



**TOWNSHIP OF WEST LINCOLN
PUBLIC WORKS/RECREATION/ARENA COMMITTEE
AGENDA**

MEETING NO. THREE

Tuesday, April 19, 2022, 7:30 p.m.

Township Administration Building

318 Canborough Street, Smithville, Ontario

**** NOTE TO MEMBERS OF THE PUBLIC:** Due to efforts to contain the spread of COVID-19 and to protect all individuals, the Council Chamber will not be open to the public to attend Standing Committee or Council meetings until further notice.

**** Virtual Attendance & Participation:** Members of the public who wish to participate by providing oral comments for matters that are on the agenda must attend the virtual meeting by obtaining a Zoom invite in advance by emailing jscime@westlincoln.ca by April 19, 2022 before 4:30p.m. Those who wish to observe the meeting may view the meetings livestream which can be found on the Council and Committee Calendar on the Township's website.**

Pages

1. CHAIR - Councillor Harold Jonker

Prior to commencing with the Public Works/Recreation/ Arena Committee meeting agenda, Chair Jonker noted the following:

1. Due to efforts to contain the spread of COVID-19 and to protect all individuals, the Council Chamber will not be open to the public to attend Standing Committee and Council meetings until further notice.
2. The public may submit comments for matters that are on the agenda to jscime@westlincoln.ca before 4:30 pm on the day of the meeting. Comments submitted will be considered as public information and read into public record.
3. This meeting is being livestreamed as well as recorded and will be available on the Township's website.

2. LAND ACKNOWLEDGEMENT STATEMENT

The Township of West Lincoln, being part of Niagara Region is situated on treaty land. This land is steeped in the rich history of the First Nations such as the Hatiwendaronk (Hat-i-wen-DA-ronk), the Haudenosaunee (Hoe-den-no-SHOW-ee), and the Anishinaabe (Ah-nish-ih-NAH-bey), including the Mississaugas of the Credit First Nation. There are many First Nations, Métis,

and Inuit people from across Turtle Island that live and work in Niagara today. The Township of West Lincoln, as part of the Regional Municipality of Niagara, stands with all Indigenous people, past and present, in promoting the wise stewardship of the lands on which we live.

3. CHANGE IN ORDER OF ITEMS ON AGENDA

4. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST

5. APPOINTMENTS

There are no appointments/presentations.

6. REQUEST TO ADDRESS ITEMS ON THE AGENDA

NOTE: Procedural By-law Section 10.13(5) – General Rules

One (1) hour in total shall be allocated for this section of the agenda and each individual person shall only be provided with **five (5) minutes** to address their issue (some exceptions apply). A response may not be provided and the matter may be referred to staff.

1. The Chair to inquire if the IT Manager was aware if there were any members of the public who were in attendance virtually on the Zoom meeting call who wished to address a specific item on tonight's Public Works/Recreation/Arena Committee agenda, as permitted under Section 6.7 of the Procedural By-law.

2. The Chair to inquire if the Clerk had received any emails or correspondence from a member of the public prior to 4:30 p.m. today who wished to address a specific item on tonight's Public Works/Recreation/Arena agenda, as permitted under Section 6.7 of the Procedural By-law.

7. CONSENT AGENDA ITEMS

NOTE: All items listed below are considered to be routine and non-controversial and can be approved by one resolution. There will be no separate discussion of these items unless a Council Member requests it, in which case the item will be removed from the consent resolution and considered immediately following adoption of the remaining consent agenda items.

7.1. ITEM PW09-22

CONSENT AGENDA ITEMS

RECOMMENDATION:

That the Public Works/Recreation/Arena Committee hereby approves the following Consent Agenda Items:

1. Item 1 be and is hereby received for information; and,
2. Item 2 be and is hereby received and the recommendations contained therein be adopted

with the exception of Item#(s)_____

1.	Information Report PW 08-22 - 2021 MECP Annual Water Inspection Report	6
2.	Recommendation Report REC-04-2022 - 2022 Year of the Garden	24
8.	COMMUNICATIONS	
8.1.	ITEM PW10-22	27
	Ann-Marie Norio, Niagara Regional Clerk Re: Report PW 15-2022 - Moving Transit Forward - Initial Transition Activities and Next Steps	
	RECOMMENDATION:	
1.	That, the Township of West Lincoln recommends Niagara Regional Council to appoint _____ as a representative on the transitional Niagara Transit Commissioner Board, based on the criteria outlined in Niagara Region Report PW 15-2022 (Moving Transit Forward - Initial Transition Activities and Next Steps); and,	
2.	That, the Regional Clerk be notified of the appointment recommendation by no later than April 29, 2022.	
9.	STAFF REPORTS	
9.1.	ITEM PW11-22	63
	Manager Parks, Recreations, and Facilities (Bob Denison) & Direct of Public Works & Recreation (Mike DiPaola) Re: Recommendation Report REC-03-2022 - Funeral, Burial and Cremation Services Act, 2002 and Ontario Regulation 30/11	
	RECOMMENDATION:	
1.	That, Recommendation Report REC-03-2022, "Funeral, Burial and Cremation Services Act, 2002 and Ontario Regulation 30/11", dated April 19, 2022 be received for information; AND	
2.	That, the Council of the Township of West Lincoln hereby supports Prince Edward County's call for Government action concerning the current legislation and regulations surrounding municipal requirements to take over and maintain abandoned operating cemeteries; AND	
3.	That, a copy of this resolution be sent to the Minister of Government & Consumer Services, ROMA, and all Ontario municipalities.	
9.2.	ITEM PW12-22	70
	ADMENDMENT TO BUDGET Manager of Operations (Steve McGean) & Director of Public Works and Recreation (Mike DiPaolo)	

RECOMMENDATION:

1. That, Recommendation Report PW-07-2022, “Amendment to Budget – 2022 Motor Grader Purchase Authorization”, dated April 19, 2022, be received; and,
2. That, Council accept the RFP submission by Toromont CAT for the supply and delivery of the 2022 Motor Grader in the amount of \$596,500 (plus HST); and,
3. That Council approve a Budget Amendment (BA2022-02) in the amount of \$63,000 from the Equipment Reserve; and
4. That, a By-Law be passed to authorize the Mayor and Clerk to enter into an agreement with Toromont CAT.

9.3. ITEM PW13-22

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ADMENDMENT TO BUDGET

Project Manager (Ray Vachon) & Director of Public Works & Recreation (Mike DiPaola)

Re: Recommendation Report PW-06-2022 - 2022 Road Rehabilitation Project Tender Award (PW 2022-01) - Budget Amendment (BA2022-03)

RECOMMENDATION:

1. THAT, Recommendation Report PW-06-2022, re: “2022 Road Rehabilitation Project Tender Award (PW 2022-01) – Budget Amendment (BA2022-03)”, dated April 19, 2022, be received; and,
2. THAT, Council awards the Tender submission to Walkers Construction Limited for the road rehabilitation work, in the amount of \$876,971.00 (excluding HST); and,
3. THAT a project contingency allowance in the amount of \$87,594.31 be provided for this project; and,
4. THAT, Budget Amendment BA2022-03 to re-allocate the financing for the four road projects included within this tender, as outlined in Appendix C, be approved; and,
5. THAT, a by-law be passed to authorize the Mayor and Clerk to enter into an agreement with Walkers Construction Limited.

9.4. ITEM PW14-2022

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Manager of Parks, Recreation & Facilities (Bob Denison) & Director of Public Works & Recreation (Mike DiPaolo)

Re: Recommendation Report REC-05-2022 - 2022 Wellandport Grass Cutting Contract Request for Quotation (RFQ) Authorization, 3 Year Term

RECOMMENDATION:

1. THAT, Recommendation Report REC-05-2022, re: "2022 Wellandport Grass Cutting Contract Request for Quotation (RFQ) Authorization, 3 Year Term", dated April 19, 2022 be received; and,
2. THAT, Council accept the quotation submission by George Lane Landscaping for a three-year contract, in the total amount of \$27,600.00 (plus HST); and,
3. THAT, a By-Law be passed to authorize the Mayor and Clerk to enter into an agreement with George Lane landscaping.

10. OTHER BUSINESS

10.1. ITEM PW15-22

Members of Council

Re: Other Business Items of an Informative Nature

11. NEW BUSINESS

NOTE: Only for items that require immediate attention/direction and must first approve a motion to introduce a new item of business. (Motion Required)

12. CONFIDENTIAL MATTERS

There are no confidential matters.

13. ADJOURNMENT

The Chair to declare the meeting adjourned at the hour of [time]

DATE: April 19, 2022

REPORT NO: PW-08-2022

SUBJECT: **2021 MECP Annual Water Inspection Report**

CONTACT: Steve McGean, CRSI, ORO - Manager of Operations
Mike DiPaola, P. Eng. – Director of Public Works & Recreation

OVERVIEW:

- The primary focus of this inspection is to confirm compliance with Ministry of the Environment, Conservation and Parks (MECP) legislation as well as to evaluate conformance with Ministry drinking water related policies and guidelines during the inspection period.
- The focused inspection included a review of operational records for the distribution system (DS) from December 16, 2020 to February 14, 2022.
- Copy of the MECP Smithville Distribution Inspection Report is attached.

RECOMMENDATION:

1. That, Information Report PW 08-2022, Re: “2021 MECP Annual Inspection Report, dated April 19, 2022”, be received for information.

ALIGNMENT TO STRATEGIC PLAN:

Theme #5

- **Community Health and Safety** – West Lincoln continues to be a safe community where all residents are supported to thrive throughout their lives.

Theme #6

- **Efficient, Fiscally Responsible Operations** - The Township of West Lincoln is a lean organization that uses sustainable, innovative approaches and partnerships to streamline processes, deliver services and manage infrastructure assets.

