



**October 18, 2023 Regular Council Meeting**

October 18, 2023

**Addition to the Agenda Questions received from Council seeking additional information and the corresponding responses provided by staff regarding the October 18, 2023 Council agenda items.**

Responses Appreciated Prior to Meeting

Hello Council, please see the October 18 Council Agenda Questions and Staff Responses below:

Council Meeting of Oct. 18, 2022

6.7 Environmental Registry of Ontario Expanding Ontario's Permit-By-Rule Framework Legislation

-would like to move the following motion;

*Whereas the Township of Puslinch Council has reviewed the Province's ero 019-6951 Exploring changes to streamline the permit-by-rule framework; and*

*Whereas therein the question "Do you think that aggregate operations, including stormwater and aggregate wash water, would be good candidates for an assessed EASR (Environmental Activity and Sector Registry)?" is posed ; and*

*Whereas the Township has a concern that even compliance with existing approved site plan plans are not being met;*

*Be it resolved that Township of Puslinch therefore cannot support using an assessed EASR for any aggregate operations; and*

*That the resolution be forwarded to Speaker Ted Arnott, (area MPP), County of Wellington and TAPMO.*

*Staff will have a draft motion prepared.*

6.9 Ministry of Natural Resources and Forestry Letter regarding TAPMO

-will ask Mayor to update

6.20 Township of West Lincoln Resolution Challenges Faced by Smaller Developers in Ontario Communities



-do we have any similar concerns voiced by developers in our area?

*Staff are not aware of these concerns being voiced by developers in the area.*

6.21 Township of Puslinch Recreation Advisory Committee Resolution No. 2023-20 - Puslinch Minor Soccer Delegation Materials

-does the Recreation Committee have a recommendation?

*The Recreation Advisory Committee did not provide any comments.*

-what are the costs to maintain fields at of Calvary Baptist Church, waiving user fees, and painting lines?

*Report FIN-2017-031 presented to Council on October 18, 2017 recommended that the Township no longer maintain non-owned Township property and that the Puslinch Minor Soccer Club (PMSC) enter into a new agreement directly with the Calvary Baptist Church (CBC). Council passed Council Resolution No. 2017-360 and Council Resolution No. 2017-362 at their October 18, 2017 Council Meeting which resulted in the Township's agreement with the CBC being terminated effective December 31, 2017 and requesting that the PMSC enter into a new agreement directly with the Calvary Baptist Church. Based on staff's review of the 2015 agreement, the 2015 costs for the maintenance of the CBC soccer field was \$12,231. The Township collected recoveries of \$4,103 in 2022 for soccer field rentals. In 2023, the Township waived all rental fees at the PCC soccer field allowing the PMSC to utilize at no cost the other green space available at the site (ie. Aberfoyle Baseball Diamond) due to the scheduled park construction at the PCC. The Township is not equipped to assist with line painting and would recommend that this service being included in the services provided by the Calvary Baptist Church should PMSC enter into a new agreement with the Calvary Baptist Church.*

9.2.1 Report FIN-2023-027 – Second Quarter Financial Report – 2023 ≠

-p.125 re “Professional Fees Legal”; how much of these fees will be reimbursed?; are additional legal fees expected? *Yes there are year to date legal expenditures of \$15K in the Building legal account. The majority of the expenditures (\$14.5K) relate to a confidential legal matter that has not settled to date. The other minor expenditures relate to title searches for building permit matters and an indirect allocation from building for corporate policy review. These expenditures are not third party cost recoverable.*

-p.128 re “Professional Fees Legal”; what is the expected estimated final cost for this year?

*There are year to date legal expenditures of \$62K in the By-law legal account. The majority of the expenditures relate to active by-law enforcement files that have proceeded to prosecutions.*



*By-law recoveries to date (includes both legal and engineering/environmental recoverable) amount to \$22K. There are year to date engineering/environmental expenditures of \$25K in the By-law cost centre. Therefore, the net expense (ie. expenses less recoveries) to date in by-law is \$65K.*

*-p.130 re “Contract Services”; what expenditure is in this line item?*

*The majority of the expenditures include invoices from the Township of Centre Wellington for the shared Fire Chief position, Onserve fee allocation to Fire & Rescue, City of Guelph dispatch agreement fees, and City of Cambridge Agreement fees. The majority of the expenditures are paid at the beginning of the year (in the first and second quarter).*

