



OFFICE OF THE CAO/STRATEGIC INITIATIVES
 TOWN OF NEWMARKET
 395 Mulock Drive www.newmarket.ca
 P.O. Box 328 info@newmarket.ca
 Newmarket, ON L3Y 4X7 905.895.5193

August 12, 2016

**OFFICE OF THE CAO/STRATEGIC INITIATIVES
 INFORMATION REPORT 2016-10**

TO: Mayor Van Bynen and Members of Council
 SUBJECT: Q2 2016 Municipal Administration and Management Report
 ORIGIN: Office of the CAO/Strategic Initiatives

In accordance with the Town’s Procedural bylaw, any Member of Council may make a request to the Town Clerk that this Information Report be placed on an upcoming Committee of the Whole agenda for discussion.

COMMENTS

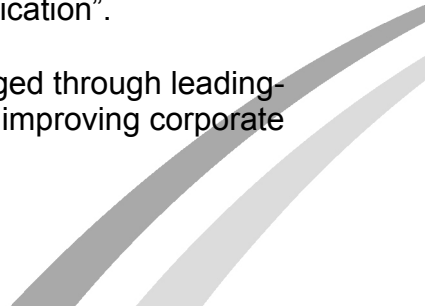
This report serves as the CAO’s second quarter administrative update to Council on municipal administration and management matters, including initiatives relative to the execution of Council’s 2014-2018 Strategic Priorities in the areas of Community Engagement and Efficiency / Financial Management as linked in the chart below.

Council Strategic Priority	Report / Memorandum	Report #
Community Engagement	2016 Second Quarter Report – Customer Services	2016-24
Efficiency / Financial Management	Q2 Operating, Capital, Water and Wastewater and Investment Summary	2016-34
	Capital Projects Status Report – Q2 2016	---
	Emerald Ash Borer Long Term Management Plan – Annual Update	2016-33
	Insurance and Litigation	2016-06
	Report on Calls for Bids	2016-29

BUSINESS PLAN AND STRATEGIC LINKAGES

Improved Council reporting is one of the Strategic Leadership Team’s actions to deliver on Council’s 2014-2018 Strategic Priorities by providing “even better communication”.

This report supports the Strategic Plan direction Well-Equipped and Managed through leading-edge management and the efficient management of municipal services by improving corporate operations.



CONSULTATION

This report has been prepared in consultation with members of the Operational and Strategic Leadership Teams.

HUMAN RESOURCE CONSIDERATIONS


The recommendations contained in this report have no immediate impact on staffing levels.

BUDGET IMPACT - Operating and Capital Budgets (Current and Future)

This report has no direct impact on the Town's operating or capital budgets.

CONTACT

For more information on this report, contact Bob Shelton, CAO at 905-953-5300 Ext. 2031 or bshelton@newmarket.ca.



Bob Shelton, Chief Administrative Officer

RNS/cw

e-copies: Strategic Leadership Team
Operational Leadership Team
Clerk's Office (inforeports@newmarket.ca)



INFORMATION REPORT
TOWN OF NEWMARKET
395 Mulock Drive
P.O. Box 328
Newmarket, ON L3Y 4X7

www.newmarket.ca
info@newmarket.ca
905.895.5193

July 21, 2016

**COMMUNITY SERVICES – CUSTOMER SERVICES
INFORMATION REPORT # 2016 - 24**

TO: Mayor Van Bynen and Members of Council

SUBJECT: 2016 Second Quarter Report - Customer Services Department

ORIGIN: Supervisor, Customer Service Centre
Supervisor, Customer Service Kiosks

In accordance with the Procedure By-law, any Member of Council may make a request to the Town Clerk that this Information Report be placed on an upcoming Committee of the Whole agenda for discussion.

COMMENTS

The purpose of this report is to provide Members of Council with the 2016 - second quarter trends and results by ward and town wide. The attached charts represent service requests as captured in our CRM system by either Customer Services staff or by staff in the Mayor and Councillors' offices.

Some of the highlights in the Customer Services department are as follows:

- Service requests, as a percentage of total calls, continue to increase;
- Total annual call volumes are trending downward while counter, email and social media contacts are increasing year over year;
- Requests for Parking Exemptions and requests for Parking Enforcement are the highest type of service request across the whole Town of Newmarket in the second quarter, followed by complaints related to Property Standards and Bylaw Infractions respectively.
- Wards 6 and 7 have significantly higher volumes of requests for Parking Exemptions than all other wards;
- Call volumes at the CS Kiosks in the Magna Centre and the Ray Twinney Complex are also trending downward, partly due to improvements made to the web site and also with the introduction of an email notification system advising regular customers when programs have changed or are cancelled. Counter interactions at the CS Kiosks continue to increase;



- Enhanced Services transactions (i.e. pet tag purchases, tax payments, parking ticket payments, etc.) at the Magna and Ray Twinney CS Kiosks continue to increase. During the 2nd quarter of 2016 there was a 32% increase in the number of transactions compared to the second quarter of 2015. These locations are also seeing an increase in the number of property tax cheques being processed, as a result of the postal disruption.

For the past several months the Customer Service supervisor and the Learning & Development Program Specialist created and delivered an overview of the Corporate Customer Complaint Policy training program across the organization. In addition to this training they are also developing "department specific" customer service training for front-line staff and possibly other N6 municipalities as a revenue project.

Working closely with staff and the CAO of the Town of Georgina, the Manager, Corporate Customer Services continues to provide support in the creation and delivery of a customer service strategy and front line customer service training, as an N6 partnership project and revenue generating initiative. This Customer Service training is being developed with the Learning & Development Program Specialist, with the goal of having the materials and content available for other municipalities.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

Tracking and reporting on trends and customer feedback supports the Town's strategic direction of being Well-Equipped and Managed by demonstrating Service Excellence.

Driving activities and transactions to the web-site reinforces our commitment to Ensuring Effective & Efficient Services.

Creating and delivering Customer Service training to Town of Newmarket staff and other municipalities aligns with our strategic action of Even Better Customer Service while improving relations with our municipal partners and increasing revenue.

CONSULTATION

Not applicable to this report.

HUMAN RESOURCE CONSIDERATIONS

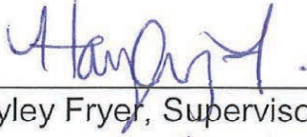
Not applicable to this report.

BUDGET IMPACT

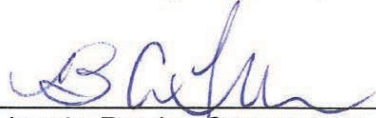
None

CONTACT

For more information on this report contact: Jamie Boyle (jboyle@newmarket.ca or extension 2254) or Hayley Fryer (hfryer@newmarket.ca or extension 2706) or Bonnie Munslow (bmunslow@newmarket.ca or extension 2251).



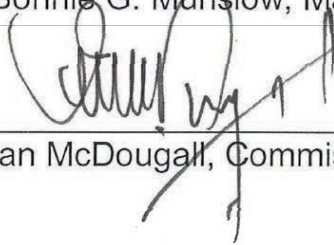
Hayley Fryer, Supervisor, Customer Service Kiosks



JOB Jamie Boyle, Supervisor, Customer Service Centre



Bonnie G. Munslow, Manager, Customer Services



Ian McDougall, Commissioner, Community Services

JRB

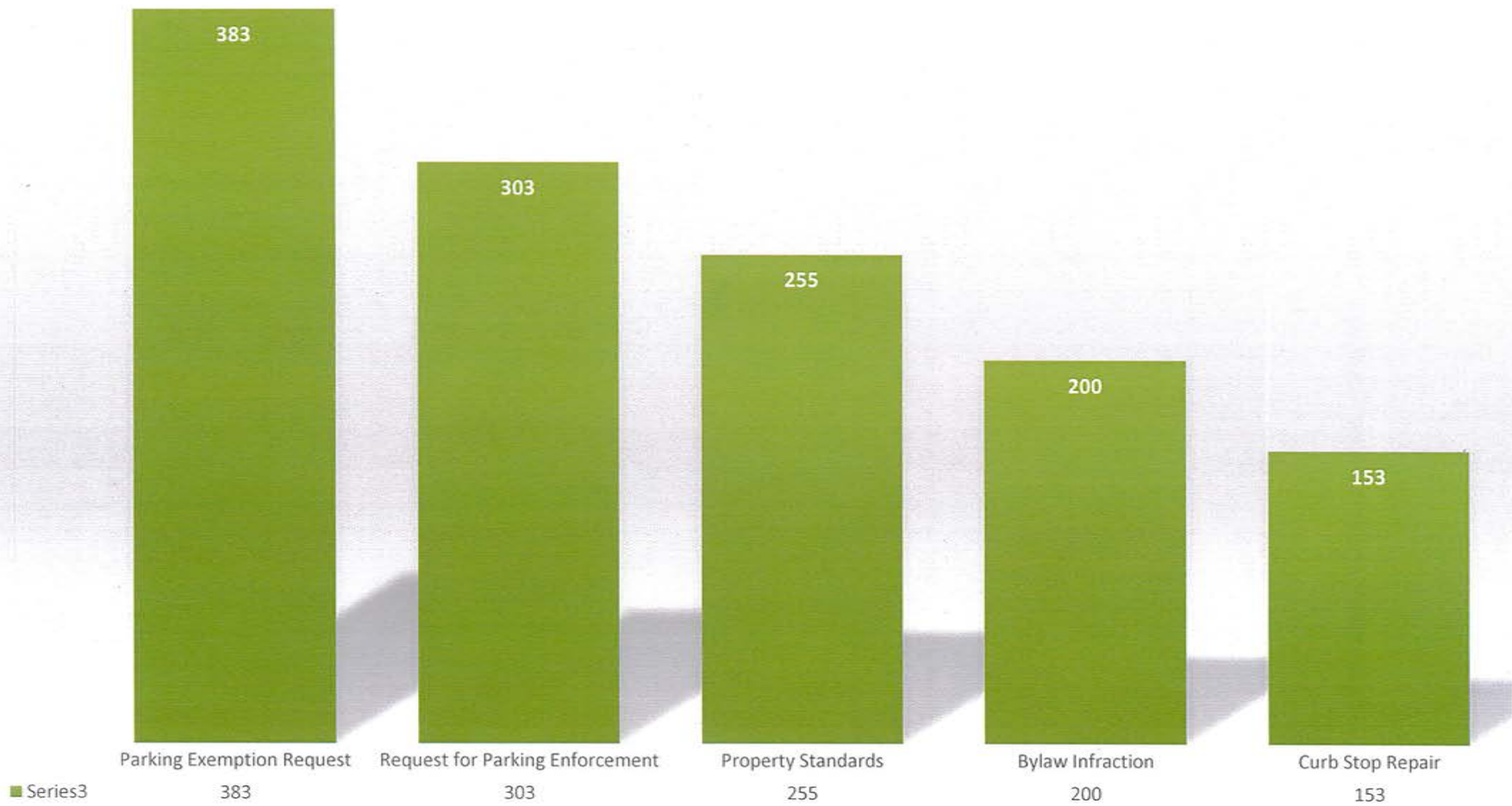
Attachments:

