

**THE CORPORATION OF THE TOWNSHIP OF ESSA
VIRTUAL REGULAR COUNCIL MEETING
WEDNESDAY, DECEMBER 15, 2021**

(To follow Committee of the Whole)

To view our live stream visit the Township of [Essa's YouTube Channel](#)

AGENDA

- 1. OPENING OF MEETING BY THE MAYOR**
- 2. DISCLOSURE OF PECUNIARY INTEREST**
- 3. ADOPTION OF PREVIOUS MINUTES AND MOTIONS**

p. 1 Recommendation: *Be it resolved that the motions duly passed and approved at the Committee of the Whole meeting of this date be approved; and That the minutes of the Special Budget meeting, Committee of the Whole and Regular Council meetings held on the 1st day of December, 2021 be adopted as circulated.*

- 4. CONSENT AGENDA**

Recommendation: *Be it resolved that the items listed in the Consent Agenda dated December 15, 2021 be received for information, and that the necessary actions be taken.*

- 5. COMMITTEE REPORTS**

- 6. PETITIONS**

- 7. MOTIONS AND NOTICES OF MOTIONS**

- a. Angus Farmers' Market – Municipally Significant Event**

Recommendation: *WHEREAS the Angus Farmers' Market Committee was formed in 2016 as a branch under the umbrella of the Edible Essa Committee established by the Essa Public Library; and WHEREAS the Angus Farmers' Market Committee has successfully organized the Angus Farmers' Market events since 2016, which have grown substantially in numbers over the years; and WHEREAS Council of the Corporation of the Township of Essa recognizes that the Angus Farmers' Market itself is a benefit to the community as a whole, deeming it to be a municipally significant event; NOW THEREFORE BE IT RESOLVED THAT due to the significance of the Angus Farmers' Market and the impact that the events have on the residents and communities within Essa Township, Council authorize staff to ensure that this event is covered under the Township's liability insurance as a municipally sponsored event.*

b. Notice of Motion to Reconsider – Staff Report CAO054-21 “Policy No. A01-2021 COVID-19 Vaccination Policy”

Recommendation: *WHEREAS Council passed Resolution CW146-2021 in respect of Policy A01-2021 “COVID-19 Vaccination Policy” at its meeting of December 1, 2021; and*

WHEREAS Council is desirous of reconsidering this matter;

NOW THEREFORE BE IT RESOLVED THAT Council reconsider its decision at the meeting scheduled to take place on January 19, 2022, and as such, Staff Report CAO054-21 and Policy A01-2021 be brought before Council in its original form for Council’s reconsideration on the matter.

8. UNFINISHED BUSINESS

9. BY-LAWS

p. 11 **a. By-law 2021-54**

Recommendation: *Be it resolved that leave be granted to introduce By-law 2021-54, that being a By-law to enter into an amending agreement with the Ontario Clean Water Agency (OCWA) with respect to the maintenance and operation of the municipal sewage and water works systems (the "Works"); and that said By-law be read a first, and taken as read a second and third time and finally passed.*

p. 17 **b. By-law 2021-55**

Recommendation: *Be it resolved that leave be granted to introduce By-law 2021-55, that being a By-law to authorize the issuance of the Certificate of Maintenance and Final Acceptance (Aboveground Works) Nottawasaga Village Block 124 & 125 Subdivision (Plan 51M-1097) (Stonemount Developments Inc.); and that said By-law be read a first, and taken as read a second and third time and finally passed.*

10. QUESTIONS

11. CLOSED SESSION

Recommendation: *Be it resolved that Council proceed to a Closed Session in order to address matters pertaining to:*

- *Labour Relations or Employee Negotiations [Municipal Act, s.239(2)(d)]*

Note: Livestream does not run during Closed Session Deliberations.

Motion to Rise and Report from Closed Session Meeting of December 15, 2021.

Recommendation: *Be it resolved that Council rise and report from the Closed Session Meeting at _____ p.m.*

12. CONFIRMATION BY-LAW

p. 22 **By-law 2021-56**

Recommendation: *Be it resolved that leave be granted to introduce By-law 2021-56, that being a By-law to confirm the proceedings of the Council and Committee of the Whole meetings held on this 15th day of December, 2021; and that said By-law be read a first, and taken as read a second and third time and finally passed.*

13. ADJOURNMENT

Recommendation: *Be it resolved that this meeting of Committee of the Whole of the Township of Essa adjourn at _____ p.m. to meet again on the 19th day of January, 2022 at 6:00 p.m.*

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**THE CORPORATION OF THE TOWNSHIP OF ESSA
SPECIAL MEETING - BUDGET MEETING
WEDNESDAY, DECEMBER 1, 2021**

MINUTES

A Special Meeting of Council was held in-person on Wednesday December 1, 2021 in the Council Chambers located at 5786 County Road 21, Utopia. The purpose of the Special Meeting was for consideration of the 2022 Capital and Operating Budget for the Township of Essa.