BACKGROUND:

On February 15, 2022 an MECP Waterworks Inspector completed a focused inspection of the Smithville Distribution Water System. The system was audited for the period covering December 16, 2020 to February 14, 2022. The following is a brief overview of the audit/inspection:

- The audit was delayed as a result of MECP staffing shortage due to COVID.
- No non-compliance issues were identified.

- One recommendation was given to the Township.

CURRENT SITUATION:

This audit was based on a "focused" inspection of the system. The primary focus of this inspection is to confirm compliance with Ministry of the Environment, Conservation and Parks (MECP) legislation as well as evaluating conformance with ministry drinking water policies and guidelines during the inspection period. The inspection contained critical elements required to assess key compliance issues. The ministry audit found no non-conformance or non-compliance issues with our Drinking Water Quality Management System. One recommendation was offered. It was recommended that the Township consider various sample locations when conducting quarterly sampling for trihalomethane (THM). We will be implementing this suggestion for our next quarterly samples. We were found to be meeting or exceeding all Standards set out by the MECP. We were given a 100% score for the audit. The auditor was very pleased with the outcome of the audit and noted that our Quality Management System is operating efficiently.

Although we were given a 100% score, we will continue to try and improve our Quality Management System. This will ensure that we will always be ahead of regulation changes and continue to surpass all legislative requirements.

FINANCIAL IMPLICATIONS:

There are no financial implications as a result of this report.

INTER-DEPARTMENTAL COMMENTS:

N/A

CONCLUSION:

Staff has reviewed the MECP's Annual Inspection report. Staff requests that the 2021 MECP Annual Inspection Report be received for information purposes.

Prepared & Submitted by:



Steve McGean CRSS, ORO
Manager of Operations



Mike DiPaola P. Eng.
Director of Public Works & Recreation

Approved by:



Bev Hendry
Chief Administrative Officer

Attachment "A": 2021 MECP Annual Water Inspection Report

**Ministry of the Environment,
Conservation and Parks**

Drinking Water and Environmental
Compliance Division, West Central Region
Niagara District Office
9th Floor, Suite 15
301 St. Paul Street
St. Catharines, ON L2R 7R4
Tel.: 905-704-3900
1-800-263-1035
Fax.: 905-704-4015

**Ministère de l'Environnement de la Protection de
la nature et des Parcs**

Division de la conformité en matière d'eau potable
et d'environnement
Direction régionale du Centre-Ouest
Bureau du district de Niagara
9^e étage, bureau 15
301, rue St. Paul
St. Catharines, ON L2R 7R4
Tél.: 905-704-3900
1-800-263-1035
Téléc.: 905-704-4015

March 23, 2022

Steve McGean

Manager of Road Operations, Water & Wastewater –
Public Works Department Township of West Lincoln,
6218 London Road, Smithville, Ontario,
L0R 2A0

Re: Smithville Distribution System Inspection Report, 2021-22

Dear Mr. McGean,

Enclosed is a copy of the inspection report prepared for the Smithville Distribution System under the Ministry's focused inspection protocol to assess compliance with the Safe Drinking Water Act legislation. The report is based on conditions encountered at the time of inspection and subsequent follow-up.

Any items under the heading "Non-Compliance with Regulatory Requirements and Actions Required" are linked to incidents of non-compliance with regulatory requirements contained within the Act, a Regulation, or site-specific Approvals, Licences, Permits, Orders, or instructions.

Section 19 of the Safe Drinking Water Act (Standard of Care) creates several obligations for individuals who exercise decision-making authority over municipal drinking water systems. Please be aware that the Ministry has encouraged such individuals, particularly municipal councillors, to take steps to be better informed about the drinking water systems over which they have decision-making authority. These steps could include asking for a copy of this inspection report and a review of its findings. Further information about Section 19 can be found in "Taking Care of Your Drinking Water: A guide for members of municipal council" found under "Resources" on the Drinking Water Ontario website at www.ontario.ca/drinkingwater.

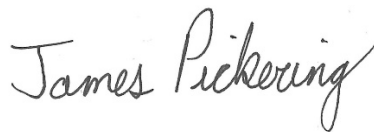
In order to measure individual inspection results, the Ministry has established an inspection compliance risk framework based on the principles of the Inspection, Investigation & Enforcement (II&E) Secretariat and advice of internal/external risk experts. The Inspection

ATTACHMENT "A"

Summary Rating Record (IRR) provides the Ministry, the system owner and the local Public Health Unit with a summarized quantitative measure of the drinking water system's annual inspection and regulated water quality testing performance. IRR ratings are published (for the previous inspection year) in the Ministry's Chief Drinking Water Inspector's Annual Report. Please note that due to a change in IT systems, the IRR cannot be generated at the same time as the inspection report. The IRR will be sent separately and prior to any public release; typically, within 1 -2 months of the completion of the inspection.

I would like to Thank the Township of West Lincoln staff for the assistance afforded to me during this compliance assessment. If you have any questions or concerns, please contact myself or Brittney Wielgos, Water Compliance Supervisor, West Central Region at 705-768-8195.

Best regards,



James Pickering,
Provincial Officer #1017
Water Inspections Program
Guelph District Office
Tel: (519) 835-9184

Cc: Glen Hudgin, Manager, Environmental Health, Niagara Region Public Health Unit
Jeremy Kelly, Team Lead – Water, Niagara Region Public Health Unit
Leilani Lee-Yates, Director of Watershed Management, Niagara Peninsula Conservation Authority
Thomas Proks, Source Protection Coordinator, Niagara Peninsula Conservation Authority
Brittney Wielgos, Water Compliance Supervisor, Ministry of the Environment, Conservation and Parks
MECP Niagara District Office File



SMITHVILLE DISTRIBUTION SYSTEM
6218 LONDON RD, WEST LINCOLN, ON, L0R 2A0
Inspection Report

System Number:	260002876
Inspection Start Date:	02/15/2022
Inspection End Date:	03/16/2022
Inspected By:	James Pickering
Badge #:	1017


(signature)

NON-COMPLIANCE/NON-CONFORMANCE ITEMS

The following item(s) have been identified as non-compliance/non-conformance, based on a "No" response captured for a legislative or best management practice (BMP) question (s), respectively.

Question Group: Other Inspection Findings

Question ID	MRDW1116000		
Question		Question Type	Legislative Requirement
Were the inspection questions sufficient to address other identified best practice issues?		BMP	Not Applicable
Observation/Corrective Action(s)			
The following issues were also noted during the inspection: It is recommended that the Township consider various sample locations when conducting quarterly sampling for trihalomethane (THM). This recommendation is based on the fact that all THM samples have been collected from the same location since October 16, 2018. This sample location should be re-evaluated upon subsystem expansion and alteration.			

INSPECTION DETAILS

This section includes all questions that were assessed during the inspection.

Ministry Program: Regulated Activity: DRINKING WATER : DW Municipal Residential

Question ID	MRDW1001000		
Question	Question Type	Legislative Requirement	
What was the scope of this inspection?	Information	Not Applicable	
Observation			
<p>The primary focus of this inspection is to confirm compliance with Ministry of the Environment, Conservation and Parks (MECP) legislation as well as evaluating conformance with ministry drinking water policies and guidelines during the inspection period. The ministry utilizes a comprehensive, multi-barrier approach in the inspection of water systems that focuses on the source, treatment, and distribution components as well as management practices.</p> <p>This drinking water system is subject to the legislative requirements of the Safe Drinking Water Act, 2002 (SDWA) and regulations made therein, including Ontario Regulation 170/03, "Drinking Water Systems" (O.Reg. 170/03). This inspection has been conducted pursuant to Section 81 of the SDWA.</p> <p>This inspection report does not suggest that all applicable legislation and regulations were evaluated. It remains the responsibility of the owner to ensure compliance with all applicable legislative and regulatory requirements. This inspection covers the period of time between December 16/20 and February 14/22. During this inspection period, the Smithville Distribution System operated under Municipal Drinking Water Licence #077-101 (MDWL), Issue #2, is dated June 10/16; MDWL Issue #3 was issued on May 26/21. Drinking Water Works Permit #077-201 (DWWP), Issue #2, is dated June 10/16; DWWP Issue #3 was issued on May 26/21.</p> <p>The Township of West Lincoln (the Township) owns and operates the Smithville Class I stand-alone water distribution system. Secondary disinfected, free chlorine treated water is supplied by the Grimsby Drinking Water System. All treatment and storage facilities are owned and operated by the Regional Municipality of Niagara and are subject to a separate inspection. The Smithville Distribution System has approximately 35 km of water mains, serving approximately 6,000 residents via approximately 2,400 fully metered service connections. The system includes 260 hydrants and 317 valves. The Township also owns and operates a bulk fill station with two top filling and two bottom filling lines to serve the rural population as well as a small container fill station. All Township owned services are protected by backflow devices.</p>			

Question ID	MRDW1000000		
Question		Question Type	Legislative Requirement
Does this drinking water system provide primary disinfection?		Information	Not Applicable
Observation			

This Drinking Water System provides for only secondary disinfection and distribution of water. Primary disinfection is undertaken by another regulated Drinking Water System which provides treated water to this Drinking Water System.

Question ID	MRDW1033000	
Question	Question Type	Legislative Requirement
Is the secondary disinfectant residual measured as required for the large municipal residential distribution system?	Legislative	SDWA O. Reg. 170/03 7-2 (3), SDWA O. Reg. 170/03 7-2 (4)
Observation		
The secondary disinfectant residual was measured as required for the distribution system. A review of the logs provided by the Township showed that the secondary free chlorine residual is typically sampled and tested at four locations on Tuesdays and at three locations on Thursdays.		

