



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH  
January 8, 2014 REGULAR COUNCIL MEETING

**MINUTES**

**DATE:** Wednesday, January 8, 2014

**TIME:** 1:00 P.M.

The January 8, 2014 Regular Council Meeting was held on the above date and called to order at 1:00 p.m. in the Council Chambers, Aberfoyle.

1. **ATTENDANCE:**

Mayor Dennis Lever  
Councillor Susan Fielding  
Councillor Ken Roth  
Councillor Jerry Schmidt - Absent  
Councillor Wayne Stokley

**STAFF IN ATTENDANCE:**

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

**OTHERS IN ATTENDANCE**

1. Karen Lever
2. Sandra Solomon
3. Don McKay
4. Doug Smith
5. Hugh Fielding
6. Janice Marr

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

1. Councillor Fielding disclosed a pecuniary interest with respect to Item number 6.2(a) Highway 6 By-Pass as a family member of Councillor Fielding owns property in the area. Councillor Fielding left the Council Table and did not partake in any discussion or voting on the matter.

3. **ADOPTION OF THE MINUTES:**

**Resolution No. 2014-001:** Moved by Councillor Roth and  
Seconded by Councillor Stokley

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

- Capital Budget Meeting - December 3, 2013
- Special Council Meeting - December 11, 2013
- Closed Special Council Meeting – December 11, 2013
- Council Meeting – December 18, 2013
- Closed Council Meeting – December 18, 2013

That the minutes of the following meetings be received:

- Public Meeting- R&C Job Holdings Inc. – October 23, 2013

**CARRIED**



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

None.

5. **PUBLIC MEETINGS:**

None.

6. **COMMUNICATIONS:**

1. **Puslinch Quality Aggregates Pit Licence #17600**

- (a) Correspondence from Aercoustics Engineering Limited to the Township of Puslinch dated December 11, 2013.

2. **Highway 6 By-Pass**

**\*refer to item 2(1) regarding Disclosure of Pecuniary Interest- Councillor Fielding.**

- (a) Correspondence from Sandra Solomon to the Township of Puslinch dated December 11, 2013.

Mayor Lever advised Council that additional correspondence was received from Sandra Solomon expressing concern about listing her correspondence under the title identified. Mayor Lever indicated his response does refer to the Highway 6 By-Pass.

Mayor Lever advised Council that the comments referred to in Ms. Solomon's correspondence of December 11, 2013, referred to an email dated September 26, 2013 to Ms. Jana Reichert of the County of Wellington Economic Department.

Mayor Lever referred and quoted from the email regarding the "Highway 6 Economic Study" in response to the December 11, 2013 correspondence from Sandra Solomon.

**Resolution No. 2014-002:** Moved by Councillor Stokley and  
Seconded by Councillor Roth

That Council receive the correspondence from Sandra Solomon to the Township of Puslinch dated December 11, 2013.

**CARRIED**

3. **Mini Lakes Mobile Home Community**

- (a) Correspondence from County of Wellington to Township of Puslinch dated January 3, 2014.

- (b) Township of Puslinch Notice Regarding Council's intention to Pass By-Law to Remove in Part the Holding Symbol. **\*note this item was included in the December 18, 2013 Council Agenda as item 6.1(c).**

**Resolution No. 2014-003:** Moved by Councillor Roth and  
Seconded by Councillor Stokley

That Council receive the correspondence from the County of Wellington to Township of Puslinch dated January 3, 2014; and



That Council enact a by-law to remove a holding symbol for part of the Mini Lake property, site 213, in Aberfoyle pursuant to section 34 and section 36 of The Planning Act, R.S.O. 1990, as amended, upon confirmation of that all conditions have been satisfied.

**CARRIED**

**4. Municipal Insurance Liability Reform**

(a) Correspondence from Ministry of Municipal Affairs and Housing to the Township of Puslinch dated December 19, 2013.

**5. Intergovernmental Affairs**

a) Various correspondence for review.