In attendance: Mayor Sandie Macdonald
Deputy Mayor, Michael Smith
Councillor Pieter Kiezebrink
Councillor Henry Sander
Councillor Ron Henderson

Staff in attendance: C. Healey-Dowdall, Chief Administrative Officer
C. Traynor, Manager of Finance
R. Rosilius, Deputy Treasurer
L. Wark, CEO Essa Public Library
W. McIsaac, Fire Chief
D. Burgin, Deputy Fire Chief
M. Mikael, Manager of Public Works
A. Powell, Manager of Planning and Development
J. Coleman, Manager of Parks and Recreation
L. Lehr, Manager of Legislative Services

Guests in attendance: G. Cowan, Manager of IT (Town of Innisfil)

1. OPENING OF MEETING BY THE MAYOR

Mayor Macdonald opened the meeting at 1:00 p.m.

2. DISCLOSURE OF PECUNIARY INTEREST

None.

3. DELEGATIONS / PRESENTATIONS

[Note: Budget Binders have been provided for Council's reference to the 2022 Draft Budget]

a. Staff PowerPoint Presentations – 2022 Draft Budget

The Chief Administrative Officer provided Council with a high level overview of projects contained in the 2022 Draft Budget. Items of interest were:

- 2022 Municipal Election
 - Implementation of IT Strategic Plan
 - New Asset Management Software
 - New Transportation Master Plan
 - New Trails Master Plan
 - New Official Plan
- 1

The Manager of Finance provided Council with a brief summary of the budget impact for 2022, stating that the Draft Budget as presented shows an increase of \$5.22 per \$100,000.00 assessment.

i. Library

The Chief Executive Officer of the Essa Public Library was in attendance to review highlights of the operating and capital budgetary requests contained in the 2022 Draft Budget for Council's consideration.

ii. Fire

The Fire Chief and Deputy Fire Chief provided Council with a brief overview of the operating and capital budgetary requests contained in the Draft 2022 Budget.

iii. Clerks

The Manager of Legislative Services provided a brief overview of operating and capital budgetary requests contained in the Draft 2022 Budget for the following: Council, Clerk's Department, Information Technology, By-law Department, Animal Control, and Community Assistance.

iv. Policing

The Chief Administrative Officer briefly reviewed the operating budget for policing.

v. Public Works / Transportation / Water & Wastewater

The Manager of Public Works provided Council with an overview of highlights contained in the 2022 Draft Operating and Capital Budgets for the following: Public Works, Roads, Waterworks and Wastewater.

vi. Parks and Recreation

The Manager of Parks and Recreation provided Council with an overview of highlights contained in the Draft 2022 Budget for Parks and Recreation. His presentation provided Council with prioritized budgetary requests for Council's consideration in respect of the Angus Arena, Thornton Arena, Recreation Programming, as well as Parks.

vii. Planning and Development

The Manager of Planning and Development reviewed the operating and capital budgetary requests contained in the 2022 Draft Budget for the Planning and Development Department, including Committee of Adjustment, Healthy Community Committee, Economic Development, and the Building Department. She reminded Council that the Building Department is a full cost-recovery department and as such it is not a taxpayer hit relative to budget perspective.

viii. Treasury

The Manager of Finance reviewed the operating and capital highlights of the 2022 Draft Budget for the Treasury Department.

ix. Administration

The Chief Administrative Officer briefly reviewed the budgetary requests contained in the Draft 2022 Budget in respect of Administration.

4. ADDITIONAL ITEMS

5. CLOSED SESSION

6. ADJOURNMENT

Resolution No: SCW001-2021 Moved by: Smith Seconded by: Kiezebrink

Be it resolved that this Special Meeting of the Council of the Township of Essa adjourn at 4:30 p.m. to meet again on the 15th day of December, 2021 at 1:00 p.m.

----Carried----

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

THE CORPORATION OF THE TOWNSHIP OF ESSA
VIRTUAL COMMITTEE OF THE WHOLE MEETING
WEDNESDAY, DECEMBER 1, 2021

MINUTES

A Committee of the Whole meeting was held virtually on Wednesday, December 1, 2021 and was livestreamed to the public on the Township of Essa's YouTube Channel.

In attendance: Mayor Sandie Macdonald
Deputy Mayor, Michael Smith
Councillor Pieter Kiezebrink
Councillor Henry Sander
Councillor Ron Henderson

Staff in attendance: C. Healey-Dowdall, Chief Administrative Officer
K. Pascoe, Deputy Clerk
L. Lehr, Manager of Legislative Services

1. OPENING OF MEETING BY THE MAYOR

Mayor Macdonald opened the meeting at 6:00 p.m.

Item 8(a) was deferred to a future meeting. A further staff report will come forward for Council's consideration of the matter.

