



## **MINUTES**

**DATE:** Wednesday, March 19, 2014

**TIME:** 6:30 P.M.

The March 19, 2014 Regular Council Meeting was held on the above date and called to order at 6:30 p.m. in the Council Chambers, Aberfoyle.

### **1. ATTENDANCE:**

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

### **STAFF IN ATTENDANCE:**

1. Donna Tremblay, Deputy Clerk
2. Karen Landry, CAO/Clerk
3. Mary Hasan, Director of Finance/Treasurer
4. Steve Goode, Fire Chief

### **OTHERS IN ATTENDANCE**

1. Doug Smith
2. Al Krist
3. Karen Lever
4. Kathy White
5. Sandra Solomon
6. Aldo Salis
7. Robin Wayne
8. Bev Wozinak
9. Jean and Fred Stahlbaum
10. Bill Cloutis
11. Don McKay
12. Daina Makinson
13. Patricia Flemming

Karen Landry, CAO Clerk advised those in attendance that since the posting of the Addendum Council Agenda on Monday, March 17, 2014, the Township has received additional correspondence and requests from individuals to delegate with respect to Agenda Item No. 8.4(c) R&C Job Holdings Inc. As a result this matter will be considered by Council at a Special Council Meeting to be held on Tuesday, April 1, 2014, at 7:00 p.m.

Mayor Lever advised those in attendance that as a result of Councillor Fielding being unable to attend this evenings meeting that Agenda Item 6.1 Highway 6 – Economic Development Study will be listed as an Agenda item at the next Regular Council meeting scheduled for April 2, 2014 at 1:00 p.m.

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

None.



3. **ADOPTION OF THE MINUTES:**

**Resolution No. 2014-105:** Moved by Councillor Roth and  
Seconded by Councillor Schmidt

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

- Council Meeting - March 5, 2014
- Budget Meeting – March 6, 2014
- Closed Budget Meeting – March 6, 2014

That the minutes of the following meeting be received:

- Public Information Meeting Minutes – Proposed Election Sign By-Law –  
March 6, 2014

**CARRIED**

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

None.

5. **PUBLIC MEETINGS:**

None.

6. **COMMUNICATIONS:**

1. **Highway 6 – Economic Development Study**

**\* This item will be listed on the April 2, 2014 Agenda.**

- (a) Correspondence from Rory McAlpine, Vice President, Government and Industry Relations, Maple Leaf Foods to Rose Caterini, City Clerk, City of Hamilton, dated February 18, 2014.
- (b) Correspondence from the City of Hamilton to Mr. McAlpine dated February 27, 2014.
- (c) Correspondence regarding Puslinch Community Update dated March 13, 2014.
- (d) Correspondence from Susan Fielding regarding more info on Community Update dated March 17, 2014.

2. **Blackbridge Road Environmental Assessment**

- (a) City of Cambridge Transportation & Public Works Department Report No. TPW-06/14 to City of Cambridge Management Committee dated February 26, 2013.

3. **Mill Creek Pit Licence #5738**

- (a) Correspondence from Dufferin Aggregates regarding December 2013 monthly monitoring report dated January 14, 2014.
- (b) Correspondence from Dufferin Aggregates regarding January 2014 Monthly Monitoring Report dated February 11, 2014

4. **Nigro Pit Licence 20749**

- (a) Correspondence from Harden Environmental regarding Nigro Pit 2013 Monitoring Report dated February 22, 2014.
- (b) Correspondence from Groundwater Science Corp. regarding 2013 Groundwater Monitoring Summary dated February 11, 2014



**Resolution No. 2014-106:** Moved by Councillor Roth and  
Seconded by Councillor Schmidt

That Council receive the following correspondence:

- (a) Correspondence from Harden Environmental regarding Nigro Pit 2013 Monitoring Report dated February 22, 2014.
- (b) Correspondence from Groundwater Science Corp. regarding 2013 Groundwater Monitoring Summary dated February 11, 2014. ; and

That staff provide a copy of the Groundwater Science Corp. report to the Ministry of Natural Resources requesting that the Township wishes to have BH1 remain in the monitoring.