**IG#2 - Municipality of East Ferris correspondence to Premier Wynne regarding - The Small Rural and Northern Municipal Infrastructure Fund**

Councillor Stokley indicated he would work with staff to draft a Motion supporting the resolution of the Municipality of East Ferris.

**Resolution No. 2014-004:** Moved by Councillor Stokley and  
Seconded by Councillor Roth

That the correspondence items listed on the Council agenda from the January 8, 2014 Council meeting be received.

**CARRIED**

**7. DELEGATIONS**

1. Ms. Melanie Horton – Director Land and Resources and Steve May, Land Manager, CBM Aggregate Division regarding update on CBM Aggregate operations and rehabilitation activities in the Township of Puslinch

Ms. Melanie Horton made a presentation to Council which included an update on St. Mary's CBM Aggregates activities in the Township. Ms. Horton's presentation included a summary of the 2013-2014 active sites, rehabilitation progress, land sales and redevelopment and other initiatives which included CBM's ongoing partnership with the Canadian Wildlife Service of Environment Canada and Ontario Ministry of Natural Resources regarding the monitoring stations on the south side of Highway 401 to monitor bank swallow colonies. Mr. Steve May, advised Council of the fish stocking partnership with the Grand River Conservation Authority.

Councillor Roth inquired as to what the efforts have been made to remove the debris from the fallen barn at the Neubauer pit.

Ms. Horton advised Council that efforts have been made and will continue to recycle the materials from the fallen barn and that the debris will be removed in 2014.

Councillor Stokley inquired as to whether any further meetings have been scheduled with respect to Big Lake.

Ms. Horton advised that the last meeting was approximately 2 years ago and no further meetings have been scheduled. Ms. Horton advised Council that she would contact the University of Guelph to inquire as to their interest in further meetings.



Councillor Stokley inquired as to whether Mr. May has made contact with Friends of Mill Creek regarding the fish in the ponds.

Mr. May advised Council that he was new to the position at CBM Aggregates and that he would look into making contact with Friends of Mill Creek.

Councillor Stokley inquired as to whether it can be expressed to the trucks using Roszell Road to abide with the posted stop signs at the end of the pit entrance.

Ms. Horton advised Council that truck safety was a priority in 2013 and will continue to be in 2014 and that she would pass on councils concerns.

Mayor Lever inquired as to whether efforts would be made to recover fines from the Neubauer site as the Township's consultant Stan Denhoed had expressed earlier concerns regarding this extracted material.

Ms. Horton advised that she will speak to Mr. Denhoed and see if there is a better way to address the fines located at the Neubauer site.

**Resolution No. 2014-005** Moved by Councillor Roth and  
Seconded by Councillor Stokley

That the delegation by Ms. Melanie Horton, Director Land and Resources and Steve May, Land Manager, CBM Aggregate Division regarding an update on CBM Aggregate operations and rehabilitation activities in the Township of Puslinch be received.

**CARRIED**

## 8. **REPORTS:**

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

None.

### 2. **Finance Department**

(a) Report FIN-2014-01 – Annual Indexing of Development Charges.

**Resolution No. 2014-006:** Moved by Councillor Stokley and  
Seconded by Councillor Roth

That Report FIN-2014-001 regarding the Annual Indexing of Development Charges be received.

**CARRIED**

(b) Report FIN-2014-02 – Development Charges Act Reform

**Resolution No. 2014-007** Moved by Councillor Roth and  
Seconded by Councillor Stokley

That Report FIN-2014-02 regarding the Development Charges Act Reform be received;  
and

That Council support the recommendations of the Municipal Finance Officers' Association position paper "Frozen in Time: Development Charges Legislation Underfunding Infrastructure 16 Years and Counting"; which supports revisions to the Development Charges Act, 1997 to eliminate barriers to cost recovery:



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1. Eliminate Section 2(4), "Ineligible services," so that all services are eligible for development charges.
2. Remove Section 5(1), paragraph 8, the step in "Determination of development charges" that requires municipalities to reduce their capital costs by 10%.
3. Update Section 5(1), paragraph 4, to indicate that municipalities are permitted to adopt forward looking service levels, define the basis for service levels and broad service categories through Development Charges By-laws; and

That a copy of this resolution be forwarded to the Municipal Finance Officers' Association and the Ministry of Municipal Affairs and Housing.

