified.

4. **GTA West Corridor EA Study**

- (a) Correspondence from Neil Ahmed of McCormick Rankin Corporation and Jin Wang of the Ministry of Transportation dated June 2, 2011 regarding comments on the draft Transportation Development Strategy Report. The Strategy Report was released on March 7, 2011 and comments are requested by June 30, 2011 to enable MTO to align the EA with the ongoing local planning and infrastructure plans of the municipalities within the GTA West study area.

Council asked that staff follow up with Hans Groh to confirm that comments on behalf of the Township will be submitted by June 30.

5. **Nestle Waters Canada**

- (a) Email from Greg Scheifele, GWS Ecological & Forestry Services Inc. dated May 30, 2011 regarding the workplan for the Gilmour Road property. Greg has no concerns with the workplan from an ecological perspective and looks forward to reviewing the monitoring results.
- (b) Correspondence from Stan Denhoed, Harden Environmental Services Ltd. dated May 30, 2011 regarding the 7-day pump test. Stan is satisfied that the test can be conducted safely given the level of monitoring within the residential wells, on-site monitors and in-stream monitors.

Council requested that staff respond to Mr. Sergio Corvinelli's questions as set out on page 2 of Stan's letter.

6. **Aggregate Operations**

Croffholm Farms – Part Lot 8, Concession 2

- (a) Correspondence from Bruce Donaldson, Black Shoemaker Robinson & Donaldson to Deborah Turchet, Secretary-Treasurer, Land Division Committee of the County of Wellington dated May 25, 2011 requesting an amendment to the conditions of approval. Bruce is requesting that the following condition be added: *“that a Natural Heritage/Hazard Study be completed to the satisfaction of the Grand River Conservation Authority and further that the Grand River Conservation Authority file with the Secretary-Treasurer of the Planning and Land Division, a letter of clearance of this condition.”*

Council requested that staff follow up with the Land Division Committee with respect to the proposed amendment.

Zoning By-law Amendment Application #P4/09

Proposed Neubauer Pit - St. Mary’s Cement Inc./CBM Aggregates

- (b) Correspondence from Ian Hagman, District Manager, Ministry of Natural Resources to Jerry Demarco, Chair of the Ontario Municipal Board dated May 3, 2011 requesting a hearing to address the outstanding issues.
- (c) Dr. John Menzies of Menzies Consulting Report dated May 27, 2011 providing his comments regarding the boundary of the Galt Moraine ANSI boundary. Dr. Menzies indicates “that no significant loss of core ANSI land will occur and what loss that does is more than well duplicated to the immediate south and east of the pit extension.” Also, “based upon extensive research into reports, MNR procedures and the observations from the field geologist involved it seems that, without question, correct procedures for demarking an ANSI boundary and by definition an ANSI were scrupulously followed and applied.”

Puslinch Pit (Lic. #5710) Cox Construction Ltd.

- (d) Correspondence from Jason McLay, Ministry of Natural Resources to Regan Cox, Cox Construction Ltd. dated May 17, 2011 regarding a minor site plan amendment. Jason advises that the amendment to show a new entrance/exit onto Sideroad 10 on the site plan was reviewed and approved.

Carmeuse Lime (Canada) Pit (Lic. 5482)

- (e) Correspondence from Jason McLay, Ministry of Natural Resources to Carmeuse Lime (Canada) dated May 31, 2011 enclosing the signed licence. This completes the amendment to the licence as a result of the corporate name change from Guelph Dolime to Carmeuse Lime (Canada).

Martinello Pit (Lic #48837) and Nigro Pit (Lic. # 20749) CBM Aggregates

- (f) Email from Greg Scheifele, GWS Ecological & Forestry Services Inc. dated May 30, 2011 providing his comments following site inspections. Greg advises that there has been no substantive improvement in the rehabilitation of the lands since his December 2006 correspondence.

McNally Pit (Lic. #5497) CBM Aggregates

- (g) Email from Stan Denhoed, Harden Environmental Services Ltd. dated May 31, 2011 following his discussion with Al Murray and Jason McLay. Stan advises that there is going to be hydrogeological changes to the pit area even without the "big lake" and feels that we should make every effort to engage the operators in discussions to minimize the changes. Stan would like to meet with CBM to discuss the placement of silt.

