



Town of Newmarket
395 Mulock Drive P.O. Box 328,
Newmarket, Ontario, L3Y 4X7

Email: info@newmarket.ca | Website: newmarket.ca | Phone: 905-895-5193

Q4 2017 Municipal Administration and Management Information Report

Report Number: 2018-03

Department(s): Office of the CAO/Strategic Initiatives

Author(s): Cindy Wackett

Date: February 27, 2018

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

Purpose

This report serves as the CAO's fourth quarter report to Council on municipal management and operations as well as updates on matters affecting Council's Strategic Priorities.

Background

Commencing the second quarter of 2015, to improve the flow of information between staff, Council and the public, staff implemented a new approach to the submission of quarterly, semi-annual and annual information reports to Council. The intent has been to streamline information related to municipal operations routinely communicated to Council. The new approach, packaged information reports into one "go-to" document as a continuous improvement initiative intended to improve administrative efficiency and streamline information flow to Council and the public. Prior to this quarterly reporting approach, the previous reporting practice had been for each Commission/Department to email information reports individually and directly to Members of Council.

Discussion

This report serves as the CAO's fourth quarter report to Council on municipal management and operations as well as updates on matters affecting Council's Strategic Priorities. All reports listed in the table below that are hyperlinked are available immediately. The Operating, Investment and Capital Budget Summary will be linked upon availability.

Council Strategic Priority	Report / Memorandum	Report #
Community Engagement	Customer Service Department 2017 Year End Update	2018-03
Community Engagement	Office of the CAO/Corporate Communications Performance Report	2017- Q4
Efficiency / Financial Management	Q4 2017 - Government Grant Funding Activity Information Report	2018-02
Efficiency / Financial Management	Capital Projects Status Report	Q4-2017
Efficiency / Financial Management	Litigation and Insurance Claims Information Update Report	2017-14
Efficiency / Financial Management	2017 Preliminary Fourth Quarter Report – Operating, Investment and Capital Budget Summary	Forthcoming

Conclusion

The next reporting cycle is Q1 2018 scheduled to be available April/May.

Business Plan and Strategic Plan Linkages

This report supports the Strategic Plan direction Well-Equipped and Managed.

Consultation

This report and contents have been prepared in consultation with the Strategic Leadership Team and members of the Operational Leadership Team.

Human Resource Considerations

This report has no immediate impact on staffing levels.

Budget Impact

The report has no direct impact on the Town's operating or capital budget.

Contact

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

Approval

A handwritten signature in black ink that reads "Bob Shelton". The signature is written in a cursive, flowing style.

Bob Shelton, Chief Administrative Officer

e-copies:

Strategic Leadership Team
Operational Leadership Team
Clerk's Office (inforeports@newmarket.ca)

RNS/cw



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Customer Service Department 2017 Year End Update

To: Mayor Van Bynen, Members of Council

CC: Operational Leadership Team, CAO and Commissioners

Report Number: 2018-03

Department(s): Customer Services

Author(s): Supervisor, Customer Service Centre and Supervisor, Customer Service Kiosks

Date: February 9, 2018

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

Purpose

This report provides Members of Council with the highlights, overall results, and trends for 2017 as well as the key areas of focus in 2018, for the Customer Services Department.

Background

It has been almost 14 years since the Customer Services department opened for the residents of Newmarket. Since May 2004, assistance has been provided to over 1.6 million contacts. Telephone, walk-in/ counter, email and post-mail have been the primary channels to contact the town since opening and, more recently, self-serve, mobile applications and social media are available for those who wish to access information or contact the town in these fashions.

The Town's Customer Relations Management (CRM) tool, *Access Newmarket*, has been utilized since 2005 tracking all contacts made from all channels. *Access Newmarket* allows us to manage service requests, ensure issues are responded to in a timely manner, and analyze and provide trends to staff and council for 12 years. In combination with our telephony system and CLASS point of sale

software, we have been able to compile more detailed statistical data each year. This information helps business units prepare budget requests, identify opportunity areas and support recommendations related to the hiring and allocation of resources. We strongly encourage all Members of Council to direct requests for service or customer issues to the Customer Services Department or the Executive Assistant to Members of Council so that we can avoid redundancies, improve efficiencies and provide even better customer service to residents of the Town of Newmarket.

In 2014, “enhanced services” were introduced at the Customer Service Kiosks at the Ray Twinney Complex & Magna Centre. Since that time, over 730,000 customers have accessed services from the team of strong Customer Service professionals working out of these locations. With these additional service locations open during later service hours, increased opportunities for online payments, mobile applications such as *My Waste*, and a revamped website, residents are better able to access services at their convenience than before.

Over 320,000 customer contacts were made to the whole Customer Services Department in 2017. These contacts were made by phone, counter, e-mail, mail, social media, online self-serve inquiries and Newmarket’s *My Waste* mobile application. Also, the Customer Service counters at Town Hall have remained open on the evenings Council is in session and, more recently, the call centre. Residents have been able to access services until 8:00 p.m. on these evenings.

With the addition of the newly renovated Old Town Hall, the Town of Newmarket’s Customer Service department has started to expand its points of contact for residents with this fourth customer service location, and continuing to provide more services, to more people, well beyond the ordinary.

In 2017, the Customer Service and Recreation and Culture Department worked together to create a “hybrid” position at the Old Town Hall. This position is a Customer Service role, supporting the programming operations of the Old Town Hall. Both Departments are monitoring the effectiveness of this type of role to help determine staffing plans for this building moving forward.

2018 Priorities

Our focus for 2018 is to continue our efforts in identifying and closing any service delivery gaps, working even more closely with our departmental stakeholders, while promoting ourselves as a strong partner for internal and external customers.

Our 2018 priorities include:

- Upgrades to the CRM “Access Newmarket” software,
- Upgraded Telephony systems,

- A replacement of our Recreation program registration system, and our Point of Sale software,
- VIVANEXT's Presto card sales,
- Corporate-wide Customer Service training to provide Town of Newmarket and N6 staff with enhanced customer service skills,
- Partner with the Legislative Services team to provide them with well trained, professional staff over the Election Period of the 2018 municipal election,
- Community Survey targeted for Q3 to help inform the new Council with community levels of satisfaction and levels of importance related to town services,
- Launch of a new solid waste contract with *Green For Life* requiring close monitoring of Customer Service KPI's,
- Continue to promote the Town of Newmarket as a potential partner for service partnerships,
- To continue to develop and promote Kiosk Customer Service into a valuable service option for residents and patrons of the Town of Newmarket,
- Promote self-service through pre authorized tax payments, online pet licensing, parking ticket payments, program registrations, and other online services.
- Work more closely with staff supporting the Mayor and Councillors' offices to better coordinate efforts and identify emerging issues.
- Continue to deliver customer service training for staff providing service to internal and/or external customers. Offer this training to other municipalities as a revenue generating opportunity.

Business Plan and Strategic Plan Linkages

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

Consultation

Not applicable to this report.

Human Resource Considerations

Not applicable to this report.

Budget Impact

None

Attachments

- Year End Summary Reports – Customer Service Centre & Customer Service Kiosks
- Total CSC Contacts Handled vs. Service Requests – 2011 - 2017
- Contact Sources 2017- Customer Service Centre
- Contact Sources 2017 - Customer Service Kiosks
- 2017 Departmental Breakdown – Customer Service Centre
- Enhanced Service Transactions – Magna & Ray Twinney Complex

Contact

For more information on this report contact Jamie Boyle (jboyle@newmarket.ca at extension 2254) or Hayley Fryer (hfrayer@newmarket.ca at ext. 2706)

Approval



Jamie Boyle, Supervisor,
Customer Service Centre



Hayley Fryer, Supervisor,
Customer Service Kiosks



Bonnie Munslow, Manager,
Corporate Customer Service

A handwritten signature in black ink, appearing to read 'Ian McDougall', with a long horizontal stroke extending to the right.

Ian McDougall, Commissioner,
Community Services

Year End Summary Report – Customer Service Centre

For period ending December 31, 2017

Summary	2014	2015	2016	2017
Total Kiosk Customer Contacts ¹	112,279	110,735	106,072	105,371
Total Calls Answered	79,361	76,119	74,205	67,119
Counter Interactions	27,945	29,624	30,751	32,131
Email Interactions	3,243	3,531	2,395	3,720
Service Requests ²	8,124	8,145	7,912	8,675
Service Requests Percentage ³	10.9%	10.9%	10.7%	11.4%
Average Call Wait Time (seconds)	0:19	0:21	0:20	0:21
Average Length of Call (minutes)	1:26	1:33	1:33	1:33
Abandonment Rate (target rate ≤ 8%) ⁴	4.9%	5.4%	5.6%	5.4%
Service Levels (target rate 80%) ⁵	82.0%	80.0%	81.1%	81.4%

¹ Includes: All counter interactions, Mail, E-mail, Social Media and the MY Waste APP

² Service requests where a ticket was assigned to another department for action

³ Service requests as a percentage of Town of Newmarket customer contacts after transfers

⁴ Abandonment rate is the % of callers who hang-up before the call is answered

⁵ Percentage of calls answered within 20 seconds

Customer Service Centre Highlights 2017

- 2017 has shown a slight decrease (701) in the total contacts made to the Customer Service Centre compared to 2016. This is reflective of the higher reliance on electronic services (on-line parking ticket and tax payments, purchase of pet tags, registration into recreation programs, etc.). Also, with the introduction of enhanced services at the Customer Service Kiosks we see a decrease in interactions in the Customer Service Centre. Lastly, our improved website provides easier access to information and more and more information is being shared through social media channels.
- The breakdown of types of service inquiries and requests shows:
 - Waste collection inquiries represent 5.9% of the total contacts made to the Customer Service Centre in 2017.
 - 16.6% of transactions or inquiries are related to tax payments;
 - The number of counter interactions increased by 1,380 in 2017 from 2016, and has continued to increase since 2013;
 - Bylaw & Parking related issues made up 7.4 % of all contacts received by Customer Services.
 - Residents made 1092 “requests for parking enforcement” in 2017, and 996 residents made a “request for parking exemption” asking for permission to park on our roadways.