2. DISCLOSURE OF PECUNIARY INTEREST

None.

3. DELEGATIONS / PRESENTATIONS / PUBLIC MEETINGS

STAFF REPORTS

4. PLANNING AND DEVELOPMENT

5. PARKS AND RECREATION / COMMUNITY SERVICES

6. FIRE AND EMERGENCY SERVICES

7. PUBLIC WORKS

8. FINANCE

- a. **Staff Report TR016-21 submitted by the Manager of Finance, re: 2022 Business Improvement Area of Angus Budget.**

This item was deferred. A Staff Report will be brought forward at a future meeting.

9. CLERKS / BY-LAW ENFORCEMENT / IT

10. CHIEF ADMINISTRATIVE OFFICER (C.A.O.)

- a. **Staff Report CAO054-21 submitted by the Chief Administrative Officer, re: Policy No. A01-2021 COVID-19 Vaccination Policy.**

Resolution No: CW146-2021 Moved by: Kiezebrink Seconded by: Sander

Be it resolved that Staff Report CAO054-21 be received; and That Council endorse Policy No. A01-2021 COVID-19 Vaccination Policy which would apply to staff, volunteers, Members of Council and all Council-appointed Committee Members. Volunteers being those persons appointed by Council or paid.

----Carried----

11. OTHER BUSINESS

- a. **Annual Angus Tree Lighting Ceremony (December 3, 2021 – 6:00 p.m.)**

Mayor Macdonald advised that the annual Christmas Legacy Tree Lighting Ceremony in Angus was taking place on December 3, 2021 at 6:00 p.m. at the Angus Arena. She reminded all that plan to attend to follow all COVID health protocols as recommended by the local health unit.

- b. **Thornton Tree Lighting Ceremony (December 5, 2021 – 7 p.m.)**

Councillor Sander advised that the Thornton Tree Lighting Ceremony would be taking place virtually on December 5, 2021 at 7:00 p.m. He encouraged Council, Staff and residents to attend the virtual ceremony, stating that the link for the ceremony would be made available closer to the event on social media and the Township’s website.

12. ADJOURNMENT

Resolution No: CW147-2021 Moved by: Smith Seconded by: Kiezebrink

Be it resolved that this meeting of Committee of the Whole of the Township of Essa adjourn at 6:09 p.m., to meet again on the 15th day of December, 2021 at 6:00 p.m.

----Carried----

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

THE CORPORATION OF THE TOWNSHIP OF ESSA
VIRTUAL REGULAR COUNCIL MEETING
WEDNESDAY, DECEMBER 1, 2021

MINUTES

A Regular Meeting of Council was held virtually on Wednesday, December 1, 2021 following Committee of the Whole and was livestreamed to the public on the Township of Essa's YouTube Channel.

In attendance: Mayor Sandie Macdonald
Deputy Mayor, Michael Smith
Councillor Pieter Kiezebrink
Councillor Henry Sander
Councillor Ron Henderson

Staff in attendance: C. Healey-Dowdall, Chief Administrative Officer
K. Pascoe, Deputy Clerk
L. Lehr, Manager of Legislative Services

1. OPENING OF MEETING BY THE MAYOR

Mayor Macdonald opened the meeting at 6:09 p.m.

2. DISCLOSURE OF PECUNIARY INTEREST

Councillor Kiezebrink declared a direct interest on Item 9(a) as he owns rental property in Angus that would provide a direct benefit upon the passage of an Official Plan Amendment to allow for Additional Residential Units.

3. ADOPTION OF PREVIOUS MINUTES AND MOTIONS

Resolution No: CR232-2021 Moved by: Smith Seconded by: Sander

*Be it resolved that the motions duly passed and approved at the Committee of the Whole meeting of this date be approved; and
That the minutes of the Committee of the Whole and Regular Council meetings held on the 17th day of November, 2021 be adopted as amended.*

----Carried-----

4. CONSENT AGENDA

Resolution No: CR233-2021 Moved by: Kiezebrink Seconded by: Henderson

Be it resolved that the items listed in the Consent Agenda dated December 1, 2021 be received for information, and that the necessary actions be taken.

----Carried-----

5. COMMITTEE REPORTS

a. Traffic Advisory Committee

Resolution No: CR234-2021 Moved by: Sander Seconded by: Smith

Be it resolved that the minutes of the Traffic Advisory Committee for their meeting held on November 16, 2021 be received.

----Carried-----

b. Accessibility Advisory Committee

Resolution No: CR235-2021 Moved by: Henderson Seconded by: Kiezebrink

Be it resolved that the minutes of the Accessibility Advisory Committee for their meeting held on November 24, 2021 be received.

----Carried-----

6. PETITIONS

7. MOTIONS AND NOTICES OF MOTIONS

8. UNFINISHED BUSINESS

9. BY-LAWS

a. By-law 2021-52

Councillor Kiezebrink declared a direct interest on this Item. He recused himself for this portion of the meeting. He did not vote or participate in any discussion on this Item.