Question ID	MRDW1018000	
Question	Question Type	Legislative Requirement
Has the owner ensured that all equipment is installed in accordance with Schedule A and Schedule C of the Drinking Water Works Permit?	Legislative	SDWA 31 (1)
Observation		
The owner had ensured that all equipment was installed in accordance with Schedule A and Schedule C of the Drinking Water Works Permit. Township staff confirmed that all watermain have been installed as described in Schedule A of the DWWP. At the time of the inspection, a digital map of the Smithville distribution system, dated January 2020, was provided to the undersigned. The map provided included hand-drawn updates from construction projects that occurred in 2020-21.		

Question ID	MRDW1020000	
Question	Question Type	Legislative Requirement
Is the owner/operating authority able to demonstrate that, when required during the inspection period, Form 1 documents were prepared in accordance with their Drinking Water Works Permit?	Legislative	SDWA 31 (1)
Observation		
The owner/operating authority was in compliance with the requirement to prepare Form 1 documents as required by their Drinking Water Works Permit during the inspection period. The Township provided two Form 1 documents for Brock Street and Clifford Street.		

Question ID	MRDW1025000	
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Question	Question Type	Legislative Requirement
Were all parts of the drinking water system that came in contact with drinking water (added, modified, replaced or extended) disinfected in accordance with a procedure listed in Schedule B of the Drinking Water Works Permit?	Legislative	SDWA 31 (1)
Observation		
All parts of the drinking water system were disinfected in accordance with a procedure listed in Schedule B of the Drinking Water Works Permit. The Township provided copies of two Standard Operating Procedures (SOP) to demonstrate compliance with Condition 2.3 of the DWWP. The SOPs are titled 'Commissioning New Water Pipe' and 'Main Brake Repair'.		

Question ID	MRDW1062000	
Question	Question Type	Legislative Requirement
Do records or other record keeping mechanisms confirm that operational testing not performed by continuous monitoring equipment is being done by a certified operator, water quality analyst, or person who meets the requirements of O. Reg. 170/03 7-5?	Legislative	SDWA O. Reg. 170/03 7-5
Observation		
Records or other record keeping mechanisms confirmed that operational testing not performed by continuous monitoring equipment was being done by a certified operator, water quality analyst, or person who suffices the requirements of O. Reg. 170/03 7-5.		

Question ID	MRDW1060000	
Question	Question Type	Legislative Requirement
Do the operations and maintenance manuals meet the requirements of the DWWP and MDWL issued under Part V of the SDWA?	Legislative	SDWA 31 (1)
Observation		
The operations and maintenance manuals met the requirements of the Drinking Water Works Permit and Municipal Drinking Water Licence issued under Part V of the SDWA.		

Question ID	MRDW1071000	
Question	Question Type	Legislative Requirement
Has the owner provided security measures to protect components of the drinking water system?	BMP	Not Applicable
Observation		
The owner had provided security measures to protect components of the drinking water system. Roadside sample stations are locked. Two bulk water fill stations are equipped with security cameras and backflow prevention devices.		

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Question ID	MRDW1073000			
Question	Question Type	Legislative Requirement		
Has the overall responsible operator been designated for all subsystems which comprise the drinking water system?	Legislative	SDWA O. Reg. 128/04 23 (1)		
Observation				
The overall responsible operator has been designated for each subsystem. The ORO holds a valid Class 2 Water Distribution certification.				

Question ID	MRDW1074000		
Question	Question Type	Legislative Requirement	
Have operators in charge been designated for all subsystems for which comprise the drinking water system?	Legislative	SDWA O. Reg. 128/04 25 (1)	
Observation			
Operators-in-charge had been designated for all subsystems which comprised the drinking water system.			

Question ID	MRDW1075000		
Question		Question Type	Legislative Requirement
Do all operators possess the required certification?		Legislative	SDWA O. Reg. 128/04 22
Observation			
All operators possessed the required certification.			

Question ID	MRDW1099000		
Question		Question Type	Legislative Requirement
Do records show that all water sample results taken during the inspection review period did not exceed the values of tables 1, 2 and 3 of the Ontario Drinking Water Quality Standards (O. Reg.. 169/03)?		Information	Not Applicable
Observation			
Records showed that all water sample results taken during the inspection review period did not exceed the values of tables 1, 2 and 3 of the Ontario Drinking Water Quality Standards (O.Reg. 169/03).			

Question ID	MRDW1096000		
Question	Question	Legislative	

	Type	Requirement
Do records confirm that chlorine residual tests are being conducted at the same time and at the same location that microbiological samples are obtained?	Legislative	SDWA O. Reg. 170/03 6-3 (1)
Observation		
Records confirmed that chlorine residual tests were being conducted at the same time and at the same location that microbiological samples were obtained.		

Question ID	MRDW1081000	
Question	Question Type	Legislative Requirement
Are all microbiological water quality monitoring requirements for distribution samples being met?	Legislative	SDWA O. Reg. 170/03 10-2 (1),SDWA O. Reg. 170/03 10-2 (2),SDWA O. Reg. 170/03 10-2 (3)
Observation		
All microbiological water quality monitoring requirements for distribution samples were being met. Distribution samples were collected weekly to be tested for microbiological parameters in accordance with Section 10-2 of Schedule 10, Regulation 170/03. The Township is required to collect at least 14 micro samples every month. The Township typically collected four samples every Tuesday during this inspection period.		

Question ID	MRDW1086000	
Question	Question Type	Legislative Requirement
Are all haloacetic acid water quality monitoring requirements prescribed by legislation conducted within the required frequency and at the required location?	Legislative	SDWA O. Reg. 170/03 13-6.1 (1),SDWA O. Reg. 170/03 13-6.1 (2),SDWA O. Reg. 170/03 13-6.1 (3),SDWA O. Reg. 170/03 13-6.1 (4),SDWA O. Reg. 170/03 13-6.1 (5),SDWA O. Reg. 170/03 13-6.1 (6)
Observation		
All haloacetic acid water quality monitoring requirements prescribed by legislation are being conducted within the required frequency and at the required location. HAA samples were		

collected on the following dates during this inspection period: January 12/21, April 13/21, July 13/21, October 12/21, and January 11/22. At the time of the inspection, the running annual average was 8.78 µg/L. Section 13-6.1 of Schedule 13 requires a HAA sample to be collected every three months.

Question ID	MRDW1087000		
Question	Question Type	Legislative Requirement	
Have all trihalomethane water quality monitoring requirements prescribed by legislation been conducted within the required frequency and at the required location?	Legislative	SDWA O. Reg. 170/03 13-6 (1)	
Observation			
All trihalomethane water quality monitoring requirements prescribed by legislation were conducted within the required frequency and at the required location. THM samples were collected on the following dates during this inspection period: January 12/21, April 13/21, July 13/21, October 12/21, and January 11/22. At the time of the inspection, the running annual average was 25.35 µg/L. Section 13-6 of Schedule 13 requires a THM sample to be collected every three months.			

Question ID	MRDW1100000		
Question		Question Type	Legislative Requirement
Did any reportable adverse/exceedance conditions occur during the inspection period?		Information	Not Applicable
Observation			
There were no reportable adverse/exceedances during the inspection period.			

Question ID	MRDW1116000		
Question		Question Type	Legislative Requirement
Were the inspection questions sufficient to address other identified best practice issues?		BMP	Not Applicable
Observation			
The following issues were also noted during the inspection: It is recommended that the Township consider various sample locations when conducting quarterly sampling for trihalomethane (THM). This recommendation is based on the fact that all THM samples have been collected from the same location since October 16, 2018. This sample location should be re-evaluated upon subsystem expansion and alteration.			

Question ID	MRDW1059000		
Question	Question Type	Legislative Requirement	
Do the operations and maintenance manuals contain plans,	Legislative	SDWA O. Reg.	

drawings and process descriptions sufficient for the safe and efficient operation of the system?		128/04 28
Observation		
The operations and maintenance manuals contained plans, drawings and process descriptions sufficient for the safe and efficient operation of the system.		

Question ID	MRDW1061000	
Question	Question Type	Legislative Requirement
Are logbooks properly maintained and contain the required information?	Legislative	SDWA O. Reg. 128/04 27 (1), SDWA O. Reg. 128/04 27 (2), SDWA O. Reg. 128/04 27 (3), SDWA O. Reg. 128/04 27 (4), SDWA O. Reg. 128/04 27 (5), SDWA O. Reg. 128/04 27 (6), SDWA O. Reg. 128/04 27 (7)
Observation		
Logbooks were properly maintained and contained the required information.		

Key Reference and Guidance Material for Municipal Residential Drinking Water Systems

Many useful materials are available to help you operate your drinking water system. Below is a list of key materials owners and operators of municipal residential drinking water systems frequently use.

To access these materials online click on their titles in the table below or use your web browser to search for their titles. Contact the Ministry if you need assistance or have questions at 1-866-793-2588 or waterforms@ontario.ca.

For more information on Ontario's drinking water visit www.ontario.ca/drinkingwater



PUBLICATION TITLE	PUBLICATION NUMBER
FORMS: Drinking Water System Profile Information Laboratory Services Notification Adverse Test Result Notification	012-2149E 012-2148E 012-4444E
Taking Care of Your Drinking Water: A Guide for Members of Municipal Councils	Website
Procedure for Disinfection of Drinking Water in Ontario	Website
Strategies for Minimizing the Disinfection Products Trihalomethanes and Haloacetic Acids	Website
Filtration Processes Technical Bulletin	Website
Ultraviolet Disinfection Technical Bulletin	Website
Guide for Applying for Drinking Water Works Permit Amendments, & License Amendments	Website
Certification Guide for Operators and Water Quality Analysts	Website
Guide to Drinking Water Operator Training Requirements	9802E
Community Sampling and Testing for Lead: Standard and Reduced Sampling and Eligibility for Exemption	Website
Drinking Water System Contact List	7128E01
Ontario's Drinking Water Quality Management Standard - Pocket Guide	Website
Watermain Disinfection Procedure	Website
List of Licensed Laboratories	Website

Principaux guides et documents de référence sur les réseaux résidentiels municipaux d'eau potable

De nombreux documents utiles peuvent vous aider à exploiter votre réseau d'eau potable. Vous trouverez ci-après une liste de documents que les propriétaires et exploitants de réseaux résidentiels municipaux d'eau potable utilisent fréquemment. Pour accéder à ces documents en ligne, cliquez sur leur titre dans le tableau ci-dessous ou faites une recherche à l'aide de votre navigateur Web. Communiquez avec le ministère au 1-866-793-2588, ou encore à waterforms@ontario.ca si vous avez des questions ou besoin d'aide.



