



MINUTES

DATE: May 3, 2023

CLOSED MEETING: Directly following section 13
Announcements

COUNCIL MEETING: 10:00 A.M.

The May 3, 2023 Council Meeting was held on the above date and called to order at 10:00 a.m. via electronic participation and in-person at 23 Brock Rd S, Puslinch.

1. CALL THE MEETING TO ORDER

2. ROLL CALL

ATTENDANCE:

Councillor Sara Bailey
Councillor Russel Hurst
Councillor Jessica Goyda
Councillor John Sepulis
Mayor James Seeley

STAFF IN ATTENDANCE:

1. Glenn Schwendinger, CAO - absent
2. Mike Fowler, Director of Public Works, Parks and Facilities
3. Mary Hasan, Director of Finance/Treasurer
4. Courtenay Hoytfox, Municipal Clerk
5. Justine Brotherston, Deputy Clerk
6. Mirela Oltean, Deputy Treasurer
7. Andrew Hartholt, CBO

3. MOMENT OF REFLECTION

4. CONFIRMATION OF THE AGENDA

Resolution No. 2023-137:

Moved by Councillor Hurst and
Seconded by Councillor Bailey

That Council approves the May 3, 2023 Agenda and Addendum as circulated; and

That Council approves the additions to the agenda as follows:

Consent Item 6.1.4 Questions received from Council seeking additional information and the corresponding responses provided by staff regarding the May 3, 2023 Council agenda.

CARRIED

5. DISCLOSURE OF PECUNIARY INTEREST & THE GENERAL NATURE THEREOF:

Councillor Goyda declared a potential conflict of interest related to item 14.3 MPAC vs County of Wellington as I have a potential pecuniary interest due to my employer being included in the court decision.

Mayor Seeley declared a potential conflict of interest related to item 9.4.2 Zoning By-law Amendment Application D14/WDD as my family owns property in the vicinity of the proposal; and 14.7.2, 14.7.5, 14.7.7 PM version of the confidential minutes from previous meetings as I was previously employed by the Township.



6. CONSENT AGENDA

6.1 Adoption and Receipt of the Minutes of the Previous Council and Committee Meetings:

6.1.1 April 12, 2023 Council Meeting Minutes

6.1.2 March 14, 2023 Committee of Adjustment Meeting Minutes

6.1.3 March 14, 2023 Planning and Development Advisory Committee Meeting Minutes

6.2 County of Wellington - Spring Clean-Up Events

6.3 County of Wellington - Approval to amend a municipality's official plan – Environmental Registry of Ontario

6.4 City of Guelph - Notice of Application - Draft Plan of Condominium

6.5 Dufferin Aggregates - Monthly Monitoring Report - Mill Creek Pit - License 5738

6.6 Ontario Association of Sewage Industry Services

6.7 Town of Cobourg - Support Resolution for Essex Regarding Retaining Surplus Proceeds from Tax Sales

6.8 Town of Greater Napanee - Support Resolution for Town of Essex - Retaining Surplus Proceeds from Tax Sales

6.9 Municipality of Magnetawan - Support Resolution for Essex - Retaining Surplus Proceeds from Tax Sales

6.10 Town of Cobourg - Support for the of Town of Plympton-Wyoming Regarding Reducing Municipal Insurance Costs

6.11 Township of Perry - Resolution of Support - Bill 5 Stopping Harassment and Abuse by Local Leaders Act

6.12 Municipality of Magnetawan - Support Bill 5 - Stopping Harassment and Abuse by Local Leaders Act

6.13 Township of Carlow/Mayo - Stopping Harassment and Abuse by Local Leaders

6.14 City of Port Colborne - Support Resolution - Municipality of Trent Lakes Regarding Oath of Office

6.15 City of Port Colborne - Support Town of Grimsby - Changes to the Municipal Heritage Register

6.16 Northumberland County - AMO's Call to Action on Housing and Homelessness

6.17 City of Port Colborne - Support Municipality of North Perth - School Bus Stop Arm Cameras

6.18 Municipality of South Huron - Support for School Bus Stop Arm Camera

6.19 News Alert Ontario Launches New Interactive High-Speed Internet Map

Resolution No. 2023-138:

Moved by Councillor Bailey and
Seconded by Councillor Goyda

That the Consent Agenda items with the exception of items 6.6, 6.3, 6.19 listed for MAY 3, 2023 Council meeting be received for information.