*-p.131 re “Vehicle Maintenance”; what expenditure is in this line item?*

*There are year to date expenditures of \$45K in the Fire & Rescue Services vehicle maintenance account. The majority of year to date expenses relate to Tanker 37 repairs \$18K, Aerial 33 repairs \$12K, and Pump 32 repairs \$8K. This budget line item will be increased in 2024 to account for the current and previous year actual averages given the aging fleet in Fire & Rescue Services.*

*-p.132 re “Professional Fees Legal”; what is the expected estimated final cost for this year?*

*There are year to date legal expenditures of \$111K in the Administration legal account. The majority of the expenditures relate to human resource matters, Concession Road 2 access safety matters, Clair/Maltby OLT appeal and other general corporate legal matters. The majority of these expenditures are not third party cost recoverable.*

*-p.148 re Heat and Hydro why the large expenditures?*

*Corporately, heat and hydro costs are expected to exceed budget by the end of the year. These accounts will likely need to be adjusted upwards in 2024 based on current and previous year actual averages.*

*-p. 153 re “Professional Fees Legal”; why the large expenditure and will any costs be recouped?*

*There are year to date legal expenditures of \$128K in the Planning legal account. The majority of the expenditures relate to OLT appeals for Township planning matters. The majority of these expenditures are not third party cost recoverable. The Township has a Corporate Legal Contingency Discretionary Reserve for funding major unrecoverable legal matters. The current balance in this reserve is \$232,163. At year-end, finance staff will review to see if there is a corporate year-end shortfall in legal professional fees (ie. in building, by-law, planning, and*



*administrative legal accounts to determine what amount (if any) should be charged to this reserve or whether the shortfall should be funded from a potential 2023 corporate surplus.*

-p. 156 re “Provincial Aggregate Levy”; given Council’s direction to transfer such levy to Capital should this line item report 0% remaining?

*These funds are obtained in the 3<sup>rd</sup> or 4<sup>th</sup> quarter (typically in September/October). Once the funds are obtained, the full amount of whatever is obtained will be contributed to be utilized for Public Works capital projects in accordance with previous Council direction. It is recommended that this line item remain in the quarterly operating budget reports and the operating budget given the funds are first received in operating and then later transferred to capital once the actual amount received is known. Currently, the 2023 operating budget includes the full revenues allocated to this line item with the full revenues to be transferred to reserve to be utilized for Public Works capital projects.*

#### 9.2.3 Report FIN-2023-030 – 2024 User Fees and Charges By-law

-p. 171 re “In these examples, an adjustment is not recommended to the Township’s fee as the Township’s fee structure is different from the comparator and boundary municipalities. This is the case for Routine Disclosures, Entrance Permit – Residential, Compliance Letter – Type 1, and Dog Tags.”; what is the material difference in fee structure for these examples?

*The comparator and boundary municipality fees range from \$10.62 per routine disclosure to \$50 per routine disclosure. It is recommended that the \$5 fee for the initial request for the first 15 minutes of search time continue to be in place. Staff are recommending that the additional search fee of \$7.50 remain the same for each additional 15 minutes spent by Township staff to search for the records. There are circumstances where a request for Freedom of Information is made that could be processed through a Routine Disclosure and vice versa. Both the Routine Disclosure and Freedom of Information request fee are \$5.00, the current process/fee is efficient for staff and the requester to redirect their request as necessary. Staff do not recommend an adjustment to the fee at this time. The MFIPPA is currently under review with the Province lead by an AMCTO working group with the intent to modernize the legislation including the fee structure. Staff will ensure to update future user fees to align with the legislation if/when MFIPPA is amended.*

*The comparator and boundary municipality fees range from \$50 per entrance permit to \$603 per entrance permit. The Township's fee structure is different from comparator and boundary municipalities given the Township charges a different fee for each type of entrance permit based*



*on the staff time associated with the service (ie. commercial/industrial, farm, field/woodlot, residential, and temporary). Staff do not recommend an adjustment to the fee.*

*The comparator and boundary municipality fees range from \$50 per compliance letter to \$290 per compliance letter. The Township's fee structure is different from comparator and boundary municipalities given the Township charges a different fee for each type of Compliance Letter issued (ie. Type 1 vs. Type 2). The Type 2 fee is higher as it requires more information for Township staff to obtain in order to fulfill the request. Staff do not recommend an adjustment to the fee.*

*The comparator and boundary municipality fees range from \$20 per dog tag to \$54 per dog tag. The Township's fee structure is different from comparator and boundary municipalities given these municipalities have multiple fees based on the dog's age, whether the dog is spayed/neutered/microchipped. Staff do not recommend an adjustment to the fee.*

### **9.3 Administration Department**

#### **9.3.1 Report ADM-2023-055 – Recreation Advisory Committee 2022-2026 Goals and Objectives**

-appears to be the same as report 9.3.2; am I missing something?