Pour plus de renseignements sur l'eau potable en Ontario, consultez le site www.ontario.ca/eaupotable

TITRE DE LA PUBLICATION	NUMÉRO DE PUBLICATION
Renseignements sur le profil du réseau d'eau potable	012-2149F
Avis de demande de services de laboratoire	012-2148F
Avis de résultats d'analyse insatisfaisants et de règlement des problèmes	012-4444F
Prendre soin de votre eau potable - Un guide destiné aux membres des conseils municipaux	Site Web
Marche à suivre pour désinfecter l'eau potable en Ontario	Site Web
Stratégies pour minimiser les trihalométhanes et les acides haloacétiques de sous-produits de désinfection	Site Web
Filtration Processes Technical Bulletin (en anglais seulement)	Site Web
Ultraviolet Disinfection Technical Bulletin (en anglais seulement)	Site Web
Guide de présentation d'une demande de modification du permis d'aménagement de station de production d'eau potable	Site Web
Guide sur l'accréditation des exploitants de réseaux d'eau potable et des analystes de la qualité de l'eau de réseaux d'eau potable	Site Web
Guide sur les exigences relatives à la formation des exploitants de réseaux d'eau potable	9802F
Échantillonnage et analyse du plomb dans les collectivités : échantillonnage normalisé ou réduit et admissibilité à l'exemption	Site Web
Liste des personnes-ressources du réseau d'eau potable	Site Web
L'eau potable en Ontario - Norme de gestion de la qualité - Guide de poche	Site Web
Procédure de désinfection des conduites principales	Site Web
Laboratoires autorisés	Site Web

ATTACHMENT "A"

Ministry of the Environment, Conservation and Parks - Inspection Summary Rating Record (Reporting Year - 2021-2022)

DWS Name: SMITHVILLE DISTRIBUTION SYSTEM
DWS Number: 260002876
DWS Owner: THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN
Municipal Location: WEST LINCOLN

Regulation: O.REG. 170/03
DWS Category: DW Municipal Residential
Type of Inspection: Focused
Inspection Date: Feb-15-2022
Ministry Office: Niagara District Office

Maximum Risk Rating: 185

Inspection Module	Non Compliance Rating
Treatment Processes	0 / 60
Operations Manuals	0 / 28
Logbooks	0 / 18
Certification and Training	0 / 28
Water Quality Monitoring	0 / 51
Overall - Calculated	0 / 185

Inspection Risk Rating:	0.00%
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Final Inspection Rating:	100.00%
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ATTACHMENT "A"

Ministry of the Environment, Conservation and Parks - Detailed Inspection Rating Record (Reporting Year - 2021-2022)

DWS Name: SMITHVILLE DISTRIBUTION SYSTEM

DWS Number: 260002876

DWS Owner Name: THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

Municipal Location: WEST LINCOLN

Regulation: O.REG. 170/03

DWS Category: DW Municipal Residential

Type of Inspection: Focused

Inspection Date: Feb-15-2022

Ministry Office: Niagara District Office

All legislative requirements were met. No detailed rating scores.

Maximum Question Rating: 185

Inspection Risk Rating:	0.00%
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FINAL INSPECTION RATING:	100.00%
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DATE: April 19, 2022

REPORT NO: REC-04-2022

SUBJECT: **2022 Year of the Garden**

CONTACT: Vanessa Hoffman, Supervisor of Parks and Recreation
Mike DiPaola, P.Eng. Director of Public Works and Recreation

OVERVIEW:

- The Purpose of this report is to provide information on the Canadian Garden Council call for Canadian Municipalities to declare 2022 the Year of the Garden.
- 2022 is the Centennial of Canada's ornamental horticulture sector marked by the Canadian Nursery Landscape Association (CNLA) 100th Anniversary. The Year of the Garden 2022 celebrates Canada's rich horticulture and garden heritage, celebrates today's vibrant garden culture, and creates legacies for a sustainable future.
- Staff is recommending that the Township hereby supports the Canadian Garden Council by acknowledging 2022 as the Year of the Garden.

RECOMMENDATION:

1. That, Report REC-04-2022 re: 2022 Year of the Garden, dated April 19, 2022, be received for information; AND
2. That, the Council of the Township of West Lincoln hereby supports the Canadian Garden Council by acknowledging 2022 as the Year of the Garden.

ALIGNMENT TO STRATEGIC PLAN:

Theme # 4:

- **Local Attractions** – Providing amenities, programs and services that bring the community together.

Theme # 5:

- **Community Health and Safety** – West Lincoln continues to be a safe community where all residents are supported to thrive throughout their lives.

BACKGROUND:

2022 is the centennial of Canada's ornamental horticulture sector marked by the Canadian Nursery Landscape Association (CNLA) 100th Anniversary. The Year of the Garden 2022 celebrates Canada's rich horticulture and garden heritage, celebrates today's vibrant garden culture, and creates legacies for a sustainable future.

On March 22, 2021, with the support of Canada's Garden-Family, 2022 was proclaimed the Year of the Garden. On June 21, the federal government recognized 2022 as Canada's Year of the Garden via a House of Commons declaration.

The Year of the Garden 2022 is a unique opportunity for our municipality to highlight and have a positive impact on priorities such as:

- Post COVID Recovery
- Quality of Life
- Healthy Citizens
- Environmental Climate Action
- Economic Growth
- Enhance Cultural Vibrancy
- Reconciliation and Inclusivity

CURRENT SITUATION:

The Year of the Garden 2022 campaign will reach and inspire the public to learn about the connections gardens and gardening have with many important community quality of life benefits including:

- Environmental Benefits
- Economic Benefits
- Health and Wellness Benefits
- Cultural Benefits

The purpose of acknowledging 2022 as the Year of the Garden is to raise awareness and supporting the development of garden culture. The intention of this initiative is to showcase the pollinator gardens, clubs, and programs offered in our community.

Some of the groups and organizations that could be showcased throughout 2022 could be:

- Smithville Garden Club
- Smithville Community Gardens
- West Lincoln Public Library / Indigenous Garden
- Rock Street Pollinator Garden
- Smithville Train Station – Native plants garden display for the Smithville Garden Club's 100th Anniversary (Garden to be planted this Spring)

These can be showcased throughout the year by:

- Hosting meet and greets or information sessions at these locations to encourage new members to become involved
- Undertaking Social Media awareness
- Sharing information on the Township's digital road signs
- Creating a West Lincoln Gardens Page on our website to showcase various garden clubs
- Showcasing garden clubs on the monitor/television displays at the West Lincoln Community Centre

The Township of West Lincoln's initiatives to celebrate and acknowledge the Year of the Garden will be shared with the community via social media posts, through the year of the garden website page, and any other announcements throughout the year.

FINANCIAL IMPLICATIONS:

The initiatives outlined in this report to acknowledge 2022 as the Year of the Garden and to raise awareness of garden culture can be accomplished with minimal financial implications and can be covered within our current operating funds.

INTER-DEPARTMENTAL COMMENTS:

This report was reviewed by the Director of Finance, the Clerk's Office, and the CAO.

CONCLUSION:

Gardens bring beauty, culture, quality of life and biodiversity into our community. The Township of West Lincoln encourages the community to become involved with garden initiatives to support and encourage biodiversity in our community.

Staff is therefore recommending that the Council of the Township of West Lincoln hereby supports the Canadian Garden by acknowledging 2022 as the Year of the Garden.

Prepared & Submitted by:



Vanessa Hoffman
Supervisor Parks & Recreation

Approved by:



Beverly Hendry
Chief Administrative Officer



Mike DiPaola, P.Eng
Director of Public Works & Recreation

March 25, 2022

CL 5-2022, March 24, 2022

LOCAL AREA MUNICIPALITIES

SENT ELECTRONICALLY

Re: Report PW 15-2022 – Moving Transit Forward – Initial Transition Activities and Next Steps

Regional Council, at its meeting held on March 24, 2022, passed the following motion:

That Report PW 15-2022, dated March 24, 2022, respecting Moving Transit Forward - Initial Transition Activities and Next Steps, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **REQUEST** the local area municipalities submit their recommendations for representatives for the transitional Transit Commission Board, based on the criteria outlined in Report PW 15-2022, to the Regional Clerk no later than April 29, 2022; and
2. That the Linking Niagara Transit Committee **BE DISSOLVED** effective immediately, with thanks to the Members, having completed the mandate for which it was established.

Report PW 15-2022, specifically page 7, provides additional information regarding the number of nominees that can be put forward for your municipality, term, orientation as well as preferred experience that should be considered when your Council is selecting a nominee(s).

A copy of Report PW 15-2022 is attached for your reference. If you require additional information, please feel free to contact me.

