



**THE CORPORATION OF THE TOWNSHIP OF HORTON
COUNCIL MEETING – JUNE 6TH, 2023 – 4:00 P.M.
HORTON MUNICIPAL CHAMBERS
2253 JOHNSTON RD.**

1. CALL TO ORDER

2. LAND ACKNOWLEDGEMENT

“As we gather today, I would like to acknowledge, on behalf of Council and our community that we are meeting on the traditional territory of the Algonquin People. We would like to thank the Algonquin People and express our respect and support for their rich history, and we are extremely grateful for their many and continued displays of friendship. We also thank all the generations of people who have taken care of this land for thousands of years.”

3. DECLARATION OF PECUNIARY INTEREST

4. CONFIRMATION OF COUNCIL AGENDA

5. DELEGATIONS &/OR PUBLIC MEETINGS

5.1 4:00 p.m. Tracey Stevens – Renfrew Public Library Board Update

5.2 4:15 p.m. Craig Bellinger – Tomlinson Group

PG.3

6. MINUTES FROM PREVIOUS MEETINGS

6.1 May 16th, 2023 – Regular Council

PG.7

7. BUSINESS ARISING FROM MINUTES

8. COMMITTEE REPORTS:

8.1 PROTECTIVE SERVICES COMMITTEE
▪ **CHAIR PROCTOR**

8.1.1 Chair’s Report – May 18th

PG.11

8.2 RECREATION COMMITTEE
▪ **CHAIR HUMPHRIES**

8.1.1 Chair’s Report – May 11th

PG.13

8.3 COMMUNITY COMMITTEES / COUNTY COUNCIL

8.3.1 Renfrew & Area Seniors Home Support

D. Humphries

8.3.2 Chamber of Commerce

D. Humphries

8.3.3 County Council

D. Bennett

9. CORRESPONDENCE SUMMARY

9.1 INFORMATION CORRESPONDENCE

9.1.1 CAO/Clerk Information Memo

PG.15

RETURN TO AGENDA

9.2 ACTION CORRESPONDENCE – NONE**10. BY-LAWS**

10.1 2023-30 Front-End Bin and Recycling Depot Agreement

PG.16**11. NOTICE TO FILE MOTION FOR NEXT COUNCIL MEETING****12. COUNCIL/STAFF MEMBERS CONCERNS****13. RESOLUTIONS****14. IN CAMERA (Closed) SESSION (as required)**

14.1 Pursuant to Section 239(2) (b) of the Municipal Act,

(b) Personal matters about an identifiable individual, including municipal or local board employees:

- Request for Delegation – Whitton Road Residents
- Council Attendance Report

15. CONFIRMING BY-LAW 2023-31**PG.20****16. ADJOURNMENT**



PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

May 18, 2023

Lindsey Bennett-Farquhar, MCIP, RPP
County Planner
Development & Property Department
County of Renfrew
9 International Drive
PEMBROKE, ON K8A 6W5

Dear Lindsey:

**RE: Tomlinson Storyland Pit, Township of Horton
OUR FILE 9137W**

Further to the questions and discussion at the County's Development & Property Committee meeting on May 16, 2023 regarding the Storyland Pit application, we wanted to clarify aspects of the proposed pit specifically below water extraction.

The proposal is for a new pit where extraction of sand and gravel would occur above and below the groundwater table.

Within each phase of the proposed pit, aggregate would first be extracted above the water table followed by extraction below the water table which will create a pit pond that sequentially increases in size as extraction progresses through the site.

Unlike a quarry operation, pumping or dewatering (removal) of the groundwater table is not required to extract sand and gravel that is found beneath the water table. Rather, materials are extracted from within the water table using a dragline, excavator or suction dredge which essentially scoops the aggregate from below the groundwater table and then stockpiles the aggregate on dry land adjacent to the pond allowing the water to drain from the extracted material.

A simple analogy is digging a hole at a beach. As you dig, water enters the hole. Trying to remove water from the hole is not possible as it would continue to rapidly fill in with water. The same effect occurs at pits when extracting sand and gravel from below the water table.

This is a key difference from a below water quarry where dewatering is required to create dry conditions to allow the rock to be blasted and extracted from the ground. With a pit such as the Storyland Pit, the aggregate can be extracted without having to pump the groundwater from the pit.

We have enclosed a fact sheet from the Province on 'Groundwater and Aggregates' which helps provide high-level information on extraction occurring below the water table. The picture on p. 1 is a good representation of how materials would be extracted below the water table at the Storyland Pit.