#### **9.3.2 Report ADM-2023-056 – Recreation Advisory Committee Terms of Reference Amendment**

-see comment above

*This has been corrected and posted with the agenda.*

#### **9.3.4 Report ADM-2023-058 – Conservation Authorities Act – Memorandum of Understands/Agreements**

-Halton agreement cites indemnification clauses whereas the other two agreements do not. Are staff comfortable with this?

*Staff will have an update to provide at the meeting.*

Halton agreement includes reference to Category 3 in the agreement. Staff report indicates that this category is self funded. Other agreements do not include this category. Can the reference to Category 3 be struck out in the Halton agreement. An amendment can be made to the agreement in the future if and when there is a need to fund Category 3 and Council agrees to it.



*Halton has agreed to strike out the reference to Category 3 in the final agreement prior to execution.*

## **10. Correspondence ≠**

### **10.1 Mini Lakes 2022 Annual Operations and Maintenance Report for the Wastewater Treatment System and Peer Review**

-p.248 re “Option 4 - is the most practical solution. Mini Lakes board has scheduled a presentation in early 2023 to review and approve the recommendations outlined in this memo.”; do we have an update whether it was approved and if so the scheduled completion date?

-p.248 re “The upgrade is expected to be tendered for construction in the early summer of 2023.”; do we have an update whether the work was awarded and the scheduled completion date?

*Mini Lakes provided the attached pdf prepared by OCWA and also provided the following response: Option 4 (MABR) was selected and the design is in progress. We expect to tender construction of the new subsurface disposal system for construction in 2024 and the WWTP for construction in 2025.*

### **10.4 Presentation regarding Fire Marque by Chris Carrier, National Accounts Manager, Fire Marque Inc. ≠ 11:00 A.M.**

-how many fires did Fire Services put out to-date this year and what amount of cost recovery would we have received for these responses under the Fire Marque proposal?

*Fire Marque provided the attached pdf entitled “Insured Perils” for Council’s information relating to the type of incidents that may be eligible for cost recoveries. Fire Marque also provided the following information:*

*Almost all property insurance policies under the Additional Coverages Section of the Policy has coverage for Fire Department expenses in response to an insured peril. Structure Fires are the most identifiable insured peril; property related call outs. It is difficult to estimate as there are currently 193 insurers operating in Canada and most of them are operating in Ontario. The coverages will vary depending on insurer and policy type. It is important to remember that the policy holder has paid for this coverage and only the Fire Service is entitled to receive these funds. If the Fire Service does not recover these costs then the insurer retains this amount, it does not go to the policy holder. The costs incurred in response to an insured peril are eligible to*



*be recovered subject to the limits of the coverage. The overall costs to establish and maintain a fire service are borne by the property tax base. The amount recovered is the portion which our company is asking the insurer to honour the coverage for which they have charged their policy holder.*

*Based on a very cursory review of previous incidents, the range of recoveries are between \$18k-\$28k (Township share). This does not include the large non-residential structure fire in 2022 or the vehicle fires (as this requires a more thorough review).*

GM Blue Plant recommendations and actions requested based on peer review of 2022 WWTP annual reports prepared by OCWA