Yours truly,



Ann-Marie Norio

Regional Clerk

CLK-C 2022-052

Subject: Moving Transit Forward – Initial Transition Activities and Next Steps

Report to: Regional Council

Report date: Thursday, March 24, 2022

Recommendations

1. That Regional Council **REQUEST** the local area municipalities submit their recommendations for representatives for the transitional Transit Commission Board, based on the criteria outlined in Report PW 15-2022, to the Regional Clerk no later than April 29, 2022; and
2. That the Linking Niagara Transit Committee **BE DISSOLVED** effective immediately, with thanks to the Members, having completed the mandate for which it was established.

Key Facts

- The purpose of this report is to provide an update regarding the work underway to implement the consolidation of region-wide transit, following the successful achievement of triple-majority approval in February 2022 (see Clerks Memorandum CWCD 2022-41); and initiate the process of securing nominations for the transitional Niagara Transit Commission Board from the local area municipalities (LAMs).
- A report will be brought forward at a Special Regional Council meeting on May 5, 2022 to seek Council approval to formally establish the Niagara Transit Commission as a Municipal Services Board (MSB) of the Region.
- In keeping with the Transit Governance Strategy outlined as part of the triple-majority process (PW 55-2021), LAMs will be asked to provide their recommended nominations for the transitional Niagara Transit Commission Board, for appointment by Regional Council to coincide with the establishment of the MSB.
- Given that the Linking Niagara Transit Committee (LNTC) has successfully completed its mandate to guide the development of and obtain approval for a recommended governance strategy for consolidation, and with the appointment of the new Commission Board imminent, it is appropriate for the LNTC to be dissolved forthwith.

Financial Considerations

There are no direct financial implications arising from the recommendations of this report.

The operating budget for transition activities associated with this report, including encumbrances and grant funding, is approximately \$3.1M. This is comprised of an operating consulting services budget of \$2.23M, additional \$0.5M in encumbered consulting budget from 2021, \$0.2M in dedicated internal staffing budget, and \$0.15M available to support the project from a successful application to the Province of Ontario's Audit and Accountability Fund. The transition to the new Commission will include a dedicated staff complement of 2 FTE's (Program Financial Specialist and GO Implementation Office Transportation Lead) plus additional Steering Committee and Working Group internal staff support.

Analysis

Achievement of Triple-Majority

In order for Niagara to realize the enormous benefits of a single transit system and move forward with the creation of a new Transit Commission, triple-majority approval was required to transfer the necessary legislative authority for the operation of transit to the Region under the *Municipal Act*.

This process formally commenced on November 25, 2021, when Niagara Region Council approved report PW 55-2021, adopting By-law No. 2021-96 providing "The Regional Municipality of Niagara...the exclusive authority to establish, operate and maintain a consolidated passenger transportation system for the Niagara Region." Following Regional Council approval, each of Niagara's twelve municipalities were asked to similarly support moving forward into consolidation.

With a strong majority of municipal Councils supporting consolidation, with a number of unanimous votes, the required criteria for triple-majority approval was achieved (see Council Weekly Correspondence Distribution CWCD 2022-41 February 18, 2022) and By-law 2021-96 came into effect on February 2, 2022.

The consolidation proposal put forward as part of the triple-majority process included a series of core financial, service, and governance strategies that had been developed and recommended by the CAO Governance Steering Committee (GSC) and

unanimously endorsed by LNTC. These recommendations reflected years of collaborative work, were based on two rounds of direct consultation with municipalities, and reflective of input from interested parties and the public.

City of Welland Resolution

At its meeting of December 9, 2021, Welland City Council adopted a resolution “THAT Welland City Council supports the future state of Inter Regional Transit and the consolidation of Welland, St. Catharines and Niagara Falls Transit Systems...” contingent on satisfactory responses to certain concerns they identified with the core strategies. This City’s resolution further requested that other LAMs present an amended resolution to their Councils supporting the City of Welland’s position. This resolution did not receive support from any other municipalities during the consideration of By-law No. 2021-96 enacting the triple majority. Positive progress is being made on the asset transfer agreement, with cooperation from all municipalities. Based on this outcome, a memo outlining this position and subsequent path forward sent to the City of Welland is attached as Appendix 1.

It is therefore on the basis of the strategies outlined in PW 55-2021 that the creation of the new Niagara Transit Commission and implementation of the consolidation of transit is underway, reflecting the strong support these proposals received through the triple-majority process.

Transit Commission Steering Committee (TCSC)

Governance Structure

To guide this transition, the Region has established the Transit Commission Steering Committee (TCSC).

The mandate of the TCSC is to support the creation of the new transit Commission, including its legal establishment, appointment of the transitional Board and senior leadership, and the transfer of personnel and assets, necessary for the Commission to assume operational responsibility for transit in Niagara on January 1, 2023.

The TCSC is Chaired by the Commissioner of Public Works and is comprised of extensive senior Regional staff (Commissioner and Director levels) from a diverse and strategic cross-section of the entire organization to support the successful establishment of the new Commission. The local area municipalities are also key

partners in this transition work. Active participation from LAM transit GMs and their senior staff, as well as LAM CAOs and legal counsel involved in the transfer of assets are assisting in guiding key deliverables outlined in the Transition Plan.

Resourcing

Significant internal Regional resources will be required to deliver the extensive scope of work for the transition to the Commission, including subject matter experts in areas such as finance, human resources, legal, information technology, and communications. The TCSC will be responsible for ensuring that sufficient corporate resources are allocated to the project and identifying the specific resources required to support the Transition Plan, including ensuring representation from other lines of business that will be impacted.

Successful transition will also require direct engagement with LAMs, in particular those who operate the independent transit systems that will form the basis for the new Commission. Areas of focus will include but not be limited to: negotiation of asset transfer agreements, human resources/labour relations, and the harmonization of operational policies and procedures.

Additional external resources have also been secured to support specific needs related to legal requirements and transit operations. External legal expertise has been secured with Dentons LLP who are supporting many aspects of the establishment of the Commission, along with leading and/or supporting and number of employee and labour relations considerations. Additionally, Eric Gillespie, retired former GM of both Grand River Transit in Waterloo Region and the St. Catharines Transit Commission, has been retained to lead the harmonization and implementation of transit operations, in close partnership with the LAM transit GMs.

These external resources are funded through the transition project budget as referenced in the Financial Considerations section and approved in the 2022 budget.

Progress to Date

With less than ten months to full transition and to ensure a successful hand off to the new Commission on January 1, 2023, accelerated and necessary work in support of the new Commission is well underway.

Leveraging provincial funding secured through the Audit and Accountability– Phase 3 program, KPMG has been retained to examine and develop a recommended shared services relationship between the Region and Commission. This assignment will look at best practices and comparator transit Commissions/municipalities (i.e. London, Ottawa, Edmonton, Durham) to examine reporting relationships, undertake financial analysis, and arrive at a preferred model. This KPMG work significantly advances the early work Regional staff undertook as presented in PW 9-2021 and will also take into account the tenets of the independent Commission model recommended in the *Niagara Transit Governance Study*. The results of KPMG's work will be incorporated in the next report to Council outlining the recommended model for shared services to support the new Transit Commission. This will also provide insight into the extent of future and/or additional staff resources which may be required either by the new Commission or by the Region as part of the 2023 budget submission related to new FTEs to support transit.

As noted throughout this report, *Niagara Transit Commission* has been identified as an interim name as the MSB is established, in advance of the completion of a forthcoming branding strategy that will recommend a public-facing name for the transit service. That future brand will be subject to approval of the Commission Board and Regional Council.

Given the ambitious timeframe and to ensure an effective and seamless integration, staff are predicating some of the Commission's underpinning systems (e.g. for financial reporting and human capital management) on platforms already in use by the Region and/or commonly used or preferred by many municipalities in Niagara to ensure ease of implementation, consistency and familiarity for the Commission (e.g. Peoplesoft).

As a result of extensive transitional activities in 2022, in addition to the assumption of operational control by the new Commission in January 2023, staff are proceeding on the basis that appointing the Public Advisory Committee post-municipal election would present a more strategic fit for the Board to successfully focus on transition activities, and to better align with the forthcoming municipal election cycle.

To ensure a broad cross-section of lessons learned, successful implementation practices, and insight into the relationship between transit commissions and their municipal/regional corporations, outreach beyond just the City of St. Catharines to other transit Commissions has also occurred with counterparts in Ottawa, London, Edmonton, and Durham to gather as much information as possible to compare and contrast best practices and successful policies and procedures.

Given the accelerated pace at which the transition is moving to ensure a successful operational hand off to the new Commission on Jan. 1, 2023, it has been necessary for Staff to leverage single-source assignments in compliance with the Procurement By-law, to enable appropriate, strategic and rapid onboarding of appropriate resources. For example, in the case of the shared services review being undertaken by KPMG, deadlines within the program delivery criteria required an accelerated path to ensure compliance with the reporting requirements, as well as to ensure integration of the outcomes in relation to other transition activities (i.e. establishment of the MSB). A competitive process was not possible given the pace at which information and resourcing is required to deliver the Commission transition by Jan. 1, 2023.

Establishment of Municipal Services Board (MSB)

Creating the Niagara Transit Commission will require the establishment of a new MSB of the Region, in accordance with Sections 196 to 198 of the *Municipal Act*, 2001, Council will be asked to consider and adopt a by-law that will create the new Board and formalize aspects of the relationship between the Commission and the Region at a special Council meeting being held on May 5, 2022. Key considerations will include:

- Formalizing the transitional Board and Advisory Committee structure;
- Establishment of the corporate and administrative services relationship between the Commission and Region;
- Setting requirements for procedural matters regarding meetings and a Code of Conduct/Integrity Commissioner in accordance with the Municipal Act, 2001 requirements for local boards;
- Outlining the Commission's requirements with respect to the Region's budget approval process;
- Establishing the requirement for specific policies such as disposition of land, hiring of employees, and procurement of goods and services as is mandatory under s. 270(2) of the *Municipal Act*; and
- Establishing the roles, responsibilities, and authority to be delegated to the Commission Board, the General Manager, and Auditor.