Resolution No: CR236-2021 Moved by: Henderson Seconded by: Smith

Be it resolved that leave be granted to introduce By-law 2021-52, that being a By-law to adopt an Amendment to the Official Plan (OPA 38) for the Township of Essa with respect to Additional Residential Units; and that said By-law be read a first, and taken as read a second and third time and finally passed.

----Carried-----

Councillor Kiezebrink resumed his seat for the remainder of the meeting.

10. QUESTIONS

11. **CLOSED SESSION**

Resolution No: CR237-2021 Moved by: Henderson Seconded by: Smith

Be it resolved that Council proceed to a Closed Session in order to address matters pertaining to:

- *Personal Matters About an Identifiable Individual [Municipal Act, s.239(2)(b)]*
- *Acquisition and Disposition of Land [Municipal Act, s.239(2)(c)]*

----Carried-----

Note: Livestream does not run during Closed Session Deliberations.

Council proceeded into Closed Session at 6:17 p.m.

Motion to Rise and Report from Closed Session Meeting of December 1, 2021.

Resolution No: CR238-2021 Moved by: Kiezebrink Seconded by: Smith

Be it resolved that Council rise and report from the Closed Session Meeting at 6:33 p.m.

----Carried-----

- a. **ACQUISITION OR DISPOSITION OF LAND [s. 239(2)(c)]**
Confidential Staff Report CAO055-21 submitted by the Chief
Administrative Officer, re: Potential Sale of Land.

Resolution No: CR239-2021 Moved by: Henderson Seconded by: Smith

Be it resolved that Confidential Staff Report CAO055-21 be received; and That Council authorize staff to proceed in accordance with Option 3 as contained within this Report.

----Carried-----

- b. **PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL [s.239(2)(b)]**
Confidential Staff Report CAO056-21 submitted by the Chief

Opposed-Sander

Resolution No: CR240-2021 Moved by: Kiezebrink Seconded by: Smith

Be it resolved that Confidential Staff Report CAO056-21 be received; and That Council authorize staff to proceed in accordance with Option 2 as contained within this Report.

----Carried-----

12. **CONFIRMATION BY-LAW**

By-law 2021-53

Resolution No: CR241-2021 Moved by: Henderson Seconded by: Sander

Be it resolved that leave be granted to introduce By-law 2021-53, that being a By-law to confirm the proceedings of the Council and Committee of the Whole meetings held on this 1st day of December, 2021; and that said By-law be read a first, and taken as read a second and third time and finally passed.

----Carried-----

13. ADJOURNMENT

Resolution No: CR242-2021 Moved by: Smith Seconded by: Henderson

Be it resolved that this meeting of Committee of the Whole of the Township of Essa adjourn at 6:34 p.m. to meet again on the 15th day of December, 2021 at 6:00 p.m.

----Carried-----

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services



Wednesday, December 1, 2021

Essa Township Council
5786 County Road 21
Utopia, ON L0M 1T0

Dear Members of Council,

On behalf of the Angus Farmers' Market, I am writing to ask you to support 10 events in 2022, at 8505 County Road 10, Angus. We continue to enjoy a most excellent response to our markets, with our community requesting additional and weekly events. We propose a market occurring every week on Thursdays, starting on August 4, and finishing on October 6, 2022, from 4-7 pm.

We recognize that the success of our market wouldn't happen without your generous sponsorship in kind, and ask that you support us again in the 2022 market season.

Sincerely,

Glenda Newbatt
Treasurer of the Angus Farmers' Market

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2021 - 54

A By-law authorizing the Corporation of the Township of Essa (the "Municipality") to enter into an amending agreement with the Ontario Clean Water Agency (OCWA) with respect to the maintenance and operation of the municipal sewage and water works systems (the "Works").

WHEREAS under the *Ontario Water Resources Act*, R.S.O. 1990, Chapter O.41 and the *Municipal Act*, SO 2001, Chapter M45, the Council of a Municipality may by By-law authorize the Municipality to enter into an agreement with OCWA for the operation and maintenance of waterworks and sewage systems for the Municipality; and

WHEREAS the Municipality wishes to enter into an agreement with OCWA providing for the operation, supervision, control, maintenance, repair, administration, and insuring by OCWA of the Works which are owned by the Municipality; and

WHEREAS the Municipality proposes to raise money to reimburse OCWA for its costs in the operation, supervision, control, maintenance, repair, administration and insuring of the Works by the imposition of a sewage service rate and water service rate.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF ESSA ENACTS AS FOLLOWS:

1. The Municipality is hereby authorized to enter into an amending agreement, in the form annexed hereto as Schedule "A", with OCWA for the operation, supervision, control, maintenance, repair, administration and insuring by OCWA of the Works owned by the Municipality as described in such agreement.
2. The Mayor and the Clerk are hereby authorized to execute the said amending agreement, a copy of which is attached hereto as Schedule "A" and forming part of this By-law and any other documents necessary to carry out the intention of the parties.
3. The cost to be incurred by OCWA and payable by the Municipality pursuant to such agreement shall be raised by Sewage Service Rate By-law and Water Service Rate By-law passed by the Municipality from time to time.
4. This By-law shall come into force and take effect when it is finally passed and when it is executed by OCWA.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 15th day of December, 2021.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

9a

SCHEDULE 'A'

AMENDING AGREEMENT

THIS AMENDING AGREEMENT made as of the 1st day of January, 2022.