Year End Summary Report – Kiosk Customer Services

For period ending December 31, 2017

Summary	2014	2015	2016	2017
Total Customer Contacts ⁶	164,126	175,415	179,271	215,990
Total Calls Answered	16,855	15,441	16,033	20,026
Counter Interactions	144,864	158,835	161,114	194,311
Service Requests	182	377	428	513
Service Requests Percentage	0.12%	0.20%	0.22%	0.24%
Average Call Wait Time (seconds)	0:13	0:12	0:12	0:14
Average Length of Call (minutes)	1:24	1:31	1:31	1:22
Abandonment Rate (target rate ≤ 8%)	5.0%	4.5%	4.4%	5.3%
CRM Accuracy (Target Rate ≥80%) ⁷	62.8%	81.8%	80.1%	79.3%
YRT Tickets and Passes Sold	97	825	1322	856

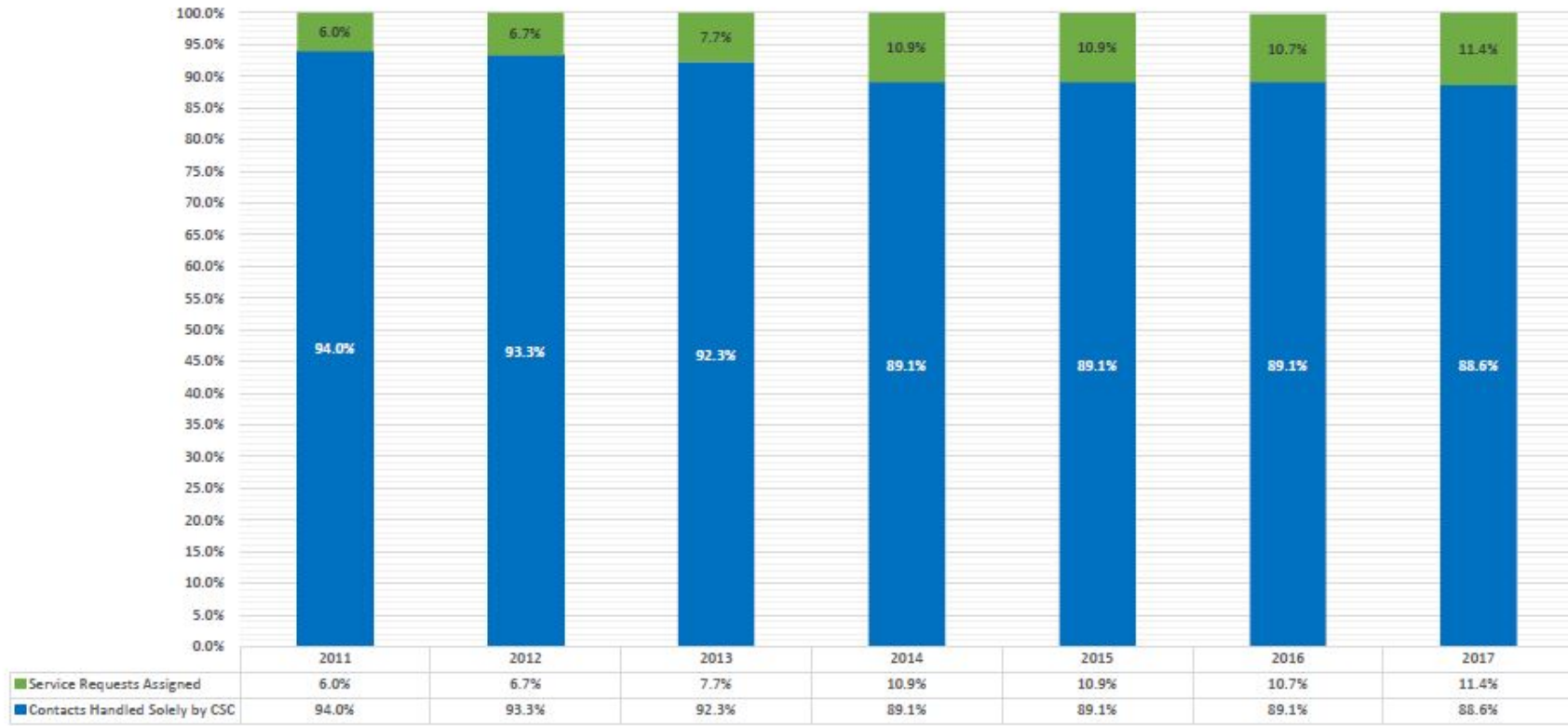
⁶ Includes: All counter interactions, calls answered and accounts activated online

⁷ Percentage of calls logged in Access Newmarket compared to number of calls answered