Q2 - Top 5 Service Requests by Ward

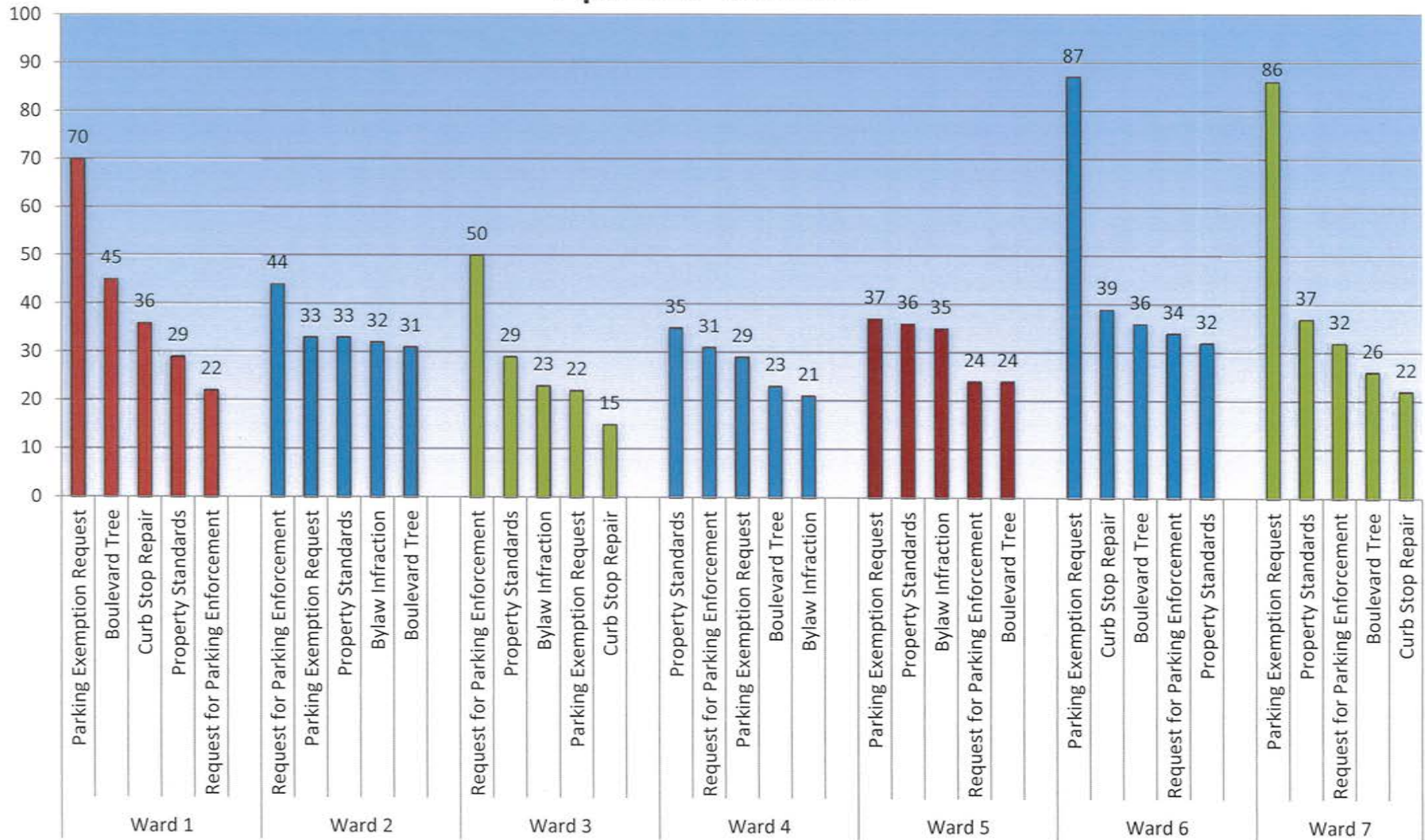
Q2 - Top 5 Service Requests Town Wide

Town Wide Top 5 Service Issues Apr 2016 - Jun 2016*

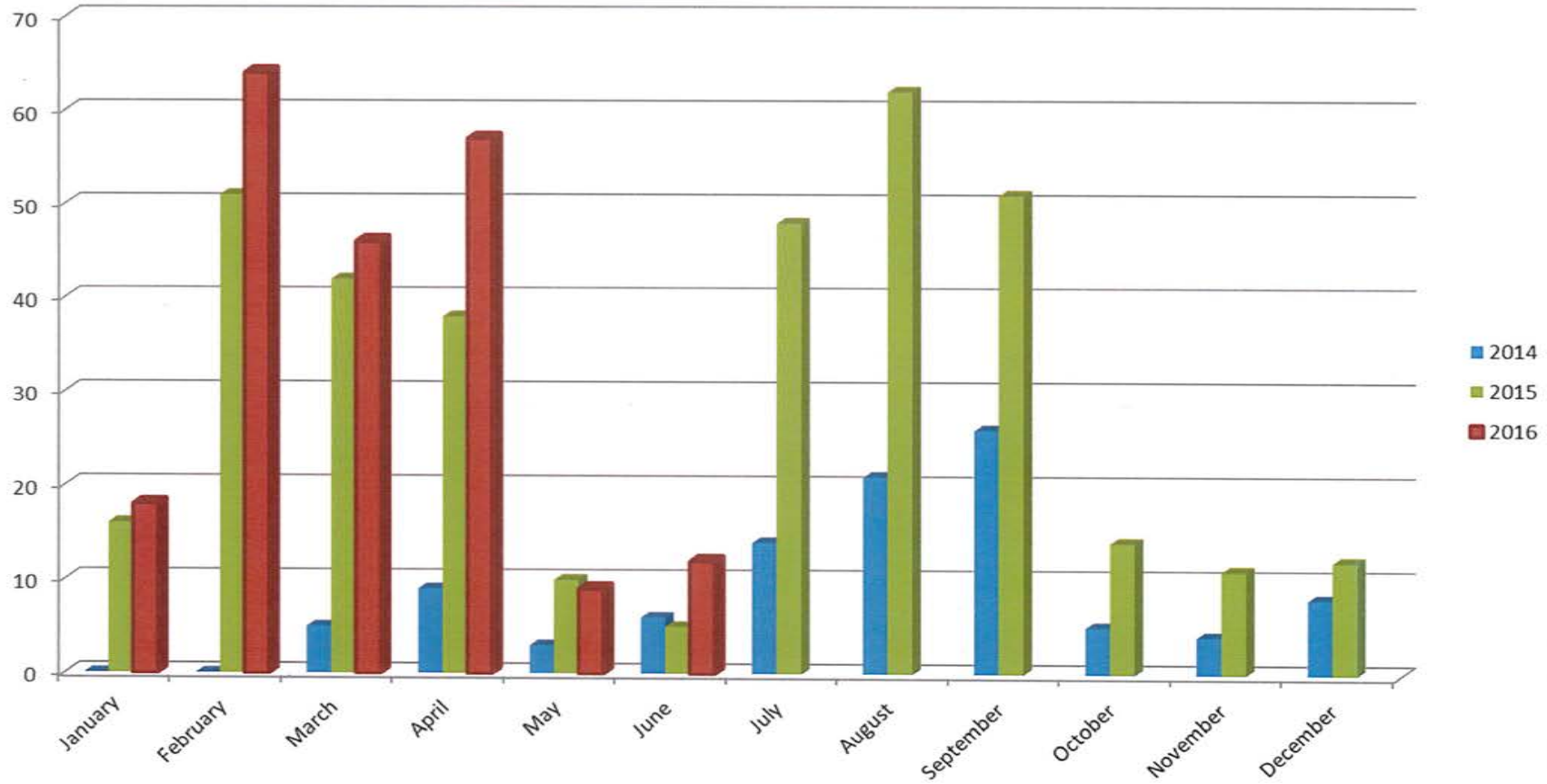
* As of June 30,2016



Top 5 Service Issues By Ward Apr 2016 - Jun 2016



Enhanced Service Transactions at Magna & Ray Twinney Complex (Parking Ticket, Property Tax and Pet Tag Payments)





INFORMATION REPORT
Financial Services
395 Mulock Drive
P.O. Box 328
Newmarket, ON L3Y 4X7

www.newmarket.ca
mmayes@newmarket.ca
905.953-5300 ext. 2102

August 12, 2016

CORPORATE SERVICES INFORMATION REPORT – FINANCIAL SERVICES 2016-34

TO: Mayor Tony Van Bynen and Members of Council
SUBJECT: Q2 Operating, Capital, Water and Wastewater and Investment Summary
ORIGIN: Director, Financial Services/Treasurer

In accordance with the Procedure By-law, any Member of Council may make a request to the Town Clerk that this Information Report be placed on an upcoming Committee of the Whole agenda for discussion.

COMMENTS


The purpose of this report is to advise Council on the second quarter results for 2016. There is nothing at this time to indicate we will not achieve our year-end budget targets (see comment under Water and Wastewater Budget). Timing continues to be a factor, although to a lesser extent, at this point in the year. Staff meets regularly to review the gapping and advises that the year-end gapping budget will be met.

Tax Supported Operating Budget

Revenues to the end of June totaled \$59,269,244, while expenditures totaled \$35,146,547, creating a surplus of \$24,122,697. The reason for the large surplus is timing, as the final residential tax bills were issued in June. Year-to-date tax revenues reflect approximately 87% of the total budget for the year.

Payments-in-lieu (PIL's) were mailed out in July with the commercial and industrial bills, with August and September due dates. Supplementary tax bills will also be mailed out in the last half of the year.

Total revenues are \$1.4 million below budget, largely due to timing. Lower transfers from the asset replacement fund coincide with lower expenditures on annual programs at this stage. Community Service revenues are higher than budget, with higher related program costs.

A decorative graphic in the bottom right corner consisting of two curved, overlapping lines, one dark grey and one light grey, sweeping upwards and to the right.

Year-to-date expenditures are \$3.0 million below budget, with \$2.5 million of the variance attributable to Development and Infrastructure Services. As mentioned above, timing is the major factor to date, as expenditures on annual maintenance programs are just beginning. Wages and benefits are also below budget, due to gapping.

Central York Fire Services

Expenditures are approximately \$500,000 below budget which is mainly due to wages that continue to be paid at 2015 rates pending a new collective agreement. The next Joint Central York Fire Services and Corporate Services Report will go to Joint Council Committee at the beginning of September.