BETWEEN

ONTARIO CLEAN WATER AGENCY/AGENCE ONTARIENNE DES EAUX,
a corporation established under the *Capital Investment Plan Act, 1993*, c.23, Statutes
of Ontario.

(referred to in this Amending Agreement as "OCWA")

AND

THE CORPORATION OF THE TOWNSHIP OF ESSA

(referred to in this Amending Agreement as "the Client")

(Each a "Party" and together, "the Parties")

BACKGROUND TO THIS AMENDING AGREEMENT

WHEREAS the Client and OCWA entered into an agreement effective **January 1st 2017**
concerning the operation and maintenance of the Client's Facilities (the "Existing Agreement")
attached as Appendix A to this Amending Agreement;

AND WHEREAS the Client and OCWA have agreed to amend the Existing Agreement, as
described below;

AND WHEREAS the Council of the Client passed By-Law No. ____ on the _____ day of
_____ 20__ authorizing the Client to enter into this Amending Agreement;

NOW, THEREFORE, in consideration of the mutual covenants contained in this Amending
Agreement and other good and valuable consideration, the sufficiency of which is hereby
irrevocably acknowledged, the Client and OCWA agree to the following amendments to the
Existing Agreement:

- 1. Any capitalized terms not defined herein shall have the meaning ascribed to such term in
the Existing Agreement.

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2. *Section 4.1 of the Existing Agreement is hereby deleted and replaced with the following:*

“Section 4.1 – Initial Term of Agreement”

“This Agreement shall start on the Effective Date *January 1st 2022* and shall continue in effect for a term of two (2) years, ending on *December 31st 2023*(the “Renewal Term”) and then may be renewed for successive three (3)-year terms (each a “Renewal Term”) upon agreement between the Parties, subject to Sections 4.3 and 6.1 of this Agreement.”

3. *Schedule D – The Annual Price and Other Charges of the Existing Agreement is hereby deleted and replaced with a new “Schedule D”, which is attached to this Agreement:*

SCHEDULE D - The Annual Price And Other Charges

1. Annual Price for the Initial Term

In accordance with Section 4.2 and subject to any adjustments made pursuant to other provisions of this Agreement, the Client shall pay OCWA a price for the Services for each Year of the Initial Term in the following amounts (the “Annual Price”):

- (i) For Year One from January 1st 2022 through to December 31st 2022 inclusive: \$1,177,183.

Thornton Water Treatment	\$77,350.19
Angus Water Treatment	\$453,396.88
Baxter Water Treatment	\$74,668.42
Angus Wastewater Treatment Facility	\$571,767.51

- (ii) For Year Two: As per **5. Biosolids Costs, d**, the annual price will be \$1,142,183 plus a 2% Adjustment, plus an adjustment for maintaining the Insurance which is renewed annually by OCWA.
- (iii) As the market for **commodities** such as chemicals continues to be uncertain, OCWA proposes to share the risk of pricing with the Township. OCWA will guarantee the price of chemicals for the first two years using the base volumes (litres/kgs) from 2021.
A base year price and a base volume will be established at the start of the contract and be adjusted annually to reflect the 2% adjustment. At year three, a price

adjustment may be needed should the price per unit and/or volume for chemicals change by more than 5% from the base year price.

2. **Payment of the Annual Price**

In Year One of the Initial Term, the monthly payment of the Annual Price shall be \$98,098.58.

3. **Optional Services**

Unless otherwise agreed to in writing, fees for Optional Services which OCWA agrees to provide to the Client shall be billed directly to the Client on a time and materials basis at the following rates:

- (a) Labour rates on Business Days, Monday to Friday, (0800 to 1630) shall be billed at \$90.00/hour/person for an operations manager and assistant operations manager, and \$65.00/hour/person for an operator or mechanic;
- (b) Labour rates on statutory holidays shall be billed at \$132.50/hour/person for an operations manager and assistant operations manager, and \$87.50/hour/person for an operator or mechanic, with a minimum eight (8) hour charge;
- (c) Labour rates at all other times (after hours and on weekends) shall be billed at \$132.50/hour/person for an operations manager and assistant operations manager, and \$87.50/hour/person for an operator or mechanic, with a minimum four (4) hour charge;
- (d) Costs for parts, equipment and supplies, and outside labour charges (i.e., contractors), used by OCWA staff to provide the Optional Services shall be billed to the Client, and the Client will pay such costs together with a Service Fee.