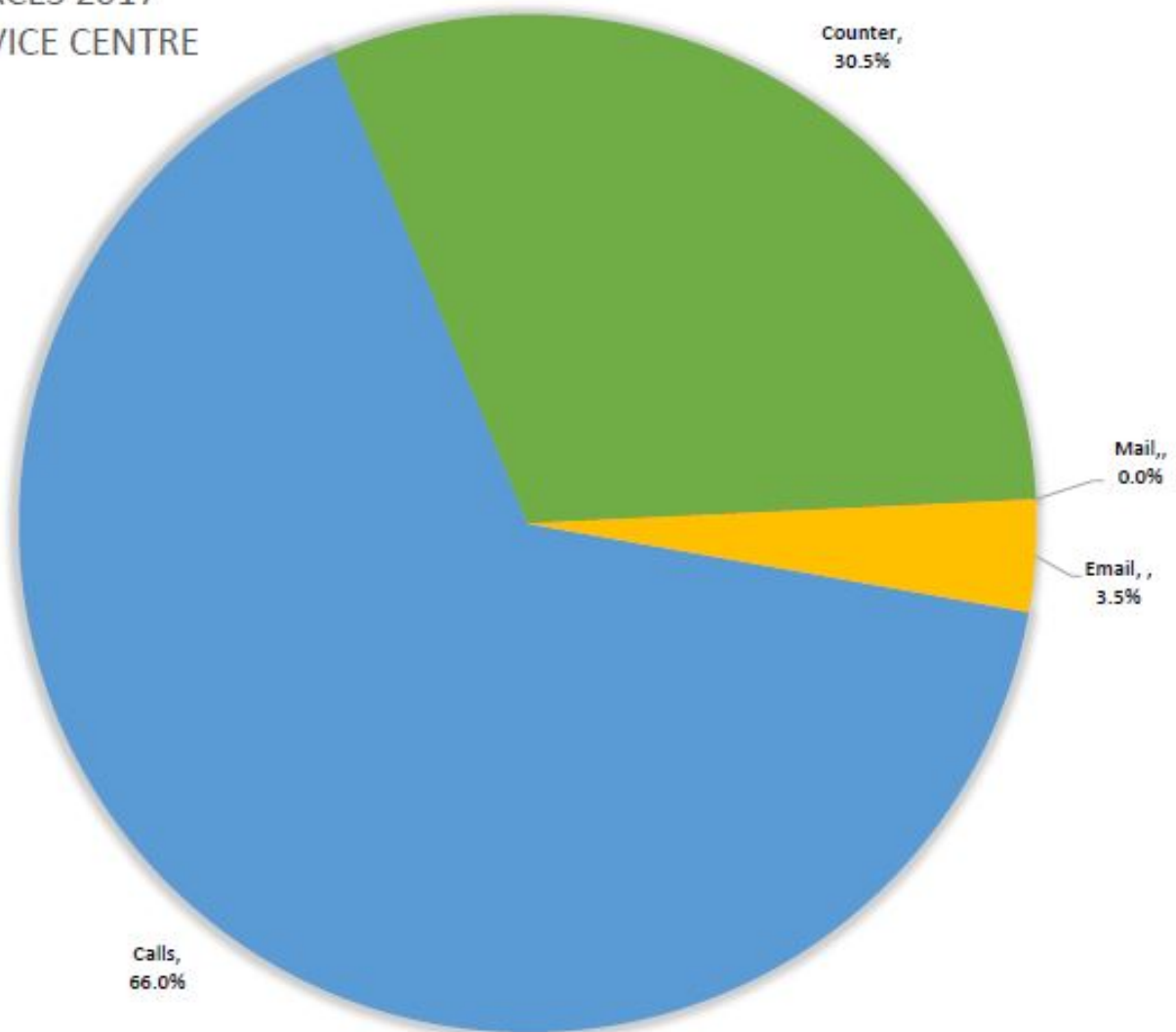
Customer Service Kiosk Highlights 2017

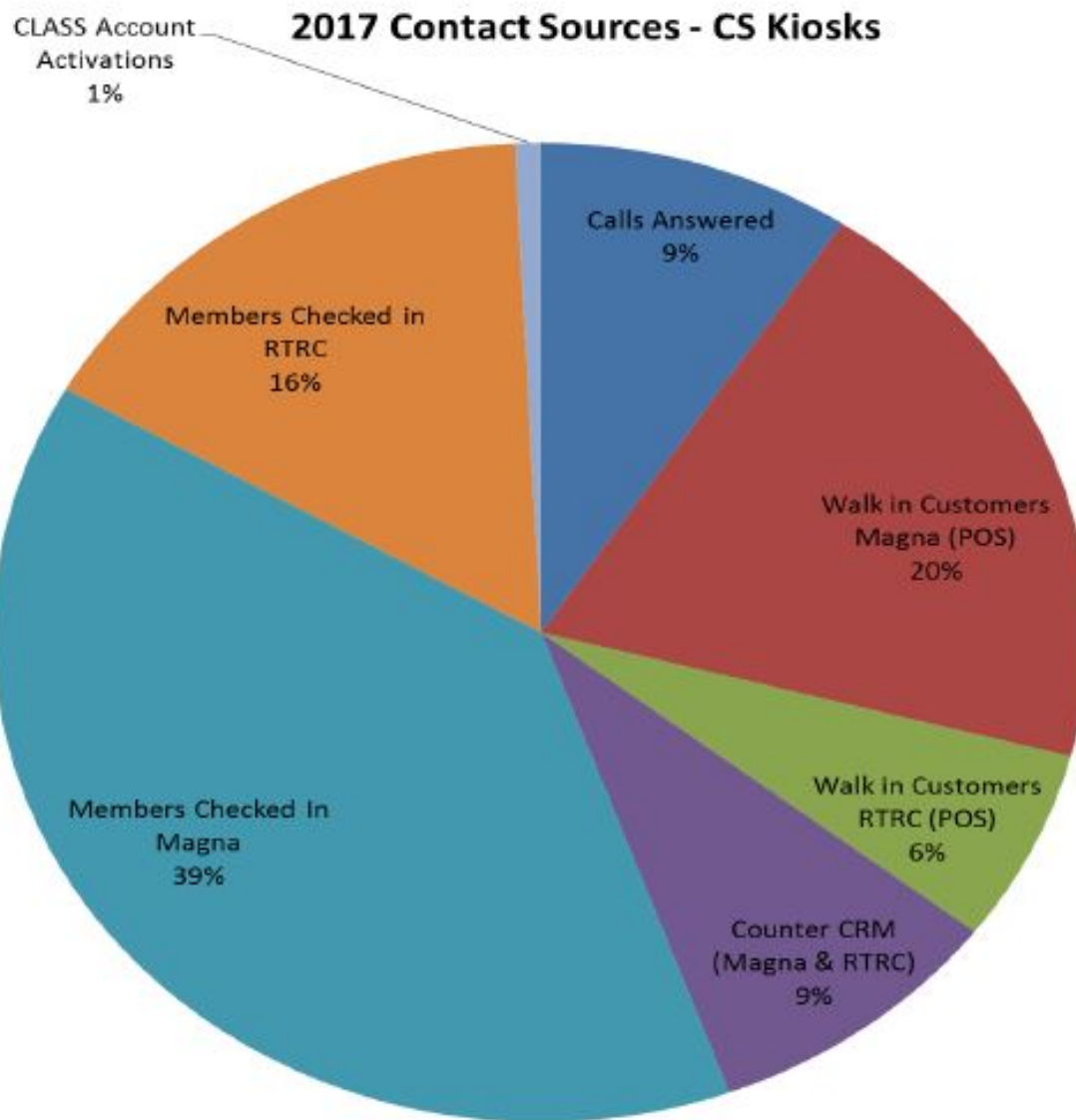
- **Call & Counter Volumes:** In 2017, volumes in the CS Kiosks continually increased as compared to previous years. Data illustrates that this increase is largely due to the successful opening and continued operation of the Fitness Centre.
- **Customer Service Kiosks continue to offer Enhanced Services:** Enhanced service transactions continue to climb at the Magna Centre and Ray Twinney Complex Customer Service Kiosks. 2017 saw a 34% increase in these transactions when compared with 2016. The feedback from residents remains positive, specifically regarding ease of access and operational hours.
- **York Region Transit Partnership:** in 2017 we observed a significant decline in the sale of YRT fare media. In July, YRT discontinued the sale of paper tickets and passes, encouraging riders to move to the Presto program. Now that riders can re-load their presto card online, we expect YRT sales to remain low.
- **CS Kiosk Associates Support the Fitness Centre:** The CS Kiosk team continues to work closely with the Fitness Centre team to serve our members. Our two areas have worked together to establish and communicate Fitness Centre information, processes and policies.
- **CS Kiosk Associates Utilize “Access Newmarket”:** Customer Service Kiosk Associates continue to use Customer Relation Management software (CRM). The data collected is used to help identify trends and volumes and is useful to multiple departments. By capturing customer feedback in the CRM system we can better support facility staff with the prioritization and tracking of service issues.

Total Contacts Handled by CSC vs. Service Requests
Customer Service Centre
2011-2017

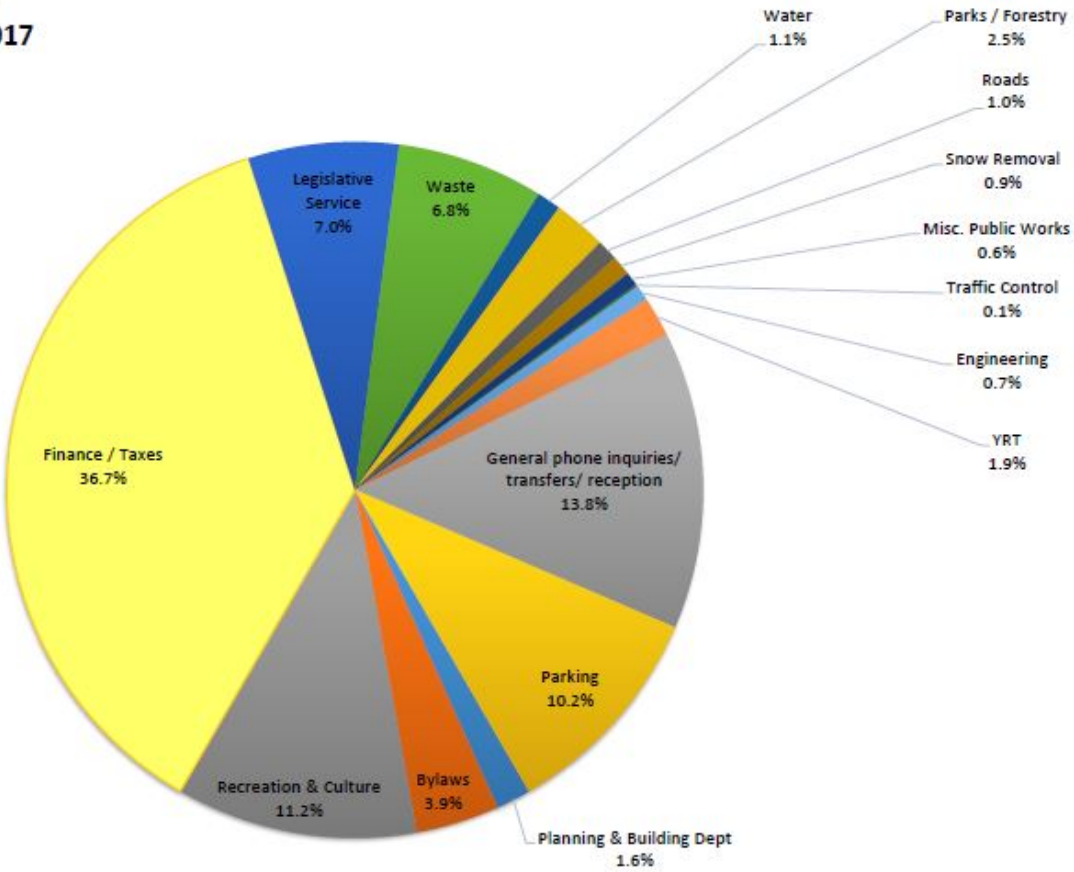


CONTACT SOURCES 2017
- CUSTOMER SERVICE CENTRE

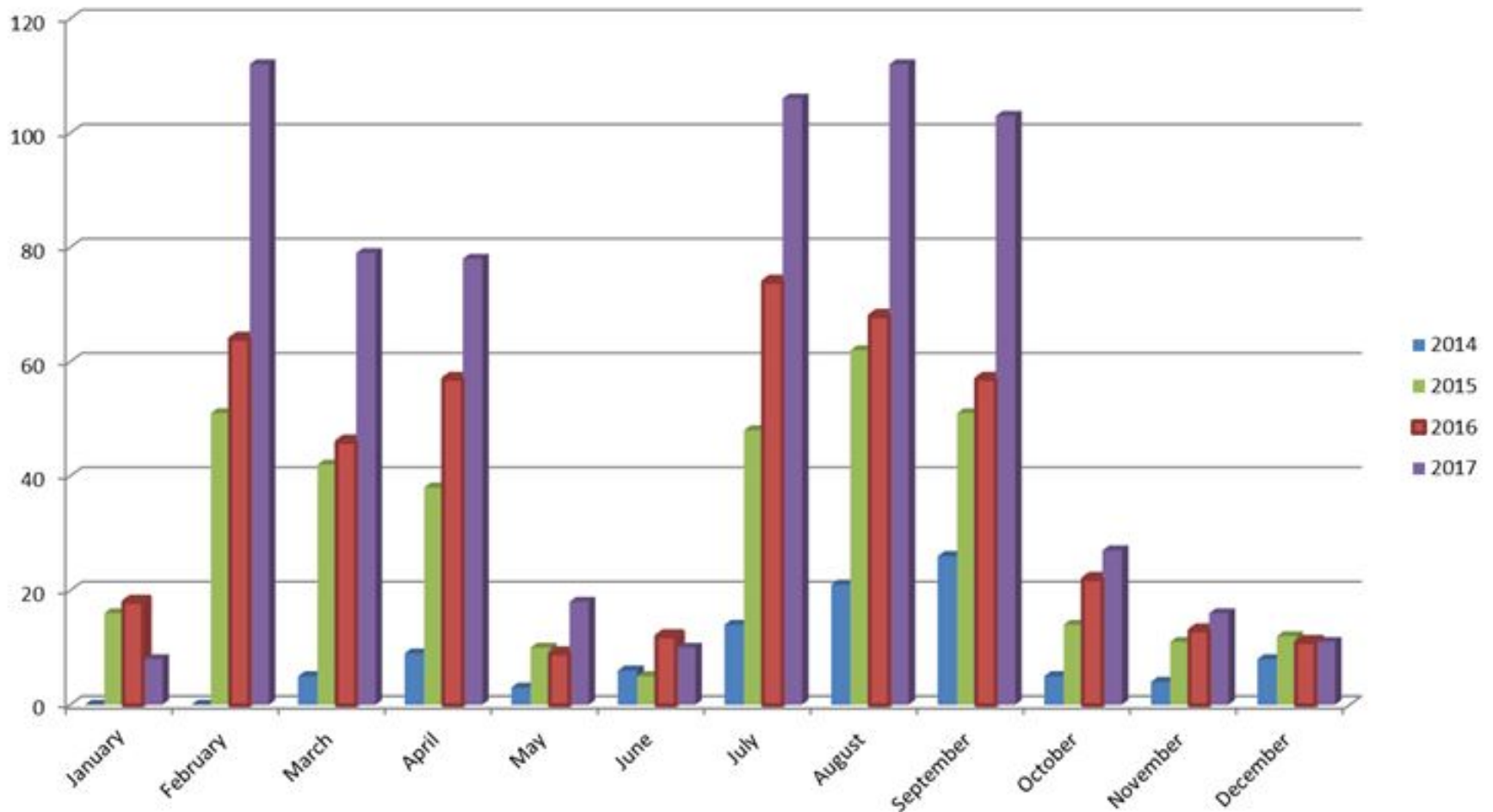




**Customer Service Centre
Departmental Breakdown 2017**



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





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Office of the CAO/Corporate Communications