Newmarket Public Library Board

The library expenditures are below budget by approximately \$40,000. The overall explanation has to do with the timing of purchases, as well as some staff gapping due to vacant positions. They expect to come in below budget at the end of the year.

Capital Budget

\$6.6 million or 10.1% of the \$65.5 million in capital expenditures, was spent at the end of the second quarter - \$2.3 million for Newmarket's share of a land acquisition in Aurora for a new fire station, \$825,000 on the Old Town Hall and \$500,000 on a land purchase in the urban corridor. Lesser amounts were spent on vehicle and equipment replacement, signage and landscaping at Town entrances and roads projects.

Water and Wastewater Budget

At the end of the second quarter, revenues and expenditures are largely within budgeted levels. Efforts have been concentrated around water quality, with some higher overtime incurred for flushing. The water and wastewater infrastructure inspection program will likely not occur before the third quarter, creating a favorable expense variance at this point in the year.

As previously advised, the deferral of the implementation of the tiered water rate structure is anticipated to result in a draw on our rate stabilization fund of approximately \$290,000.

Investments

Active investments:

The Investment Summary for the six months ended June 30, 2016 (attached) provides the details of all investments held during the first six months of 2016. The water meter replacement program (\$6.7 million) is now not expected to begin before 2017.

None of our investments are subject to any variance between initial cost and market value.

The average weighted yield was 1.67% compared to a weighted average benchmark of 0.95% for the six month period. We earned incremental income of \$198,623; \$87,500 of which was transferred to the Tax-Supported Operating Fund, as approved by Council in the 2016 budget. The remaining \$111,123 will be allocated proportionally to the Reserve Funds.

At the end of the second quarter, the investment portfolio included:

- \$10,575,424 (19.0%) in non-traditional investments
- \$45,000,000 (80.9%) GIC's with a major bank
- \$47,128 (0.1%) loan to an external party

In the opinion of the Treasurer, all investments made were in line with the investment policies, strategies and goals adopted by the Town.

Passive investments:

In addition to the active investment income noted above, interest was earned on our bank accounts. For the six month period, the Royal Bank of Canada has paid the Town \$262,427 in interest. These funds earned interest at an annual rate of 0.95%.

Other Initiatives

Beginning this year, the Tax Department implemented a new fee of \$15 per account to each mortgage company to update their information. The invoices were sent out in June with a favorable response rate. We will evaluate our position at year-end.

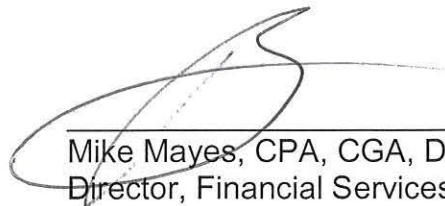
CIBC was the successful proponent to the Request for Proposal for our banking services. Beginning in July, the start date of the new contract, the Town will earn higher interest on our net bank balances and the majority of fees have been waived. The Finance Department is working closely with Information Technology to transition the many services from Royal Bank to CIBC.

CONTACT

For more information on this report, contact: Mike Mayes at 905-953-5300, ext. 2102 or via e-mail at mmayes@newmarket.ca



Dawn Schellenberg, CPA, CA
Manager, Accounting and Finance



Mike Mayes, CPA, CGA, DPA
Director, Financial Services/Treasurer



for _____
Esther Armchuk, B.A. (Hons.), LL.B., DPA
Commissioner, Corporate Services

DS/ne

Attachments:

- a) 2016 First Quarter Operating Results (1 pg.)
- b) 2016 First Quarter Capital Expenditures (1pg.)
- c) 2016 First Quarter Water and Wastewater Operating Results (1 pg.)
- d) Investment Summary for the Six Months Ended June 30, 2016 (1pg.)

**Town of Newmarket
2016 Second Quarter
OPERATING RESULTS**

Departments	Year-to-Date (June 30/2016)			Full Year
	ACTUAL	BUDGET	VARIANCE	Budget
	\$	\$	\$	\$
Members of Council				
<i>Revenues</i>	-	-	-	-
<i>Expenditures</i>	605,752	602,397	(3,355)	1,292,911
Net surplus/(deficit)	(605,752)	(602,397)	(3,355)	(1,292,911)
C.A.O. - Office				
<i>Revenues</i>	5,440	32,504	(27,064)	65,000
<i>Expenditures</i>	1,876,924	1,938,114	61,190	2,800,282
Net surplus/(deficit)	(1,871,484)	(1,905,610)	34,126	(2,735,282)
Corporate Services				
<i>Revenues</i>	768,715	743,109	25,606	1,486,224
<i>Expenditures</i>	4,322,434	4,548,828	226,394	10,738,560
Net surplus/(deficit)	(3,553,719)	(3,805,719)	252,000	(9,252,336)
Central York Fire Services				
<i>Revenues</i>	45,670	18,499	27,171	295,530
<i>Expenditures</i>	4,979,695	5,483,125	503,430	13,623,761
Net surplus/(deficit)	(4,934,026)	(5,464,626)	530,600	(13,328,231)
Community Services				
<i>Revenues</i>	2,966,707	2,526,506	440,201	6,354,266
<i>Expenditures</i>	4,193,657	4,014,618	(179,039)	9,319,345
Net surplus/(deficit)	(1,226,950)	(1,488,112)	261,162	(2,965,079)
Development & Infra. Services				
<i>Revenues</i>	2,273,483	4,188,781	(1,915,298)	8,852,633
<i>Expenditures</i>	14,858,716	17,331,749	2,473,033	35,723,179
Net surplus/(deficit)	(12,585,232)	(13,142,968)	557,736	(26,870,546)
Library Services				
<i>Revenues</i>	127,355	129,533	(2,178)	328,659
<i>Expenditures</i>	1,544,025	1,590,429	46,404	3,354,111
Net surplus/(deficit)	(1,416,670)	(1,460,896)	44,226	(3,025,452)
General Government				
<i>Revenues</i>	1,501,403	1,595,298	(93,895)	4,526,200
<i>Expenditures</i>	1,611,715	1,511,411	(100,304)	2,875,366
Net surplus/(deficit)	(110,312)	83,887	(194,199)	1,650,834
Debt Servicing				
<i>Revenues</i>	1,619,242	1,625,526	(6,284)	3,251,058
<i>Expenditures</i>	2,138,229	2,118,747	(19,482)	4,237,477
Net surplus/(deficit)	(518,987)	(493,221)	(25,766)	(986,419)
Property Taxes				
<i>Revenues</i>	49,961,228	49,816,619	144,609	56,836,223
<i>Expenditures</i>	-	-	-	-
Net surplus/(deficit)	49,961,228	49,816,619	144,609	56,836,223
Allocations				
<i>Revenues</i>	-	-	-	-
<i>Expenditures</i>	(984,599)	(984,598)	1	(1,969,199)
Net surplus/(deficit)	984,599	984,598	1	1,969,199
GRAND-TOTAL				
<i>Revenues</i>	59,269,244	60,676,375	(1,407,131)	81,995,793
<i>Expenditures</i>	35,146,547	38,154,820	3,008,273	81,995,793
Net surplus/(deficit)	24,122,697	22,521,555	1,601,142	-

Town of Newmarket

2016 Second Quarter

CAPITAL EXPENDITURES

Commission / Department / Area	Year-to-Date Actual (June 30, 2016) (\$)	Budget for 2016 (\$)	% of Spending
<u>General Government</u>			
Total	528,830	4,278,231	12.4%
Total	528,830	4,278,231	12.4%
<u>Corporate Services</u>			
Information Technology	260,425	2,998,888	8.7%
Legislative Services	-	11,544	0.0%
Total	260,425	3,010,432	8.7%
<u>Community Services</u>			
Recreation & Culture Services	23,403	1,027,012	2.3%
Total	23,403	1,027,012	2.3%
<u>Development & Infrastructure Services</u>			
Planning & Building	102,288	1,396,768	7.3%
Roads	1,359,318	20,271,663	6.7%
Water	136,146	10,236,186	1.3%
Wastewater	7,057	786,039	0.9%
Facilities	975,270	1,946,392	50.1%
Parks	527,989	4,417,971	12.0%
Trails	5,687	3,384,170	0.2%
Other	373,120	2,050,809	18.2%
Total	3,486,875	44,489,998	7.8%
<u>Library Services</u>			
Total	32,831	1,263,086	2.6%
Total	32,831	1,263,086	2.6%
<u>Central York Fire Services</u>			
Total	2,311,712	11,442,065	20.2%
Total	2,311,712	11,442,065	20.2%
GRAND TOTAL			
	6,644,076	65,510,824	10.1%

Town of Newmarket

2016 Second Quarter

WATER & WASTEWATER OPERATING RESULTS

Area	Year-to-date (June 30, 2016)				Full Year Budget
	Actual	Budget	Variance		
	\$	\$	\$	%	
Water Rate Group					
<i>Revenues</i>	7,025,277	7,698,740	(673,463)	-8.7%	15,535,914
<i>Expenditures</i>	6,853,184	6,949,169	95,985	1.4%	14,446,031
Net	172,093	749,571	(577,478)	-335.6%	1,089,883
Wastewater Rate Group					
<i>Revenues</i>	8,618,313	8,633,358	(15,045)	-0.2%	17,426,654
<i>Expenditures</i>	7,494,079	8,039,454	545,375	6.8%	16,319,593
Net	1,124,235	593,904	530,331	89.3%	1,107,061
Allocations					
<i>Revenues</i>	-	-	-	0.0%	-
<i>Expenditures</i>	984,599	984,599	(0)	0.0%	1,969,199
Net	(984,599)	(984,599)	(0)	0.0%	(1,969,199)
Transfer To/ From Rate Stabilization Reserves					
<i>Revenues</i>	-	-	-	0.0%	-
<i>Expenditures</i>	23,226	113,871	90,645	79.6%	227,745
Net	(23,226)	(113,871)	90,645	0.0%	(227,745)
GRAND-TOTAL					
<i>Revenues</i>	15,643,590	16,332,098	(688,508)	-4.2%	32,962,568
<i>Expenditures</i>	15,355,089	16,087,093	732,004	4.6%	32,962,568
Net	288,502	245,005	43,497	17.8%	-