**CARRIED**

- (c) Report FIN-2014-03 – Imposition of Late Payment Charges \*see Item 15(a)

**Resolution No. 2014-008** Moved by Councillor Stokley and  
Seconded by Councillor Roth

That Report FIN-2014-03 regarding the imposition of late payment charges for the non-payment of taxes be received; and

That Council enact a By-law for the imposition of late payment charges for the non-payment of taxes and repeal any previous By-laws regarding late payment charges for the non-payment of taxes.

**CARRIED**

- (d) Report FIN-2014-04 – 2014 Interim Property Tax Levy and Due Dates \* see Item 15(b)

**Resolution No. 2014-009** Moved by Councillor Roth and  
Seconded by Councillor Stokley

That Report FIN-2014-04 regarding the 2014 Interim Property Tax Levy and Due Dates, be received; and

That Council enact a By-law to provide for an interim tax levy for 2014 and the collection thereof.

**CARRIED**

**3. Administration Department**

- (a) Report ADM-2014-001 – Single Source Award to Total Refrigeration Limited.

**Resolution No. 2014-010** Moved by Councillor Stokley and  
Seconded by Councillor Roth

That Report ADM-2014-001 regarding Single Source Award to Total Refrigeration Limited be received; and

That the single source contract for the replacement of the refrigeration plant at the Optimist Recreation Centre be awarded to Total Refrigeration Limited in the amount of \$63,200.00 exclusive of HST; and



That the replacement of the refrigeration plant and any incidental costs related to its replacement such as refrigerate be funded from the Recreation Working Reserve and the Cash in Lieu of Parkland Reserve Fund.

**CARRIED**

**4. Planning and Building Department**

None.

**5. Roads & Parks Department**

None.

**9. NOTICE OF MOTION:**

None.

**10. COMMITTEE MINUTES**

(a) Recreation Committee – November 19, 2013

(b) Planning and Advisory Committee Meeting – October 28, 2013

**Resolution No. 2014-011** Moved by Councillor Roth and  
Seconded by Councillor Stokley

That Council hereby receives the following minutes as information:

- Recreation Committee – November 19, 2013
- Planning and Advisory Committee Meeting – October 28, 2013

**CARRIED**

**11. MUNICIPAL ANNOUNCEMENTS**

**December 2013 Ice Storm**

Mayor Lever advised Council that he will be attending a wrap up meeting with the Emergency Management group to discuss issues resulting from the December 2013 ice storm. Mayor Lever advised Council that one of the issues would include the communication of information to the public during these types of events.

**Ice Storm Wood Chipping Program**

Mayor Lever advised that the County of Wellington Waste Management Services will be extending their wood chipping program at the Aberfoyle Waste Facility to the end of the January, 2014. Mayor Lever advised that residents of the Township can bring their brush to the Aberfoyle Waste Facility free of charge and that additional information about the program has been posted on the Township's website.

Mayor Lever was requested to raise the matter with Councillor Don McKay at the County of Wellington's Solid Waste Services Committee meeting to consider offering the program in the Spring when a significant amount of clearing will need to occur.

**Ice Storm Food Voucher Cards**

Councillor Fielding advised that the County of Wellington has extended the food voucher card program to residents of the County to Friday, January 10th. Councillor



Fielding advised that she has received confirmation from one local resident that he utilized participation in the program.

**12. CLOSED MEETING:**

Council was in Closed session from 2:14 p.m. to 2:34 p.m.