4. **Service Fee**

“Service Fee” means an additional fee charged to the Client when OCWA purchases materials, supplies, equipment or contractor’s services on behalf of the Client. For any individual item or service purchased, the Service Fee shall be calculated as follows:

- (a) 15% on the first \$10,000; plus
- (b) 10% on the amount from \$10,000 to \$50,000; plus
- (c) 5% on the amount in excess of \$50,000.

9a

For example, the Service fee associated with Major Maintenance which required \$56,000 in supplies and materials would be \$5,800 ($15\% \times \$10,000 + 10\% \times \$40,000 + 5\% \times \$6,000$).

5. Biosolids Costs

- (a) For the first year of the agreement OCWA's Annual Price is calculated based upon Biosolids management and haulage costs of \$35,000.00 however, unexpected adjustments may have to be made for Biosolids cost increases as follows:
 - i. If there is an increase in total annual Biosolids Costs over \$35,000.00 in any year of the Agreement then the Client shall pay OCWA the entire amount of the increase over and above the Annual Price.
 - ii. If there is a decrease in total annual Biosolids Costs over the \$35,000.00 in any year of the Agreement then the Client shall be compensated by OCWA for the entire amount of the decrease.
- (b) The calculations for the purpose of this section will take place as soon as it is reasonable possible after OCWA knows the annual Biosolids Costs for that year. At the end of each year of the Agreement, OCWA shall deliver an account to the Client. If the Client owes monies to OCWA under this section, then an invoice for that amount will be sent to the Client. If OCWA owes monies to the Client then a credit will be applied to the Client's account.
- (c) Should the decrease in total annual Biosolids be a direct result of an investment by OCWA then there shall be no credit under (b) above until such time as OCWA's investment is fully recovered. Such investment would be made in consultation and with the approval of the Client.
- (d) In the second year of the agreement, the Biosolids haulage cap of \$35,000 will be removed from the operating agreement and displayed in the Major Maintenance and Capital recommendations, decreasing the annual price to \$1,142,183.

6. Year End Invoicing

By January 27th of each contract year, OCWA will submit invoices pertaining to the previous year to the Township of Essa for final processing and payment. If OCWA is aware of any invoices that will surpass the date of January 27th, OCWA will inform the Township and provide a summary of outstanding invoices and when they will be submitted to the Township.

9a

IN WITNESS WHEREOF the Parties have duly executed this Amending Agreement.

ONTARIO CLEAN WATER AGENCY

Date of Signing

By:
(Authorized Signing Officer)

Date of Signing

By:
(Authorized Signing Officer)

**THE CORPORATION OF THE TOWNSHIP
OF ESSA**

Date of Signing

By:
(Authorized Signing Officer)

Date of Signing

By:
(Authorized Signing Officer)

16

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW NO. 2021 - 55

A By-law to Authorize the Issuance of the Certificate of Maintenance and Final Acceptance (Aboveground Works) Nottawasaga Village Block 124 & 125 Subdivision (Plan 51M-1097) (Stonemount Developments Inc.)

WHEREAS Section 51, Subsection (26) of the *Planning Act*, R.S.O. 1990; Chapter P. 13, as amended, provides that municipalities may enter into agreements imposed as a condition to the approval of a plan of subdivision and such agreements may be registered against the land to which the subdivision plan applies; and

WHEREAS Council for the Corporation of the Township of Essa entered into a Subdivision Agreement with Stonemount Developments Inc. on October 24, 2016 to construct a residential development known as Blocks 124 & 125, Nottawasaga Village; and

WHEREAS the requirements of this Subdivision Agreement with respect to the underground and aboveground services have now been met;

NOW THEREFORE the Council of the Corporation of the Township of Essa hereby enacts as follows:

1. That the Certificate of Maintenance and Final Acceptance (Aboveground Works) for Nottawasaga Village Block 124 & 125 (Plan 51M-1097), may now be issued by the Township Engineers (AECOM) in compliance with the Subdivision Agreement between the Corporation of the Township of Essa and Stonemount Developments Inc.
2. That the attached Schedule "A", Certificate of Maintenance and Final Acceptance (Aboveground Works) shall form part of this By-law.
3. This By-law comes into force and effect on the day it is finally passed.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 15th day of December, 2021.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

9b



SCHEDULE 'A'

AECOM
55 Cedar Pointe Drive, Suite 620
Barrie, ON, Canada L4N 5R7
www.aecom.com

705 721 9222 tel
705 734 0764 fax

TOWNSHIP ENGINEERS

CERTIFICATE OF MAINTENANCE AND FINAL ACCEPTANCE
(ABOVEGROUND WORKS)

MUNICIPALITY Township of Essa

PROJECT Nottawasaga Village Subdivision – BLOCKS 124 & 125
Plan 51M-1097

DEVELOPER Stonemount Development Inc.