Investment Summary for the Six Months Ended June 30, 2016

Description	Principal Amount		Starting Date	Term	January 1 to June 30, 2016			
	2016-01-01	2016-06-30			Interest Rate	Return on Investment	Benchmark Return	Incremental Income
CIBC - GIC	\$5,000,000	\$5,000,000	2015-11-02	1 year	1.50%	\$37,397	\$23,685	\$13,712
CIBC - GIC	\$40,000,000	\$0	2015-09-16	180 days	1.25%	\$101,370	\$77,041	\$24,329
CIBC - GIC	\$0	\$40,000,000	2016-03-14	182 days	1.41%	\$166,882	\$112,438	\$54,444
Loan - Newmarket Soccer Club Development Charges and Planning Fees	\$51,616	\$47,128	2011-09-30	10 years	4.00%	\$992	\$236	\$756
Internal Loan -Solar Panels (2013, Various Facilities)	\$242,624	\$240,057	2013-12-01	20 years	3.00%	\$3,607	\$1,142	\$2,465
Internal Loan - RJT Solar Panels (2014)	\$616,283	\$610,241	2015-01-01	20 years	3.00%	\$9,169	\$2,904	\$6,265
Internal Loan - Magna Solar Panels (2015)	\$1,487,890	\$1,473,811	2016-01-01	20 years	2.70%	\$19,928	\$7,012	\$12,916
Internal Loan - Honeywell Phase 2 Energy Retrofit Project	\$8,122,218	\$8,251,315	2013-12-10	20 years	3.00%	\$122,539	\$38,804	\$83,735
Total	\$55,520,631	\$55,622,552				\$461,885	\$263,262	\$198,623
Incremental investment income included in 2016 Operating Budget, to be transferred to the Tax-Supported Operating Fund in 2016 per the Investment Strategy								\$87,500
Incremental investment income allocated to reserve funds in 2016 per the Investment Strategy								\$111,123



Peter Noehammer, Commissioner of Development & Infrastructure Services
TOWN OF NEWMARKET
395 Mulock Drive
P.O. Box 328
Newmarket, ON L3Y 4X7

www.newmarket.ca
pnoehammer@newmarket.ca
905.895.5193

TO: Mayor
Members of Council

FROM: Peter Noehammer, Commissioner, Development & Infrastructure Services

DATE: July 25, 2016

RE: Capital Projects Status Report – Q2 2016

Attached to this memorandum is a brief summary of Development & Infrastructure Services Capital Projects and their status for the second quarter of 2016. Note that this is not a full list of all capital projects but a list that contains projects which are of particular interest to members of Council.

Should you have any question please feel free to call me.

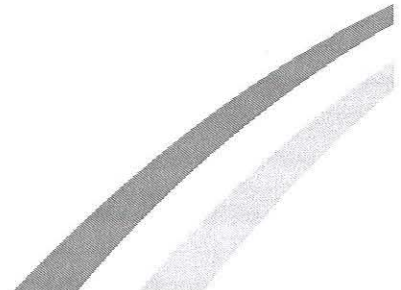
Regards,

A handwritten signature in blue ink, appearing to read "Peter Noehammer".

P. Noehammer,
Commissioner, Development & Infrastructure Services

PN004M:wm

Copy: R.N. Shelton, CAO
I. McDougall, Commissioner, Community Services
E. Armchuk, Commissioner, Corporate Services
C. Kalimootoo, Director, Public Works Services
R. Prudhomme, Director, Engineering Services
R. Nethery, Director, Planning & Building Services



Development Infrastructure Services
2016 Q2 Capital Projects Report

Project Name	Area Responsible	Budget	Start Date	End Date	Council Update
Bridge&Culvert Repair	Engineering	\$ 938,776	Q3 - 2016	Q4 - 2016	2 Culverts on Kingdale are to be replaced in fall 2016, Possible lining of Gorham culvert in 2016. Minor bridge repairs by PWES
Davis Dr/Yonge St - Viva Next. (Incl. Streetscaping)	Engineering	\$ 4,213,593	Q3 - 2016	Q3 - 2016	Watermain no longer being replaced. Cathodic Protection to be applied to watermain
Drainage Imp-NearSacredHeart	Engineering	\$ 989,792	Q3 - 2016	Q4 - 2016	Construction at Sacred Heart and Drew Doak Park to be completed this fall
Forest Glen Reconstruction	Engineering	\$ 890,938	Q2 - 2016	Q3 - 2016	Sewer and Watermain installed, project to be completed in September 2016
Leslie Sidewalk-Mulock to S.Town limit	Engineering	\$ 276,000	Q2 - 2016	Q3 - 2016	Under construction through York Region Contract
Leslie Street-Mulock to Gorham	Engineering	\$ 232,877	Q2 - 2016	Q3 - 2016	Under construction through York Region Contract
Lions Park Drainage	Engineering	\$ 304,000	Q3 - 2016	Q4 - 2016	PIC Completed. Design nearing completion.
Magna Fitness Centre	Engineering	\$ 300,000	Q3 - 2016	Q4 - 2016	Architect is finalizing the design. Construction to start Q3.
Roywood Area Watermain	Engineering	\$ 1,300,000	Q3 - 2016	Q4 - 2016	Proposed structural lining of watermain to be completed by Operations
Arnold Cres. Watermain, LID & Road Resurfacing	Engineering	\$ 500,000	Q3 - 2016	Q3 - 2016	Construction underway.
Wilstead Sanitary Sewer	Engineering	\$ 200,000	Q3 - 2016	Q4 - 2016	Design Complete. Tender to be issued.
Water/Wastewater Master Plan	Engineering	\$ 59,785	Q2 - 2015	Q3 - 2017	PIC has been held. 30 day review period in progress.
Town Entrance Signs & Landscaping	Engineering	\$ 170,259	Q2 - 2016	Q3 - 2016	Bathurst Entranceway complete except soft landscaping, Highway 404 Entranceway to start by Aug 2016
SWM Master Plan & Pond Maintenance	Engineering	\$ 432,998	Q2 - 2016	Q4 - 2016	Consultant completing master plan. Pond Maintenance to be determined.
TTT-Davis Dr. Underpass	Engineering	\$ 1,775,000	Q2 - 2016	Q4 - 2016	Construction underway. Soil contamination found and is being remediated.
Trail Implementation Plan	Traffic	\$ 300,000	Q3 - 2016	Q2 - 2017	Terms of Reference for Consulting assignment currently being finalized. Award anticipated for Q3 with final report Q2 - 2017.
Bike Lanes in Existing Roads	Traffic	\$ 150,000	Q3 - 2016	Q3 - 2017	Consultant retained. Catch basin repairs completion Q4. Line work to be completed by Q3 - 2017
Pedestrian Crossing-Water St	Traffic	\$ 117,128	Q3 - 2016	Q4 - 2016	Contract Tender closes July, Construction to commence September 6, 2016. Construction completion October 14, 2016.
Access. Upgrade-Park Washrooms	PWS - Facilities	\$ 50,000	Q3 - 2016	Q4 - 2016	Q4 - Pending assessment

Development Infrastructure Services
2016 Q2 Capital Projects Report

Project Name	Area Responsible	Budget	Start Date	End Date	Council Update
Countertop Repl.-RJT Washrooms	PWS - Facilities	\$ 45,000	Q3 - 2016	Q3 - 2016	Project to be completed during the maintenance shutdown
Dressing/Washroom Stalls	PWS - Facilities	\$ 50,000	Q4 - 2016	Q4 - 2016	On-going
Epoxy Grout-3 pools	PWS - Facilities	\$ 115,000	Q3 - 2016	Q4 - 2016	Q3 RTRC - Tot & Swirl pools; Q4 Magna - Leisure pool
New Window-Youth Centre	PWS - Facilities	\$ 60,000	Q3 - 2016	Q3 - 2016	Project to be completed during the maintenance shutdown
Operations Yard Upgrade	PWS - Facilities	\$ 100,000	Q2 - 2016	Q3 - 2016	Estimated Completion August 2016
Replace Joe P outdoor washroom	PWS - Facilities	\$ 75,000	Q3 - 2016	Q4 - 2016	Pending Consultants report
Signage-Seniors &OTH	PWS - Facilities	\$ 50,000		Q4 - 2016	
Fairy Lake Parking Lots	PWS - Parks	\$ 104,850	Q3 - 2016	Q4 -2016	Resurfacing of Parking Lots 2 & 3
George Richardson Park North	PWS - Parks	\$ 200,000	Q3 - 2016	Q4 -2016	Grading Improvements to level out Playing Fields
Glen Cedar Boardwalk	PWS - Parks	\$ 75,000	Q3 - 2016	Q4 -2016	Rebuilding existing boardwalk
Sports Lighting	PWS - Parks	\$ 70,000	Q3-2016	Q4 -2016	Consulting assignment to be awarded in Q3.
Bayview Pkwy Sewer Spot Repair	PWS - Roads	\$ 100,000	Q3-2016	Q4 -2016	PWS to conduct Spot Repair
Sidewalk Repair Program	PWS - Roads	\$ 141,171	Q2 - 2016	Q4 - 2016	Funds to be used for the 2016 Sidewalk Replacement Program
Sidewalk Reconstruction Pgm	PWS - Roads	\$ 50,000	Q2 - 2016	Q4 - 2016	Funds to be used for the 2016 Sidewalk Replacement Program
Snow Storage Facility-Design&ID	PWS - Roads	\$ 38,680	Q3-2016	Q4 -2016	Pending arrangement with Region or others prior to permanent site being ready
Second Fill Station	PWS - Water	\$ 90,000	Q3 - 2016	Q4 - 2016	RFP completed with 2 responses. Currently in evaluation stage.
Water Meter Replacement Program	PWS - Water	\$ 6,672,448	Q2 - 2016	Q3 - 2017	Consultant hired and currently in development stage. Deployment 2017.

Development Infrastructure Services
2016 Q2 Capital Projects Report

Project Name	Area Responsible	Budget	Start Date	End Date	Council Update
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Committee Budgets - 2016

Community Centre Lands Task Force	Committee	\$ 719,367			Determining plan for trunk sewer replacement, other municipal facility and parking needs, and development approach.
Community Ctr Lands Parking Sub-Ctte	Committee	\$ 150,000			Determining short, mid and long-term parking strategies. Wayfinding implementation.
Parking Task Force - Studies	Committee	\$ 117,098	Q3 - 2016	Q4 - 2016	Parking Task Force requested OTH Study - Consultant retained and study commenced.

