

MINUTES
MUNICIPAL COUNCIL

Monday, November 27, 2023
6:30 PM
South Edwardsburgh Community Centre
24 Sutton Dr.
Johnstown Ontario

PRESENT: Mayor Tory Deschamps
Deputy Mayor Stephen Dillabough
Councillor Joe Martelle
Councillor Waddy Smail
Councillor Chris Ward

STAFF: Dave Grant, CAO
Rebecca Crich, Clerk
Sean Nicholson, Treasurer
Gord Shaw, Director of Operations
Mike Spencer, Manager of Parks, Recreation & Facilities
Candise Newcombe, Deputy Clerk

1. Call to Order

Mayor Deschamps called the meeting to order at 6:43 p.m.

2. Approval of Agenda

Decision: 2023-287

Moved by: S. Dillabough

Seconded by: J. Martelle

That Municipal Council approves the agenda as amended to remove items 12.g and 12.h.

Carried

3. Disclosure of Pecuniary Interest or Conflict of Interest & the General Nature Thereof

a. J. Martelle - Repeal Bylaw 2021-06 Service Agreement with Eastern Ontario Boneyard

Owner of the Eastern Ontario Boneyard.

b. J. Martelle - Scott Road Transfer Station Waste Management Bylaw

Owner of the Eastern Ontario Boneyard.

4. Delegations & Presentations

None.

5. Consent Agenda

Members requested items e) Committee of the Whole - Administration and Operations - November 13, 2023; g) Surplus Fire Department Tanker Auction Results; and h) Naming of Lockmaster's Meadow Subdivision Street, be removed from the consent agenda for further discussion.

Decision: 2023-288

Moved by: J. Martelle

Seconded by: W. Smail

THAT Municipal Council receives and approves the following consent agenda items as presented:

- a. Regular Council – October 30, 2023
- b. Public Meeting – Zoning Bylaw Amendment – 2073 & 2084 Dundas St – October 23, 2023
- c. Port Management Committee – September 18, 2023
- d. Committee of the Whole - Community Development – November 6, 2023
- e. ~~Committee of the Whole – Administration and Operations – November 13, 2023~~
- f. Public Meeting – Township Official Plan and Zoning Bylaw Amendment – November 20, 2023
- g. ~~Surplus Fire Department Tanker Auction Results~~
- h. ~~Naming of Lockmaster's Meadow Subdivision Streets~~

Carried

6. Minutes of the Previous Council Meetings

- a. Regular Council - October 30, 2023 - CONSENT

Decision: 2023-288

Moved by: J. Martelle

Seconded by: W. Smail

THAT Municipal Council receives and approves the minutes of the Regular Council Meeting dated October 30, 2023.

Carried

7. Business Arising from the Previous Council Meeting (if any)

None.

8. Committee Minutes

- a. Public Meeting - Zoning Bylaw Amendment - 2073 & 2084 Dundas St - October 23, 2023 - CONSENT

Decision: 2023-288

Moved by: J. Martelle

Seconded by: W. Smail

THAT Municipal Council receives the minutes of the Public Meeting – Zoning Bylaw Amendment - 2073 & 2084 Dundas St. dated October 23, 2023.

Carried

- b. Port Management Committee - October 23, 2023 - CONSENT

Decision: 2023-288

Moved by: J. Martelle

Seconded by: W. Smail

THAT Municipal Council receives the minutes of the Port Management Committee Meeting dated October 23, 2023.

Carried

- c. Committee of the Whole - Community Development - November 6, 2023 - CONSENT

Decision: 2023-288

Moved by: J. Martelle

Seconded by: W. Smail

THAT Municipal Council receives and approves the minutes of the Committee of the Whole - Community Development Meeting dated November 6, 2023.

Carried

- d. Committee of the Whole - Administration & Operations - November 13, 2023

There was discussion regarding the possible decommissioning of the Spencerville arena, future alternate uses, and discussions to date with North Grenville.

Decision: 2023-289

Moved by: J. Martelle

Seconded by: S. Dillabough

THAT Municipal Council receives and approves the minutes of the Committee of the Whole - Administration and Operations Meeting dated November 13, 2023.

Carried

- e. Public Meeting - Township Official Plan and Zoning Bylaw Amendment - November 20, 2023 - CONSENT

Decision: 2023-288

Moved by: J. Martelle

Seconded by: W. Smail

THAT Municipal Council receives the minutes of the Public Meeting – Township Official Plan and Zoning Bylaw Amendment dated November 20, 2023.