Council requested that staff schedule a meeting between CBM, Stan Denhoed and the Ministry of Natural Resources.

7. Intergovernmental Affairs

- (a) Grand River Conservation Authority General Membership / Committee of the Whole Meeting Minutes of May 12, 2011.

Councillor Stokley wanted confirmation that wetland mapping had been updated for the Township as indicated. As well, that staff investigate with GRCA representative, Councillor Brennan as to the next step with respect to the loss of the vistas on the Starkey Hill hiking trail.

DELEGATIONS

1. **Senior of the Year Award – this delegation has been re-scheduled to the July 20th Council meeting.**

2. **Amanda Levy, Facilitator, Positive Workplace Inc. regarding the Community Forum sessions.**

- Amanda provided a quick debrief on the Community Forum for Council.
- Recommendations for future meetings include more promotion, the name "community forum" be kept, the "future vision or focus for the Township" be reinforced, it be held every other month and be 90 minutes long, a theme be included in each session with each member of council taking a turn responding. Notes to be posted on the website with a write up in the Pioneer.
- Key area subjects go on the agenda annually and that they get fed back to the entire group.
- Special Interest Groups should be encouraged to form and tackle a subject or project.

Council thanked Amanda for helping to make the first Community Forum a success. Future Forums are scheduled for September 15, November 10, 2011 and January 12, 2012.

3. **Gord Barr, RLB Accountants regarding the 2010 Financial Statements**

- Gord reviewed the draft financial statements for 2010 with Council.
- Gord advised that they have been audited, that testing has been completed and the results have been reviewed with staff.
- Gord mentioned that the statements are substantially more detailed than what they used to be.
- The final stage of reporting is the completion of the Financial Information Return. The deadline is September but the Township's FIR will be filed in June.

Mayor Dennis Lever advised that he was looking for more of an assurance with respect to the transparency of the audit. He would have liked to have seen more detail.

Gord Barr – We conduct a payroll test and expense test etc. The appropriate forum however would be to establish an audit committee. If you formed an audit committee, we would go over the testing, identify the risks, then ask that you test those. You could either get us to test the systems or do internal control testing. Give some consideration to forming an audit committee. We would usually attend at a meeting before the audit and then again after.

Motion No. 3: Moved by Ken Roth and seconded by Jerry Schmidt.

THAT: The Council in and for the Township of Puslinch does hereby approve the Auditor's Report and Financial Statements of the Corporation of the Township of Puslinch for the year ended December 31, 2010.

CARRIED.

REPORTS:

1. **Fire Department**

(a) **Motion No. 4:** Moved by Jerry Schmidt and seconded by Ken Roth.

THAT: The Fire Department Accounts for Payment for the Month of May, 2011 in the amount of \$43,946.60 be and are hereby authorized for payment.

CARRIED.

2. **Financial Report**

(a) Council acknowledged the Financial Report and Statement of Expenditures for the period ending May 31, 2011.

ACCOUNTS FOR PAYMENT:

1. **Motion No. 5:** Moved by Susan Fielding and seconded by Wayne Stokley.

THAT: The Council does hereby authorize for payment the Harden Environmental Services Ltd. invoices dated May 31, 2011 as follows:

| | | |
|---|--------------------------------------|------------|
| 1 | Puslinch Lake | \$813.60 |
| 2 | Puslinch Groundwater Monitoring..... | \$101.70 |
| 3 | Nigro Pit | \$159.53 |
| 4 | Nestle Waters – Gilmour Road..... | \$881.40 |
| 5 | Milburn Auto Sales | \$146.90 |
| 6 | Aberfoyle Springs..... | \$514.15 |
| 7 | Township Projects | \$600.23 |
| 8 | Martinello Pit | \$146.90 |
| | TOTAL | \$3,364.41 |

These amounts shall be invoiced to the applicable parties.

CARRIED.

2. **Motion No. 6:** Moved by Jerry Schmidt and seconded by Ken Roth.

THAT: The Council does hereby authorize for payment the General Accounts for the month of May, 2011 in the amount of \$232,508.96.

CARRIED

BY-LAWS:

1. **Motion No. 7:** Moved by Wayne Stokley and seconded by Susan Fielding.
The Council in and for the Township of Puslinch does hereby give
By-law #38/11, being a by-law to Provide for the Approval of a Mutual Aid Plan
and Program for the Township of Puslinch, its First, Second and Third Reading
and Finally Passed this 15th day of June, 2011.

