



May 24, 2023 Regular Council Meeting

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Addition to the Agenda Questions received from Council seeking additional information and the corresponding responses provided by staff regarding the May 24, 2023 Council agenda items.

Responses Appreciated Prior to Meeting

6.1.1 May 4, 2023 Council Meeting Minutes

Re Resolution No. 2023-140 regarding Consent Agenda item 6.3 requesting County to give a presentation on

That Council direct staff to request the County attend a future Council meeting to give a presentation the timing and nature of the process to finalize the nature of the “Proposed Regional Significant Economic Development Area”; do we have a date set yet?

No date set yet.

6.8 The Women of Ontario Say No - Bill 5 The Stopping Harassment and Abuse by Local Leaders Act

I would like to move the following motion

Be it resolved that the Township of Puslinch Council supports Bill 5, Stopping Harassment and Abuse by Local Leaders Act; and

that this resolution be sent to Premier Ford, Speaker Arnold and MPP (not sure who our area MPP is), the Association of Municipalities of Ontario (AMO) and all Ontario Municipalities.

Staff will have a draft motion prepared.

6.31 City of Cambridge - Highway Traffic Act Amendments

I would like to move the following motion

Whereas the Township of Puslinch is in receipt of correspondence from the Cambridge City Clerk to Minister Mulroney dated May 10, 2023 concerned with requesting the Minister to amend the HTA;

Be it Resolved that the Township of Puslinch supports the resolution therein



“that the Ontario Government amend s.205.1 of the HTA to permit municipalities to locate an ASE system permanently or temporarily on any roadway under the jurisdiction of municipalities and as determined by municipalities and not be restricted to only community safety zones and school safety zones;” and Request staff to forward this resolution to the Ontario Minister of Transportation, the Ontario Minister of Municipal Affairs and Housing, Speaker Arnott, our local area MPP (not sure who that is), the Association of Municipalities of Ontario (AMO) and all Ontario Municipalities.

Staff will have a draft motion prepared.

9.2.3 Report FIN-2023-021 - 2022 Township General Surplus
-what is the timing of implementing the asset management software?

The priority for system implementations is to have the budget software implemented for the 2024 budget cycle. The asset management software will be prioritized shortly thereafter. The goal is to have both systems implemented by 2024/2025. This timeline is in accordance with the Goals and Objectives for this Term of Council that were passed at the January 18, 2023 Council Meeting.

-given that recent tender prices are around 10% over budget should consideration be given to changing the upper and lower limits of funds to be in the AMP?

This would require Council direction as it is a policy change to Schedule A of the Budget Development and Control Policy regarding the Asset Management Discretionary Reserve which indicates:

a) Asset Management Discretionary Reserve

i. Implementing the funding requirements for current infrastructure as noted in the 2019 Asset Management Plan.

ii. The 2019 Asset Management Plan recommended that the Township maintain a minimum target balance of 2.0 million and a maximum target balance of 4.0 million in its Asset Management Discretionary Reserve.



Given the significant increases seen with inflation and pricing for projects, this would be a reasonable policy change and it is in line with many of the other clauses in the Township's Budget Development and Control Policy ie. Clause 4c, 5a, 6a, 8a (ii), and 8c (i).

If Council does direct this policy change, it is recommended that the amount of the increase be the Consumer Price Index (CPI) for Ontario from May to May for each year. The CPI for Ontario from May to May from 2020 to 2023 is outlined below:

*May 2019 to May 2020 CPI – -(0.40%)
May 2020 to May 2021 CPI – 3.70%
May 2021 to May 2022 CPI – 7.80%
May 2022 to May 2023 CPI – not yet announced*

9.2.5 Report FIN-2023-023 - First Quarter Financial Report – 2023

-p.181 Building Maintenance - the vehicle maintenance is overbudget; what were the intended expenditures for this budget item and what caused this item to go over budget?

The budget of \$1K included winter tires and rims required for the truck in 2023. The current actuals in the system as of May 12, 2023 amount to \$1.4K. The actual cost of the winter tires and rims were more than the budgeted amount.