CARRIED

Resolution No. 2023-139:

Moved by Councillor Hurst and
Seconded by Councillor Sepulis

That the Consent Agenda item 6.6 listed for MAY 3, 2023 Council meeting be received for information; and

That staff investigate how waste water treatment plants are regulated by the Province in terms of receiving waste outside of the municipal borders where the plant is located; and

That Council direct staff to request minutes from the Town Hall meeting on May 5, 2023 and report back to Council at a future meeting.

CARRIED

Resolution No. 2023-140:

Moved by Councillor Sepulis and
Seconded by Councillor Hurst

That the Consent Agenda item 6.3 listed for MAY 3, 2023 Council meeting be received for information; and

That Council direct staff to request the County attend a future Council meeting to give a presentation specifically regarding the timing and nature of the process to finalize the nature of the "Proposed Regional Significant Economic Development Area" in Puslinch as identified in Schedule A-16 of the Official Plan Amendment 119.

CARRIED

Resolution No. 2023-141:

Moved by Councillor Sepulis and
Seconded by Councillor Goyda

That the Consent Agenda item 6.19 listed for MAY 3, 2023 Council meeting be received for information; and

That the public be encourage to visit the County of Wellington website at the link below in order to test their internet speed.

CARRIED

7. DELEGATIONS:

(a) Specific Interest (Items Listed on the Meeting Agenda)

7.1.1 **None**

7.2 General Interest (Items Not Previously Listed on the Meeting Agenda)

7.2.1 **None**

8. PUBLIC MEETINGS:

May 31, 2023 at 6:00 p.m. Open House held at 23 Brock Rd S. in-person and by electronic participation through Zoom regarding the following matter:

Heritage Designation Process Open House

9. REPORTS:

9.1 Puslinch Fire and Rescue Services

9.1.1 None

9.2 Finance Department

9.2.1 Report FIN-2023-015 - 2022 Development Charges

Resolution No. 2023-142:

Moved by Councillor Hurst and
Seconded by Councillor Sepulis

THAT Report FIN-2023-015 entitled 2022 Development Charges be received; and

THAT Council accepts the Treasurer's declaration that the Township is in compliance with section 59.1(1) of the Development Charges Act, 1997.

CARRIED

9.2.2 Report FIN-2023-018 - Treasurer's Investment Report for 2022

Resolution No. 2023-143:

Moved by Councillor Goyda and
Seconded by Councillor Sepulis

That Report FIN-2023-018 entitled Treasurer's Investment Report for 2022 be received; and

That Council accepts the Treasurer's statement that based on the information supplied by Canaccord Genuity Wealth Management, the cash and temporary investments held by the Township of Puslinch during the calendar year 2022 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 related transactions in 2022 comply with the investment policies and goals adopted by the Township on August 13, 2014; and



That no changes be made to the Policy at this time.

CARRIED

9.2.3 Report FIN-2023-019 - 2022 Lease Financing Agreement Summary Report

Resolution No. 2023-144: Moved by Councillor Hurst and
Seconded by Councillor Goyda

That Report FIN-2023-019 entitled 2022 Lease Financing Agreement Summary Report be received; and

That Council accepts the Treasurer's statement that all lease financing agreements are nonmaterial and have been made in accordance with the Township's Lease Financing Agreement Policy as outlined in Schedule B to Report FIN-2023-019.

CARRIED

9.3 Administration Department

9.3.1 Report ADM-2023-021 - Proposed Legislation Regarding ERO Postings (019-6813 and 019 6822)

Resolution No. 2023-145: Moved by Councillor Sepulis and
Seconded by Councillor Hurst

That Council receives report ADM-2023-021 regarding the Proposed Legislation Regarding ERO Postings (019-6813 and 019-6822) for information.