For below water pits, there is a 'flattening' effect where the water table adjacent to the pit pond either increases or decreases in elevation. In the case of the Storyland Pit, the radius of influence associated with this flattening effect is estimated to be around 30 m. No increases or decreases in the water table are predicted beyond 30 m of the extraction boundary.

This has been thoroughly assessed through the completion of the Level 1 and 2 Water Report prepared by WSP for the Storyland Pit application. This report and its conclusions are being reviewed by the Ministry of Natural Resources and Forestry, and Ministry of Environment, Conservation and Parks as well as the County's expert peer reviewer on hydrogeology.

It should also be noted that several monitoring wells have been installed around the edges of the site. These wells will be monitored throughout the operation of the pit. The purpose is to document groundwater levels and ensure that aggregate extraction is not causing the groundwater level to decrease more than the technically predicted amount presented in the Water Report.

Water supply wells are legally protected under the Ontario Water Resources Act. Regardless, a well complaint response program has been developed for this pit for the purpose of responding to well interference complaints from water supply well users.

If it is determined that the well interference is attributable to the pit, then Tomlinson would be legally required to remedy the well interference and restore water supply for the affected resident. Tomlinson would be responsible for all costs associated with the restoration of the water supply. However, based on the results of the impact assessment presented in the Water Report, WSP concluded that water well interference complaints attributable to the development of the pit are unlikely.

Please feel free to circulate this information to the County's Development & Property Committee and Township of Horton Council.

If you have any questions, please let us know.

Yours truly,

MHBC



Neal DeRuyter, BES, MCIP, RPP

cc. *Bruce Howarth, Renfrew County*
Craig Bellinger, Tomlinson
Kris Marentette, WSP

Encl.

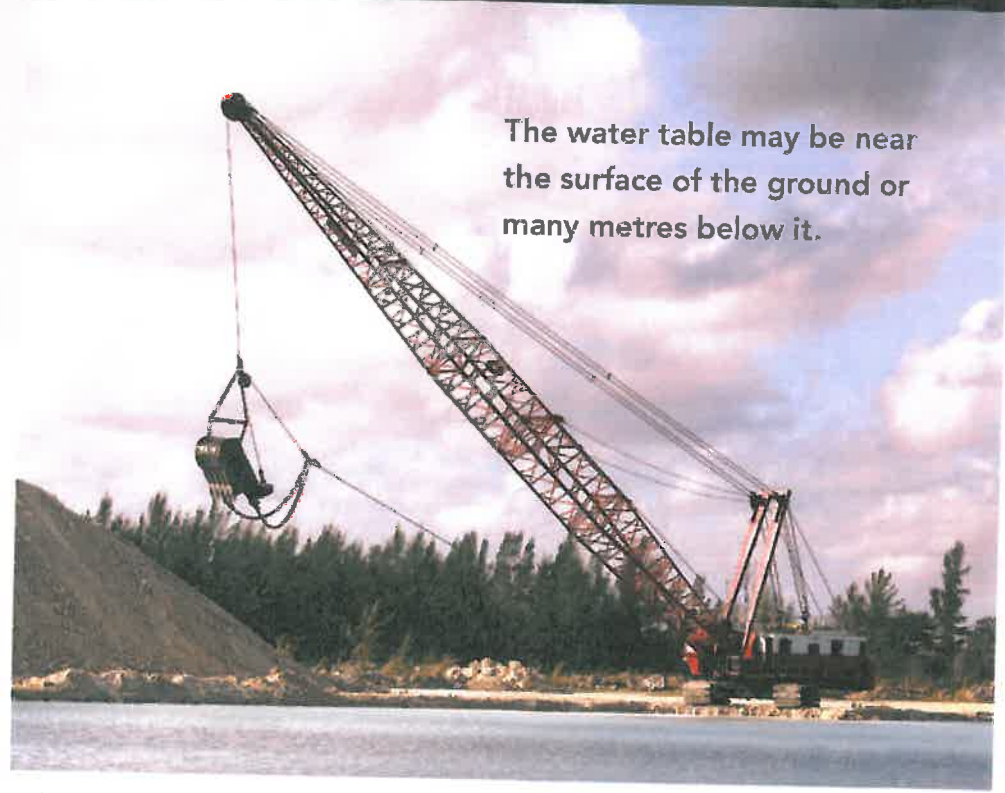
Groundwater and Aggregates

What is groundwater?

Groundwater is the water below the Earth's surface. It fills the cracks and spaces in sand, gravel, clay, earth and bedrock.