Carried

9. Action and Information Items from Committees

- a. Resolution of Support - Baseload Power - Battery Energy Storage Project

Decision: 2023-290

Moved by: S. Dillabough

Seconded by: J. Martelle

WHEREAS Ventnor Energy Storage LP is proposing to construct and operate a Long-Term Reliability Project, as defined and with the characteristics outlined in the table below, under the Long-Term Request for Proposals (“LT1 RFP”) issued by the Independent Electricity System Operator (“IESO”).

Unique Project ID of the Long-Term Reliability Project:	LT1-066-9-1 LT1-066-9-2 LT1-066-9-3
Name of the Long-Term Reliability Project:	Ventnor Energy Storage Project
Legal Name of Proponent:	Ventnor Energy Storage LP
Technology of the Long-Term Reliability Project:	Battery Energy Storage
Maximum Contract Capacity of the Long-Term Reliability Project (in MW):	up to 300MW
Property Identification Number (PIN):	68139 0370 and 68139 0371

AND WHEREAS Pursuant to the LT1 RFP, Proposals that receive the formal support of the local jurisdictional authorities of all the project communities in which the Long-Term Reliability Project is located in the form of a support resolution will be awarded Rated Criteria points for the purpose of ranking the Proposal in relation to other Proposals for a contract under the LT1 RFP;

AND WHEREAS Ventnor Energy Storage LP has committed to establishing a Community Benefit Fund, as attached, designed to benefit the residents in Edwardsburgh Cardinal;

NOW THEREFORE BE IT RESOLVED THAT: The council of the Corporation of the Township of Edwardsburgh Cardinal supports the development, construction and operation of the Long-Term Reliability Project, as identified by the PINs in the above table, on the Municipal Lands;

AND FURTHER THAT This resolution's sole purpose is to enable the Ventnor Energy Storage LP to receive Rated Criteria Points under LT1 RFP or to satisfy its obligations under any awarded LT1 Contract and may not be used for the purpose of any other form of approval in relation to the Proposal or Long-Term Reliability Project or for any other purpose. Rated Criteria points will be used to rank the Proponent's Proposal in relation to other Proposals received by the IESO under the LT1 RFP.

	Yea	Nay
T. Deschamps	X	
S. Dillabough	X	
J. Martelle	X	
W. Smail	X	
C. Ward	X	
Results	5	0

Carried (5 to 0)

- b. Resolution of Support - Potentia Renewables Inc. - Battery Energy Storage Project

Council noted the increase to the Community Building Fund amount from \$500 to \$750.

Decision: 2023-291

Moved by: C. Ward

Seconded by: W. Smail

WHEREAS Skyview BESS Limited Partnership is proposing to construct and operate a Long-Term Reliability Project, as defined and with the characteristics outlined in the table below, under the Long-Term Request for Proposals (“LT1 RFP”) issued by the Independent Electricity System Operator (“IESO”).

Unique Project ID of the Long-Term Reliability Project:	LT1-074-7-2
Name of the Long-Term Reliability Project:	Skyview 2 Battery Energy Storage Project
Legal Name of Proponent:	Skyview BESS Limited Partnership
Technology of the Long-Term Reliability Project:	Lithium-ion battery energy storage facility
Maximum Contract Capacity of the Long-Term Reliability Project (in MW):	up to 450MW
Property Identification Number (PIN):	68138-0121, 68138-0122, 68138-0171, 68138-0175, 68138-0176

AND WHEREAS Pursuant to the LT1 RFP, Proposals that receive the formal support of the local jurisdictional authorities of all the project communities in which the Long-Term Reliability Project is located in the form of a support resolution will be awarded Rated Criteria points for the purpose of ranking the Proposal in relation to other Proposals for a contract under the LT1 RFP;

AND WHEREAS Skyview BESS Limited Partnership has committed to establishing a Community Benefit Fund, as attached, designed to benefit the residents in Edwardsburgh Cardinal;

NOW THEREFORE BE IT RESOLVED THAT The Council of the Corporation of the Township of Edwardsburgh Cardinal hereby supports the development, construction and operation of the Long-Term Reliability Project on the Municipal Lands;

AND FURTHER THAT This resolution's sole purpose is to enable Skyview BESS Limited Partnership to receive Rated Criteria Points under LT1 RFP or to satisfy its obligations under any awarded LT1 Contract and may not be used for the purpose of any other form of approval in relation to the Proposal or Long-Term Reliability Project or for any other purpose. Rated Criteria points will be used to rank the Proponent’s Proposal in relation to other Proposals received by the IESO under the LT1 RFP.