Performance Report: 2017- Q4

To: Mayor Van Bynen and Member of Council

Copy: Bob Shelton, CAO and members of SLT

Subject: Corporate Communications Quarterly Report: Q4 – September 30 to 31

Origin: Office of the CAO/Corporate Communications

Date: February 7, 2018

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

Comments

Corporate Communications produces quarterly reports to keep Council and senior management informed on how the department is performing and supporting the communications needs of each client group within the Town. This report will provide an overview of the Corporate Communications department's performance from September 30 to December 31, 2017.

Background

The role of Corporate Communications

The Corporate Communications department is a full-service support and strategic management department providing public relations, media relations, marketing, social media and communications services to all departments and divisions within the Town.

The Communications department is responsible for working with client groups to create and execute strategic communications plans, programs and deliverables intended for both internal and external audiences. Crisis communications, issues management, public education and engagement, brand management and reputation management are managed by the department. Corporate Communications also oversees the Town's website.

Supporting Council's Strategic Priorities

The Corporate Communications department assists individuals and departments across the organization in responding to and delivering on Council's Strategic Priorities. More specifically, Corporate Communications supports Council's identified commitment to community engagement and communications best practices.

External Communications:

Key Projects

The Corporate Communications department was involved in supporting a number of high profile projects during the fourth quarter of 2017. Communications worked in collaboration with other departments within the Town, as well as organizations and community partners throughout York Region and beyond to promote several key initiatives. The Communications department also fielded and coordinated media calls, key messages and interviews for the projects listed below.

- **Celestica announcement** – The Communications department worked closely with the Economic Development Office to prepare the announcement for Newmarket welcoming Celestica's Toronto Operations in November 2017. Communications organized a media event for the announcement, which included: coordinating event logistics, issuing a media advisory and post-event release, preparing speaking notes, creating signage and graphics, and handling media interviews during and after the event. The Celestica announcement was covered by CTV Barrie, the Newmarket Era and the Municipal Information Network.
- **Central York Fire Services – Integrated Thermal Imaging Camera (iTIC) media event-** The Communications department planned a media event to introduce new life saving technology being used by CYFS. Communications prepared a media advisory, a media release, media kits and key messages for the event, as well as helped set-up demonstrations of the equipment for news outlets. The event was covered by CTV Toronto, CTV Barrie, CityTV, the Newmarket Era and the Municipal Information Network.
- **Public Education Campaign on preventing sewer blockages** – The Corporate Communications department worked closely with Public Works Services' water and wastewater division on educating the public on the importance of protecting their property and preventing against sewer blockages. Information was communicated through various social media posts on Facebook and Twitter, information on the website and a media release with information on what to do if residents suspect their sewer is blocked. The Town also partnered with Baywood Services Inc. through a bidding process to become the Town's preferred contractor to clear sewer blockages on private property.

- **Waste and Recycling collection date change public education and communication** – The Communications department created a comprehensive public education campaign to notify residents of potential changes to their waste and recycling collection days starting in 2018. 47 per cent of residents were impacted by the date change. Messaging about the change was communicated through: the Town Page in the Newmarket Era, a media release, the Town’s social media accounts (Facebook, Twitter, Instagram), the Newmarket Now e-newsletter, marquees at facilities throughout Town, door hangers for households, ads in Newmarket ERA Look Local and the November edition of snapd, signage on major roads throughout Newmarket, in the Waste and Recycling calendar delivered to all residences in Newmarket and via the My-Waste App.
- **Accessible Templates-** Communications and Information Technology worked together to create accessible templates for all departments to use when preparing letters, memos, reports to Council and meeting notes to make it easier to ensure that all documents are in line with the Accessibility for Ontarians with Disabilities Act (AODA). Communications and Information Technology trained each department on use of the accessible templates and created process pieces for staff to reference if needed when creating accessible documents.
- **Annual Food and Toy Drive** – The Communications department led the Town’s annual Food and Toy Drive for 2017. Communications created a new graphic ad for the campaign, and communicated the need for donations through posters, print ads in the Town Page, social media and the Newmarket Now e-newsletter. Communications coordinated donations from local companies, and organized the presentation of donated items to The Salvation Army and the Newmarket Food Pantry.

Media Training – Corporate Communications organized and coordinated media training through Redbrick Communications for 17 staff members and Members of Council in October. Council and staff members at all levels from across the organization took part in the training sessions which covered best practices for social media, media interviews and media theory.

- **Other Key Projects included:**
 - Supporting media event for launch of Stratus Centre.
 - Supporting the Mayor’s Office with speaking and briefing notes for various Town events, media interviews and assisting with editorial content.
 - Planning for the roll-out of the Market Newmarket campaign for 2018.
 - Working with Economic Development on quarterly article in the Your Business Magazine.
 - Supporting the Open Data initiative with York Region.
 - Re-branding the Town’s Strategic Plan – creating a new look to display the Vision, Mission and Values of the organization through posters and booklets.

- Supporting the roll-out of the Employee Engagement Pulse Survey by creating graphics, posters and all employee communiques to encourage participation in the survey.
- Working on rolling out the Locate my Plow app with Information Technology and Public Works Services.
- Working with Public Works Services on a backflow prevention educational campaign.
- Creating web presence and communicating Bike Lane projects throughout Town.
- Preparing and designing bi-weekly Construction Corner updates for the Engineering department to distribute to residents impacted by construction projects.
- Designing and branding the CYFS Fire and Emergency Management Simulation Trailer.
- Supporting the unveiling of the Canada 150 Mosaic by photographing the event, coordinating media interviews and issuing a media release. The event was covered by CTV Barrie, the Newmarket Era and the Municipal Information Network.

Community Engagement

The Corporate Communications department assisted in the creation of materials, communication and execution of the following Community Engagement events from September 30 to December 31, 2017:

- **2018 Budget** - The Communications department created materials and supported engagement efforts to collect feedback for Phase Two of community engagement for the 2018 budget from September 30 to October 31, 2017. A total of 550 responses were collected as part of the “Put Your Money where it Matters” game, the highest participation rate the Town has had on the budget to date.

Media Relations

Media Releases issued from September 30 to December 31, 2017

- Total number of media releases: 17
- Total number of news stories generated as a result of media releases: 25
- Media Pick-Up of all releases issued: 80 per cent

Media Relations and Issues Management:

From September 30 to December 31, 2017 Corporate Communications helped manage a number of issues. Successful management may include: a satisfied end user, a positive story from a negative event, a new and/or improved relationship, or an issue

that had the potential to generate significant stakeholder interest but was identified and addressed quickly. At a high level, these issues include – but are not limited to the following (which are in no particular order):

- Rate payers response re: staff appreciation
- Domain issue
- Parking issues/solutions throughout Newmarket

External Publications and Advertising

The Communications department produced the following external communications pieces from September 30 to December 31, 2017:

- **2018 Waste and Recycling Calendar** – The Communications department created graphics and content for the Town’s 2018 Waste and Recycling calendar, which is issued to all residences within Town.
- **Snapd** - The Communications department wrote monthly content for snapd featuring large scale initiatives throughout the Town, ways for residents to Get Involved, and other important projects. 12 content pieces were created in 2018.

Town Page

- Frequency: 13 (between September 30 and December 31, 2017). 52 total for 2018.
- Reach: 28,000
- Potential impressions: 84,000

Newmarket Now e-newsletter

- Frequency: 4 (between September 30 and December 31, 2017). 13 issues total for 2018.
- Reach: 3,116 residents subscribed (the Town gained 107 subscribers from October 1 to December 31, 2017).

Digital Communications

Website: October 1 to December 31

- Number of Sessions: 176,614
- Page Views: 319,167

Media Release Section

- Posted new releases: 14

- Page views: 493

Social Media: October 1 to December 31, 2017

Facebook

- Total Fans: 4,707 (4.7 per cent increase over Q3)
- Total Engagements: 4,739
- Total Impressions: 934,223
- Total Posts: 92

Twitter

- Total Followers: 11,822 total, 338 gained (2.3 per cent increase)
- Total Engagements: 4,195
- Total Impressions: 464,430
- Tweets Sent: 624
- Re-tweets: 398

Instagram

- Total Followers: 2,782 total, 117 gained (6.8 per cent increase over Q3)
- Total Engagements: 4,742
- Total Posts: 61
- Likes received: 4,673

MyWaste App

- Total Users: 6572 – gained 825 from October 1 to December 31
- Website Application Users: 2,990 Users
- Resident Interactions: 78,265
- Subscribers: 825

Out of the 9,279 users from October 1 to December 31, 2017, 66 per cent accessed the My Waste application through the app (downloaded onto their phone) and 33% accessed the My-Waste application at newmarket.ca/wasteandrecycling

For content page views on the app and web application – there were a total of 7,171 content page views – 4,079 were accessed through newmarket.ca/mywaste

Internal Communications

The Corporate Communications department continues to support ongoing internal communications initiatives, including:

- **Town Hall** – creation of presentation slides, content, coordination of speakers and event planning.
- **Coffee with the CAO** – organization of event at Operations Centre – coordinating booths, event logistics, signage and communication.
- **Town Central** – continual updates, content creation/posting and ongoing training.
- **NewsMarket** internal newsletter – issued two newsletters – Fall 2017 and Holiday 2017 editions
- **HR initiatives** – Working with the Human Resources department on communications planning regarding the Talent Management Strategy, Employee Engagement Pulse Survey promotion and results, Diversity and Inclusivity programs, mental health awareness initiatives and employee recruitment and retention video through the Employee Value Proposition program.
- **Community Engagement Working Group** – Working with various departments on creating and Community Engagement tool kit that will help staff identify what types of community engagement tools and tactics to use for various projects.