Groundwater is part of the water cycle. Water moves constantly through the air as water vapour and as rain and snow; on the ground as oceans, lakes, rivers, wetlands and glaciers; and underground as groundwater. Water is also absorbed and released by plants, trees and other living things.

Water moves through the soil, sand, gravel and bedrock until it reaches a depth where the spaces between the particles and cracks are completely filled, or saturated, with water. This level is called the water table. The water table may be near the surface of the ground or many metres below it. As it moves, groundwater is constantly replaced by water flowing from the Earth's surface.



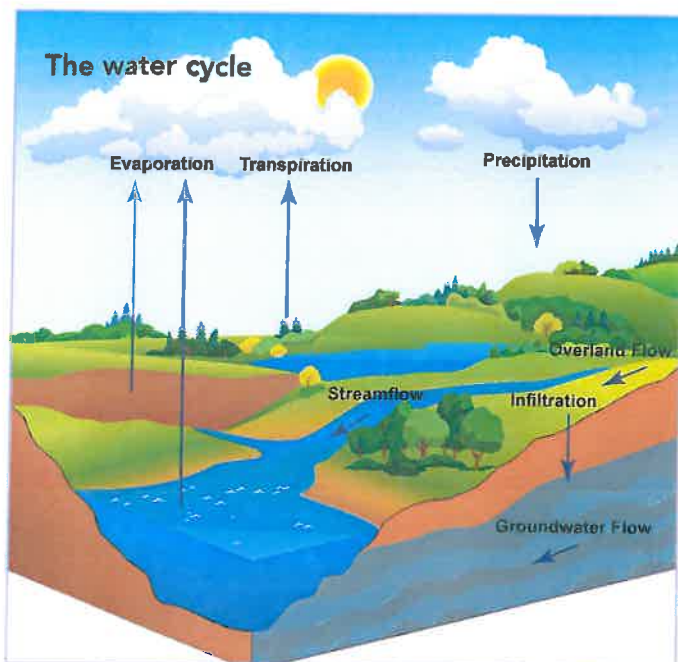
The water table may be near the surface of the ground or many metres below it.

A dragline excavator removes material from a pit.

Why is some aggregate extracted below the water table?

Some layers of sand, gravel, or bedrock can act like groundwater reservoirs. These reservoirs are known as aquifers. The sand, gravel and bedrock that hold water in aquifers can also be valued as building material for the infrastructure essential to our society, such as roads, bridges, sewers and buildings. Extracting this aggregate involves removing material in aquifers below the water table.

Continued on page 2.



Continued from page 1.

How does aggregate extraction affect groundwater?

Aggregate extraction in pits and quarries can take place both above and below the water table. Aggregate extraction **above the water table usually has no significant impact on the local groundwater system or local wells.**

Pits that extract sand or gravel from below the water table use equipment that digs or dredges the wet aggregate from a pond that forms and expands as the sand or gravel is removed. This allows most of the water to stay in the ground and usually maintains the water table. Possible effects on **groundwater include local changes to groundwater flow and temperature near the ponds.**

Rock quarries that remove bedrock below the water table can only operate if the water table is lowered artificially – called “dewatering.” This allows the quarry floor to stay dry. The drop in the water table can affect the groundwater flow in a limited area beyond the quarry, called the “zone of influence.” Quarries may also affect the temperature of the local groundwater. Water wells and natural features such as wetlands within the affected area must be carefully studied to predict how they may be affected and what steps should be taken to protect them.

In addition, activities such as fuel handling and storage, which may occur as part of the operation of pits and quarries, are managed to ensure groundwater quality is protected.

How does Ontario protect our groundwater resources during aggregate extraction?

A detailed groundwater and surface water assessment report prepared by a qualified person is required for any new pit or quarry operation that proposes to operate near or below the water table. Existing aggregate operations that extract above the water table also require assessment if they propose to extract near or below the water table.

The assessment report may recommend measures to manage groundwater and surface water, including monitoring and advance planning in case unexpected changes to the site are detected. The reports are reviewed by the Ministry of Natural Resources, the Ministry of the Environment, municipalities and the local conservation authority to ensure the groundwater is protected.

All the recommendations in the report must be included in the site plan required by the Ministry of Natural Resources for all aggregate operations that receive a licence or permit. Once a licence or permit is issued, the operator is legally bound to operate and rehabilitate the site as described in the site plan.

Operations where dewatering occurs may also require a Permit to Take Water or Environmental Compliance Approval from the Ministry of the Environment to protect surface water and groundwater in the area of the pit or quarry.