Projects to be completed for 2017

Millard Reconstruction	Engineering	\$ 2,400,000	Design near complete, 2017 construction		
171 Main St.-Pedestrian Link	Engineering	\$ 449,969	Pending Information		
Fernbank House&Gardens	Engineering	\$ 394,561	Pending Facility Accommodation Review		
Rita Ave. Trail Connection	Engineering	\$ 291,077	Deferred due to construction conflict with Yonge Street Viva Bus Rapidway.		
Sanitary Trunk Sewer Imprmt	Engineering	\$ 392,254	Sanitary Trunk Sewer Capacity Improvements-West Central Sub-trunk improvements from Ontario Street to Community Centre lands. Pending W/WW Master Plan Results and Detailed Design.		
Water/WW Servicing Study Impl	Engineering	\$ 1,000,000	Design to be complete 2016; Construction 2017		
Frank Stronach Park Basketball&Tennis Crt	PWS - Parks	\$ 150,250	Pending further review of locations		
Glen Cedar Park Design	PWS - Parks	\$ 10,000	Pending Agreement with the School Board		
Streetlight Ground Fault Testing	PWS - Roads	\$ 175,000	Project Deferred to 2017		
Artificial Turf Sports Field	Engineering	\$ 1,000,000	Artificial Turf Field, Running Track and Field Illumination to be constructed in 2017 and completed for Sept 2017		
College Manor Bridge	Engineering	\$ 100,000	To be replaced in 2017		
Community Splash Pad	Engineering	\$ 1,500,000	Frank Stronach, Arkinstall Park pads to be constructed in 2017/2018		
Wayne/Waratah SWM Pond	Engineering	\$ 100,000	Design underway. Construction for 2017.		

Development Infrastructure Services
2016 Q2 Capital Projects Report

Project Name	Area Responsible	Budget	Start Date	End Date	Council Update
TTT Tannery Link Connections	Engineering	\$ 587,593			PIC held May, 2016, 60% design complete, LSRCA approval required for 2017 Construction
Hasket Park Trail to Davis & Parking Lot	Engineering	\$ 257,043			To be started after Queen Street Bridge work and watermain replacement. Project may be combined with Davis Dr. Breathing Space project
Fairgrounds Improvement	PWS - Parks	\$ 237,214			Project Deferred to 2017 - pending recommendations from Recreation Playbook implementation
Rock climbing wall-Youth Centre	PWS - Facilities	\$ 15,000			On hold - Pending review of needs
Complex Arena1 Seat Replcmnt	PWS - Facilities	\$ 50,000			Additional budget requested for 2017
Flood Study-ON,Wayne,Warratah	Engineering	\$ 40,000			Aecom prepared preliminary report, further engineering required, construction likely in 2017
Projects Cancelled					
Signalization - HWP & Ringwell	Engineering	\$ 325,000			Warrants do not require signals at this time



COMMUNITY SERVICES – PUBLIC WORKS SERVICES
TOWN OF NEWMARKET
395 Mulock Drive
P.O. Box 328
Newmarket, ON L3Y 4X7

www.newmarket.ca
info@newmarket.ca
905.895.5193

July 21, 2016

**DEVELOPMENT & INFRASTRUCTURE SERVICES COMMISSION
PUBLIC WORKS SERVICES
INFORMATION REPORT – PWS 2016-33**

TO: Mayor and Members of Council

SUBJECT: Emerald Ash Borer Long Term Management Plan – Annual Update

ORIGIN: Director, Public Works Services

In accordance with the Procedure By-law, any Member of Council through the Clerk may request this Information Report be placed on an upcoming Committee of the Whole agenda for discussion.

PURPOSE

The purpose of this report is to provide an annual update on the Emerald Ash Borer (EAB) long term management plan and the current status of the highly detrimental pest.

Additional background information on EAB can be found in past reports PWS 2012-14, PWS 2012-73, and PWS 2013-46, PWS 2015-11

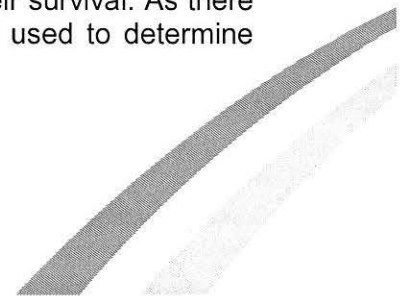
BACKGROUND

The Town has completed an inventory of all street and park trees which totaled 32,115 trees (open spaces and woodlots have not been inventoried). It is now known that there are 3079 Ash trees that make up approximately 9.5% of our overall canopy.

EAB killed 68 trees in 2014 and has killed 315 trees to date in 2015 and this number is expected to increase to approximately 500 – 600 trees in 2016. The peak is still forecasted to hit between 2016-2019 and mortality is estimated at 1800-2000 over those years.

Currently, all removed boulevard trees continue to be replaced with new, native species trees. Unfortunately, woodlot trees are not being replaced at this time as funds are very limited. The priority is the health and safety of residents and their properties and patrons using the trail system; therefore, certain trees around the perimeter of the woodlots or those that may fall onto the trails or neighbouring properties are the only ones being removed from those areas.

The Town will continue to take a balanced approach to EAB, which protects the most significant and healthy Ash trees and also removes and replaces trees that have succumbed to EAB. To date, a total of 597 significant and healthy Ash trees have been injected and treated with TreeAzin®. These trees will continue to be injected (every second year) and treated to enhance their survival. As there are limited funds and not every tree can be saved, the following criteria were used to determine treatment:



- Trees are located on municipal owned lands
- Trees are of historic or cultural value
- Trees are to be structurally sound and in good arboricultural health
- Trees over 20cm Diameter Breast Height (DBH)
- Trees have no more that 20% dieback in the crown
- Trees do not have the potential to interfere with utilities
- Trees do not show any other insect infestation or disease problem

The decision to treat a tree has and will continue to require a qualified and certified arborist to review the tree. Although a tree may fit within the identified criteria, it may not be deemed treatable based on the available funding, prioritization, or other unique circumstances.

The Town continues to work in collaboration with the Region, surrounding municipalities, Conservation Authorities, Local Enhancement & Appreciation of Forests (LEAF) and NEAC. Furthermore, staff continues to monitor research and new developments regarding EAB. The Town has also developed communications with the public through enhancements to the Town's website, mail outs to all households in Newmarket, local advertisements in Snap and ERA Banner, booths at the local Farmers Market and Home Show.

To date there have been no formal inquires to the Town with regards to homeowners wanting to personally protect Town owned Ash trees abutting their property or within the boulevard, which are not being protected by the Town.

FINANCIAL IMPACT

EAB will have a financial impact of \$225,000 in 2016 and it is still anticipated to have an overall impact of \$2,043,000 over its estimated 10 year cycle (currently in year 4). Those costs include the creation of the tree inventory, removal and replacement of trees, preventative injections and communication costs. Resources required to manage EAB continue to be constrained. Although the physical work is contracted out and separated from current resources, the supervision of the contract, logistics of the project and communication with the public and internal staff are being completed by existing staff, and as a result, EAB coordination has affected our standard Forestry services. Because of this significant and ongoing issue, staff included a Coordinator of Natural Heritage and Invasive species position in the draft 2016 budget requests, but it was not approved due to competing priorities. The importance of this work is still present and will be ongoing for a number of years, and staff will be asking for the position once again in the draft 2017 budget.

Summary costs from 2012-2017:

2012	Formalization of EAB process
2013 (Actual)	\$ 92,100
2014 (Actual)	\$147,000 (included inventory)
2015 (Projected/Actual)	\$225,000
2016 (Projected)	\$225,000
2017 (Projected)	\$465,000

<u>Costs for 2015:</u>	<u>Estimated</u>	<u>Actuals</u>
Public Education	\$10,000	\$5,575
TreeAzin® injection	\$50,000	\$31,390
Tree Removals	\$50,000	\$113,040 (both removal & stump)
Stumping	\$40,000	
Replacement Plantings	\$75,000	\$75,000
2015 Total:	\$225,000	\$225,000

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

Living Well: Deliver efficient, effective and environmentally sound maintenance services to an appropriate level that achieves Council and/or Provincially mandated services levels, which meet public health and safety requirements and enhances quality of life while ensuring that system capital assets retain their value and are managed and funded according to sustainable, lifecycle based principles and practices.

BUDGET IMPACT

Funding has been requested and approved in the 2016 budget for \$225,000. These funds are required to continue managing EAB and implementing the Emerald Ash Borer Long Term Management Plan. There was no request for additional funds in 2016 due to budget constraints; however in 2017 additional funding will be needed to accommodate the increase in removals, stumping and replacement for the anticipated increase of affected Ash trees on boulevards and woodlot areas within the Town of Newmarket.

CONTACT

For more information on this report, contact: Christopher Kalimootoo, Director of Public Works Services at extension 2551.



Christopher Kalimootoo, P.Eng
Director, Public Works Services



Peter Noehammer, P.Eng
Commissioner, Development & Infrastructure Services



Information Report
 Town of Newmarket
 395 Mulock Drive
 P.O. Box 328
 Newmarket, ON L3Y 4X7

August 11, 2016

**CORPORATE SERVICES REPORT - JOINT LEGAL AND LEGISLATIVE SERVICES
 INFORMATION REPORT 2016-06**

TO: Mayor Van Bynen and Members of Council

SUBJECT: 2015-2016 Litigation and Insurance Claims Information Update Report

ORIGIN: Associate Solicitor, Legal Services
 Director, Legal Services/Municipal Solicitor
 Director, Legislative Services/Town Clerk
 Commissioner, Corporate Services

IN ACCORDANCE with the Procedure By-law, any Member of Council may request that this Information Report be placed on an upcoming Committee of the Whole agenda for discussion through the Clerk.

COMMENTS

The purpose of this report is to provide Council with status updates on various ongoing and concluded litigation matters conducted throughout 2015 to July 1, 2016.