Appointment of Transitional Board Members

In anticipation of the establishment of the Commission as a MSB by Regional Council at its Special meeting being held on May 5, 2022, this report recommends that each LAM be asked to forward their nomination(s) for their elected official(s) for the transitional Niagara Transit Commission Board to the Regional Clerk, no later than April 29, 2022.

The LAM appointment recommendations will subsequently be brought forward to Regional Council for approval in parallel with the report establishing the new MSB. This will allow for the establishment of the MSB and appointment of the initial transitional Board members to occur simultaneously at the meeting on May 5, 2022.

In keeping with the Governance Strategy developed through the triple-majority process:

- Nominees must be an elected official, either a local or Regional Councillor; and
- Each municipality should forward the appropriate number of nominees in accordance with the 15 member board composition outlined in Report PW 55-2021 as follows:
 - (3) St. Catharines
 - (2) Niagara Falls
 - (1) All Other Municipalities

The transitional Niagara Transit Commission Board will have significant responsibility for the administration of the Commission, including the hiring of a General Manager, oversight of the transfer of personnel and assets from the current municipal transit providers, and the harmonization of service and policies. In selecting nominees, local area Councils may wish to consider candidates with particular expertise or background in areas related to these objectives, such as business, finance, strategic planning, or transit operations. As all transitional Board positions will be elected officials, it is recommended that while eligible for expense reimbursement such as mileage, Members serve without remuneration.

All transitional Commission Board Members will undergo mandatory orientation following appointment and prior to commencing their duties. The Orientation will include topics such as the role of Board and its relationship to the Region, diversity and equity, fiduciary duty, Code of Conduct, open meetings and other legislative requirements.

The term of the initial transitional Commission Board Members appointed by Regional Council in Q2 will end on January 31, 2023. This date has been recommended on the basis of ensuring continuity through the full transition and overlapping with the assumption of operations by the Commission on January 1, 2023.

Given the requirement that Board Members be elected officials, in the event that any of the Members appointed in Q2 lose their seat as a result of the 2022 Municipal Election their appointment will automatically be rescinded at that time. Board Members who are re-elected through the 2022 Municipal Election will complete the remainder of the term to January 31, 2023.

A subsequent round of nominations will occur through December 2022 and January 2023 for Regional Council to appoint new Board Members for a term starting February 1, 2023 and that will continue until the future permanent Board structure is put in place coinciding with the next Municipal election in 2026.

It is anticipated that the Public Advisory Committee for the Niagara Transit Commission would also be established following the 2022 Municipal Election.

As outlined in the Governance Strategy in PW 55-2021, the mandate of the Transitional Board structure will end with the establishment of a future permanent Board structure that will coincide with next municipal election cycle (2026). This will be informed by an external third-party review of the Transitional Board structure and governance that will revisit and make recommendations regarding the total Board size and representation complement. Regional Council will ultimately need to approve the recommended permanent Board structure.

Municipal Transfer Agreement

The MTA will govern how current municipal transit personnel, contracts and assets will transfer to the Region and/or Commission to support the assumption of operations on January 1, 2023.

Staff have initiated the negotiation of the MTA in accordance with the terms outlined in Report PW 55-2021; specifically the principles outlined in Appendix 3. This subset of work is consistent with the principles agreed to by the CAO GSC, unanimously endorsed by the LNTC, and which received triple majority approval. At this point, there is consensus among the LAMS to proceed on the basis of a single agreement that all parties will sign; with any specific or unique needs of municipalities to be addressed under defined schedules to the agreement.

Subject to the successful conclusion of negotiations, staff are working towards seeking Regional Council approval for the finalized MTA as part of the forthcoming report seeking establishment of the MSB; or at the very least, staff will seek Council's authority to conclude the process based on defined delegated authority at that time.

A comprehensive Human Resources Implementation Plan has been prepared which includes all matters associated with the transfer of municipal transit Union and Non-Union personnel. Discussions with the Amalgamated Transit Union (ATU) Locals (who represent all unionized transit employees in Niagara Falls, St. Catharines, and Welland)

are a key part of the Transition Plan; and as such, are planned to commence in the March/April timeframe.

Conclusion of Linking Niagara Transit Committee

The LNTC was established in 2017 following the unanimous municipal triple-majority approval to proceed with the creation of a new governance model for a consolidated transit system. Its primary mandate was to develop and advance a recommended consolidated governance model for Niagara, as well as in the interim, harmonize the operations and policies of the existing transit systems.

A significant number of interim milestones and successes have been achieved by the LNTC and are summarized in Appendix 2. With the development of a recommended governance strategy and the successful attainment of triple-majority approval for consolidation based on LNTC's unanimous recommendation, LNTC's mandate has now been successfully achieved.

It is therefore recommended that the LNTC be dissolved forthwith, with sincere thanks to its members and leadership of its Chair and Vice-Chair, as primary responsibility for transit decisions in Niagara will shift to the transitional Niagara Transit Commission Board once established and appointed.

Next Steps

The next significant milestone in the transition to the new Commission will be the report that Regional Council will consider on May 5, 2022 that will make recommendations for Council's consideration respecting:

- Enactment of a by-law to establish the Commission as a MSB of the Region, including confirming Regional policies to be adopted.
- Establish remuneration policies for the Board;
- Establish corporate and administrative services relationship between the Commission and Region.
- Bring forward the LAMs' transitional Board member nominations for appointment by Regional Council; and
- Seek Regional Council approval of the MTA, subject to successful completion of the negotiations and/or seek delegated authority to complete.

With the Commission Board established, focus in the next phase of transition activities will include the hiring of a General Manager and senior leadership team, development and approval of Commission policies, facilitating the transfer of assets and personnel to the Commission on the basis of the MTAs, and a branding strategy – all in support of assumption of service by the Commission on January 1, 2023.

Alternatives Reviewed

Consideration was given to not appointing Board members to coincide with the establishment of the Municipal Services Board, however this was not recommended given the need for an accelerated pace of transition and having the Board in place at the earliest opportunity to advance future operational decisions.

The alternative of not dissolving the Linking Niagara Transit Committee was also considered, but not recommended as the mandate of LNTC as defined in its Terms of Reference has been achieved and given that the Commission Board will now provide strategic direction to the transition.

Relationship to Council Strategic Priorities

The consolidation of transit services across Niagara into a new Transit Commission directly aligns with the Council Strategic Priority: Responsible Growth and Infrastructure Planning (Objective 3.1) through advancing regional transit and facilitating the movement of people and goods.

Other Pertinent Reports

PW 55-2021	Moving Transit Forward in Niagara: Creation of a Consolidated Transit Commission
LNTC-C 5-2021	Niagara Transit Governance – Phase 2 Consultation Results and Triple-Majority Initiation
LNTC-C 4-2020	Niagara Region Transit Governance Study
CAO 8-2017	Niagara Region's Transit Service Delivery and Governance Strategy

Prepared by:

Matt Robinson
Director, GO Implementation Office
Public Works

Prepared by:

Donna Gibbs
Director, Legal and Court Services
Corporate Services

Recommended by:

Bruce Zvaniga, P.Eng.
Commissioner of Public Works (Interim)
Public Works Department

Submitted by:

Ron Tripp, P.Eng.
Chief Administrative Officer

This report was prepared in consultation with Franco Meffe, Director, Human Resources; Helen Chamberlain, Director, Financial Management & Planning/Deputy Treasurer; Ann-Marie Norio, Regional Clerk; Scott Fraser, Transportation Lead, GO Implementation Office, and external legal counsel Mary Ellen Bench, Dentons LLP.

Appendices

- | | |
|------------|---|
| Appendix 1 | City of Welland Response – Triple-Majority Achieved |
| Appendix 2 | Linking Niagara Transit Committee - Achievements |

MEMORANDUM

Subject: City of Welland Response – Transit Triple-Majority Achieved

Date: March 7, 2022

To: Steve Zorbas, CAO – City of Welland

From: Ron Tripp, P.Eng., CAO

The purpose of this memorandum is to provide Welland City Council with an update regarding the conclusion of the triple-majority process and the next steps as the transition to the new transit Commission begins.

Achievement of Triple-Majority

On November 25, 2021, Niagara Region Council approved report PW 55-2021 which, through the adoption of By-law No. 96-2021, initiated the triple-majority process for the creation of a new transit Commission by providing “The Regional Municipality of Niagara...the exclusive authority to establish, operate and maintain a consolidated passenger transportation system for the Niagara Region.”

Following Regional Council approval, Niagara’s twelve municipalities were required to consider the bylaw by January 31, 2022. We confirm that as a result, the required criteria for triple-majority as identified under the *Municipal Act* has now been achieved (see Attachment 1 – CWCD 2022-4).

City of Welland - Report TRANS-2021-19

We do understand that at its meeting of December 9, 2021, Welland City Council adopted a resolution “*THAT Welland City Council supports the future state of Inter Regional Transit and the consolidation of Welland, St. Catharines and Niagara Falls Transit Systems...*” provided that certain concerns were addressed.

Given that the resolution did not receive support from any of the other local area municipalities, the transit governance proposal in its current form, which achieved triple-majority approval, shall be used to govern the path forward.

March 7, 2022
Page 2

Transition

Having achieved triple-majority, the transition to the new Commission has now begun. The Region will seek to establish the Commission on the basis of the core financial, service, and Board composition strategies presented in PW 55-2021, reflecting the strong support for these proposals received through the triple-majority process.