**CARRIED**

5. **Meadows of Aberfoyle**

- (a) Correspondence from Harden Environmental regarding Permit to Take Water – Meadows of Aberfoyle dated February 24, 2014.
- (b) Banks Groundwater Engineering Limited 2013 Annual Monitoring Report – Meadows of Aberfoyle Permit to Take Water No. 5626-7WLQ3W dated January 2014

6. **Intergovernmental Affairs**

- (a) Various correspondence for review.

**Resolution No. 2014-107:** Moved by Councillor Schmidt and  
Seconded by Councillor Roth

That the correspondence items listed on the Council agenda from the March 19, 2014 Council meeting be received.

**CARRIED**

7. **DELEGATIONS**

- (a) Dave Aston, MHBC Planning, Urban Design & Landscape Architecture, regarding R&C Job Holdings Inc. (Ren's Pet Depot).

Mr. Aston's delegation will be listed on the Special Meeting of Council to be held April 1, 2014 at 7:00 p.m. at Council Chambers, Municipal Complex.

8. **REPORTS:**

1. **Puslinch Fire and Rescue Services**

- (a) Puslinch Fire and Rescue Services Response Report for February, 2014.

**Resolution No. 2014-108** Moved by Councillor Roth and  
Seconded by Councillor Schmidt

That Council receive the Puslinch Fire and Rescue Services Response report for February 2014.

**CARRIED**



Note: Fire Chief Goode circulated a revised Response Report that will form the basis of future reporting.

**2. Finance Department**

(a) FIN-2014-011 – Remuneration and Expenses Paid to Members of Council and Others during the Year 2013.

**Resolution No. 2014-109** Moved by Councillor Schmidt and  
Seconded by Councillor Roth

That Council receive Report FIN-2014-011 Remuneration and Expenses Paid to Members of Council and Others during the Year 2013; and

That the Remuneration and Expenses Paid to Members of Council and Others During the Year 2013 be posted on the Township of Puslinch's website; and

That staff continue to post monthly expenses for Members of Council on the Township of Puslinch's website.

**CARRIED**

**3. Administration Department**

None.

**4. Planning and Building Department**

(a) Chief Building Official Report –February, 2014

**Resolution No. 2014-110** Moved by Councillor Roth and  
Seconded by Councillor Schmidt

That Council receive the Chief Building Official Report for February, 2014.

**CARRIED**

(b) Report PD-2014-002 – Public Meeting – Rezoning Application – Andrew Day, Part Lot 26, Gore Concession – 4071 Sideroad 25 South

**Resolution No. 2014-111** Moved by Councillor Schmidt and  
Seconded by Councillor Roth

That Report PD-2014-002 Public Meeting – Rezoning Application Andrew Day, Part Lot 26, Gore Concession – 4071 Sideroad 25 South be received; and

That Council authorize the holding of a Statutory Public Meeting on April 30, 2014, at 7:00 pm in the Council Chambers, Municipal Complex.

**CARRIED**

(c) R&C Job Holdings Inc.

County of Wellington Official Plan Amendment – File OP-2012-05

Township of Puslinch Zoning By-Law Amendment – File P4/2012

County of Wellington Planning Report – Proposed Expansion of Ren's Pet Depot – Aberfoyle dated March 12, 2014.



This matter will be listed on the Special Meeting of Council to be held on April 1, 2014 at 7:00 p.m.

- (d) Correspondence from Brad Fink regarding R&C Holdings Inc. – Ren's Pet Depot – D14/REN/P4/2012 dated March 14, 2014.

This matter will be listed on the Special Meeting of Council to be held on April 1, 2014 at 7:00 p.m.

- (e) Correspondence from Michael Marinovic regarding Application File Number OP-2012-05 dated March 15, 2014.

This matter will be listed on the Special Meeting of Council to be held on April 1, 2014 at 7:00 p.m.

- (f) Report BD-2014-01 – Sign Variance for 2333380 Ontario Limited o/a Mango Tree Family Health

**Resolution No. 2014-112** Moved by Councillor Roth and  
Seconded by Councillor Schmidt

That Report BD-2014-01 regarding the sign variance be received; and

That Council grant the variance to the sign by-law to permit the erection of a ground sign with a maximum height of 2.75 m at 28 Brock Road North with:

- A setback of 1m from the property lines
- A setback of 8m from the northerly limit of the driveway as shown on Schedule "C" to report BD-2014-01.

**CARRIED**

**5. Roads & Parks Department**

None.

**6. Recreation Department**

None.