1. COURT ACTIONS AND PENDING COURT ACTIONS

Matter	Description	History	Current Status	Counsel
SI SCJ File No. CV-13- 113075-00	<ul style="list-style-type: none"> Claim by an RFP proponent for lost profits in connection with a 2011 RFP for janitorial services in Town buildings. 	<ul style="list-style-type: none"> The Town accepted an RFP proposal from the proponent in February 2011 for janitorial services. The agreement was terminated in March 2011 when the Town discovered that the proponent had submitted a non-compliant bid. The proponent claimed wrongful termination of the Agreement and damages, including lost profits and expenses. 	<ul style="list-style-type: none"> The proponent recently retained new legal counsel. Details and a financial breakdown of the damage claim have not yet been provided by the proponent. The next steps include the exchange of affidavits of documents and examinations for discoveries. 	Weir Foulds/ Paul Voorn

Matter	Description	History	Current Status	Counsel
FLKI SCJ File No. CV-13-495627	<ul style="list-style-type: none"> A property owner, commenced applications in December 2013 against MPAC and various municipalities, (including the Town) seeking exemption from municipal taxation for the years 2013 and onward. 	<ul style="list-style-type: none"> The Town served a notice of appearance in August 2014. 	<ul style="list-style-type: none"> MPAC has taken the lead in responding to the matter and is in the process of site investigations to determine the actual uses of the various properties to evaluate whether portions of the properties are exempt from taxation. 	Paul Voorn
AP and SB SCC File No. SC-15-31531	<ul style="list-style-type: none"> Claim by homeowners against developer, the Town and others for failure to complete subdivision property work. The homeowners took occupancy of a new home in June 2013. 	<ul style="list-style-type: none"> The subject lands are located in the Northwest Quadrant near the Environmental Park. 	<ul style="list-style-type: none"> All Defendants filed Statements of Defence and two pretrial conferences were heard in 2015. The Town brought a motion seeking to have the action against it dismissed. The motion was argued on May 20, 2016. The motion judge reserved his decision, which should be released shortly. 	Paul Voorn
SCJ File No. CV-15- 121532-00	<ul style="list-style-type: none"> The Town claims remedial and related costs resulting from damages to the Seniors' Meeting Place which occurred in February 2013. 	<ul style="list-style-type: none"> The slab floor of the building collapsed in the northeast section of the building and some utilities were severed. The cost to repair the damage to the building was approximately \$250,000.00. Engineering reports were obtained by the Town's insurer, AIG and by the Town. The Town commenced a court action against the Town's insurers and the agencies conducting road/utility work in the area of the building. 	<ul style="list-style-type: none"> Defences have been delivered in response to the claim. The next steps include the exchange of affidavits of documents and examinations for discoveries. 	Paul Voorn
SP SCJ File No. CV-16-0020	<ul style="list-style-type: none"> Claim by former tenant of the Magna Centre. 	<ul style="list-style-type: none"> The former tenant alleges damages against the Town relating to the tenant's lease of the premises. 	<ul style="list-style-type: none"> The Town is in the process of preparing a Statement of Defence. 	Paul Voorn

Matter	Description	History	Current Status	Counsel
JB Pending Court Action	<ul style="list-style-type: none"> A draft claim was delivered in 2015 to the Town alleging negligence and damages against the Town relating to the administration and investigations under The Council Code of Conduct. 	<ul style="list-style-type: none"> This claim relates to matters that have been the subject of previous complaints and investigations under The Council Code of Conduct. 	<ul style="list-style-type: none"> No statement of claim was served by the resident. 	Paul Voorn

2. OMB MATTERS

Matter	Description	History	Current Status	Counsel
180-194 Main Street OMB File No. MM130083	<ul style="list-style-type: none"> Appeal by the owners of 180-194 Main Street to the OMB of the Lower Main Street South Heritage Conservation District By-law 2013-51 	<ul style="list-style-type: none"> In August 2013 a rezoning application was filed to redevelop the lands at 180-194 Main Street. A public meeting was held on February 3, 2014. On October 21, 2013 Council enacted the Lower Main Street South Heritage Conservation District Bylaw 2013-51. The lands are located with the Heritage Conservation District. 	<ul style="list-style-type: none"> In August 2014 the OMB ordered that By-law 2013-51, save and except for the lands located at 180-194 Main Street shall be deemed to have come into effect on October 21, 2013. A date has not been set for hearing of the appeal until after Council makes a decision regarding the rezoning application for the lands. 	Esther Armchuk/ Paul Voorn
OMB File No. PL141386 – PL141389	<ul style="list-style-type: none"> Appeals re lands west of the terminus of Silken Laumann Drive between the Metrolinx Rail Corridor and the existing Hydro Corridor. 	<ul style="list-style-type: none"> Planning staff recommended settlement of the appeals Council directed staff to settle the appeals subject to securing a condition that Town lands not be used by the developer unless a significant community benefit is provided and agreed to by Council. 	<ul style="list-style-type: none"> A pre-hearing to determine the parties and participants was held on March 26, 2015. A hearing took place on September 28, 2015. The OMB issued a verbal decision allowing the appeals "in part" subject to the parties finalizing a zoning bylaw amendment and Draft Conditions of Approval. 	Esther Armchuk/ Paul Voorn/ Ken Hill

Matter	Description	History	Current Status	Counsel
65M-4378 Copper Hills Technical Amendment PL160236	<ul style="list-style-type: none"> Appeal re 45m setback to the northerly lot line for dwellings on subject lands 	<ul style="list-style-type: none"> Appeal filed under subsection 34(19) of the <i>Planning Act</i> by 724903 Ontario Inc. to the passing of Zoning By-law #2016-05. 	<ul style="list-style-type: none"> Hearing scheduled for August 4-5, 2016. Adjournment requested by Applicant/Appellant. A new hearing date has been set for February 22, 2017 	Paul Voorn
Davis Drive Corridor & Yonge St. Corridor	<ul style="list-style-type: none"> OPA 10 – Newmarket Urban Centres Secondary Plan 	<ul style="list-style-type: none"> 8 appeals received. Five pre-hearings have taken place. 	<ul style="list-style-type: none"> Hearing scheduled for January 23, 2017. 	Esther Armchuk/ Leo Longo
84 & 90 Howard Road	<ul style="list-style-type: none"> Appeal from refusal of Committee of Adjustment to grant Minor Variance 		<ul style="list-style-type: none"> Received July 2016 	Paul Voorn

3. OTHER LITIGATION MATTERS

Matter	Description	History	Current Status	Counsel
Human Rights Tribunal (HRT) complaint	<ul style="list-style-type: none"> On February 13, 2015, a former Councillor commenced a HRT proceeding claiming gender discrimination while sitting as a Councillor. 	<ul style="list-style-type: none"> The Town retained external counsel to respond to the complaint. As it was alleged that the discrimination occurred in the course of employment, a summary dismissal request was filed with the HRT on the basis that the former Councillor was never an employee of the Town. 	<ul style="list-style-type: none"> The HRT released its decision on March 31, 2016, dismissing the complaint. No steps were taken by the complainant to seek reconsideration by the HRT. 	Miller Thomson/ Paul Voorn
Compliance Audit Committee complaint	<ul style="list-style-type: none"> On June 22, 2015, a resident filed a complaint relating to the election campaign finances of a member of Council. 	<ul style="list-style-type: none"> The complaint related to the receipt of campaign donations. In advance of the hearing, the Councillor returned to a donor a \$750.00 donation, based on information gathered in responding to the complaint that there could be a common connection between it and another donor. 	<ul style="list-style-type: none"> The committee delivered an oral decision at the end of the hearing dismissing the complaint. 	Paul Voorn, acting as Town/ Committee counsel only

4. OTHER LITIGATION – INSURANCE DEFENDED COURT ACTIONS

Claimant & Court Number	Date of Loss	Legal File No.	Explanation
GI CV-09-05724-00AI	February 21, 2008	L02-054-11	The claimant was struck by a 3 rd party vehicle that lost control on 19 th Side Road west of Bathurst. The Town owns the road and King maintains it as part of an old agreement. There are complex liability issues, including King's winter maintenance and the Town's ownership of the road. Patterson McDougall Law ("PM Law") is representing the Town. Ongoing. No settlement has been reached. May go to trial early in 2017. Remains open.
JW CV-09-093301-00	March 6, 2009	L02-15-09	The claimant, a student at Newmarket High School, was crossing Mulock Drive east of Clear Meadow and was struck by a vehicle traveling westbound on Mulock. The Town, the Region, the YRDSB and the operator of the vehicle all were named as defendants. The Town has no involvement in this claim other than the fact it has not been released from the action. The Town will be responsible for its own legal costs (paid for by its insurer). PM Law is representing the Town. File settled. Town released from the action. File closed.
SM CV-11-423578	April 3, 2009	L02-19-09	The claimant was walking on the sidewalk along Clearmeadow Boulevard and fell on the sidewalk. At the time of the loss the Town had not assumed this sidewalk as the area was under construction. The Town was named as a party along with builder, developer and engineer. The Town has no involvement in this claim other than the fact it has not been released from the action. Clyde and Co. have been assigned this loss. Town should not be part of the settlement file. File remains open.
PS (deceased) CV-11-103345-00	March 16, 2010	L02-022-10	PS was canoeing on the Holland River and attempted to go over the dam or was swept over the dam at Lock 3 in George Richardson Park. He unfortunately drowned as a result. The Town is being sued by the wife and daughter of the deceased as well as other family members. PM Law is representing the Town. Liability is at issue as to whether or not this was dangerous situation that should have been foreseen by the Town. The lock in question has been in place for 100 years with no other incidents. The trial commences in August 2015. Offer to settle made 75/25 split in favour of Town. Awaiting response from claimant.
VD SC-13-00028669-0000	January 22, 2012	L02-004-12	The claimant fell while skating at the River Walk outdoor ice rink. She alleged over-crowded conditions and lack of supervision as a reason for her fall. She broke her wrist as a result of the fall. The claim recently settled with the claimant on a without costs basis. Claimant withdrew claim. File closed.
NG CV-13-112688-00	February 14, 2012	L02-011-12	The claimant slipped and fell on the sidewalk on Bob Scott Avenue. The Town had not assumed this sidewalk at the time of the fall. Her lawyer has not removed the Town from the action at this time. PM Law is representing the Town. It does not appear that the Town will have any liability. Town's lawyer is pushing for resolution. File remains open.

Claimant & Court Number	Date of Loss	Legal File No.	Explanation
JB CV-14-119559-00	August 18, 2012	L02-040-12	The claimant was walking along the water feature at the River Walk Common when she fell off of the small curb. The claimant broke her ankle in the fall. PM Law is representing the Town and is defending on the basis that the claimant was not watching where she was going and simply stepped off the curb. Design flaw at water feature. Town has placed a planter in area of the fall and its pursuing the architect. File recently settled.
RM CV-12-466748	November 4, 2010	L02-051-12	The claimant sustained eye injuries when a hydro transformer box on a hydro pole exploded. The Town does not own nor maintain the hydro pole or the transformer. To date the Town has not been let out of the action. PM Law is representing the Town. Town now let out of the action. PM Law is pushing for resolution. File remains open.
VA and JA SC-14-30877-00	December 10, 2012	L02-056-12	The claimants experienced a sewer back up in their home. They issued a claim against the Town for negligence. The Town had inspected and flushed system as per Town policy and has denied the claim. PM Law is representing the Town. The claim is proceeding to discoveries shortly. Discoveries set for early 2017. File remains open.
KM 13-1180	January 7, 2013	L02-005-13	The claimant fell on ice in the parking lot at the Magna Centre early in the morning of January 7, 2013. The claimant sustained a broken ankle. At issue is the condition of the parking lot at the time of the fall and the amount of damages being claimed. PM Law is representing the Town. File settled and is now closed.
JH CV-13-113481-00	March 1, 2013	L02-021-13	The claimant fell while entering or exiting the property at 200 Davis Drive. The property is not owned or maintained by the Town. However, the claimant's lawyer has not released the Town from the action. PM Law has been assigned the loss. Town let out of the action. File now closed.
AG CV-14-118204-00	May 17, 2013	L02-047-13	The minor Plaintiff lost the top part of his index finger of his right hand (dominant hand) when it was cut off after it became stuck in the hole in a pole of a P gate at Woodhaven Court. The Town is still investigating the circumstances surrounding the accident. Town is represented by Dolden Wallace Folick LLP. Will be for some time as claimant is a minor. File remains open.
BR Court file number unknown.	July 2, 2013	L02-054-13	The claimant alleges that she fell while walking on Bonshaw Avenue at the intersection of Woodspring Avenue. Blaney McMurtry LLP is handling the loss on behalf of the Town. Discoveries set for Spring 2017. File remains open.
CK Court file number unknown.	October 2, 2013	L02-068-13	The claimant tripped over a manhole cover at the intersection of Davis Drive and Yonge Street. The Town does not have ownership of this manhole. The Region of York has taken the position that it belongs to the Town. It appears that this manhole is for the conduits for the traffic lights at the intersection, which are not under the Town's jurisdiction. This file will be assigned to defence to file a statement of defence. Discoveries set for Winter 2017. File remains open.