#	GM Blue Plan Recommendations	OCWA responses Remarks
<b>Section 9.0: Required Improvements</b>		
1	The TSS removal process will need extra attention due to the fact that there have been exceedances almost every month in 2022.	OCWA has been hauling two loads of solids every Tuesday. We are currently monitoring TSS levels before and after hauling to determine the baseline amounts. At the end of October, we will change the hauling schedule to one load on Tuesday and one load on Thursday or Friday then monitor TSS levels for improvement. If levels improve, this schedule will be maintained. If not, hauling frequency will be increased, which will increase costs to WCECC.
2	In addition, the Process Optimization Report states that the building housing the RBCs and the control room housing the MCCs and disconnect switches are leaking, poorly lit and require better ventilation. It is necessary to provide a status update for this issue.	Improvements will be made as part of the overall upgrades planned. In the interim, OCWA brought in a trailer (November 2022) for workers so that entry into these buildings is only required for location or process specific reasons.
3	It would be helpful to include a further status update for an upgrade to three-phase power in future reports.	The status of the 3-phase power upgrades will be included in future reports. Currently, WCECC is working directly with Hydro One to bring power from the highway to the property. WCECC is working on acquiring an easement along the east side of the community but is working with Hydro One to determine the costs of running the line directly along the east easement versus through the community as Hydro One needs to install new poles.  Running the power from the transformer in the community to the new WWTP will be scoped into the upgrade construction project.
4	It seems that there is a need for upgrades to the SCADA and historian systems in order to enhance accessibility, control, and data recording capabilities. It is essential to include these upgrades as part of the general facility upgrade.	Improvements will be made as part of the overall upgrades planned.
5	The Process Optimization Report recommends that odour control be incorporated into any future plant upgrades.	Improvements will be made as part of the overall upgrades planned.
6	Based on the 2022 annual engineering report, sewage was still flowing frequently into the RBC tank. This should be discussed further for RBCs best operation.	We are doing an investigation with AE and our process engineer to determine options.
7	The 2022 annual operations and maintenance report stated that the proposed upgrades which include an upgrade for Primary Clarifier, Denitrification Chamber, Effluent Chamber, and Chemical Storage Building for Amended ECA number 8154-AR4J2T (September 19, 2017) are unfeasible. As a result, the report concluded that the aim of Mini Lakes is to tackle the issues including SCADA system as part of the overall facility upgrade currently in progress. Therefore, continuous updates on whether overall facility upgrades are compliant with all standards are required.	Continue monitoring as part of the overall upgrades planned
8	Both the November 2021 Process Optimization Report and 2020 Condition Assessment report make sampling and monitoring recommendations in order to allow for better optimization of chemical dosing at various stages in the treatment system.	OCWA conducted this sampling for approximately 8 months until the recommended anoxic tank modifications were deemed unfeasible. At this point, design of the new MABR plant was proposed as the currently optimal solution (based on process and cost). All efforts are being directed to the new plant as the current RBC is beyond optimizing. Dosing is adequate. In spring 2023, there was a gear box failure that cannot be easily fixed.



#	GM Blue Plan Recommendations	OCWA responses Remarks
		The supplier is not able to source a replacement and other vendors have refused to service the RBC due to risk. This has resulted in running a single treatment train.
9	It has previously been reported that characterization of the raw (incoming) sewage commenced in late 2018. Discussion of wastewater characterization has not yet been provided. As recommended previously, it would be helpful to discuss this analysis in future reports.	This is currently done. We will add to the report.
10	Easy to implement practices to reduce sewer inflow should be considered, such as installation of inflow dishes on low lying maintenance hole lids or raising sanitary maintenance hole covers.	As the community sits in a high water table, infiltration through the MH joints and chimneys may outweigh the influence of inflow through the cover. OCWA will inspect the MHs in the next month to assess the MHs for watertightness. If appropriate, OCWA will install dishes, upgrade chimneys, raise lids etc as appropriate.
<b>SECTION 10.0 CONCLUSIONS AND RECOMMENDATIONS</b>		
11	The design of future system upgrades should be completed as soon as possible, with a goal of construction within the next one to two years. The Owner and Operators should take appropriate action to bring the wastewater treatment plant into compliance with respect to ECA requirements.	The new plant (and subsurface disposal system (SDS)) are currently in the design phase. The SDS is scheduled for construction in 2024 and the WWTP in 2025. OCWA is as anxious as the Township and WCECC to implement these upgrades and is actively working to complete them.
12	Plant effluent flow rates should be monitored closely moving forward.	Ongoing
13	Operators should continue to closely monitor effluent parameters and take corrective action, as required.	Ongoing



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- A. FIRE - all, including outbuildings
- B. EXPLOSION - all
- C. SMOKE - must be sudden from heating, cooling, cooking system etc.
- D. FALLING Object - like a tree, or a falling sign
- E. VEHICLE IMPACT- to the building and Aircraft impact as well
- F. RIOT - like after the Stanley Cup in Vancouver
- G. VANDALISM or MALICIOUS ACTS - building can't be under construction
- H. SUDDEN WATER ESCAPE - like a steam pipe, or a sprinkler head letting go or a burst pipe caused by freezing
- I. WINDSTORM - tornado - hurricane - or any really strong wind
- J. ELECTRICITY - from the meter to inside the structure
- K. LIGHTNING - all lightning strikes to the structure
- L. HAZ. MAT. - Oil tank ruptures. Cleanup on property after vehicle impact
- M. MARINE or AVIATION - a boat or aircraft mishap
- O. SEWER BACK UP - Commercial & Home policies may have this coverage

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