A spring is groundwater that flows naturally onto the Earth's surface or into a body of water.

For More Information:

ontario.ca/aggregates

Cette publication est également disponible en français.

RETURN TO AGENDA

THE CORPORATION OF THE TOWNSHIP OF HORTON

REGULAR COUNCIL MEETING
MAY 16TH, 2023

There was a Regular Meeting of Council held in the Council Chambers on Tuesday May 16th, 2023. Present were Mayor David Bennett, Deputy Mayor Tom Webster, Councillor Glen Campbell, Councillor Doug Humphries, and Councillor Daina Proctor. Staff present was Nathalie Moore, Treasurer, Allan Cole, Fire Chief, and Nichole Dubeau, Executive Assistant – Recording Secretary.

1. CALL TO ORDER

Mayor Bennett called the meeting to order at 4:00 p.m.

2. LAND ACKNOWLEDGEMENT

Mayor Bennett read the Land Acknowledgement in its entirety.

3. DECLARATION OF PECUNIARY INTEREST

There was no declaration of pecuniary interest.

4. CONFIRMATION OF COUNCIL AGENDA

Moved by Councillor Campbell

RESOLUTION NO. 2023-102

Seconded by Councillor Humphries

THAT Council adopt the Agenda for the May 16th, 2023 Regular Council Meeting.

Carried

5. APPOINT ACTING CLERK – NICHOLE DUBEAU

Moved by Deputy Mayor Webster

RESOLUTION NO. 2023-103

Seconded by Councillor Proctor

THAT Council appoint Nichole Dubeau as Acting Clerk for the May 16th Regular Council Meeting.

Carried

6. DELEGATIONS &/or PUBLIC MEETINGS – NONE

7. MINUTES

7.1 May 2nd, 2023 – Regular Council

Moved by Councillor Proctor

RESOLUTION NO. 2023-104

Seconded by Councillor Humphries

THAT Council approve the following Minutes:

- May 2nd, 2023 – Regular Council

Carried

9. BUSINESS ARISING FROM MINUTES

There was no business arising from the minutes.

9. COMMITTEE REPORTS:

9.1 GENERAL GOVERNMENT COMMITTEE

Public Advisory Members Susan Humphries and Spencer Hopping sent their regrets.

9.1.1 Staff Report – Budget Recommendations

Treasurer Nathalie Moore reviewed the report.

9.2 PLANNING COMMITTEE

Public Advisory Members Lisa Branje and Bob Johnston were present.

Public Advisory Member Murray Gahan sent his regrets.

RETURN TO AGENDA

9.1.1 April Building Report
Council reviewed the report.

9.1.2 Planning Files Report
Council reviewed the report.

9.3 RECREATION COMMITTEE

9.3.1 Chair's Report – April
Councillor Humphries reviewed the report.

10. CORRESPONDENCE SUMMARY

10.1 INFORMATION CORRESPONDENCE

10.1.1 CAO/Clerk Information Memo
Discussion went around the table with information previously distributed.

10.2 ACTION CORRESPONDENCE – NONE

11. BYLAWS

- 2023-27 2023 Final Tax Levy By-law
- 2023-28 Unopened Road Allowance Agreement – Robertson

12. NOTICE TO FILE MOTION FOR NEXT COUNCIL – NONE

13. COUNCIL/STAFF MEMBERS CONCERNS

Councillor Proctor questioned if there was an update on the Food Insecurity information for the Township's website, if Council would allow "backyard chickens" on properties smaller than the required 25 acres, and if the Zoning By-law Amendment Public Meeting on June 15th for Tomlinson Group could be changed. Executive Assistant Nichole Dubeau stated that the Food Insecurity has started to be put on the website, that CAO/Clerk Hope Dillabough has already been working on a report for chickens permitted on properties, and she would have to check with the County of Renfrew Planning Department and CAO/Clerk Hope Dillabough about a time change because the notice of meeting was previously sent out and has to be circulated within a certain timeframe before the public meeting.