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Q4 2017 - Government Grant Funding Activity Information Report

Report Number: 2018-02

Department(s): Strategic Initiatives

Author(s): Cindy Wackett

Date: February 15, 2018

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

Purpose

This information report serves to provide Council with an update on government grant funding activities for the period ending December 2017.

Background

In 2016, staff began concerted efforts focused on alternate revenue opportunities, submitting and securing, government and agency grants as a continuous improvement effort to fund capital projects. In 2016, sixteen federal government grant applications were submitted.

Discussion

The Town was successful in obtaining federal government funding for seven projects in 2016. The total estimated project costs were over \$900,000 of which the Town would receive over \$330,000 in federal grants towards park and facility improvement projects. As a result of provincial funding applications submitted through the Ontario 150 Capital Investment Program and Ontario Community Infrastructure fund, the Town received a total \$817,700 toward facility and road rehabilitation projects.

In 2017, of the applications submitted, 17 grants were approved to fund over 23 projects.

Conclusion

Staff will continue to provide Council with quarterly updates on grant funding activities.

Business Plan and Strategic Plan Linkages

This report supports and aligns with Newmarket's Strategic Plan vision of "Being Well beyond the ordinary" in all five strategic directions; the Town's Asset Management Plan, Recreation Play Book, Active Transportation Implementation Plan; and Council's Strategic Priority theme of Efficiency / Financial Management.

Consultation

This Report is being concurrently circulated to the Operational Leadership Team.

Human Resource Considerations

There are no impacts on Human Resources as a result of this report.

Budget Impact

Successful grant applications through upper tier government and agency funding programs provides financial relief to the Town's operating and capital budgets. In 2017, the estimated project costs for which the Town actively sought funding for totaled \$6,642,156. The total funding requested and/or allocated from government agencies totaled \$2,764,276.89, averaging approximately 42% of total estimated project costs. As a result, the Town would be responsible for approximately 58% of Council approved project costs in the 2017 Budget.

Attachments

Appendix A - Q4 2017 Grant Applications Status

Contact

For more information on this report, contact Cindy Wackett at cwackett@newmarket.ca 905-953-5300 Ext. 2048.

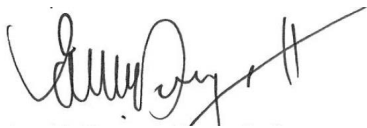
Approval



Cindy Wackett, Corporate Project Consultant
Strategic Initiatives



Esther Armchuk, Commissioner
Corporate Services Commission



Ian McDougal, Commissioner
Community Services



Peter Noehammer, Commissioner
Development and Infrastructure Services



Bob Shelton, Chief Administrative Officer

e-copies: Operational Leadership Team

2017 Applications Submitted

Community Services Commission

Grant Program	Submission Date/Timeline	Total Estimated Project Cost	Funding Request / Allocation	Newmarket's Contribution	Project Description	Status
Elderly Persons Centre Funding	March 2017	\$5,000	\$10,000	N/A	Wall Art Hanging System for Senior's Meeting Place	Project complete. Funding received
New Horizons for Seniors	June 2017	\$42,000	Up to \$25,000	\$17,000 (min.)	Senior's Meeting Place Outdoor Patio Kitchen	Submitted, pending approval. Decision anticipated early 2018
Community Museum Operating Grant	June 2017	\$15,913	\$15,913	N/A	Operating costs	Funding approved for 2018
Total \$\$		\$62,913	\$50,913	\$17,000		

Development & Infrastructure Services

Grant Program	Submission Date/Timeline	Total Estimated Project Cost	Funding Request / Allocation	Newmarket's Contribution	Project Description	Status
Greening Partnership (York Region)	May 2017	\$767,000	\$4,250	\$632,000	Lions Park	Approved
Ontario Community Infrastructure Program (OCIF)	April 2017	\$679,021	\$679,021	N/A	\$130,000 for Asset Management (\$80,000-Strategy Implementation; \$30,000-Consulting Services; \$20,000-Data Collection/Mapping) \$549,021 for Lundy's Lane (water/wastewater/ road rehabilitation)	Transfer Payment
Municipalities for Climate Innovation Program (FCM)	August 2017	\$127,000	\$90,000	\$37,100	Consultant to conduct feasibility study on the implementation of Newmarket's Efficiency Energy Retrofit (NEER) Program (GHG emission & energy consumption reduction program for residential buildings) directed at Newmarket residents, targeting a 40% reduction by 2031. (Community Energy Plan implementation)	Approved. RFP process underway

Grant Program	Submission Date/Timeline	Total Estimated Project Cost	Funding Request / Allocation	Newmarket's Contribution	Project Description	Status
Ontario Municipal Commuter Cycling Program	September 2017	\$2,048,876	\$290,659.89	\$1,639,101	Cycling infrastructure projects – 7.06 km on-road (Harry Walker, Woodspring and Main St.); 4.33 km off-road (Mulock Dr. and Bathurst St. to Yonge Trail)	Approved. Transfer Payment Agreement to be signed
Municipalities for Climate Innovation Program (FCM)	September 2017	\$231,432	\$185,145	\$23,225 (in-kind staff time)	Inter-municipal Operational Study – Macro-scale evaluation of drainage basin approach to SWM	Approved
Municipalities for Climate Innovation Program (MCIP) (FCM)	October 2017	\$231,432.00	\$175,000.00	In-kind only	Macro SWM Economic Study	Approved.
Municipal GHG Challenge Fund	November 2017	N/A	N/A	Nil (Cost of insurance and regular maintenance)	Plug-in Hybrid Electric Pick-up Truck 6 month trial partnering with AMO's Electric Truck Pilot Program application involving up to 60 Ontario municipalities over 3 years	AMO submitted application. Decision anticipated Q1 2018
Municipal GHG Challenge Fund	November 2017	1) \$354,600 2) \$160,000 3) \$180,000 4) \$18,000 5) \$28,000 6) \$42,500 7) \$20,000	1) \$177,300 2) \$160,000 3) \$180,000 4) \$18,000 5) \$28,000 6) \$21,250 7) \$20,000	1) \$177,300 2) \$0 3) \$0 4) \$0 5) \$0 6) \$21,250 7) \$0	Various projects- 1) Electric vehicle replacements including 2 Zambonis 2) Solar Trail Lighting – TTT from Tannery to CN Crossing 3) Solar Pathway Lighting 4) Vehicle Charging Station(s) 5) LED Facility Lighting Upgrades 6) Ice Rink water Treatment System 7) Greenhouse Computerized Operating System	Submitted. Decision anticipated Q1 2018
Greening Partnership (York Region)	May 2017	\$767,000	\$4,250	\$632,000	Lions Park SWM improvements	Project complete
LEAP (LSRCA)	Mar-17		\$16,000			Project complete
Dufferin Simcoe Land Stewardship (Environment Canada)	Jul-17		\$25,000			Project complete

Grant Program	Submission Date/Timeline	Total Estimated Project Cost	Funding Request / Allocation	Newmarket's Contribution	Project Description	Status
Lake Simcoe Clean Up Fund (Environment Canada)	Mar-17		\$155,325			Project complete
RainScaping (Environment Canada/LSRCA)	Mar-17	\$573,530	\$250,541	\$281,000	Ray Twinney SWM improvements	Project complete
LSRCA	January 2017	\$15,000	\$15,000	\$0	Ray Twinney - Sr. Enviro Coordinator Salary	Approved
LSRCA	November 2017	\$55,240	\$27,620	\$27,620	Queen Street	Approved
Ministry of Environment and Climate Change (MOECC)	December 2017	\$105,368.00	\$ 46,530.00	\$59,107 in kind	Co -Creation Wayne Waratah	Approved
MOECC	January 2017	\$175,244	\$144,472	\$30,772 in kind	Stormwater Utility Fee Research Project	Approved
Total \$\$		\$6,579,243	\$2,713,363.89	\$3,560,475		
Grand Total of all Commissions		\$6,642,156 ¹	\$2,764,276.89 ²	\$3,577,475 ³		

ⁱ The \$303,404.11 difference between the Grand Total Estimated Project Costs for All Commissions¹ and the sum of the Funding Request / Allocation² and Newmarket's Contribution³ can be accounted for by a number of benefit-in-kind contributions and variable estimated project costs.



Town of Newmarket
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Capital Project Status Report Q4 – 2017 Cover Memo

To: Mayor Tony Van Bynen and Members of Council

Department(s): Development and Infrastructure Commission

Author(s): Peter Noehammer

Date: February 9, 2018

Purpose

Attached to this memorandum is a brief summary of Development and Infrastructure Services Capital Projects and their status for the fourth quarter of 2017. 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 questions, please feel free to call me.

Regards,

A handwritten signature in blue ink, appearing to read "Peter Noehammer", with a long horizontal flourish extending to the right.