FILE NO. 60118287 [ET-1203]

Description of the Works:

Roadways in the Nottawasaga Village – **BLOCK 124 & 125 Subdivision** consisting of:

- **SASCO WAY** from Gold Park Gate southerly, and then westerly to Maplewood Drive; a distance of 255.5 metres (838.2 feet).

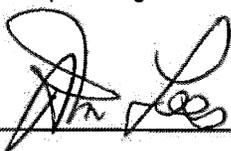
We, AECOM, notify the Municipality that the above mentioned works were inspected on December 1, 2021, and to the best of our knowledge and judgement are complete in accordance with the Subdivision Agreement, except for the deficiencies below:

- No Deficiencies noted in the attached "Construction Status Report" dated Dec. 8, 2021.

We hereby accept these works for use and operation by the Municipality subject to the rectification of the above noted deficiencies and to the rectification of any further deficiencies that may become apparent during the maintenance period and to the maintenance that is required by the Subdivision Agreement.

The date of Substantial Completion and Acceptance (Aboveground Works) is established by the Certificate as of December 8, 2021.

Date: Dec 8, 2021

Signature: 

9b

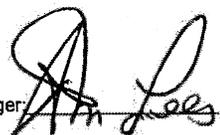
AECOM		Township of Essa	
Construction Status Report # 4			
Subdivision: Nottawasaga Village - Blocks 124 & 125		File Number: 60118287 BLK 124	
Engineer: EMC [Mario or Marco Zuccaro] 905-738-3939		Contractor: Dom-Meridian	
Date: December 8, 2021		Registered Plan: 51M-1097	
START OF UNDERGROUND WORKS			
	Yes	No	Date Completed and Comments
Siltation Controls			
1) silt fence installed and maintained	v		
2) rock check dams installed and maintained	v		
SWM Pond			
1) pond earth works completed			SWM Pond under Phase 3 works.
2) storm outfall works completed			
3) access road constructed			
4) pond topsoil / seeding			
5) pond fencing completed with gate			
6) landscaping completed			
7) pond access road			
8) pond survey submitted			
9) pond volume calculations submitted			
10) pond certification by Engineer			
Sanitary Sewer			
1) pipe installed	v		
2) pipe bedding summary/acceptance report	v		
3) backfill testing summary/acceptance report	v		
4) maintenance holes inspected/approved	v		
5) benching inspected	v		
6) top of precast 0.3m below finish grade	v		
7) video inspection submitted for review	v		
8) video inspection reviewed/approved	v		
9) flushing of sewers	v		
Storm Sewer			
1) pipe installed	v		
2) pipe bedding summary/acceptance report	v		
3) backfill testing summary/acceptance report	v		
4) maintenance holes inspected	v		
5) benching inspected	v		
6) top of precast 0.3m below finish grade	v		
7) video inspection submitted for review	v		
8) video inspection reviewed/approved	v		
9) flushing of sewers	v		

Inspectors Name:



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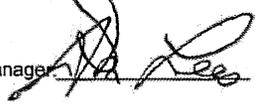
Project Manager:



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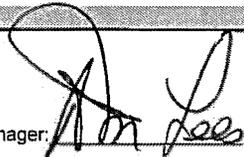
AECOM		Township of Essa	
Construction Status Report # 4			
Subdivision: Nottawasaga Village - Blocks 124 & 125		File Number: 60118287 BLK 124	
Engineer: EMC [Mario or Marco Zuccaro] 905-738-3939		Contractor: Dom-Meridian	
Date: December 8, 2021		Registered Plan: 51M-1097	
START OF UNDERGROUND WORKS			
	Yes	No	Date Completed and Comments
Waterman			
1) pipe installed	v		
2) pipe bedding summary/acceptance report	v		
3) backfill testing summary/acceptance report	v		
4) by-pass installed and inspected	v		
5) pressure testing confirmed by AECOM	v		
6) system chlorinated	v		
7) water samples received by AECOM	v		
8) by-pass removed	v		
9) tracer wire - attached to hydrant flange - continuity test	v		
10) hydrant -water flow charts submitted	v		
-end caps painted	v		
- barrels painted to Twp spec.	v		
- markers installed	v		
11) sample stations inspection completed			
12) Engineer's letter for curb box inspection	v		
13) Engineer's letter for valve/hydrant inspection.	v		
Utilities			
1) hydro crossings installed	v		
2) bell works completed	v		
3) hydro works completed	v		
4) streetlights installed	v		
5) streetlights energized	v		
6) certification from electrical consultant (ESA)	v		
7) gas works completed	v		
8) as-constructed information submitted	v		
General			
1) Service Record Sheets (stage 1)	v		
2) AS-CONSTRUCTED (underground) submitted	v		
3) Certificate of Publication by Contractor	v		
Certificate of S. C. & A. Underground Issued	v		Recommended June 27, 2017; By-Law 2017-44 Issued July 5, 2017
END OF MAINTENANCE PERIOD CHECK FOR UNDERGROUND WORKS			
	Yes	No	Date Completed and Comments
SWM Pond			
1) clean out prior to end of maintenance			SWM Pond under Phase 3 works.
2) pond survey submitted			
3) pond volume calculations submitted			
4) pond certification by Engineer			
Sanitary Sewer			
1) flushing of sewer for final acceptance	v		
2) video inspection submitted for review	v		
3) video inspection reviewed/approved	v		
Storm Sewer			
1) flushing of sewer for final acceptance	v		
2) video inspection submitted for review	v		
3) video inspection reviewed/approved	v		
Watermain			
1) curb box inspection by AECOM	v		
2) valve & hydrant inspection by AECOM	v		
General			
1) AS-CONSTRUCTED (underground) APPROVED	v		
Certificate of M. & F. A. Underground Issued	v		Recommended Nov 28, 2019; By-Law 2019-81 Issued December 18, 2019