14. RESOLUTIONS

Moved by Deputy Mayor Webster **RESOLUTION NO. 2023-105**
Seconded by Councillor Humphries
THAT Council receive the Treasurer's Report as information.
Carried

Moved by Councillor Proctor **RESOLUTION NO. 2023-106**
Seconded by Councillor Campbell
THAT Council receive the April Building Report as information.
Carried

Moved by Councillor Humphries **RESOLUTION NO. 2023-107**
Seconded by Councillor Proctor
THAT Council receive the Planning Files Update as information.
Carried

Moved by Deputy Mayor Webster **RESOLUTION NO. 2023-108**
Seconded by Councillor Proctor
THAT Council accept the Recreation Committee Chair's Report as information.
Carried

RETURN TO AGENDA

Moved by Councillor Humphries**RESOLUTION NO. 2023-109**Seconded by Deputy Mayor Webster

THAT upon recommendation from the Recreation Committee, Council approve a Kitchen Make-Up Air System be installed in the Community Center, and a Heat Recovery Ventilator installed in the Rink Change Rooms at an estimated cost of \$80,000;

AND THAT upon completion of the detailed designs of the systems, staff are directed to release an RFQ to install the systems as soon as practicable;

AND THAT funding be allocated from the remainder of the \$100,000 allocation to Recreation from the Working Funds Reserve, after the digital sign is acquired;

AND THAT this be an estimated upset allocation of \$40,000;

AND FURTHER THAT the remaining funds required above the upset allocation be sourced from the Recreation Reserves.

CarriedMoved by Councillor Proctor**RESOLUTION NO. 2023-110**Seconded by Councillor Humphries

THAT upon recommendation from the Recreation Committee, Council agree to purchase a new propane deep fryer for the Community Centre at an estimated cost of \$1,500;

AND THAT this be funded from the Recreation Operating Budget and Equipment Repairs & Replacement;

AND THAT and the decommissioned unit be declared surplus and sold on GovDeals;

AND FURTHER THAT once the unit has been sold, the proceeds be directed to the Recreation Reserves.

CarriedMoved by Councillor Humphries**RESOLUTION NO. 2023-111**Seconded by Deputy Mayor Webster

THAT upon recommendation from the Recreation Committee, Council direct staff to release an informal RFQ for the installation of fencing around the Outdoor Rink.

CarriedMoved by Councillor Campbell**RESOLUTION NO. 2023-112**Seconded by Deputy Mayor Webster

THAT Council accept the CAO/Clerk's Information Memo for May 16th, 2023.

CarriedMoved by Councillor Humphries**RESOLUTION NO. 2023-113**Seconded by Councillor Proctor

THAT Council enact the following By-laws:

- 2023-27 2023 Final Tax Levy By-law
- 2023-28 Unopened Road Allowance Agreement – Robertson

CarriedMoved by Deputy Mayor Webster**RESOLUTION NO. 2023-114**Seconded by Councillor Humphries

THAT Council agree to publish a Council and Committee Attendance Report semi-annually within a Council package as well as post on the Township of Horton's website.

Carried**15. IN CAMERA (Closed) SESSION****RETURN TO AGENDA**

Moved by Councillor Humphries
Seconded by Councillor Campbell

RESOLUTION NO. 2023-115

THAT Council went into a Closed Session Meeting at 4:26 p.m. to discuss the following items pursuant to Section 239(2) (b) of the Municipal Act;

- (b) Personal matter about an identifiable individual, including municipal or local board employees – Fire Department Community Risk Assessment

Carried

Moved by Councillor Campbell
Seconded by Councillor Proctor

RESOLUTION NO. 2023-116

THAT Council came out of Closed (In-Camera) Session at 4:59 p.m. and discussed items pursuant to Section 239(2) (b) of the Municipal Act pertaining to:

- (b) Personal matter about an identifiable individual, including municipal or local board employees – Fire Department Community Risk Assessment

Carried

After the Closed Session, Councillor Campbell stated his concerns with the attendance report as his work hours do not align with the time of Council meetings, and that it is not a lack of wanting to be at meeting versus not able to make the meetings on time. Mayor Bennett stated that a motion be put on the table to add discussion to the next Council Meeting when the CAO/Clerk is present.

Moved by Councillor Proctor
Seconded by Councillor Humphries

RESOLUTION NO. 2023-117

THAT Council accept the Fire Department Community Risk Assessment, as presented.

Carried

Moved by Councillor Proctor
Seconded by Councillor Campbell

RESOLUTION NO. 2023-118

THAT Council agree to add a Closed Meeting item to the next Council Agenda for discussion regarding the Council Attendance Report, when CAO/Clerk Hope Dillabough is present.

Carried**16. CONFIRMING BYLAW**

Moved by Councillor Campbell
Seconded by Deputy Mayor Webster

RESOLUTION NO. 2023-119

THAT Council enact By-law 2023-29– Confirming By-Law.

Carried**17. ADJOURNMENT**

Mayor Bennett declared the meeting adjourned at 5:32 p.m.