	Yea	Nay
T. Deschamps	X	
S. Dillabough	X	
J. Martelle	X	
W. Smail	X	
C. Ward	X	
Results	5	0

Carried (5 to 0)

c. Surplus Fire Department Tanker Auction Results

Council discussed the Reserve and Reserve Fund policy procedures for allocations to surplus funds as a result of a vehicle sale.

Decision: 2023-292

Moved by: J. Martelle

Seconded by: S. Dillabough

THAT Municipal Council direct the Treasurer to place \$70,762.50 from the sale of the surplus tanker into the fire department vehicle reserve fund, as recommended by the Committee of the Whole – Administration & Operations.

Carried

d. Naming of Lockmaster's Meadow Subdivision Streets

Members reviewed the subdivision development process to date.

Decision: 2023-293

Moved by: W. Smail

Seconded by: C. Ward

WHEREAS the Township received an application through the Municipal Asset Naming/Renaming Policy, requesting the naming of 3 streets within the proposed Lockmaster's Meadow Subdivision development; and

WHEREAS the Lockmaster's Meadow Subdivision development would like to confirm the proposed street names to be incorporate into future design and development plans and schedules; and

WHEREAS the period for public comment on the naming of three future municipal streets has concluded, with no negative comments being received by the Township; and

WHEREAS the Municipal Asset Naming/Renaming Policy requires Council to endorse the naming of municipal streets through a resolution to official name a current/future municipal asset.

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of Edwardsburgh Cardinal endorses the naming of 3 streets with the Lockmaster's Meadow Subdivision development in Cardinal as follows:

- Lockhouse Street
- Balsam Street
- Conifer Lane

AND FURTHER THAT a copy of this resolution be forwarded to the United Counties of Leeds and Grenville as notification of the street naming.

Carried

e. Group Benefits RFQ Award

Council reviewed the conditions and flexibility of the Broker of Record letter.

Decision: 2023-294

Moved by: S. Dillabough

Seconded by: J. Martelle

THAT Municipal Council award the Group Benefits Tender to W.A. Pakeman and Associates Ltd. and direct staff to sign a Broker of Record letter with W.A. Pakeman for a duration no longer than 5 years.

Carried

f. 2023 Township Financial Audit Plan

Council noted the minor fee increase.

Decision: 2023-295

Moved by: J. Martelle

Seconded by: C. Ward

THAT Municipal Council receives the 2023 audit plan and authorizes the Treasurer to sign the engagement letter as a requirement of the annual audit.

Carried

g. 2023 Port Financial Audit Plan

Council discussed concerns with the significant cost increase, changes in regulatory requirements, and PSAB standards.

Decision: 2023-296

Moved by: S. Dillabough

Seconded by: J. Martelle

THAT Municipal Council receives and approves the 2023 Audit Service Plan as presented by MNP LLP Chartered Accountants, as recommended by the Port Management Committee.

Carried

10. Correspondence

Decision: 2023-297

Moved by: C. Ward

Seconded by: W. Smail

THAT Municipal Council receives the correspondence listings for the following dates as previously circulated:

- November 1, 2023
- November 8, 2023
- November 17, 2023
- November 22, 2023

11. Municipal Disbursements

Council reviewed the disbursements and sought clarification on the following items:

- CNR rail maintenance for the lights at the Blair Rd crossing and possible future maintenance at Gill St.
- Reasons for POA fees withdrawn.
- Reviewed the property tax arrears collection process and requested a future staff report outlining the process.
- Exceeding budget for the Ingredion Centre additional parking lot project and estimated timeline for completion.

Decision: 2023-298

Moved by: J. Martelle

Seconded by: C. Ward

THAT Municipal Council receives the payment of municipal invoices circulated and dated as follows:

• Report dated October 26	(2023-202)	\$704,692.12
• Report dated October 30	(2023-203)	\$122,960.05
• Report dated November 1	(2023-205)	\$80,117.75
• Report dated November 10	(2023-218)	\$1,500.00
• Report dated November 15	(2023-219)	\$544,859.92
• Report dated November 20	(2023-220)	\$239,891.91
• Report dated November 21	(2023-221)	\$96,693.27
• Report dated November 22	(2023-222)	\$205,407.47
	TOTAL:	\$1,996,122.49

Carried

12. By-laws

- a. Repeal Bylaw 2021-06 Service Agreement with Eastern Ontario Boneyard
J. Martelle declared a conflict on this item. (Owner of the Eastern Ontario Boneyard.)