CARRIED

9.4 Planning and Building Department

9.4.1 Building Department First Quarter Update – January to March 2023

Resolution No. 2023-146: Moved by Councillor Bailey and
Seconded by Councillor Sepulis

That Report BLD-2023-002 entitled Building Department First Quarter Update – January to March 2023 be received for information.

CARRIED

Mayor Seeley declared a potential conflict of interest related to item 9.4.2 Zoning By-law Amendment Application D14/WDD as my family owns property in the vicinity of the proposal and passed the Chair to the alternate Mayor Councillor Bailey and Mayor Seeley refrained from participation in the discussion and voting on the item.

9.4.2 Zoning By-law Amendment Application (D14/WDD) Request for Council to deem the application complete/incomplete

Resolution No. 2023-147: Moved by Councillor Sepulis and
Seconded by Councillor Hurst

That Report PD-2023-002 entitled Zoning By-law Amendment Application (D14/WDD) Request for Council to deem the application to be complete/incomplete be received; and



Whereas there are a number of outstanding items as noted in the summary report attached a Schedule "A";

And therefore, that Council deem the zoning amendment application to be incomplete until the items are addressed by the applicant to the satisfaction of the Township; and

That Council direct staff to continue the review of the application and present Council with an updated report for consideration at a future meeting.

CARRIED

Councillor Bailey passed the Chair back to Mayor Seeley.

9.4.3 Zoning By-law Amendment Application (D14/AZI) 6706 Gore Road Request for Council to deem the application complete/incomplete

Resolution No. 2023-148:

Moved by Councillor Bailey and
Seconded by Councillor Goyda

That Report PD-2023-002 entitled Zoning By-law Amendment Application (D14/AZI) Request for Council to deem the application to be complete/incomplete be received; and

Whereas there are a number of outstanding items as noted in the summary report attached a Schedule "A";

And therefore, that Council deem the zoning amendment application to be incomplete until the items are addressed by the applicant to the satisfaction of the Township; and

That Council direct staff to continue the review of the application and present Council with an updated report for consideration at a future meeting.

CARRIED

9.5 Emergency Management

9.5.1 None

9.6 Roads and Parks Department

9.6.1 None

9.7 Recreation Department

9.7.1 Tender Results for Puslinch Community Centre Park and Boreham Park Improvements

Resolution No. 2023-149:

Moved by Councillor Goyda and
Seconded by Councillor Bailey

That Report REC-2023-001 entitled Tender Results for Puslinch Community Centre Park and Boreham Park Improvements be received; and

That the tender for the Puslinch Community Centre Park and Boreham Park Improvements be awarded to Ritchfield Inc. at an amount of \$2,254,702 inclusive of the non-refundable portion of HST and inclusive of Provisional Item No. 4 – Stonedust Trail and Provisional Item No. 7 – Tactile Plates; and

That the remaining portion of funding required of \$428,038 from the 2021/2022/2023 approved budget for the Puslinch Community Centre Park and Boreham Park Improvements



be funded by the Cash in Lieu of Parkland Restricted Reserve; and

That Council authorizes the Mayor and Clerk to sign the required contract documents.

CARRIED

9.7.2 Roller Skating Free Drop-in Time at the ORC

Resolution No. 2023-150:

Moved by Councillor Hurst and
Seconded by Councillor Bailey

That Report REC-2023-002 entitled Roller Skating Free Drop-in Time at the ORC be received; and

That Council authorize staff to offer free drop-in time at the ORC rink for roller and inline skating for a pilot period for the 2023 season in support of the Youth Advisory Committee’s request as outlined in Report ADM-2023-013; and

That upon completion of the 2023 pilot program, that staff report back to Council on the results of the pilot program mid-term at the end of July and at the end of the 2023 season including number of participants that attended during the drop in times, and the outcome of the fluid schedule for drop in times when there is an existing paid rental of the facility; and

That the following free drop in schedule at the ORC rink for roller and inline skating be offered for a pilot period for 2023:

Month	Monday	Tuesday	Wednesday	Thursday	Sunday
May to June and September to November – weather dependent	Afternoon Fluid times based on existing rentals and staffing	3:00 p.m. to 4:30 p.m.	Afternoon Fluid times based on existing rentals and staffing	3:00 p.m. to 4:30 p.m.	10:00 a.m. to 1:00 p.m.
July and August	Morning Fluid times based on existing rentals and staffing	11:00 a.m. to 12:30 p.m.	Morning Fluid times based on existing rentals and staffing	3:00 p.m. to 4:30 p.m.	10:00 a.m. to 1:00 p.m.
	Evenings Fluid times based on existing rentals and staffing	Evenings Fluid times based on existing rentals and staffing	Evenings Fluid times based on existing rentals and staffing		

CARRIED

10. CORRESPONDENCE:

10.1 County of Wellington Resolution regarding County Official Plan Review – Agricultural System Mapping and Policy Review

Resolution No. 2023-151:

Moved by Councillor Sepulis and
Seconded by Councillor Hurst

That Council receive correspondence item 10.1 County of Wellington Resolution regarding County Official Plan Review – Agricultural System Mapping and Policy Review; and

That Council direct staff to request that the County attend an upcoming Council meeting to provide Council with more information on the review and process when they present to Council on the OPA 119.

CARRIED

11. COUNCIL REPORTS:

11.1 Mayor' Updates

11.1.1 Mayor Seeley gave a verbal report on concerns related to species at risk potentially existing on a property that may be affected by the Morriston by-pass.

Resolution No. 2023-152:

Moved by Councillor Sepulis and
Seconded by Councillor Hurst

That Council direct staff to reach out to Hydro One in relation to the Morriston by-pass project in order to have the Township ecologist install a wildlife recording device on the property in order to document wildlife and to confirm if there are species at risk on the property; and

That Council direct staff to report back at the May 24, 2023 Council meeting on the outcome of the request and if there is any cost concerns relating to the installation of the device.

CARRIED

11.1. Mayor Seeley gave an update on the County Planning Committee and the new home energy audit kits that are available for the public to 'sign-out' at the various library locations. Mayor Seeley provided an update on the EV program at the County and the various public engagement events that have taken place.

11.2 Council Member Reports

11.2.1 Councillor Hurst provided an update on the Heritage Advisory Committee meeting that took place on Monday May 1, 2023 and that the grant funding for the Heritage Student program was approved. The Committee also identified a number of conferences that Committee members will be attending to represent the Township and provide insight to the Committee. Finally, that the work is underway relating to the list of priority properties as identified by Council.

Resolution No. 2023-153:

Moved by Councillor Sepulis and
Seconded by Councillor Bailey

That Council receive the Mayors and Council member updates for information.

CARRIED

12. BY-LAWS:

12.1.1 None

13. ANNOUNCEMENTS:

13.1 Councillor Sepulis provided an update on the Township clean-up day on May 6, 2023.

13.2 Councillor Bailey provided an update on the Safe Committee Saturday June 3, 2023 Bike Safety Rodeo from 9:00-11:30 a.m. Registration can be done through the Optimist Club website.

14. CLOSED SESSION:

Council was in closed session from 12:02 p.m. to 3:39 p.m.

The Clerk stopped the recording and removed all public attendees from the webinar. The webinar was then 'locked' so no new participants are able to join.



Councillor Goyda declared a potential conflict of interest related to item 14.3 MPAC vs County of Wellington as I have a potential pecuniary interest due to my employer being included in the court decision and refrained from all participation in the closed meeting and left the hall for that item.

Resolution No. 2023-154: Moved by Councillor Bailey and
Seconded by Councillor Sepulis

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

14.1 Confidential report prepared by staff regarding personal matters about an identifiable individual, including municipal or local board employees – human resource matter;

14.2 Confidential report prepared by staff regarding a proposed or pending acquisition or disposition of land by the municipality – proposed disposition of Township road allowances;

14.3 Confidential report prepared by staff regarding litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – Ontario Divisional Court Decision - MPAC et al v County of Wellington;

14.4 Confidential report prepared by staff regarding advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Extension agreement for tax arrears payment;

14.5 Confidential report prepared by staff regarding personal matters about an identifiable individual, including municipal or local board employees – Township planning services;

14.6 Confidential verbal report regarding advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Planning Act application processes

CARRIED

Resolution No. 2023-155: Moved by Councillor Bailey and
Seconded by Councillor Goyda

THAT Council moves into open session at 3:39 pm

CARRIED

Council resumed into open session at 3:39 p.m.