Claimant & Court Number	Date of Loss	Legal File No.	Explanation
JD CV-14-119369-00	November 7, 2013	L02-080-13	The claimant was jogging on the path through Lion's Park and became entangled in orange construction fencing, fell and broke his hip. At the time of the loss the area was under construction as a parking lot and basketball court were being resurfaced. Fencing was put up by the Town's contractor. The claimant's lawyer has not let the Town out of the action at this point. Loopstra Nixon LLP is representing the Town. Discoveries complete. Liability remains an issue. File remains open.
JZ CV-15-121788-00	November 12, 2013	L02-087-13	The claimant slipped and fell while walking on Cranberry Street near Bayview Avenue. The Town does not undertake winter maintenance on this sidewalk. The Town's adjuster is hopeful that the claim can be resolved. The file has not yet assigned to defense counsel to prepare a defence to the claim. Discoveries now complete. Liability is being determined. File is now in defence.
SO CV-13-115787-00	November 19, 2009	L02-097-13	The Claimant fell in a bus shelter on Davis Drive at Patterson Street. The Town does not own, maintain or inspect these shelters. However, to date the Town has not been let out of the action. Town not responsible for this claim. File assigned to Loopstra Nixon to defend Town. File should settle shortly.
A. (Business) CV-14-501270		L08-37-13	The claimant is suing the Town and Buckley's Insurance over issues involving the laneway right of way at the rear of the two businesses off Main Street. The allegation against the Town is that Building permits for exit doors in the easement area should not have been approved. Discoveries took place in July of 2015. PM Law is representing the Town. Numerous issues remain to be resolved. Discoveries partially complete. File is ongoing.
MM CV-15-121336-00	January 17, 2013	L02-013-15	The Town was served with a Statement of Claim March 12, 2015 in regards to a fall that took place at the RJT Centre on January 17, 2013. The Town was not given any prior notice of this loss. Given the late reporting of this loss, it will in all likelihood require litigation to be resolved. The Claim has been sent to the Town's Insurer. File assigned to defence council. Discoveries scheduled for Fall 2017
P. (Business) CV-15-122201-00		L02-033-15	The claim is for alleged construction deficiencies at 430 Coventry Hill Trail. The claimant claims that the Town failed to enforce the Ontario Building Code. The Town is awaiting a report from its expert responding to the allegations of breaches of the Building Code and any required remediation to the structure. The Town's insurers have retained the firm Loopstra Nixon to defend the matter. Discoveries should take place early 2017. File remains open.
D.C. CV-15-122039-00I	March 21, 2014	L02-068-14	The claimant fell while walking on the sidewalk on Manchester Drive. PM Law has been retained on behalf of the Town. Discoveries should be early 2017.
G.M. S.C. 15- 00031672.0000	Unknown	L02-15-042	Claimant alleged Town failed in its duty to properly inspect a basement entrance that had been built by previous owner. Town retained Loopstra Nixon and the action was dismissed, with costs.

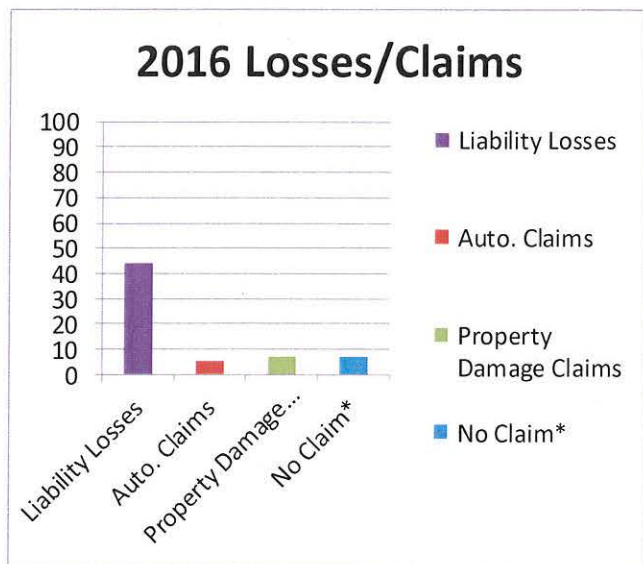
5. INSURANCE CLAIMS – NOT YET IN LITIGATION (The following files are being monitored by Legislative Services and, should a claim be served, it will be forwarded to the Town’s Insurer to deliver a defence.)

Claim	Date of Loss	Town File No.	Explanation
Slip & Fall	February 21, 2014	L02-031-14	The claimant fell while walking along Davis Drive at the intersection of Lorne Avenue. Claimant has retained council. Our adjuster is negotiating resolution of this claim.
Slip & Fall	March 19, 2014	L02-050-14	The claimant fell on Penn Avenue while walking to Maple Leaf Public School. Claim was denied. Denial letter sent. Town sanded/salted area prior to the fall.
Slip & Fall	March 28, 2014	L02-062-14	The claimant fell at the east entrance to the Magna Centre. File remains open and has now assigned to PM Law.
Slip & Fall	March 22, 2014	L02-065-14	The claimant slipped and fell on the sidewalk on Millard Avenue. Our adjuster is dealing directly with the claimant’s lawyer.
Slip & Fall	March 21, 2014	L02-068-14	The claimant fell while walking on the sidewalk on Manchester Drive. PM Law has been retained on behalf of the Town. Discoveries should be early 2017.
Slip & Fall	March 20, 2014	L02-069-14	The claimant fell when walking on Lancaster Avenue. Our adjuster is dealing directly with claimant’s solicitor in an attempt to resolve this claim.
Slip & Fall	May 6, 2014	L02-079-14	The claimant fell after exiting the Giant Tiger on Davis Drive. Town has been let out of the action. File is closed.
Slip & Fall	August 21, 2014	L02-104-14	The claimant fell while walking along the sidewalk on Comfort Lane. Claimant has consulted a lawyer but not yet retained one. Our adjuster is dealing with the claimant.
Slip & Fall	August 15, 2014	L02-106-14	The Claimant fell at the intersection of Lorne Avenue and Davis Drive. Town let out of the action. File closed.
Slip & Fall	Unknown	L02-108-14	A Notice letter was received by the Town on September 4, 2014; however, the date of the accident is unknown. The claimant fell while exiting or entering Southlake Regional Hospital. Claimant’s solicitor is pursuing this matter against SLRH. Our file is closed.
Slip & Fall	October 1, 2014	L02-125-14	The claimant fell at the intersection of Nicholson and Harry Walker. Our adjudicator sent denial letter to claimant in April. We have closed our file.
Slip & Fall	September 27, 2013	L02-127-14	The claimant was injured as a result of a bicycle accident on Bayview Avenue. Claim falls to the Region as loss occurred on a Regional Road. Our file is closed.
Slip & Fall	December 12, 2014	L02-137-14	The claimant fell outside of the Ray Twinney Centre. Our adjuster is dealing with third party solicitor. File remains open.
Fall from Ladder on Work Site	December 12, 2014	L02-139-14	The Claimant is an electrician and was working in the Old Town Hall when he fell from a ladder. Workers’ Compensation matter. File closed.
AC	April 20, 2009	L02-15-044	Town received a notice letter for MVA that occurred on Mulock Drive and Yonge Street in 2009. File has been assigned to our adjuster to investigate.
MF	Dec. 29, 2015	L02-16-02	Claimant left a message indicating they had fallen at the

Claim	Date of Loss	Town File No.	Explanation
			intersection of Leslie Street and Davis Drive. Gentleman indicated he had consulted a lawyer. However, no contact information was left. Town has yet to hear back from the claimant.
TS	Jan. 14, 2016	L02-16-006	Claimant fell in a hole at the intersection of Yonge Street and Clearmeadow Boulevard. Hole was left there by contractor working on VIVA changes on Yonge Street. The Contractors' insurer is dealing directly with the injured party.
NG	April 2, 2016	L02-16-031	The claimant – a minor – fell at the Youth Centre and lost a tooth. We negotiated and settled this matter directly with the parents.
EC	April 15, 2016	L02-16-032	Notice letter received in regards to an MVA that occurred in Bradford. We have advised solicitor this is not within our jurisdiction and they should contact the Region or Bradford West Gwillimbury.
SL	March 25, 2016	L02-16-033	Claimant fell at the rear entrance to the Seniors' Meeting Place. Our adjuster is dealing directly with the injured party.
SW	April 13, 2016	L02-16-034	Claimant fell on a sidewalk at the Riverwalk Commons. The claimant has retained the services of Boland Howe. Our adjuster is dealing with this law firm currently. However, this file will need to go to defence in the near future as Boland Howe does not generally deal directly with insurers.
CR	Unknown	L02-16-038	Notice letter received about potential claim by an owner of a business on Davis Drive. Our insurer has been notified of the potential claim.
FS	April 28, 2016	L02-16-039	Notice letter received about a fall at the Davis Drive Plaza. Lawyer has been advised this is private property and has been provided with the owner's contact information.
AL	Feb. 19, 2016	L02-16-043	Notice letter received about a fall at the Riverwalk commons. The Town had no prior knowledge of this fall. The claim has been assigned to our adjuster to obtain the details of this fall.