Councillor Martelle stepped away from the table and did not participate in the discussion or vote on the matter.

Decision: 2023-299

Moved by: W. Smail

Seconded by: C. Ward

THAT the mover be granted leave to introduce a bylaw to repeal bylaw 2021-06 being a bylaw to execute a service agreement with J & D Enterprises O/A the Eastern Ontario Boneyard for the Enhanced Recycling Program, and this shall constitute first and second reading thereof.

Carried

Decision: 2023-300

Moved by: W. Smail

Seconded by: C. Ward

THAT a bylaw to repeal bylaw 2021-06 being a bylaw to execute a service agreement with J & D Enterprises O/A the Eastern Ontario Boneyard for the Enhanced Recycling Program, be now read a third and final time and finally passed, signed, sealed and numbered 2023-58.

Carried

- b. Infrastructure Ontario Borrowing Bylaw - County Rd 2 Wastewater Rehabilitation

Councillor Martelle returned to the table.

Decision: 2023-301

Moved by: S. Dillabough

Seconded by: J. Martelle

THAT the mover be granted leave to introduce a bylaw to authorize the submission of an application to Ontario Infrastructure and Lands Corporation ("OILC") for financing of certain ongoing capital work(s) of the Corporation of the Township of Edwardsburgh Cardinal (the "Municipality"); to authorize temporary borrowing from OILC to meet expenditures in connection with such capital work(s); and to authorize long-term borrowing for such capital work(s) through the issue of debentures to OILC, and this shall constitute first and second reading thereof.

Carried

Decision: 2023-302

Moved by: S. Dillabough

Seconded by: J. Martelle

THAT a bylaw to authorize the submission of an application to Ontario Infrastructure and Lands Corporation ("OILC") for financing of certain ongoing capital work(s) of the Corporation of the Township of Edwardsburgh Cardinal (the "Municipality"); to authorize temporary borrowing from OILC to meet expenditures in connection with such capital work(s); and to authorize long-term borrowing for such capital work(s) through the issue of debentures to OILC, be now read a third and final time and finally passed, signed, sealed and numbered 2023-59.

Carried

- c. Amend Zoning Bylaw 2022-37 - 2073 Dundas St (Zanderplan o/b 2733521 Ontario Inc.)

Decision: 2023-303

Moved by: C. Ward

Seconded by: W. Smail

THAT the mover be granted leave to introduce a bylaw to amend Zoning bylaw 2022-37 (2073 Dundas St. – ZanderPlan Inc o/b 2733521 Ontario Inc.) and this shall constitute first and second reading thereof.

Carried

Decision: 2023-304

Moved by: C. Ward
Seconded by: W. Smail

THAT a bylaw to amend Zoning bylaw 2022-37 (2073 Dundas St. – ZanderPlan Inc o/b 2733521 Ontario Inc.), be now read a third and final time and finally passed, signed, sealed and numbered 2023-60.

Carried

- d. Amend Zoning Bylaw 2022-37 - 2084 Dundas St (Zanderplan o/b 2733521 Ontario Inc.)

Decision: 2023-305

Moved by: S. Dillabough
Seconded by: C. Ward

THAT the mover be granted leave to introduce a bylaw to amend Zoning bylaw 2022-37 (2084 Dundas St. – ZanderPlan Inc o/b 2733521 Ontario Inc.), and this shall constitute first and second reading thereof.

Carried

Decision: 2023-306

Moved by: S. Dillabough
Seconded by: C. Ward

THAT a bylaw to amend Zoning bylaw 2022-37 (2084 Dundas St. – ZanderPlan Inc o/b 2733521 Ontario Inc.), be now read a third and final time and finally passed, signed, sealed and numbered 2023-61.

Carried

- e. Scott Road Transfer Station Waste Management Bylaw

J. Martelle declared a conflict on this item. (Owner of the Eastern Ontario Boneyard.)

Councillor Martelle left the table and did not participate in the discussion or vote on the matter.

Decision: 2023-307

Moved by: C. Ward
Seconded by: W. Smail

THAT the mover be granted leave to introduce a bylaw to establish, maintain and regulate a waste management system and to provide for the establishment of policies, regulations and fees for the disposal of municipal waste and other refuse at the Municipal Transfer Station, and this shall constitute first and second reading thereof.

Carried

Decision: 2023-308

Moved by: C. Ward
Seconded by: W. Smail

THAT a bylaw to establish, maintain and regulate a waste management system and to provide for the establishment of policies, regulations and fees for the disposal of municipal waste and other refuse at the Municipal Transfer Station, be now read a third and final time and finally passed, signed, sealed and numbered 2023-62.