In the coming months, Regional Council will legally establish the new Commission, the Linking Niagara Transit Committee will be dissolved, and the formalization of required asset agreements will occur. Initial milestones for the City of Welland will include:

- The negotiation and execution of MTAs, on the basis of the principles outlined in Appendix 3 of PW 55-2021. Discussions between Regional and City of Welland senior staff and respective Legal Counsel commenced in February 2022. Welland's CAO Steve Zorbas is participating in these discussions, along with external legal counsel for the City of Welland.
- In April 2022, the City of Welland will be asked to nominate its recommendation for an elected representative to the Commission Board; and
- The initiation of collective bargaining discussions between the Region and the three existing Amalgamated Transit Unions, will be conducted in coordination with City of Welland staff. Welland Transit's Manager Edward Zahra is a member of the Operations Group tasked with ensuring a successful transition to the new Commission of all transit operations effective January 1, 2023.

Region Staff look forward to working collaboratively with Welland staff to ensure a smooth transition occurs whereby operational responsibility for transit will transfer to the new Commission on January 1, 2023 as required by By-law 96-2021.

Respectfully submitted and signed by,



Ron Tripp, P. Eng

Chief Administrative Officer

Appendices

Appendix 1	Niagara Region Memorandum CWCD 2022-41 - Triple Majority Achieved for By-law 2021-96 being a by-law to establish, operate and maintain a consolidated passenger transportation system for the Regional Municipality of Niagara
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March 7, 2022
Page 3

Copy to: Bruce Zvaniga, Commissioner of Public Works (Interim)
 Matt Robinson, Director, GO Implementation Office

MEMORANDUM

CWCD 2022-41

Subject: Triple Majority Achieved for By-law 2021-96 being a By-law to establish, operate and maintain a consolidated passenger transportation system for The Regional Municipality of Niagara

Date: February 18, 2022

To: Regional Council

From: Ann-Marie Norio, Regional Clerk

Regional Council, at its meeting held on November 25, 2021, passed By-law No. 2021-96, being a by-law to establish, operate and maintain a consolidated passenger transportation system for the Regional Municipality of Niagara.

In accordance with section 115(5) of the *Municipal Act, 2001* a by-law passed under subsection 115(1) of the *Act*, shall not come into force unless,

- (a) a majority of all votes on the Council of the upper-tier municipality are cast in its favour;
- (b) a majority of the Councils of all the lower-tier municipalities forming part of the upper-tier municipality for municipal purposes have passed resolutions giving their consent to the by-law; and
- (c) the total number of electors in the lower-tier municipalities that have passed resolutions under clause (b) form a majority of all the electors in the upper-tier municipality.

This memorandum confirms that all of the above provisions have been met, and the effective date of By-law No. 2021-96 was February 2, 2022.

For your reference a summary of the local area municipal responses and By-law No. 2021-96 are attached.

With the transfer of exclusive authority to the Region to establish, operate and maintain a single consolidated transit system now complete; Staff will be moving forward with necessary steps to implement the direction of Regional Council in accordance with Report PW 55-2021, dated November 25, 2021. More specifically Staff will proceed to advance the creation of a Regional Transit Commission and negotiate municipal asset

transfer agreements with the City of Niagara Falls, City of St. Catharines and the City of Welland.

Council will note that the City of Welland in their letter dated December 10, 2021, (attached), expressed support for the future state of Regional Transit subject to certain issues outlined therein being addressed, including but not limited to, seeking compensation for the transfer of assets; whereas Report PW 55-2021 (specifically Appendix 3) provides that assets will be transferred at no cost. Given the support of ten local area municipalities demonstrated by the achievement of triple majority approval **on the basis of the terms outlined in Report PW 55-2021**; Staff intend to proceed with the negotiation of the municipal asset transfer agreements in accordance with the terms outlined in Report PW 55-2021, including the principles outlined in Appendix 3.

Respectfully submitted and signed by

Ann-Marie Norio
Regional Clerk

December 9, 2021

Ann-Marie Norio
Clerk
Regional Municipality of Niagara
1815 Sir Isaac Brock Way
P.O. Box 1042
Thorold, ON
L2V 4T7

Dear Ms. Norio

Sent via email: ann-marie.norio@niagararegion.ca

Re: Niagara Transit Governance
Our File 35.23.11, 10.4.19

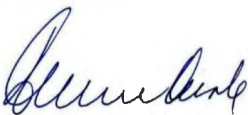
Please be advised that the Council of the City of St. Catharines, at its meeting held on December 8, 2021 passed the following motion:

That the Council of the City of St. Catharines consents to the passage of By-law No. 96-2021 of The Regional Municipality of Niagara, being a by-law to provide Niagara Region with the exclusive authority to establish, operate and maintain a consolidated passenger transportation system for the Niagara Region; and

That staff begin to negotiate municipal asset transfer agreements for the Corporation of the City of St. Catharines with representatives of the future Regional Transit Commission on the basis of the principles in Report PW 55-2021 - Appendix 3 Municipal Transfer Agreements – Summary Sheet (attached as Appendix 1 to this report) and in a form satisfactory to the City Solicitor; and

That staff provide subsequent reports to Council regarding and impacts to the 2023 Capital and Operating Budgets in the creation of a Regional Transit Commission, as described in this report and the attached appendices.

If you have any questions, please contact the Office of the City Clerk at extension 1524.



Bonnie Nistico-Dunk, City Clerk
Legal and Clerks Services, Office of the City Clerk
:mb



City of Welland
Office of the Chief Administrative Officer
Office of the City Clerk
60 East Main Street, Welland, ON L3B 3X4
Phone: 905-735-1700 Ext. 2159 | **Fax:** 905-732-1919
Email: clerk@welland.ca | www.welland.ca

December 10, 2021

File No. 21-19

SENT VIA EMAIL

Attention: Regional Clerk & Clerks of Local Area Municipalities

Dear Clerks:

Re: ACTION REQUIRED - December 9, 2021 – CITY OF WELLAND SPECIAL COUNCIL MEETING

At its meeting of December 9, 2021, Welland City Council passed the following motion:

“THAT THE COUNCIL OF THE CITY OF WELLAND receives for information report PW-55-2021 – Moving Transit Forward in Niagara: Creation of a Consolidated Transit Commission from the Niagara Region; and

THAT Welland City Council recognize the request for local area municipalities to pass resolutions consenting to the By-law No. 2021-96 of the Regional Municipality of Niagara, being a By-law to provide Niagara Region with the exclusive authority to establish, operate and maintain a consolidated passenger transportation system for the Niagara Region; and

THAT Welland City Council supports the future state of Inter Regional Transit and the consolidation of Welland, St. Catharines and Niagara Falls Transit Systems, provided the following outstanding issues are addressed:

- a) City of Welland request for 2 members from the City of Welland to be included in the new Transit Commissions Governance structure.***
- b) The proposed financial model which will apportion future Transit Operating and Capital costs be updated to present the financial impact to all lower tier municipalities based on approved 2022 Transit Operating Budgets and updated 5-year Transit Capital Budgets,***
- c) Clarification on how existing and future Transit Debt for Capital Budgets is to be apportioned to all lower tier municipalities,***

- d) *That municipalities be compensated for their Transit Fleet based on the net book value valuation as of Dec 31, 2022, of their average vehicle price based on the difference between the lowest municipal valuation per vehicle and that municipalities valuation per vehicle.*

THAT Welland City Council requests the local area municipalities (Fort Erie, Grimsby, Lincoln, Niagara Falls, Niagara-on-the-Lake, Pelham, Port Colborne, St. Catharines, Thorold, Wainfleet, West Lincoln) present the following amended resolution to their councils for consideration:

“That the Council of (name of municipality) consents to the passage of By-law No. 2021-96 of The Regional Municipality of Niagara, being a by-law to provide Niagara Region with the exclusive authority to establish, operate and maintain a consolidated passenger transportation system for the Niagara Region, only if the following conditions are addressed:

- a. City of Welland request for 2 members from the City of Welland to be included in the new Transit Commissions Governance structure.***
- b. The proposed financial model which will apportion future Transit Operating and Capital costs be updated to present the financial impact to all lower tier municipalities based on approved 2022 Transit Operating Budgets and updated 5-year Transit Capital Budgets,***
- c. Clarification on how existing and future Transit Debt for Capital Budgets is to be apportioned to all lower tier municipalities,***
- d. That municipalities be compensated for their Transit Fleet based on the net book value valuation as of Dec 31, 2022, of their average vehicle price based on the difference between the lowest municipal valuation per vehicle and that municipalities valuation per vehicle; and further***

That a copy of this resolution be sent to the Niagara Region and local municipalities.”

Yours truly,



Tara Stephens
City Clerk

TS:bl

From: Heather Ruzylo <hruzylo@niagarafalls.ca>
Sent: Tuesday, December 14, 2021 10:18 AM
To: Norio, Ann-Marie <Ann-Marie.Norio@niagararegion.ca>
Subject: City of Niagara Falls Council: Support for: - Regional Report PW 55-2021 re Moving Transit Forward in Niagara: Creation of a Consolidated Transit Commission

CAUTION EXTERNAL EMAIL: This email originated from outside of the Niagara Region email system. Use caution when clicking links or opening attachments unless you recognize the sender and know the content is safe.

Good morning Ann-Marie:

Please be guided by the following motion that was passed by the Niagara Falls Council at its meeting on December 7, 2021:

MOTION:

ORDERED on the motion of Councillor Victor Pietrangelo, Seconded by Councillor Wayne Thomson that the Council of the City of Niagara Falls consent to the passage of By-law No. 2021-96 of the Regional Municipality of Niagara, being a by-law to provide Niagara Region with the exclusive authority to establish, operate and maintain a consolidated passenger transportation system for the Niagara Region. Carried Unanimously (Councillor Ioannoni not present for the vote).