Resolution No. 2023-156: Moved by Councillor Sepulis and
Seconded by Councillor Goyda

That Council receives the:

14.1 Confidential report prepared by staff regarding personal matters about an identifiable individual, including municipal or local board employees – human resource matter;

14.2 Confidential report prepared by staff regarding a proposed or pending acquisition or disposition of land by the municipality – proposed disposition of Township road allowances;

14.3 Confidential report prepared by staff regarding litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – Ontario Divisional Court Decision - MPAC et al v County of Wellington;

14.4 Confidential report prepared by staff regarding advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Extension agreement for tax arrears payment;



14.5 Confidential report prepared by staff regarding personal matters about an identifiable individual, including municipal or local board employees – Township planning services;

14.6 Confidential verbal report regarding advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Planning Act application processes; and

That Council give three readings to By-law 2023-024 being a by-law to appoint Courtenay Hoytfox as the interim Chief Administrative Officer in accordance with section 229 of the Municipal Act, 2001; and

That Council authorize the Director of Finance/Treasurer to enter into an extension agreement for lands municipally known as 49 Aberfoyle Mill Cres. Township of Puslinch, for the purpose of an extension of time to pay property taxes; and

That Council receives and adopts the confidential meeting minutes for information:

14.7.1 February 8, 2023 First Closed Meeting Minutes

14.7.3 March 1, 2023 Closed Meeting Minutes

14.7.4 March 22, 2023 First Closed Meeting Minutes

14.7.6 April 12, 2023 First Closed Meeting Minutes

That Council direct staff to proceed as directed.

CARRIED

Council was in closed session from 3:43 p.m. to 3:45 p.m.

The Clerk stopped the recording and removed all public attendees from the webinar. The webinar was then 'locked' so no new participants are able to join.

Mayor Seeley declared a potential pecuniary of interest related to items 14.7.2, 14.7.5, 14.7.7 PM version of the confidential minutes from previous meetings as I was previously employed by the Township and refrained from all participation in the closed meeting and left the hall. Mayor Seeley passed the Chair to Councillor Goyda as the alternate Chair.

Resolution No. 2023-157:

Moved by Councillor Hurst and
Seconded by Councillor Sepulis

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

14.7 Adoption and receipt of the previous closed minutes:

14.7.2 February 8, 2023 Second Closed Meeting Minutes

14.7.5 March 22, 2023 Second Closed Meeting Minutes

14.7.7 April 12, 2023 Second Closed Meeting Minutes

CARRIED

Resolution No. 2023-158:

Moved by Councillor Sepulis and
Seconded by Councillor Hurst

THAT Council moves into open session at 3:45 pm

CARRIED

Council resumed into open session at 3:45 p.m.

Resolution No. 2023-159:

Moved by Councillor Sepulis and
Seconded by Councillor Hurst

That Council receives and adopts the confidential meeting minutes for information:

14.7.2 February 8, 2023 Second Closed Meeting Minutes



14.7.5 March 22, 2023 Second Closed Meeting Minutes
14.7.7 April 12, 2023 Second Closed Meeting Minutes

CARRIED

15. BUSINESS ARISING FROM CLOSED SESSION:

None

16. NOTICE OF MOTION:

None

17. NEW BUSINESS:

None

18. CONFIRMATORY BY-LAW:

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

Resolution No. 2023-160:

Moved by Councillor Hurst and
Seconded by Councillor Sepulis

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

By-Law 2023-023 being a by-law to confirm the proceedings of Council for the Corporation of the Township of Puslinch at its meeting held on the 3 day of May 2023.

CARRIED

19. ADJOURNMENT:

Resolution No. 2023-161:

Moved by Councillor Hurst and
Seconded by Councillor Sepulis

That Council hereby adjourns at 3:46 p.m.

CARRIED

James Seeley, Mayor

Courtenay Hoytfox, Clerk