**9. NOTICE OF MOTION:**

- (a) Councillor Schmidt - Joint and Several Liability Insurance

**Resolution No. 2014-113** Moved by Councillor Schmidt and  
Seconded by Councillor Roth

WHEREAS nearly 200 municipalities supported the motion introduced by Randy Pettapiece, MPP for Perth-Wellington which called on the government to implement a comprehensive, long-term solution no later than June 2014; and

WHEREAS the Ministry of the Attorney General is consulting municipalities and the legal community on a comprehensive long-term solution with three options being the Saskatchewan Model, The Multiplier Model and the Combined Model; and

WHEREAS AMO supports the Combined Model as this places reasonable limits on the damages that may be recovered from a municipality under limited circumstances, and it is a significant incremental step to address a pressing municipal issue;



NOW THEREFORE be it resolved that the Township write a letter of support to The Honorable Kathleen Wynne, Premier of Ontario; The Honorable John Gerretsen, Attorney General; The Honorable Linda Jeffrey, Minister of Municipal Affairs and Housing in support of the Combined Model as described by AMO's March 4, 2014 policy update; and

That a copy of this resolution be forwarded to AMO.

**CARRIED**

(b) Councillor Roth - Prompt Payment Act – Bill 69

**Resolution No. 2014-114** Moved by Councillor Roth and  
Seconded by Councillor Schmidt

WHEREAS Bill 69, The Prompt Payment Act provides for extremely short payment timelines that will not allow for appropriate review of work and certification of the payments process.

AND WHEREAS Bill 69 imposes unrealistic and imprudent timelines for payment and to review work and to certify payments; limits Puslinch Township's ability to hold back reserves for warranty and maintenance; and does not reflect the complex nature of financial arrangements under large infrastructure projects.

AND WHEREAS Bill 69 will limit Puslinch Township's ability to contract for the best payment arrangements to safeguard public funds in each construction project it manages.

AND WHEREAS public hearings are being held in Toronto by the Standing Committee on Regulations and Private Bills to consider Bill 69.

AND WHEREAS the deadline to submit written comments to the Standing Committee on Bill 69 is 3:00 p.m. on Wednesday, March 26, 2014.

THEREFORE BE IT RESOLVED THAT the Township of Puslinch does not support those aspects of Bill 69 regarding the unrealistic and imprudent timelines for payment and for reviewing work and for certifying payments contained in Bill 69; the limitations imposed on the Township of Puslinch's ability to hold back reserves for warranty and maintenance obligations; and that Bill 69 does not reflect the complex nature of financial arrangements underlying large infrastructure projects, the Township of Puslinch does not support Bill 69.

**CARRIED**

**10. COMMITTEE MINUTES**

(a) Committee of Adjustment – January 14, 2014

**Resolution No. 2014-115** Moved by Councillor Schmidt and  
Seconded by Councillor Roth

That Council hereby receives the following minutes as information:

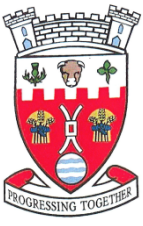
- Committee of Adjustment – January 14, 2014

**CARRIED**

**11. MUNICIPAL ANNOUNCEMENTS**

None.





**12. CLOSED MEETING:**

**Council was in closed session from 6:35 p.m. to 7:05 p.m.**

- (a) Confidential Verbal Report from Karen Landry, CAO/Clerk, regarding litigation or potential litigation, including matters before administrative tribunals, affecting the municipal or local board and labour relations or employee negotiation - Agreement Fire & Rescue Services
- (b) Confidential Verbal Report from Karen Landry, CAO/Clerk, regarding litigation or 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 – 11 Lake Road Avenue
- (c) Confidential Verbal Report from Karen Landry CAO/Clerk, regarding litigation or 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 – Superior Court Application – Krayishnik – 6643 Concession 2.
- (d) Confidential Verbal Report from Karen Landry, CAO/Clerk regarding a proposed or pending acquisition or disposition of land by the municipality or local board, litigation or 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 – Land Acquisition – Cook's Bridge abutting lands.
- (e) Confidential Report from Steve Goode, Fire Chief regarding personal matters about an identifiable individual, including municipal or local board employees – Fire and Rescue Services Recruitment.