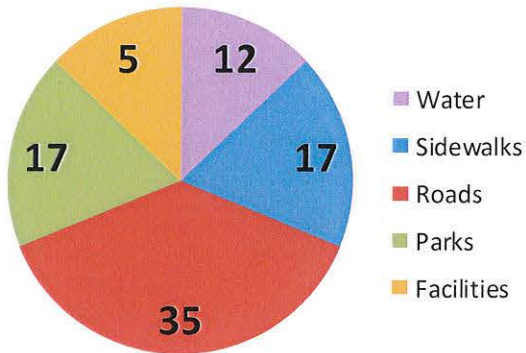
6. Insurance Claims History 2014-2016

In 2014 the Town experienced a high volume of insurance claims with 140 being reported. This dropped off significantly in 2015 and is trending positively YTD in 2016. A breakdown of the types and volume of claims by department is noted below:

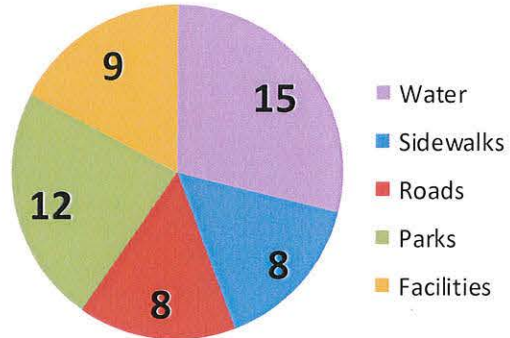


*No claim denotes those claims that were reported to the Town however there was no liability (fault) on the part of the Town, the claim was not within the jurisdiction of the Town or the claim was withdrawn.

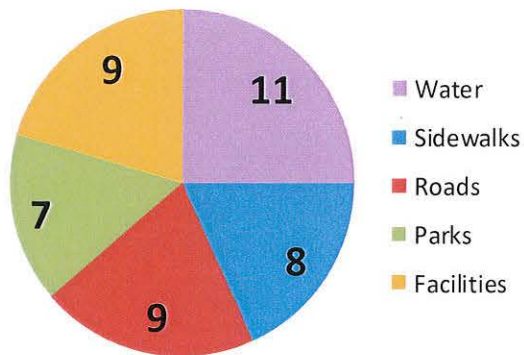
Liability Losses 2014 (86)



Liability Losses 2015 (52)



Liability Losses 2016 YTD (44)



- Water losses include sewer, water main or other losses associated with the Water/Wastewater Department activities.
- Sidewalk losses include claims involving injuries as a result of trip or slip and fall incidents that occurred on Town sidewalks.
- Road losses include claims that relate to road activities such as pothole claims, and claims involving Town road clearing equipment.
- Parks losses include incidents on Town trails, parks, as well as forestry issues. Facilities losses include any losses that occurred in or around Town facilities

The high number of insurance claims in 2014 can be attributed to a bad winter in which we saw cold temperatures and frequent snow storms in addition to a severe ice storm in December. In addition to this we experienced several large spring and summer storms that led to water and sewer claims.

In 2015 we saw a significant drop off in the number of claims reported. This can be attributed to a mild winter and fewer spring and summer storms. The number of claims reported YTD 2016 (44) are higher than at this time in 2015 (30); however eight of the 2016 losses are not the responsibility of the Town.

Town led risk management practices are now starting to show results. These included a pre-winter walk through high traffic areas such as Davis Drive and Yonge Street to address sidewalk issues before winter arrived. As well a complete inspection of the Tom Taylor Trail and other trail systems was conducted to identify and rectify areas of concern.

Training and information sessions continue to be conducted several times a year to provide staff with information on how to identify areas of risk and to address those concerns.

Information and warning signs have been posted at several locations throughout the Town to warn the public of the potential risk associated with particular activities. These areas include the River Walk Common Water Feature winter and summer, community ice rinks, Town trails and Lock 3 on the Holland River.

The Town's Claim and Risk Analyst is also working the Town's insurer and adjusting company to identify municipal risk trends and to implement strategies to deal with those issues. In addition we are working closely with our insurer and legal experts and have recently amended Town parks and trail signs to reduce the Town's exposure to potential claims with properly worded and placed signs.

The Town of Newmarket and our N6 partners recently entered into an agreement to extend our current Insurance Services Contract with our current provider BFL CANADA Risk and Insurance Services Inc. (BFL) for another 36 month term to expire December 31, 2019. This will provide the Town with premium stability and will allow us to continue to build on the relationship and programs we have been developing with BFL since 2012.

The current N6 contract for Adjusting Services expired on January 31, 2016. As there was value in approaching this contract as a cooperative effort, the N6 will work on an RFP for these services to be completed by the fall of 2016.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

The recommendations support the *well-equipped* and *managed* objectives of the strategic plan by providing for the efficient management of litigation by and against the Town.

COMMUNICATION CONSULTATION POLICY

All affected departments have been advised and consulted on the various claims and litigation matters.

HUMAN RESOURCE CONSIDERATIONS

Staffing levels are not impacted as a result of the recommendations in this report.

BUDGET IMPACT

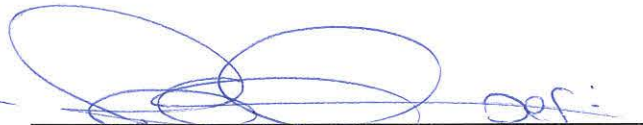
Any proposed settlement payment by the Town not covered by the Town's insurance policy will be brought to Council for approval.

CONTACT

For more information on this report, please contact: Paul Voorn, Associate Solicitor at Ext. 2436, Esther Armchuk, Commissioner, Corporate Services at Ext. 2432 or Andrew Brouwer, Director, Legislative Services / Town Clerk at Ext. 2211.



Paul Voorn, B.A. LL.B. (Hons.)
Associate Solicitor, Legal Services



Karen Reynar, B.A., LL.B.
Director, Legal Services/Municipal Solicitor



Andrew Brouwer, Director, Legislative Services /
Town Clerk



Esther Armchuk, B.A. (Hons.), LL.B.
Commissioner, Corporate Services



August 16, 2016

**CORPORATE SERVICES – PROCUREMENT SERVICES DEPARTMENT
INFORMATION REPORT 2016-29**

TO: Mayor Van Bynen
Members of Council
Chief Administrative Officer
Commissioners
Directors

SUBJECT: Report on Call for Bids

ORIGIN: Manager, Procurement Services

In accordance with the Town's Procedural bylaw, any Member of Council may make a request to the Town Clerk that this Information Report be placed on an upcoming Committee of the Whole agenda for discussion.

COMMENTS

The Town's Procurement by-law number 2014-27 was approved by Council at the May 5, 2014 Council meeting. Item 17 of this by-law stated that the Manager, Procurement Services shall prepare a semi-annual Information Report to Council with the following information:

- i. All goods, service(s) or construction awarded over \$250,000.00 in accordance with Schedule "D" Bid Threshold of this by-law.
- ii. All emergency purchases exceeding \$50,000.00 awarded in accordance with Schedule "D" Bid Threshold of this by-law.
- iii. All Single and Sole Source purchases.

This report covers the time period from December 25, 2015 to June 30, 2016.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

Well Equipped and Managed - To obtain the best value for the Corporation when procuring goods and service(s) and construction.

Well Respected - openness, accountability and transparency while protecting the financial best interests of the Corporation and those of the Corporation's employees and elected officials.

CONSULTATION

The Manager, Procurement Services has received approval for the attached Appendix "A" contracts in accordance with the Town's Corporate Procurement bylaw 2014-27.

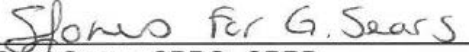
BUDGET IMPACT

None

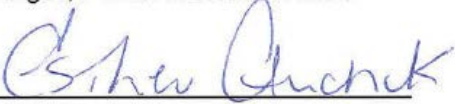
CONTACT

For more information on this report, contact:

Gord Sears, Manager, Procurement Services extension 2351



Gord Sears, CPPO, CPPB
Manager, Procurement Services



Esther Armchuk
Commissioner, Corporate Services

gs



Call for Bids (from December 25, 2015 to June 30, 2016) awarded exceeding \$ 250,000.00 by C.A.O:

Purchase Order Number	Or Ty	Supplier Name	Report Date	Report Amount	Report Number	Contract Description	Approved by
29507	OW	Smeal Fire Apparatus	12/15/2015, Council Extract 01/18/2016	\$1,236,000.00	Fire Services 2015-10	Aerial/Quint Fire Apparatus Replacement	2015 Budget + JCC
29588	OW	A & G The Road Cleaners	02/08/2016	\$ 500,500.00 and Standby rate of \$ 1,333,000.00	2016-03	5 year Snow Clearing Contract	C.A.O.
29711	OP	R.E. Millward & Associates	03/24/2106	\$ 253,104.00	2016-06	Consultant – Area Specific Zoning Bylaw Urban Centres	C.A.O
29727	OW	Currie Truck	04/05/2016	\$ 430,760.00	2016-08	Two (2) Single Axle with Viking Cives Combination Dump/Sander/Plow Trucks	C.A.O
29739	OW	Skyview General Contracting	04/06/2016	\$ 837,111.07	2016-09	Forest Glen Road	C.A.O
P-card		Floyd Preston	04/18/2016	\$277,250.00	2016-11	Granular Material Registry – Two year contract	C.A.O
n/a	n/a	CIBC	05/13/2016	n/a	2016-19	Banking Services (5 year plus option for additional 5 year)	C.A.O
29833	OW	Melfer Construction Inc.	05/09/2016	\$706,222.65	2016-20	Tom Taylor Underpass	C.A.O
30002	OW	Metro Asphalt Interlocking & Paving	05/30/2016	\$ 593,325.00	2016-21	Sidewalk and Curb Replacement Contract	C.A.O
30031	OB	Kleenway Building Supplies	06/06/2016	\$863,705.00	2016-23	5 year Janitorial Services Contract	C.A.O
30013	OW	Lisbon Paving	06/09/2016	\$ 847,368.55	2016-24	Road Resurfacing	C.A.O
30008	OW	Robert B. Somerville Co. Limited	06/20/2016	\$ 459,914.91	2016-25	Arnold Crescent Watermain Replacement	C.A.O

Emergency Purchases (from December 25, 2015 to June 30, 2016) awarded exceeding \$ 50,000.00:

Purchase Order Number	Or Ty	Supplier Name	Order Date	Amount	Contract Description	Approved by
	n/a	n/a	n/a	n/a	n/a	n/a

Single or Sole Source Purchases (from December 25, 2015 to June 30, 2016):

Purchase Order Number	Or Ty	Supplier Description	Order Date	Amount	Contract Description	Approved by
29524	SO	NAK Design Strategies	01/26/2016	\$ 5,000.00	Gateway Feature – to add work to Regional contract	Director, Engineering
29613	SO	Zamboni	02/25/2016	\$ 96,610.00	Purchase of Zamboni – previously approved Single Source contract approved by Council	Prior Council approval
29637	SO	Stantec Consulting Ltd	03/08/2016	\$ 40,867.20	College Manor Pedestrian Bridge Design – add to existing contract	CAO
29661	SO	Turn of the Century Lighting	03/16/2016	\$ 44,140.00	Old Town Hall Chandelier	CAO
29868	SO	Clark-Kavanagh Inc.	05/31/2016	\$ 15,140.00	Municipal Culvert Steamer	Director, Public Works