 MAYOR David M. Bennett

 CAO/CLERK Hope Dillabough

RETURN TO AGENDA



Township of Horton COUNCIL / COMMITTEE REPORT

| | |
|---|--|
| Title: Protective Services Committee Chair's Report –May 18 th , 2023 | Date: June 6 th , 2023 |
| | Council/Committee: Council |
| | Author: Hope Dillabough, CAO/Clerk |
| | Department: Protective Services |

RECOMMENDATIONS:

THAT Council accept the Protective Services Committee Chair's Report as information.

BACKGROUND:

Fire Chief's Report and Update

Fire Chief Cole presented the report. He detailed the callouts for since March 13th – 15th calls. He attended a Chief's meeting in April to discuss the Radio Dispatch system upgrade. Horton firefighters attended a Mobile Live Fire Training Unit (MLFTU) provided by the OFM. Training signed off on 11 firefighters. Confidence booster for all who attended training. The Community Risk Assessment (CRA) was accepted by Council at the May 16th Council Meeting.

New Business items – RFQ for replacement vehicle and Dispatching hardware replacement in the CCAC Centre in Renfrew.

Public Advisory Member Spencer Hopping discussed his review on the proposal for Bearcom. This proposal is simply replacing what's existing now in the CCAC Centre. Improvement for dispatchers, quicker dispatch etc. Thinks it's a good proposal at this time. Equipment is scalable to whatever the County decides to do in the future and felt it was a good investment. He noted that the County needs to focus on maintenance of this new system. Fire Chief Cole agreed as the replacement of hardware and software inside the building, including back up is desperately needed.

Chair Proctor questioned if four consoles were enough, worried not enough space with all 17 municipalities. Public Advisory Member Hopping confirmed there is more than enough space with the consoles for all municipalities. Fire Chief recommends with the agreement in principle and let the County of Renfrew know, in addition to our preferred payment option.

Chair Proctor questioned of the 43% of private roads in the municipality, do we have stats on population on private roads, residential and seasonal etc. Level of risk awareness. Staff discussed communication to the public – newsletter info with graphics. Tax newsletter. Staff to discuss info on how to further communicate – website and facebook. Winter maintenance also needs to be addressed. (Private Roads).

RETURN TO AGENDA

Chair Proctor discussed Strategic Planning Sessions – considered fire protection communications to the public during their town halls for awareness re: private roads, fire levels of service etc.

RFQ for truck – Committee discussed the specs within the RFQ.

Moved by Councillor Campbell

Seconded by Spencer Hopping

THAT the Protective Services Committee recommend to Council that RFQ 2023-01 be issued and advertised for the purpose of replacing Truck 9837.

Carried

ALTERNATIVES: N/A

FINANCIAL IMPLICATIONS: N/A

CONSULTATIONS: N/A

Prepared by: Hope Dillabough, CAO/Clerk



Township of Horton

COUNCIL / COMMITTEE REPORT

| | | |
|---|---------------------------|------------------------------------|
| Title: Recreation Chair's Report – May 11 th , 2023 | Date: | June 6, 2023 |
| | Council/Committee: | Council |
| | Author: | Amanda Ryan, Receptionist/Clerk |
| | Department: | Recreation |

RECOMMENDATIONS:

THAT Council accept the Recreation Committee Chair's Report as information.

BACKGROUND:

Canada Day Event

Each member present updated the group on their assigned task. Ms. Ryan to look into cakes for the event.

April Dance

Ms. Ryan included an unofficial income statement with the package. Discussion was had about continuing the dances into the fall. No decision was made. The next band to play is the Brysonaires. It was felt that there would be a good turnout.

Horseshoes

Ms. Ryan stated that horseshoes will start on the 25th of May. Chair Humphries would like to know if the seasonal horseshoe organizers are interested in hosting a tournament. Ms. Ryan will reach out to the volunteers.

Pickleball

Ms. Ryan stated that the season is over. There were a few new people that came out to play over the season. The group hopes to play again starting in the fall. Thank you to Jane Freemark for providing this to the community.

Digital Sign

Discussion was had about the sign. It was said that it would be very nice to have.

Tables for Monday Craft Group

Ms. Ryan informed the committee that the group had donated money for more sturdy tables (grey and white fleck top) to be purchased. Mayor Bennett believes these tables were from a place in Renfrew and were donated.

Staff Member Concerns

Ms. Ryan explained that Euchre is soon over. Ideas of having an event that is something different that what others are having were discussed. Ms. Ryan mentioned that it would be nice to try and figure out how to have a casino night as they were well received in the past, and it would be something different.