-p.182 Bylaw Professional Fees – re Legal; as budget left is 59% are we expected to go over by year end?

The current actuals in the system as of May 12, 2023 amount to \$19.8K with a budget of \$30K. The Township has a number of by-law prosecution files that are currently active and ongoing that may result in this account being over budget by year-end.

-p. 206 Planning Professional Fees – re Legal; as budget is overspent what amount of the legal fees do we expect to recover?

The current actuals in the system as of April 21, 2023 amount to \$53.5K with a budget of \$17K. The Township has a number of Ontario Land Tribunal (OLT) appeals that are currently active and ongoing that have resulted in this account being significantly over budget. OLT appeals are not recoverable.



The current actuals in the system as of April 21, 2023 in the Administration Legal account amount to \$20.2K with a budget of \$28.5K.

The current actuals in the system as of April 12, 2023 in the Building Legal account amount to \$225.14 with a budget of \$20K.

The Township has a Corporate Legal Contingency Discretionary Reserve for funding major unrecoverable legal matters. The current balance in this reserve is \$232K. If there is a significant corporate shortfall in legal professional fees (ie. in building, by-law, planning, and administration legal accounts), finance staff will determine at year-end if an amount should be charged to this reserve or if the shortfall should be taken from the Township general surplus for 2023 (assuming there will be a general surplus for 2023).

-p.214 Other Financial Data re Total Outstanding Taxes & Interest; comparing March 2023 to March 2022 the amount owing in 2023 is about 4 times as much as 2022; is this a concern?

See below trending from year to year. Total outstanding taxes and interest typically fluctuate from month to month.

- March 2022 was an anomaly at \$144K outstanding. March 2021 was at \$895K outstanding.*
- April 2022 had \$2.4M outstanding and April 2021 had \$3M outstanding. April 2023 currently has \$2.8M outstanding.*

As outlined in RLB LLP's presentation to Council on April 12, 2023 regarding the 2022 Township of Puslinch Financial Statements, the Township's balance of taxes receivable as a percentage of total taxes levied is lower than the average of RLB's clients from 2018 to 2022. The trending is not a concern.

9.3.1 Report ADM-2023-020 - Open Air Burning By-law – Housekeeping Amendments and Set Fines

-p. 217 re "(6) Every person who contravenes any provision of this bylaw is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended."

-should this statement be clarified with wording such as "Every person who contravenes any provision of this bylaw is guilty of an offence and upon conviction is liable to fines as provided in the Bylaw and as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.



The wording in the by-law has been provided to staff by the Ministry of Attorney General's Office and staff recommend using the wording as presented to ensure the set fines are enforceable.

9.3.2 Report ADM-2023-024 – Township Planning Services

- would the annual budget be \$104k to \$120k for the planner?

\$104k-\$120k is correct for a full year. The report outlines July-December (6 months) for the remainder of 2023.

-assuming we hire a planner this year what would be the source of the funding?

The proposed funding for hiring a planner effective July 1, 2023 would be offset by the planning applications received that will no longer be sent to the County of Wellington for their planners' review. County planning fee disbursements would not be required for any new applications received after the position is hired. If there is a further shortfall, it is recommended that it be taken from the Township general surplus for 2023 (assuming there will be a general surplus for 2023). The planning cost centre is dependent on the number of planning applications that are received which can fluctuate.

9.4.1 Report PD-2023-004 Zoning By-law Amendment Application

Recommendation Report - 128 Brock Rd S

-what would be the process for having the proponent providing sidewalk as per urban design guidelines?

Sidewalks can be reviewed as part of site plan control.

-p.246 re" staff are proposing the design be reviewed by the Township prior to submission to the MOEE who is the approval authority for septic system of this size"; do staff need a resolution of Council to do this?

This can be completed through the regular review at site plan control.

9.6.1 Report PW-2023-001 Tender Results for the 2023 Asphalt Program

-the variance range for the paving project items is from 100% over budget to 55% under budget; is there any logical explanation such as diverse locations?; If so can staff look at grouping nearby road projects over the next few years and rescheduling



See the summary table below. The road rehabilitation budgets may not adequately account for the following factors which are determined after a detailed engineering assessment is completed as part of the detailed design works associated with each project prior to tendering the contract:

- additional works (ditching, paved shoulders, rip-rap)
- culvert replacements
- engineering
- required approvals (ie. from the MTO, conservation authority, etc.).