Carried

f. Emergency Management Program Bylaw Update

Councillor Martelle returned to the table.

Decision: 2023-309

Moved by: S. Dillabough

Seconded by: C. Ward

THAT the mover be granted leave to introduce a bylaw to provide for the establishment and adoption of an emergency management program for the Township of Edwardsburgh Cardinal, and this shall constitute first and second reading thereof.

Carried

Decision: 2023-310

Moved by: S. Dillabough

Seconded by: C. Ward

THAT a bylaw to provide for the establishment and adoption of an emergency management program for the Township of Edwardsburgh Cardinal, be now read a third and final time and finally passed, signed, sealed and numbered 2023-63.

Carried

13. CAO's Administrative Update

Council reviewed the CAO's administrative update and discussed the following items:

- Age/condition of tanker 7.
- Successful Light Up the Night parade in Prescott.
- Reviewed parameters of the proposed EV charge station project.
- Grading schedule for gravel roads.
- Confirmed available position in public works is a full time position.
- Bylaw enforcement winter parking restrictions educational efforts.
- Motor model of Tanker 7.
- Theft of a Township wreath on Dundas St.

Decision: 2023-311

Moved by: W. Smail

Seconded by: J. Martelle

THAT Municipal Council receives the CAO's Administrative Report as presented.

Carried

14. Councillor Inquiries or Notices of Motion

Councillor Smail noted the attendance of the Deputy Mayor and himself at the Johnstown Christmas parade, highlighting the participation of 17 floats.

Councillor Ward noted the diligently scheduled community calendar available on the Township website. He encouraged the advertisement of the tool to residents for additional use.

15. Mayor's Report

Mayor Deschamps reported on the following:

- Attended the SpencerWhoville tree lighting event with Councillor Ward and recognized the efforts of the SBCC and market organizers.
- Commended organizers of the Johnstown Christmas parade and noted the event was well attended.
- Met with the CAO and president of HFI Pyrotechnics to discuss future partnership opportunities.
- Attended Wastewater Treatment facility tour in Prescott prior to attending tonight's Council meeting.

16. Question Period

None.

17. Closed Session

Decision: 2023-313

Moved by: J. Martelle

Seconded by: C. Ward

THAT Municipal Council proceeds into closed session at 8:25 p.m. in order to address a matter pertaining to:

- a. Section 239(2)(c) Proposed or pending acquisition or disposition of land by the municipality or local board; Specifically: Industrial Land
- b. Section 239(2)(b) Personal matters about an identifiable individual, including municipal or local board employees; Specifically: Youth/Citizen of the Year
- c. Section 239(2)(b) Personal matters about an identifiable individual, including municipal or local board employees; Specifically: Operational Sustainability and minutes of Closed Session dated October 30, 2023

Carried

- a. Section 239(2)(c) Proposed or pending acquisition or disposition of land by the municipality or local board; Specifically: Industrial Land
- b. Section 239(2)(b) Personal matters about an identifiable individual, including municipal or local board employees; Specifically: Youth/Citizen of the Year
- c. Section 239 (2)(b) Personal matters about an identifiable individual, including municipal or local board employees; Specifically: Operational Sustainability and Minutes of Closed Session dated October 30, 2023

Decision: 2023-314

Moved by: J. Martelle

Seconded by: C. Ward

THAT the closed meeting of Municipal Council does now adjourn and the open meeting does now resume at 9:42 p.m.

Carried

18. Report Out of Closed Session

The Chair reported that Council met in closed session to:

- Discuss the proposed acquisition of industrial land with direction provided to the CAO; and

- Discuss the Township's Citizen of the Year, with direction provided to the Clerk; and
- Received information on Operational Sustainability and reviewed the minutes of Closed Session from October 30, 2023.

Decision: 2023-315

Moved by: C. Ward

Seconded by: W. Smail

THAT Municipal Council receives and approves the minutes of Closed Session dated October 30, 2023.

Carried

19. Confirmation By-law

Decision: 2023-316

Moved by: C. Ward

Seconded by: W. Smail

THAT a by-law to adopt, confirm and ratify matters dealt with by resolution be now passed, signed, sealed and numbered 2023-66.

Carried

20. Adjournment

Decision: 2023-317

Moved by: W. Smail

Seconded by: C. Ward

That Municipal Council does now adjourn at 9:45 p.m.

Carried

Mayor

Deputy Clerk