RETURN TO AGENDA

ALTERNATIVES: N/A

FINANCIAL IMPLICATIONS:

CONSULTATIONS: N/A

Prepared by: Amanda Ryan, Receptionist/Clerk

Reviewed by: Hope Dillabough, CAO/Clerk

[RETURN TO AGENDA](#)



THE CORPORATION OF THE TOWNSHIP OF HORTON

Memo from the CAO/Clerk as of June 2nd, 2023.

INFORMATION provided **NOT** included in the Regular Council meeting package of June 6th, 2023.

INFORMATION EMAILED

1. AMO Councillor Training
2. AMO New Training Dates for Indigenous Community Awareness
3. AMO Training Navigating Conflict Relationships as an Elected Official
4. Multicultural Festival
5. Calendars

RETURN TO AGENDA

**THE CORPORATION OF
THE TOWNSHIP OF HORTON
BY-LAW NO. 2023-30**

Being a by-law to authorize an agreement between the
Corporation of the Township of Horton and Halton Recycling Ltd. dba EMTERRA
Environmental

WHEREAS pursuant to Section 9 of the Municipal Act, 2001, S.O. 2001, as amended, a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS pursuant to Section 5.3 of the Municipal Act, 2001, S.O. 2001, c.25, the powers of every Council shall be exercised by by-law;

AND WHEREAS it is deemed expedient that the Township of Horton enter into an Agreement with EMTERRA Environmental respecting the service for Front-End Bin Recycling and Waste Depot;

AND WHEREAS such an Agreement is required to set out the terms and conditions of the provision of such service;

NOW THEREFORE the Council of the Corporation of the Township of Horton enacts as follows:

1. **THAT** the Mayor and CAO/Clerk be authorized to enter into the Agreement attached hereto as 'Schedule A' and forming a part of this by-law with EMTERRA Environmental.
2. **THAT** a copy of said Agreement shall remain attached to and form part of this by-law marked as 'Schedule A'.

THAT this by-law shall come into effect upon the passing thereof.

READ a First and Second Time this 6th day of June, 2023.

READ a Third Time and passed this 6th day of June, 2023.

MAYOR David M. Bennett

CAO/CLERK Hope Dillabough

RETURN TO AGENDA

Schedule 'A'

Front-End Bin and Recycling Depot Agreement

Schedule 'A'

THIS AGREEMENT MADE IN DUPLICATE

This 11th day of May, 2023

BETWEEN:

HALTON RECYCLING LTD. dba EMTERRA ENVIRONMENTAL
(hereinafter called the "Contractor")

PARTY OF THE FIRST PART

AND

THE CORPORATION OF THE TOWNSHIP OF HORTON
(hereinafter called the "Township")

PARTY OF THE SECOND PART

WHEREAS the Township accepts the May 11th, 2023 proposal of the Contractor in response to the Townships request to continue service for the Front-End Bin Recycling / Waste Depot for:

- Collection of OCC and Mixed recycling for front end bins from the Waste Disposal Sites located within the Township of Horton

WITNESSETH that the Contractor hereby agrees to furnish all necessary machinery, tools, equipment, materials, supplies, labour and other means of operation, except as herein otherwise specified, to complete, in strict accordance with the plans and specifications therefore, the Work known as:

Relocation of Waste and Removal and Processing of OCC Recyclable Materials

NOW THEREFORE, in consideration of the foregoing, and for good and valuable consideration (the receipt and sufficiency of which are acknowledged by each of the Contractor and the Township), the Contractor and the Township each agree as follows:

1. The following document, which Forms the Agreement, constitute the Agreement along with the:
 - Request for Pricing and all addenda issued
2. The Contractor will collect OCC Material and Mixed recycling co-collected on a weekly basis scheduled between Monday through Friday collecting (9) Nine x (8) Eight cubic yard front end bins
3. The Recyclable Material will be processed at the Contractor's material recovery facility (MRF) located at 610 Lisgar Avenue, in Renfrew, Ontario.
4. Recyclable Materials collected only consist of the following item:
 - Fibres
 - i. Corrugated cardboard
 - ii. Aseptic containers
 - iii. Aluminum cans, containers, plates and foil
 - iv. Steel cans and containers
 - v. Metal paint cans (empty, dry, lids removed, no plastic paint pails)
 - vi. Cartons (milk, juice, cream)
 - vii. Egg cartons (plastic)
 - viii. Clear glass food or beverage containers
 - ix. Coloured glass food or beverage containers
 - x. Plastics single-use containers including PET, HDPE, mixed plastics #1 - #7, and tubs and lids

Batteries, hazardous and special products, plastic bags and film, pouches and aerosol containers are prohibited.