P. Noehammer,
Commissioner, Development & Infrastructure Services

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
2017 Q4 Capital Projects Report

Project Name	Area Responsible	Budget	Start Date	End Date	Council Update
Land Use & Building Tracking System	Building	\$ 1,000,000	Q2 2017	Q4 2018	Contract negotiations still ongoing. Anticipate year end for completed implementation.
Mobility Hub Study	Planning	\$ 300,000	Q1 2017	Q1 2018	Final comments have been provide to Metrolinx. Anticipate final report in March 2018.
Zoning By-law Update	Planning	\$ 244,829	Q1 2017	Q2 2018	Anticipate Council adoption in June 2018.
Bridge and Culvert Inspection, Repair and Replacement	Engineering	\$ 2,230,449	Q3 2017	Q2 2018	Queen Street Culvert Replacement under construction, completion March 2018, Bridge & Culvert OSIM Inspections Reports received, Tender for rehab works due in Spring 2018
Community Splash Pad	Engineering	\$ 1,500,000	Q4 2017	Q2 2018	Frank Stronach Splash Pad in Construction.
Artificial Turf	Engineering	\$ 1,200,000	Q3 2017	Q2 2018	Under Construction. Turf installed, Total Completion Q2 2018
Road Resurfacing	PWS - Roads	\$ 1,300,000	Q2 2017	Q3 2018	The 2017 program will be completed in 2018. A complete list of Roads will be shared with Council in the Spring.
Ray Twinney Complex - Facility Improvements	PWS - Facilities	\$ 2,865,000	Q1 2017	Q2 2018	Outstanding items to be completed mid 2018 include: Area Dehumidification and A/C; Floor Covers for Rink 1; Lobby Washrooms; Sound System; Filter Room Renovation; Replace Roll Up Door; Safety Netting; Shelving in MPR3. The following items have been completed: Replace Roof Replacement; Eves Trough; Roof Rakes/Dormer Roof; Update to Lounge; Replacement of Seating; Replacing floor tiles to rubber flooring.
George Richardson Park North - Soccer Field Realignment	PWS - Parks	\$ 200,000	Q3 2017	Q2 2018	To limit program interruptions this project will commence late in the year.

Completed Projects			
Project Name	Area Responsible	Budget	Council Update
Water/Wastewater Master Servicing Study Implementation	Engineering	\$ 1,366,000	
Mosaik Park Development	Engineering	\$ 700,000	Substantially Complete. Minor sod work to be completed in Spring.
Lundy's Lane Reconstruction	Engineering	\$ 549,021	
Wilstead Sanitary Sewer	Engineering	\$ 200,000	
Implementation of Bike Lanes in Existing Roads Network	Traffic	\$ 832,384	
Design & Construction for Lions Park Drainage	Engineering	\$ 615,000	
Magna Center - Western Entrance	PWS - Facilities	\$ 120,000	Substantially Complete. Minor deficiencies to be dealt with in Spring.
Basketball Courts	Engineering	\$ 150,250	Substantially Complete. Minor deficiencies to be dealt with in Spring.
Projects Deferred to Future Years			
Water Meter Replacement Program	PWS - Water	\$ 9,889,213	RFP applications have been reviewed and evaluated. Expected to be awarded in late July or early August however, actual work is not likely to start until 2018.
Millard Reconstruction	Engineering	\$ 2,400,000	Project to be tendered for 2019 construction.
Roywood Area Watermain Rehab.	Engineering	\$ 1,500,000	Project to be tendered for 2019 construction.
National Homes Parks - Development	Development Engineering	\$ 1,040,000	Project pending development.
Haskett Park Breathing Space & Trail	Engineering	\$ 550,000	Project to be constructed 2018.
Fairy Lake Parking Lot	PWS - Parks	\$ 96,523	Project pending YDSS completion.
Glenway Parks - Development	Development Engineering	\$ 970,000	Project pending development.

Projects Cancelled			
Netting for Ball Diamonds	PWS- Parks	\$ 160,000	Grant Not Received
Additional Playground Improvements	PWS- Parks	\$ 605,000	Grant Not Received
Magna Centre - Facility Improvements	PWS - Facilities	\$ 265,500	Grant Not Received

Committee Budgets - 2017			
Community Centre Lands	Committee	\$ 593,275	Confidential Information Report provided to Council - Q3 2017
Downtown Parking Task Force Studies	Committee	\$ 35,470	
Parking Task Force - Studies	Committee	\$ 16,904	
Community Centre Land Parking Study	Committee	\$ 150,000	
Intelligent Downtown Parking Solution	Committee	\$ 200,000	Grant not received. Working with UofT to develop an alternate solution.
Parking Sub Committee Studies - CCL	Committee	\$ 150,000	
Asset Management Program	Committee	\$ 130,000	Level of service project complete. Recruitment for AM Manager started. Anticipate late Q1 start date.



Town of Newmarket
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Litigation and Insurance Claims Update Information Report

Report Number: 2018-03

Department(s): Joint Legal and Legislative Services

Author(s): Paul Voorn and John Quinn

Date: February 16, 2018

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

Executive Summary

This report summarizes the current OMB, litigation and insurance matters involving the Town.

Purpose

The purpose of this report is to provide Council with status updates on various ongoing and concluded Planning appeal, litigation and insurance matters through to December 31, 2017.

Background

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	<ul style="list-style-type: none">Details and a financial breakdown of the damage claim have not yet been provided by the proponent.Affidavits of	Paul Voorn/ Andriessen & Associates

Matter	Description	History	Current Status	Counsel
		<p>March 2011 when the Town discovered that the proponent had submitted a non-compliant bid.</p> <ul style="list-style-type: none"> The proponent claimed wrongful termination of the Agreement and damages, including lost profits and expenses. 	<p>documents have been exchanged.</p> <ul style="list-style-type: none"> The next step is to proceed with examinations for discoveries. 	
<p>FLKI SCJ File No. CV-13-495627</p>	<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. 	<p>Paul Voorn</p>

Matter	Description	History	Current Status	Counsel
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/ MTL Barristers
SCJ File No. CV-15-124597	<ul style="list-style-type: none"> Employment related matter. 	<ul style="list-style-type: none"> After service of the claim, the Town defended the proceeding. 	<ul style="list-style-type: none"> The matter has not yet proceeded to mediation or discoveries. 	Hicks Morley Hamilton Stewart Storie LLP

Matter	Description	History	Current Status	Counsel
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. A claim was issued in Feb of 2016 and served in August of 2016. 	<ul style="list-style-type: none"> The Town served its Statement of Defence in September of 2016. The file has remained dormant since that time. 	Paul Voorn
BPCL SCJ File No. CV-17- 129580	<ul style="list-style-type: none"> Claim by contractor for road works performed on Srigley Road. 	<ul style="list-style-type: none"> The contractor has claimed payment for funds held back by the Town relating to alleged deficiencies in performance of the contract. 	<ul style="list-style-type: none"> The Town served its Statement of Defence in April of 2017. The next steps include the exchange of affidavits of documents and examinations for discoveries. 	Paul Voorn/ Paterson MacDougall LLP
HL SCJ File No. CV-17- 129380	<ul style="list-style-type: none"> Claim by Town relating to street lighting issues 	<ul style="list-style-type: none"> The Town has commenced an action relating to alleged deficiencies in LED light standards. 	<ul style="list-style-type: none"> A claim has been served on the defendants. They have been advised that defences need not be delivered as discussions continue to resolve the matter. 	Paul Voorn/ Paterson MacDougall LLP

Matter	Description	History	Current Status	Counsel
MSC CV-17- 131451-00	<ul style="list-style-type: none"> Claim by Town relating to a land exchange agreement 	<ul style="list-style-type: none"> A land exchange agreement was entered into with a prior owner of Main Street South properties and is being enforced against the current land owner 	<ul style="list-style-type: none"> The Town has served its notice of application and supporting affidavits A one-day hearing date is schedule for the 3 week trial sittings commencing May 14, 2018 	Paul Voorn/ Aird & Berlis LLP
SL & CL SC-17- 33942-00	<ul style="list-style-type: none"> Claim against the Town alleging the removal of grape vines from private property 	<ul style="list-style-type: none"> After service of the claim, the Town defended the proceeding 	<ul style="list-style-type: none"> Pretrial took place February 13, 2018 Plaintiff must set down for trial by end of March 2018 	Paul Voorn/ Andriessen & Associates

2. Administrative Tribunal Matters

Matter	Description	History	Current Status	Counsel
180-194 Main Street South OMB File No. MM130083	<ul style="list-style-type: none"> Appeal by the owners of 180-194 Main Street South to the OMB of the Lower Main Street South Heritage Conservation District By-law 2013-51 The owners have also appealed Council's denial of the owner's application to amend the 	<ul style="list-style-type: none"> In August 2013 a rezoning application was filed to redevelop the lands at 180-194 Main Street South. On October 21, 2013 Council enacted the Lower Main Street South Heritage Conservation District Bylaw 2013-51. In August 2014 the OMB ordered that the Town By-law 2013-51 	<ul style="list-style-type: none"> OMB pre-hearings have been heard on May 3 and August 11, 2017 and February 8, 2018. The OMB hearing is scheduled to commence August 6, 2018 for 15 days. Both OMB appeals are being heard together. 	Paul Voorn/ Aird & Berlis LLP