CARRIED.

2. **Motion No. 8:** Moved by Ken Roth and seconded by Jerry Schmidt.
THAT: The Council in and for the Township of Puslinch does hereby give
By-law #39/11, being a by-law to Authorize the Borrowing of \$1,500,000, its First,
Second and Third Reading and Finally Passed this 15th day of June, 2011.

CARRIED.

NEW BUSINESS:

1. Councillor Fielding advised that she attended the Wetlands Information Workshop – Review of the Greenbelt in Caledon. The 10-year review of the Greenbelt is coming up in 2015.
2. Councillor Fielding reminded everyone about the Stroy's Bridge Public Information Centre scheduled for Thursday, June 16 from 6 to 8 p.m. at the Puslinch Community Centre.
3. Councillor Stokley advised that the Ontario Municipal Board turned down the Suncor application.
4. Councillor Stokley advised that the Active Transportation Committee has hired the consulting firm of Marshall Macklin Monaghan to assist in the creation of the Active Transportation Plan.
5. Mayor Lever will be attending the Grand Opening Ceremony of the Aberfoyle Farmer's Market on Saturday, June 18.
6. Puslinch Minor Soccer will be hosting a BBQ as well on Saturday, June 18.
7. Just a reminder that the next Regular Council Meeting will be held the third week of July in the evening at 7:30 p.m. There will be no meeting on July 6th.

UNFINISHED BUSINESS:

1. Councillor Schmidt Memorandum of June 1, 2011 proposing the following Motions regarding Littering, Burn Permits, Bylaw Enforcement and Building Permit Review by the Fire Department.

Motion No. 9: Moved by Jerry Schmidt and seconded by Dennis Lever.

THAT: The Council in and for the Township of Puslinch create a bylaw in which a fine of \$1,000 will be charged for anyone convicted of littering. Appropriate signs will be installed in areas of concern and the fine will be enforced and payable to the Township.

LOST.

2. CAO/Clerk-Treasurer Brenda Law's Memorandum dated June 7, 2011 in response to the proposed Motions.

Littering: While a significant fine may be a deterrent enforcement is a greater problem. It is often hard to find and or prove that someone is guilty. Littering is illegal under the Highway Traffic Act, which is enforced by the OPP.

Burn Permits: The Township Office is issuing burn permits during regular office hours at no charge. Permits are valid for 3 months.

By-law Enforcement: Bylaw enforcement in the Township is done on a complaint basis. A person familiar with bylaws, enforcement and the court system would be the ideal candidate.

Building Permit Review by Fire Department: The Fire Department currently reviews site plans, subdivision plans and some commercial/industrial permits. Fire requirements are covered under the Building Code and therefore handled by the Chief Building Official.

Council would like to see more research done before deciding to move forward with respect to the proposed littering bylaw. There was no further action required for the remainder of the proposed motions.

CLOSED MEETING:

1. **Motion No. 10:** Moved by Jerry Schmidt and seconded by Ken Roth.
THAT: The Council in and for the Corporation of the Township of Puslinch does hereby proceed in a Closed Meeting of Council in accordance with *Section 239 of The Municipal Act, 2001 c. 25* in order to address a matter pertaining to personal matters about an identifiable individual, including municipal or local board employees concerning the Chief Building Official position.
CARRIED.
2. **Motion No. 11:** Moved by Wayne Stokely and seconded by Susan Fielding.
THAT: This Council does hereby reconvene in Regular Session at 9:36 p.m.
CARRIED.

CONFIRMING BY-LAW:

Motion No. 12: Moved by Susan Fielding and Seconded by Wayne Stokley.
THAT: The Council in and for the Corporation of the Township of Puslinch does hereby give By-law **#40/11** being a by-law to confirm the proceedings of the Council of the Corporation of the Township of Puslinch at its meeting held on June 15, 2011, its First, Second and Third Readings and Finally Passed this 15th day of June, 2011.
CARRIED.

ADJOURNMENT:

Motion No. 13: Moved by Ken Roth and Seconded by Jerry Schmidt.
THAT: The Council does hereby Adjourn at 9:38 p.m.
CARRIED.

Signed: _____
Dennis Lever, Mayor

Brenda Law, CAO/Clerk-Treasurer