RETURN TO AGENDA

5. The term ("Term") of this Agreement shall be for a period of Eighteen (18) months and commencing from and including the July 1st, 2023, and ending on the 31st December, 2025, with an option at the mutual discretion of the Contractor and Township to renew to a mutually agreeable term and rate
6. The Township agrees to pay the Contractor in Canadian dollars, as per its financial proposal at a rate of \$63.95 per bin /lift (Weekly minimum charge \$255.80) +HST and a monthly rental charge of \$264.04 + HST for all bins. The Township shall pay the Contractor within thirty (30) calendar days upon the receipt of the invoice from the Contractor.
7. Prices shall be adjusted on the first anniversary of the Contract and at each anniversary in subsequent years based on 80% of the percentage change in Index "A". for the previous Twelve (12) months. The unit rate for all contract prices shall also be adjusted on a quarterly basis from the first date of the agreement and on a quarterly basis thereafter based on 20% of the percentage change in Index "B" for the previous three (3) months. Whereas Indices "A" and "B" are as follows:
 - a) Index "A" – is the Statistics Canada Table (Table 18-10-0004-02) Consumer Price Index (CPI) All Items for the Province of Ontario: and;
 - b) Index "B" – Is the Ontario Data Catalogue fuels price survey information for Diesel, Ottawa, Ontario (Fuels price survey information – Datasets-Ontario Data Catalogue)

Indices "A" and "B" will be those prepared by statistics Canada and the Government of Ontario, respectively. As some of the indices are not available until sometime after the adjustment date, the amount of adjustment will be retroactive to the adjustment date. There shall be no negative adjustments
8. **ENTIRE AGREEMENT** This Agreement sets forth the entire agreement between the contractor and the Township, and replaces and supersedes any other agreements, whether oral or written, related to the subject matter of this Agreement.
9. **ASSIGNMENT** Except as expressly provided for in this Agreement, no party to this Agreement may assign its rights or obligations under this Agreement without the prior written consent of the other party, which consent shall not be unreasonably withheld.
10. **GOVERNING LAW** This Agreement shall be governed and construed by the laws of the Province of Ontario and may be enforced in any court of competent jurisdiction within the Province of Ontario.
11. **SEVERABILITY** If any provision of this Agreement is adjudged by any court to be void or unenforceable in whole or in part, this adjudication shall not affect the validity of the remainder of the Agreement. Each provision of this Agreement is separable from every other provision and constitutes a separate and distinct term.

IN WITNESS WHEREOF, the terms and conditions of this Statement of Work are acknowledged and agreed to by the Parties as of the date first listed above.

CORPORATION OF THE TOWNSHIP OF HORTON

David M. Bennett, Mayor

Hope Dillabough, CAO/Clerk

HALTON RECYCLING LTD. dba EMTERRA ENVIRONMENTAL

Authorized Signing Officer

Contractor Corporate Seal or Signature of
Witness

RETURN TO AGENDA

CORPORATION OF THE TOWNSHIP OF HORTON

BY-LAW NO. 2023-31

A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE TOWNSHIP OF HORTON AT THE REGULAR COUNCIL MEETING HELD JUNE 6TH, 2023

WHEREAS Subsection 5(1) of the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended, provides that the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS Subsection 5(3) of the said Municipal Act provides that the powers of every Council are to be exercised by by-law;

AND WHEREAS it is deemed expedient and desirable that the proceedings of the Council of the Corporation of the Horton at this meeting be confirmed and adopted by by-law;

THEREFORE the Council of the Township of Horton enacts as follows:

1. That the actions of the Council at the meeting held on the 6th day of June, 2023 and in respect of each motion, resolution and other action passed and taken by the Council at its said meetings, is, except where the prior approval of the Ontario Municipal Board or other body is required, hereby adopted, ratified and confirmed as if all such proceedings were expressly embodied in this by-law.
2. That the Head of Council and proper officers of the Corporation of the Township of Horton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain appropriate approvals where required, except where otherwise provided, and to affix the Corporate Seal of the Corporation of the Township of Horton to all such documents.
3. That this By-Law shall come into force and take effect upon the passing thereof.

READ a first and second time this 6th day of June, 2023.

READ a third time and passed this 6th day of June, 2023.

MAYOR David M. Bennett

CAO/CLERK Hope Dillabough

RETURN TO AGENDA