Matter	Description	History	Current Status	Counsel
	<p>Historic Downtown Urban Centre Zone (UC-D1) designation in comprehensive Zoning By-law 2010-40</p>	<p>which enacted shall be deemed to have come into effect on October 21, 2013, save and except for the lands located at 180-194 Main Street.</p> <ul style="list-style-type: none"> On December 5, 2016, Council rejected the zoning amendment proposed by the owner. 		
<p>17600 Yonge St.</p> <p>OMB File No. MM160050 and MM170024</p>	<ul style="list-style-type: none"> Appeals of two parkland dedication payments set out in amending site plan agreements. 	<ul style="list-style-type: none"> The owner paid the parkland dedication amounts under protest. 	<ul style="list-style-type: none"> Complete: Both appeals were settled with the owner. 	<p>Paul Voorn</p>
<p>Part of Lots 23, Reg'd Plan 49; N side of Eagle Street</p> <p>OMB File No. PL080723</p>	<ul style="list-style-type: none"> Appeal by the owner to the Official Plan of the Town of Newmarket that designated an approximate 1.7 acre parcel of land as "Natural Heritage System" on Schedule "A" and "Woodlot" on Schedule "B". 	<ul style="list-style-type: none"> The Town and Region brought an unsuccessful motion to dismiss the appeal on January 13, 2009. 	<ul style="list-style-type: none"> Hearing dates in March and April of 2009 were adjourned and have not been rescheduled Staff are waiting for the developer to respond to outstanding comments, primarily related to compensation associated with any proposed tree/woodlot removal. 	<p>Esther Armchuk/ Paul Voorn</p>

Matter	Description	History	Current Status	Counsel
<p>Davis Drive Corridor & Yonge St. Corridor</p> <p>OMB File No. PL150382</p>	<ul style="list-style-type: none"> OPA 10 – Newmarket Urban Centres Secondary Plan 	<ul style="list-style-type: none"> 8 appeals received. 	<ul style="list-style-type: none"> All of the Secondary Plan appeals have now been settled, save for one which is expected to be settled by the end of 2018. 	<p>Esther Armchuk/ Paul Voorn/ Aird & Berlis LLP</p>
<p>770 Gorham Street</p> <p>OMB File No. PL170443</p>	<ul style="list-style-type: none"> Appeal from refusal of Committee of Adjustment to a Consent for a Severance and to grant Minor Variances. 	<ul style="list-style-type: none"> The property owners sought to obtain the severance and variances in order to construct a second home on the property. 	<ul style="list-style-type: none"> The OMB hearing date set for December 11, 2017 was adjourned as the owner submitted further revised drawings for consideration by the Town. Staff are pursuing direction provided by Committee of the Whole in Closed Session on January 22, 2018. 	<p>Paul Voorn</p>
<p>181 Beechwood Crescent</p> <p>OMB File No. PL170776</p>	<ul style="list-style-type: none"> Appeal of a COA decision by a neighbour of the property owners. 	<ul style="list-style-type: none"> The property owners obtained a consent to sever their property from the COA. 	<ul style="list-style-type: none"> This matter has been completed, as the appellant withdrew the appeal. 	<p>Paul Voorn</p>

Matter	Description	History	Current Status	Counsel
Property in vicinity of Srigley Street and Prospect Street (Parts 1-7 on Expropriation Plan D978) BN File No: 18:01	<ul style="list-style-type: none"> A dispute over the amount of compensation owed related to expropriation of lands by the Town 	On November 25, 2005, the Town expropriated natural heritage lands in the vicinity of Prospect Street and Srigley Street. Although the Town obtained possession and ownership of the lands through the expropriation process, the matter of final compensation for the lands has remained outstanding.	<ul style="list-style-type: none"> An appearance at the Board of Negotiations is scheduled for May 9, 2018. 	Karen Reynar / Scargall Owen-King LLP

3. 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 in 2018. Remains open.
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

Claimant & Court Number	Date of Loss	Legal File No.	Explanation
			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.
SO CV-13-115787-00	November 19, 2009	L02-097-13	UPDATE: SETTLED The Claimant fell in a bus shelter on Davis Drive at Patterson Street. The Town does not own, maintain or inspect these shelters. Loopstra Nixon LLP is representing the Town and has successfully settled the matter.
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. PM Law is pushing for resolution. File remains open.
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.
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 has been postponed until early 2018. File remains open.

Claimant & Court Number	Date of Loss	Legal File No.	Explanation
MM CV-15-121336-00	January 17, 2013	L02-013-15	UPDATE: SETTLED The Town was served with a Statement of Claim March 12, 2015 in regards to a fall that took place at the RJT Centre. 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. PM Law is representing the Town and has successfully settled the matter.
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. 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. 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. The Town's insurers have retained the firm Loopstra Nixon to defend the matter. Discoveries set for 2018. File remains open.

Claimant & Court Number	Date of Loss	Legal File No.	Explanation
JD CV-14-119369-00	November 7, 2013	L02-080-13	UPDATE: SETTLED 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. Loopstra Nixon LLP is representing the Town and has successfully settled the matter.
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, because it is privately owned. The file has been assigned to PM Law and the file remains ongoing.
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. The matter is proceeding to trial in the spring of 2018.
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's insurers have retained the firm Loopstra Nixon to defend the matter. Discovery of the parties has been partially completed. 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. Ongoing.

Claimant & Court Number	Date of Loss	Legal File No.	Explanation
YMCA and TB SC-15- 123730-00	April 11, 2014	L02-16- 074	CYFS is being Third Partied into an action as a result of the total loss fire of the Aurora United Church. The roofer is claiming that CYFS failed in its duty to put out the fire. The Town's insurers have retained the firm PM Law to defend the matter.
GA	Oct 24, 2014	L02-16- 073	The claimant alleges injuries as a result of striking construction material on Davis Drive while riding his bike. Town has denied this loss as it relates to VIVA NEXT Project. The claim is being defended by Loopstra Nixon. Discoveries are anticipated to take place in early 2018.

4. 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
AC	April 20, 2009	L02-15- 044	Town received a notice letter for Motor Vehicle Accident that occurred on Mulock Drive and Yonge Street in 2009. File has been assigned to The Town's adjuster to investigate.
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 counsel. The Town's adjuster is negotiating resolution of this claim. The file remains open.
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.

Claim	Date of Loss	Town File No.	Explanation
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	March 22, 2014	L02-065-14	The claimant slipped and fell on the sidewalk on Millard Avenue. The Town's adjuster is dealing directly with the claimant's lawyer.
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 been assigned to PM Law.
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. The Town's adjuster is dealing with the claimant.
Slip & Fall	December 12, 2014	L02-137-14	The claimant fell outside of the Ray Twinney Centre. The Town's adjuster is dealing with third party solicitor. File remains open.
TS	Jan. 14, 2016	L02-16-006	UPDATE: SETTLED 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 and the matter has been resolved.
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 the Town's adjuster who has retained PM Law. Discoveries are set for April 2018.
EC	April 15, 2016	L02-16-032	UPDATE: SETTLED Notice letter received in regards to an Motor Vehicle Accident that occurred in Bradford. We have advised solicitor this is not within our

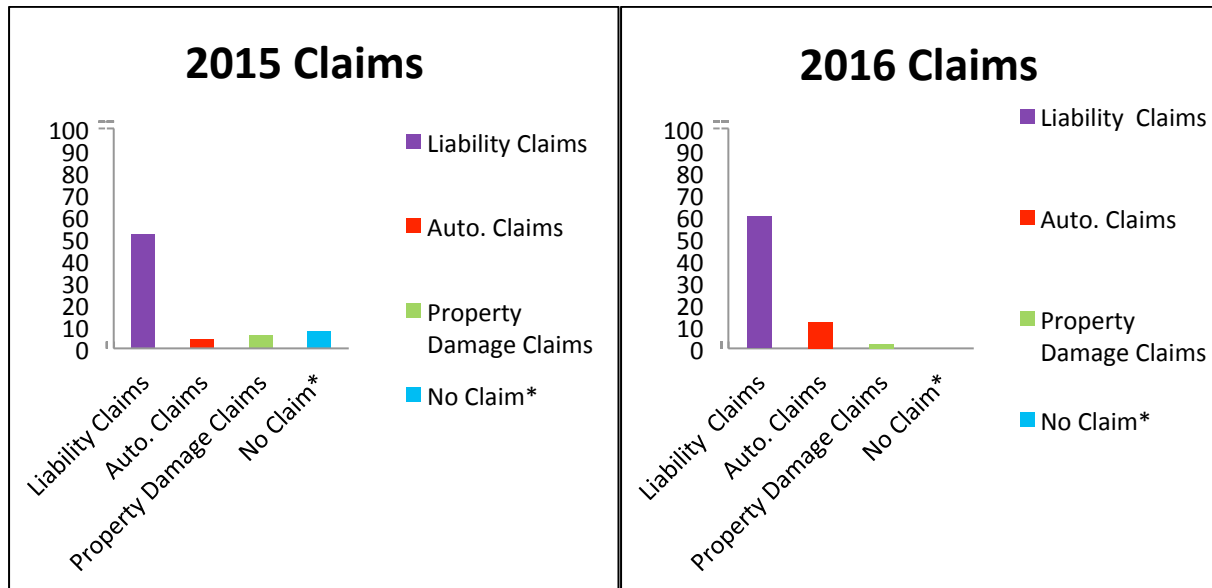
Claim	Date of Loss	Town File No.	Explanation
			jurisdiction and they should contact the Region or Bradford West Gwillimbury. This matter has been resolved.
SL	March 25, 2016	L02-16-033	Claimant fell at the rear entrance to the Seniors' Meeting Place. The Town's adjuster is dealing directly with the injured party. PM Law has been retained as defence counsel.
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. The Town's 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. The Town's insurer has been notified of the potential claim.
FS	April 28, 2016	L02-16-039	UPDATE: SETTLED 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. This matter has been resolved.
TM	July 21, 2016	L02-16-047	UPDATE: SETTLED Town replaced water meter that failed and flooded basement of claimant. Town dealt directly with claimant to resolve the matter.
RW	July 25, 2016	L02-16-051	Trip and fall at the intersection of Lorne and Davis. Open and ongoing.
HM	Aug 23, 2016	L02-16-052	Claimant fell through electrical cover in alleyway off Main Street. All covers have since been inspected. Claimant is represented and file assigned to defense counsel, PM Law.