**Resolution 2014-012** Moved by Councillor Stokley and  
Seconded by Councillor Roth

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

- (a) Confidential Verbal Report from Karen Landry, CAO/Clerk, regarding personal matters about an identifiable individual including municipal or local board employees and labour relations or employee negotiations – Recruitment Update.
- (b) Confidential Verbal Report from Karen Landry CAO/Clerk regarding litigation and potential litigation, including matters before administrative tribunals affecting the municipality or local board and advice that is subject to Solicitor-Client privilege, including communications necessary for that purpose – Drennan.
- (c) Confidential correspondence from Miller Thompson LLP dated December 12, 2013, regarding litigation and potential litigation, including matters before administrative tribunals affecting the municipality or local board and advice that is subject to Solicitor-Client privilege, including communications necessary for that purpose – Maltby Rd.

**CARRIED**

**Resolution 2014-013:** Moved by Councillor Stokley and  
Seconded by Councillor Fielding

That Council move into open session.

**CARRIED**

- (a) Confidential Report from Karen Landry, CAO/Clerk regarding personal matters about an identifiable individual including municipal or local board employees and labour relations or employee negotiations – Recruitment Update.

**Resolution 2014-014** Moved by Councillor Fielding and  
Seconded by Councillor Stokley

That Council receive the Confidential Report from Karen Landry, CAO/Clerk regarding personal matters about an identifiable individual including municipal or local board employees and labour relations or employee negotiations – Recruitment Update.

**CARRIED**

- (b) Confidential Verbal Report from Karen Landry CAO/Clerk regarding litigation and potential litigation, including matters before administrative tribunals affecting the municipality or local board and advice that is subject to Solicitor-Client privilege, including communications necessary for that purpose – Drennan.

**Resolution 2014-015:** Moved by Councillor Roth and  
Seconded by Councillor Stokley

That Council receive the Confidential Verbal Report from Karen Landry CAO/Clerk regarding litigation and potential litigation, including matters before administrative



tribunals affecting the municipality or local board and advice that is subject to Solicitor-Client privilege, including communications necessary for that purpose – Drennan.

**CARRIED**

- (c) Confidential correspondence from Miller Thompson LLP dated December 12, 2013, regarding litigation and potential litigation, including matters before administrative tribunals affecting the municipality or local board and advice that is subject to Solicitor-Client privilege, including communications necessary for that purpose – Maltby Rd.

**Resolution 2014-016:** Moved by Councillor Stokley and  
Seconded by Councillor Fielding

That Council receive the Confidential correspondence from Miller Thompson LLP dated December 12, 2013, regarding litigation and potential litigation, including matters before administrative tribunals affecting the municipality or local board and advice that is subject to Solicitor-Client privilege, including communications necessary for that purpose – Maltby Rd.

**CARRIED**

**14. UNFINISHED BUSINESS:**

None.

**15. BY-LAWS:**

- (a) By-Law to provide for the Imposition of Late Payment Charges for Non-Payment of Taxes.
- (b) By-Law to provide for a 2014 Interim Tax Levy.
- (c) By-Law to amend By-law 74/13 being a By-Law to impose fees or charges with respect to services or activities provided, related costs payable, and for the use of its property.

**Resolution 2014-017** Moved by Councillor Stokley and  
Seconded by Councillor Roth

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

- (a) By-Law 001/14 being a by-law to provide for the Imposition of Late Payment Charges for Non-Payment of Taxes.
- (b) By-Law 002/14 being a by-law to impose a 2014 Interim Tax Levy.
- (c) By-Law 003/14 being a by-law to amend By-law 74/13 being a By-Law to impose fees or charges with respect to services or activities provided, related costs payable, and for the use of its property.

**CARRIED**

**16. CONFIRMING BY-LAW**

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





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**Resolution 2014-018:** Moved by Councillor Fielding and  
Seconded by Councillor Stokley

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

- By-Law 004/14 being a by-law to confirm the proceedings of Council for the Corporation of the Township of Puslinch at its meeting held on the 8<sup>th</sup> day of January, 2013

**CARRIED**


**17. ADJOURNMENT:**

**Resolution No. 2014-019:** Moved by Councillor Stokley and  
Seconded by Councillor Fielding

That Council hereby adjourns at 2:38 p.m.

**CARRIED**

  
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Dennis Lever, Mayor

  
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Karen Landry, CAO/Clerk