The road rehabilitation budgets are taken from the 2019 Asset Management Plan (AMP) and updated each year based on the most current information available. The bridge and culvert budgets are taken from the most recent Ontario Structure Inspection Manual (OSIM) report. GM BluePlan has indicated that these estimates (ie. AMP and OSIM estimates) should be considered accurate to +/-50%. Comments for the variances below were provided by GM BluePlan.

Project	Budget	Actual	Variance (\$)	Variance (%)	Comments
Leslie Road	\$1,093,920.00	\$834,195.00	\$259,725.00	24%	Original budget considered twice the length of storm sewer and a larger diameter. Through the engineering design process, the length of storm sewer was able to be reduced in favor of reconstructing an open ditch and the diameter of pipe was also able to be reduced, both of which significantly reduced the value of the work.
Little's Bridge	\$385,000.00	\$170,145.00	\$214,855.00	56%	Original budget was for a much larger capital project (full deck replacement and possibly full structure replacement, which may have required a municipal class environmental assessment; however, through completion of the load test and discussions with Township staff, the scope of work was able to be reduced to a barrier repair.



Concession 7	\$160,000.00	\$324,463.00	\$(164,463.00)	-103%	<i>Higher than typical costs for traffic control and staging to maintain one lane of traffic, which will generally consist of heavy and constant truck traffic from nearby aggregate operations. A new culvert was determined to be required due to an ongoing drainage issue at Concession 7 and Concession 2A. Paving of the shoulder in this area is also recommended due to truck turning movements from Concession 2A onto Concession 7. The limits of the project were extended to include a portion of Mason Road due to drainage and condition issues. Additional ditching was also required around the Mason Road intersection.</i>
Maltby Road	\$260,000.00	\$533,189.00	\$(273,189.00)	-105%	<i>Replacement of two culverts on regulated watercourses and additional ditching required to address drainage issues</i>
Roszell Road	\$300,000.00	\$551,041.00	\$(251,041.00)	-84%	<i>Replacement of one culvert on regulated watercourse requiring upsizing to meet Grand River Conservation Authority/ Fisheries and Oceans Canada requirements. Additional ditching and paved shoulder treatment around curves recommended to address ongoing issues.</i>

- the Concession 7 - Concession 2A to Mason Road project is around 102% over budget; are there any nearby future paving projects in 2024 or 2025 that can also include this project to reduce the costs? For example I believe Concession 2- Sideroad 20 South to Concession 7 is scheduled for 2024.

Bundling this project with resurfacing of Concession 2/2A between Sideroad 20 South and Concession 7 may benefit the overall project cost for both projects; however, due to the intersection configuration at Concession 7 / Concession 2A and level of traffic, it may actually be more beneficial to keep as two separate projects.



Opportunities to combine projects based either on scope or location continue to be explored but may not always be possible due to budget, condition or operational constraints. GM BluePlan has advised that due to the Township's relatively compact size, any estimated savings on grouping adjacent road sections together would be relatively small as the variable mobilization costs from site-to-site within the Township (i.e., the per km and hourly charge) would be minor compared to the fixed costs (i.e., minimum charges for having the floats available on the day of mobilizing from site A to site B). The process outlined in the Roads Management Plan to review budget amounts every 3-5 years, especially for upcoming capital works, is recommended by GM BluePlan.

In addition to the above, budgeting in the current climate is still challenging. While we aren't in the "pandemic" state anymore, recent pricing trends have been anything but predictable and this year was no exception. Rising inflation and interest rates and a general shortage of skilled labour are issues that are coming up regularly in the construction industry. The price per tonne of asphalt has increased significantly since 2019 (ie. by more than 30%). The Township's Capital Budget and Forecast and Asset Registry will be updated with more up to date replacement cost estimates as provided by GM BluePlan in the Roads Management Plan that is adopted by Council later this year.