**Resolution 2014-116** Moved by Councillor Roth and  
Seconded by Councillor Schmidt

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 and potential litigation, including matters before administrative tribunals affecting the municipality or local board and labour relations or employee negotiation – Agreement Fire & Rescue Services.
- (b) Confidential Verbal Report from Karen Landry, CAO/Clerk, regarding litigation or 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 – 11 Lake Road Avenue;
- (c) Confidential Verbal Report from Karen Landry CAO/Clerk, regarding litigation or 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 – Superior Court Application – Krayishnik – 6643 Concession 2.



- (d) Confidential Verbal Report from Karen Landry, CAO/Clerk regarding a proposed or pending acquisition or disposition of land by the municipality or local board, litigation or 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 – Land Acquisition – Cook's Bridge abutting lands.
- (e) Confidential Report from Steve Goode, Fire Chief regarding personal matters about an identifiable individual, including municipal or local board employees – Fire and Rescue Services Recruitment.

**CARRIED**

**Resolution No. 2014-117** Moved by Councillor Schmidt and  
Seconded by Councillor Roth

That Council move into open session.

**CARRIED**

**Council recessed from 7:05 p.m. to 7:30 p.m.**

**Resolution No. 2014-118** Moved by Councillor Roth and  
Seconded by Councillor Schmidt

- (a) 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 labour relations or employee negotiation – Agreement Fire & Rescue Services.
- (b) That Council receive the Confidential Verbal Report from Karen Landry, CAO/Clerk, regarding litigation or 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 – 11 Lake Road Avenue; and  
  
That staff proceed as directed.
- (c) That Council receive the Confidential Verbal Report from Karen Landry CAO/Clerk, regarding litigation or 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 – Superior Court Application – Krayishnik – 6643 Concession 2.
- (d) That Council receive the Confidential Verbal Report from Karen Landry, CAO/Clerk regarding a proposed or pending acquisition or disposition of land by the municipality or local board, litigation or 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 – Land Acquisition – Cook's Bridge abutting lands.

**CARRIED**





- (e) Confidential Report from Steve Goode, Fire Chief regarding personal matters about an identifiable individual, including municipal or local board employees – Fire and Rescue Services Recruitment.

**Resolution No. 2014-119** Moved by Councillor Roth and  
Seconded by Councillor Schmidt

That the Confidential Report from Steve Goode, Fire Chief, regarding personal matters about an identifiable individual, including municipal or local board employees – Fire and Rescue Services Recruitment; and

That staff proceed as directed.

**CARRIED**

13. **BY-LAWS:**

- (a) By-Law to adopt the Budget for The Corporation of the Township of Puslinch for the year 2014.
- (b) By-law to establish the Working Reserves for The Corporation of the Township of Puslinch.
- (c) By-Law to repeal By-law 73/13 being a by-law to authorize the entering into an Agreement with The Corporation of the City of Guelph regarding an Automatic Aid Agreement.

**Resolution 2014-120** Moved by Councillor Roth and  
Seconded by Councillor Schmidt

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

- By-Law **022/14** being a by-law to adopt the Budget for the Corporation of the Township of Puslinch for the year 2014.
- By-Law **023/14** being a by-law to establish Working Reserves for the Corporation of the Township of Puslinch.
- By-Law **024/14** being a by-law to repeal by-law Number 73/13 being a By-Law to authorize the entering into an Agreement with The Corporation of the City of Guelph regarding an Automatic Aid Agreement.

**CARRIED**

Note: Mayor Lever advised those in attendance at that Council approved its 2014 Operating and Capital Budget with a 2.90% tax increase and provided a summary of the 2014 Budget Highlights which are contained in press release which will be included on the Township's website along with a copy of the 2014 approved Operating and Capital Budget.



14. **CONFIRMING BY-LAW**

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

**Resolution 2014-121:** Moved by Councillor Schmidt and  
Seconded by Councillor Roth

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

- By-Law **025/14** being a by-law to confirm the proceedings of Council for the Corporation of the Township of Puslinch at its meeting held on the 19th day of March, 2014.

**CARRIED**

15. **ADJOURNMENT:**

**Resolution No. 2014-122:** Moved by Councillor Schmidt and  
Seconded by Councillor Roth

That Council hereby adjourns at 8:18 p.m.

**CARRIED**

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Dennis Lever, Mayor

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Karen Landry, CAO/Clerk