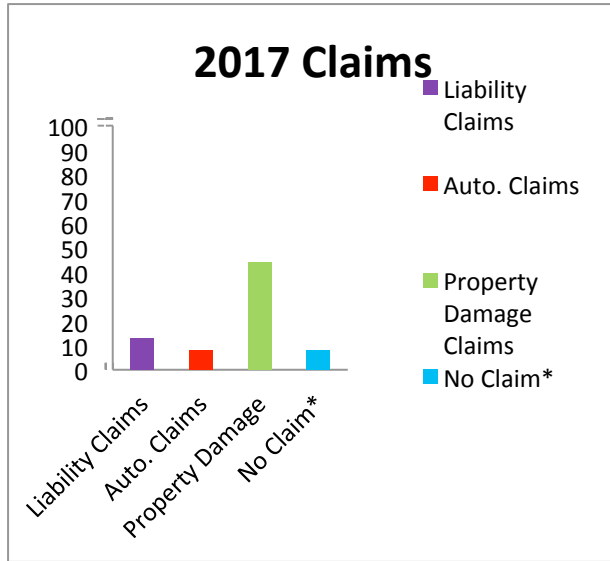
Claim	Date of Loss	Town File No.	Explanation
ER	Sept 3, 2016	L02-16-058	Claimant tripped fell over a mat at the entrance to restaurant on Main Street. Issue with the interlock in front of the building. File assigned to defense counsel, Loopstra Nixon.
SH & SM	Unknown	L02-16-064	Claims put forth by two residents in the Glenway area in regards to vibration damage to their homes. The developer was advised and has had the two properties inspected. The file remains open.
CF	Nov 11, 2016	L02-16-066	Claimant fell outside of a business on Mulock Drive. The claim has been denied as this is private property. The file remains open in the event legal proceedings are commenced.
HR	Dec 12, 2016	L02-17-007	UPDATE: SETTLED Notice letter received from lawyer about serious Motor Vehicle Accident on Green Lane at Main Street. Letter sent to lawyer advising that Green Lane East does not fall within the boundary of the Town. This matter has been resolved.
HN	Jan 13, 2017	L02-17-008	Sewer back up. Town put on Notice by homeowner's insurer. We are currently investigating.
SN	Jan 15, 2017	L02-17-011	Town received Notice Letter putting the Town on notice for injuries resulting from a single vehicle MVA on 404 at Davis Drive. Letter sent to lawyer advising the Town has no jurisdiction over the 404.
MG	Feb 17, 2017	L02-17-012	Town received Notice Letter putting the Town on notice for injuries sustained in a fall at plaza at Green Lane and Yonge. Letter sent to lawyer advising the Town does not have ownership of this plaza.
DM	March 21, 2017	L02-17-016	The claimant slipped and fell on black ice in front of a clothing donation box located in the Magna Parking lot. Claimant suffered a head injury.

Claim	Date of Loss	Town File No.	Explanation
Various claims	June 23, 2017	L02-17-030	Numerous properties affected by storm and sewer water as a result of rainfall during the evening of June 22 and into the day of June 23, 2017.
ND	July 28, 2017	L02-17-053	Advised by lawyer that fall occurred on a sidewalk.
JLH	Nov 20, 2017	L02-17-065	Notified by lawyers letter of a fall on a sidewalk.
BD	Dec 5, 2017	L02-17-067	Notified by lawyers letter of a pedestrian struck at an intersection. Claims lighting led to the incident. Matter assigned to Defense Council.

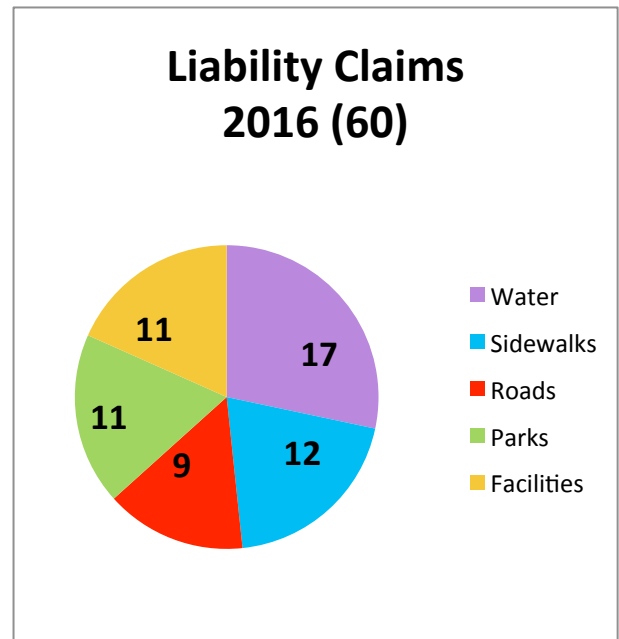
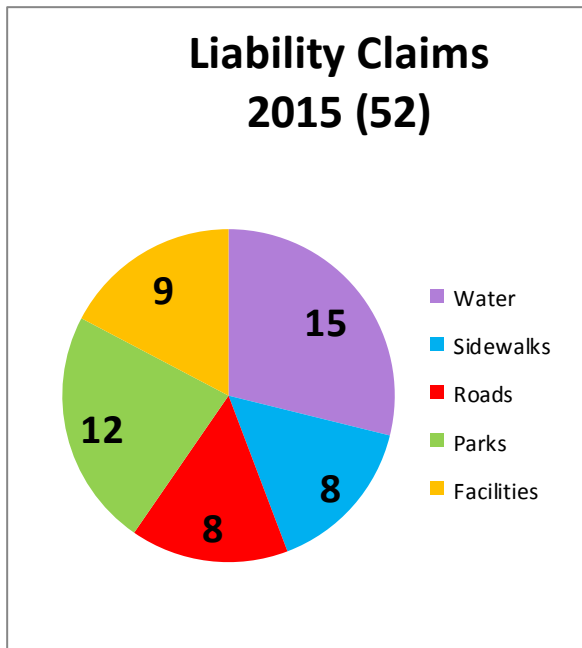
5. Insurance Claims History 2015-2017

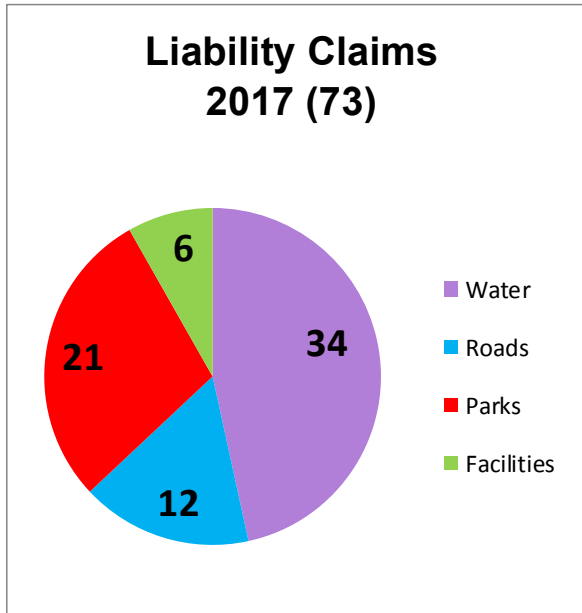
In 2015, the Town opened 52 claims. The number increased to 74 in 2016 however the number of significant claims was lower than 2015. 2017 trended in a very positive direction with only one potentially significant loss having been reported. A breakdown of the types and volume of claims by department is 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





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

- Facilities claims include any claims that occurred in or around Town facilities.

Discussion

In 2017, 73 claims were reported to the Town. This is down one from the previous year. On a very positive note the Town only received three sidewalk trip/slip falls this past year, which is down from seven the previous year. This drop is a result of the Town increasing the number of sidewalks that are now being maintained in the winter as well as the vigilance of staff in monitoring, inspecting and identifying and resolving issues that might lead to losses on Town sidewalks, trails and facilities.

On June 23, 2017 the Town was hit with a significant weather event. The combination of several weeks of rain and saturated ground conditions led to an unusual number of sewer back up and water claims being reported. As a result of an investigation in this event it was determined that the Town and Regions systems operated as they had been designed to and these failures resulted from system being overwhelmed by the volume of water entering into them. A total of 23 claims were reported as a result of this event all of which were denied as there was no negligence on the part of the Town. This event was set up as one claim with multiple claims attached to it.

The Town has, and continues to, take a very proactive approach to managing its risks. Through inspections, training updating of parks signage and bylaws.

Town staff continually work with the Town's Claims and Risk Analyst and insurer in updating and replacing trail, park and facility signs where appropriate.

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 risk management concerns and trends.

The Town's Claims 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. Most recently, updating the Town's parks signs to reflect winter activity and resulting changes to our Parks Bylaw to reflect these changes.

The Town of Newmarket and N6 partners completed its first year of the three year contract with BFL CANADA. In preliminary discussions with the Town's insurer it would appear that the Town may incur a premium increase in 2018. Any increase will be the result of an increase in the value of the Town's assets or market trends.

The Town and N6 partners also renewed the contract with the Town's adjusting firm, Georgian Claims for another year on January 1, 2018, which will hold the cost of our adjusting services at their current rate in 2018.

Conclusion

This report has summarized the status of various ongoing and concluded Planning appeal, litigation and insurance matters through to December 31, 2017.

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.

Consultation

Legislative Services, Legal Services, Finance and Human Resources were all consulted in the preparation of this report.

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.

Attachments

None.

Contact

For more information on this report, please contact: Paul Voorn, Associate Solicitor at Ext. 2436, or John Quinn, Claims & Risk Analyst at Ext. 2212.

Approval

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Paul Voorn, Associate Solicitor
Legal Services

A handwritten signature in blue ink, appearing to read 'Karen' with a stylized flourish.

Karen Reynar, Director/Municipal Solicitor
Legal Services

A handwritten signature in blue ink, appearing to read 'Lisa Lyons' with a stylized flourish.

Lisa Lyons, Director/Town Clerk
Legislative Services

A handwritten signature in blue ink, appearing to read 'Esther Armchuk' with a stylized flourish.

Esther Armchuk, Commissioner
Corporate Services

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John Quinn, Claims & Risk Analyst
Legislative Services