Inspectors Name: 

Project Manager: 

AECOM		Township of Essa	
Construction Status Report # 4			
Subdivision: Nottawasaga Village - Blocks 124 & 125		File Number: 60118287 BLK 124	
Engineer: EMC [Mario or Marco Zuccaro] 905-738-3939		Contractor: Dom-Meridian	
Date: December 8, 2021		Registered Plan: 51M-1097	
START OF ABOVEGROUND WORKS			
	Yes	No	Date Completed and Comments
Road Works			
1) subgrade proof rolled witnessed by AECOM	v		
2) subgrade elevations confirmed by Eng.	v		
sub-drains installed - sub-grade			
- under curb	v		
3) granular tested by Soils Consultant	v		
4) granular "B" compaction reports to AECOM	v		
5) granular "A" compaction reports to AECOM	v		
6) concrete curbs completed	v		
7) concrete tested by Soils Consultant	v		
8) base asphalt placed	v		
9) signage - street identification	v		
- stop signs	v		
- road not assumed	v		
- no exit			
10) dead-end barricades and signage			
11) driveway aprons paved	v		
12) sidewalks completed	v		
13) boulevard topsoiled and sodded	v		
14) curbs inspected prior to top lift asphalt	v		
15) base asphalt inspected by AECOM	v		
16) top lift asphalt completed	v		
Miscellanies Works			
1) walkways completed	v		
2) park works completed	v		
3) fencing completed - boundary	v		
- walkways	v		
- park	v		
General			
1) Service Record Sheets (stage 2)	v		
2) AS-CONSTRUCTED (aboveground) submitted	v		
3) Certificate of Publication by Contractor	v		
Certificate of S. C. & A. Aboveground Issued	v		Recommended September 4, 2019; By-Law 2019-69 Issued Sept 18, 2019
END OF MAINTENANCE PERIOD CHECK FOR ABOVEGROUND WORKS			
	Yes	No	Date Completed and Comments
General			
1) tree planting in boulevard	v		
2) pond landscaping inspected by AECOM			
3) fencing inspected by AECOM			
4) final lot grading certification	v		
5) OLS certification for monuments	v		
6) AECOM curb box inspection	v		
7) AECOM valve & hydrant inspection	v		
8) Final inspection - light standards	v		
- transformers	v		
- utility boxes	v		
9) top lift asphalt inspected by AECOM	v		
10) curb inspected by AECOM	v		
11) sidewalks inspected by AECOM	v		
12) boulevards topsoil and sodded/seeded	v		
13) Service Records and AS-CONSTRUCTED	v		
Drawings Approved by AECOM	v		
Certificate of M. & F. A. Aboveground Issued	v		RECOMMENDED December 8, 2021

Inspectors Name: 

Project Manager: 

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2021 – 56

Being a By-law to confirm the proceedings of the Council meeting held on the 15th day of December, 2021.

THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF ESSA
HEREBY ENACTS AS FOLLOWS:

THAT the action of the Council at its meeting held on the 15th day of December, 2021 and, in respect of each recommendation contained in the Minutes of the Special Budget meeting held on the 1st day of December, 2021, Regular Council meeting held on the 1st day of December, 2021 and the Committee of the Whole meeting held on the 1st day of December, 2021; and, in respect of each motion, resolution and other action passed and taken by Council at the said meetings, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

THAT the Mayor and the proper officials of the Township of Essa are hereby authorized and directed to do all things necessary to give effect to the said actions or to obtain approvals where required, and to execute all documents as may be necessary in that behalf and the Clerk is hereby authorized and directed to affix the Corporate Seal to all such documents.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 15th day of December, 2021.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services