Kind regards,
Heather

Heather Ruzylo | Clerks & Council Services Coordinator | Clerks Services | City of Niagara Falls
4310 Queen Street | Niagara Falls, ON L2E 6X5 | (905) 356-7521 ext 4203 | Fax 905-356-9083 | hruzylo@niagarafalls.ca



Community Services

Legislative Services

December 14, 2021

File #120203

Sent via email: ann-marie.norio@niagararegion.ca

Ann-Marie Norio, Regional Clerk
Niagara Region
1815 Sir Issac Brock Way
Thorold, ON L2V 4T7

Dear Ms. Norio:

**Re: Moving Transit Forward in Niagara:
Creation of a Consolidated Transit Commission**

Please be advised the Municipal Council of the Town of Fort Erie at its meeting of December 13, 2021 passed the following resolution regarding "Moving Transit Forward in Niagara: Creation of a Consolidated Transit Commission":

That: The Council of The Corporation of the Town of Fort Erie consents to the passage of By-law No. 2021-96 of The Regional Municipality of Niagara, being a by-law to provide Niagara Region with the exclusive authority to establish, operate and maintain a consolidated passenger transportation system for the Niagara Region.

Yours very truly,

Carol Schofield, Dipl.M.A.
Manager, Legislative Services/Clerk

cschofield@forterie.ca

CS:dlk

c.c. K. Walsh, Director, Infrastructure Services kwalsh@forterie.ca
M. Robinson, Director, GO Implementation Office, Niagara Region Matt.Robinson@niagararegion.ca
S. Frasser, Transportation Lead, GO Implementation Office, Niagara Region scott.fraser@niagararegion.ca

Mailing Address:

The Corporation of the Town of Fort Erie
1 Municipal Centre Drive, Fort Erie ON L2A 2S6

Office Hours 8:30 a.m. to 5:00 p.m. Phone: (905) 871-1600 FAX: (905) 871-4022

Web-site: www.forterie.ca

January 18, 2022

Ann-Marie Norio, Regional Clerk
Niagara Region
1815 Sir Isaac Brock Way
Thorold Ontario
L2V 4T7

Via email: Ann-Marie.Norio@niagararegion.ca

Dear Ms. Norio:

Niagara Region - Transit

At their special meeting of January 17, 2022 Council of the Town of Pelham received the Niagara Region's presentation with respect to the future of transit, and endorsed the following:

BE IT RESOLVED THAT Council receive the Niagara Region Transit presentation from Mr. Matt Robinson, Scott Fraser and Heather Talbot, for information.

Council also received your report, and endorsed the following:

BE IT RESOLVED THAT Council receive the Niagara Region Report CL 22-2021 and PW 55-2021, dated November 25, 2021, for information.

For your information, Staff Report 2022-0007 Future of Integrated Transit Report was also considered by Council and the following motion approved:

**BE IT RESOLVED THAT Council receive Report #2022-0007 Future of Integrated Transit Report, for information purposes;
AND THAT Council consents to the passage of By-law No. 2021-96 of The Regional Municipality of Niagara, being a by-law to provide Niagara Region with the exclusive authority to**

**establish, operate and maintain a consolidated passenger
transportation system for the Niagara Region.**

On behalf of Council, thank you for your presentation and report. The Town of Pelham looks forward to the new transit system.

Yours very truly,



Holly Willford, BA
Town Clerk

HW/jm

cc: Matt Robinson, Director, GO Implementation Office
Scott Fraser, Transportation Lead, GO Implementation Office
Heather Talbot, Financial and Special Projects Consultant, GO Implementation Office
David Cribbs, Chief Administrative Officer
Vickie vanRavenswaay, Director, Recreation, Culture and Wellness



4800 SOUTH SERVICE RD
BEAMSVILLE, ON L0R 1B1

905-563-8205

January 25, 2022

SENT VIA EMAIL: annmarie.norio@niagararegion.ca

Region of Niagara
Ann-Marie Norio, Clerk
1815 Sir Isaac Brock way
Thorold, ON L2V 4T7

RE: Town of Lincoln Council Resolution - Transit Consolidation: Moving Transit Forward in Niagara

Please be advised that Council of the Corporation of the Town of Lincoln at its Special Council Meeting held on January 24, 2022, passed the following motion in support of the Niagara Region's Transit Consolidation

Resolution Number: SC-2022-05

Moved by: Councillor Lynn Timmers; Seconded by: Councillor Adam Russell

That Council receive and file Report AD-01-22 regarding Transit Consolidation: Moving Transit Forward in Niagara; and

That Town of Lincoln Council consents to the passage of By-law No. 96-2021 of the Regional Municipality of Niagara, being a by-law to provide Niagara Region with the exclusive authority to establish, operate and maintain a consolidated transit system for the Niagara Region.

CARRIED

A copy of Report AD-01-22 is attached for your reference.

If you have any questions, please do not hesitate to contact the undersigned.

Regards,


Julie Kinkelos
Town Clerk
jkinkelos@lincoln.ca

JK/dp



Township of Wainfleet

"Wainfleet - find your country side!"

January 27, 2022

Office of the Regional Clerk
1815 Sir Isaac Brock Way
PO Box 1042
Thorold, ON L2V 4T7

SENT ELECTRONICALLY

RE: Niagara Regional Transit

Please be advised that, at its meeting of January 25, 2022, the Council of the Corporation of the Township of Wainfleet considered the following motion:

"THAT the Council of the Township of Wainfleet consents to the passage of By-law No. 2021-96 of the Regional Municipality of Niagara, being a by-law to provide Niagara Region with the exclusive authority to establish, operate and maintain a consolidated passenger transportation system for the Niagara Region."

DEFEATED

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact the undersigned.

Regards,

Meredith Ciuffetelli
Deputy Clerk
mciuffetelli@wainfleet.ca



Department of Corporate Services
1593 Four Mile Creek Road
P.O. Box 100, Virgil, ON L0S 1T0
905-468-3266 • Fax: 905-468-2959

www.notl.org

SENT ELECTRONICALLY

January 31, 2022

Regional Municipality of Niagara
1815 Sir Issac Brock Way, PO Box 1042
Thorold ON L2V 4T7

Attention: Ann-Marie Norio, Regional Clerk

Dear Ms. Norio:

RE: Transit Governance

Please be advised the Council of The Corporation of the Town of Niagara-on-the Lake, at its regular meeting held on December 20, 2021, approved the following resolution:

"Council consents to the passage of By-law No. 2021-96 of the Regional Municipality of Niagara, being the by-law to provide Niagara Region with the exclusive authority to establish, operate and maintain a consolidated passenger transportation system for the Niagara Region."

A copy of the staff report is attached for information. If you have any questions or require further information, please contact our office at 905-468-3266.

Yours sincerely,

Colleen Hutt
Acting Town Clerk



**The Corporation of the Town of Grimsby
Administration**

Office of the Town Clerk

160 Livingston Avenue, P.O. Box 159, Grimsby, ON L3M 4G3

Phone: 905-945-9634 Ext. 2015 | **Fax:** 905-945-5010

Email: skim@grimsby.ca

February 2, 2022

SENT VIA E-MAIL

Niagara Region
1815 Sir Isaac Brock Way, PO Box 1042
Thorold, ON
L2V 4T7

Attention: Ann-Marie Norio, Regional Clerk

Dear Ms. Norio,

**RE: Moving Transit Forward in Niagara: Creation of a Consolidated Transit
Commission**

Please be advised that the Council of the Corporation of the Town of Grimsby at its meeting held on December 13, 2021 passed the following resolution:

C-21-292

*Resolved that Report CAO 21-21 dated December 13, 2021, be received;
and*

That the Council of the Town of Grimsby consents to the passage of By-law No. 2021-96 of The Regional Municipality of Niagara, being a by-law to provide Niagara Region with the exclusive authority to establish, operate and maintain a consolidated passenger transportation system for the Niagara Region.

If you require additional information, please do not hesitate to reach out.

Regards,

Sarah Kim
Town Clerk



PORT COLBORNE

Corporate Services Department
Clerk's Division

Municipal Offices: 66 Charlotte Street
Port Colborne, Ontario L3K 3C8 • www.portcolborne.ca

T 905.835.2900 ext 106 F 905.834.5746
E amber.lapointe@portcolborne.ca

February 2, 2022

Ann-Marie Norio
Office of the Regional Clerk,
Niagara Region
1815 Sir Isaac Brock Way, P.O. Box 1042
Thorold, ON L2V 4T7

Sent via E-mail: Ann-Marie.Norio@niagararegion.ca

Dear Ms. Norio:

Re: City of Port Colborne – Resolution Re: Consolidated Passenger Transportation System for the Niagara Region

Please be advised that, at its meeting of December 13, 2021, the Council of The Corporation of the City of Port Colborne resolved as follows:

That Chief Administrative Office Report 2021-317 be received; and

That Council consents to the passage of By-law No. 2021-96 of The Regional Municipality of Niagara, being a by-law to provide Niagara Region with the exclusive authority to establish, operate and maintain a consolidated passenger transportation system for the Niagara Region.

A copy of Chief Administrative Office Report 2021-317 is enclosed for your reference.

Sincerely,

Amber LaPointe
City Clerk

cc: Niagara Local Municipalities



February 3, 2022

Office of the Regional Clerk
Niagara Region
1815 Sir Isaac Brock Way, P.O. Box 1042
Thorold, ON L2V 4T7

Ann-Marie.Norio@niagararegion.ca

Dear Ms. Norio:

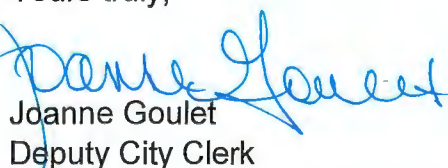
Re: Niagara Transit Governance Recommendations

Please be advised Thorold City Council, at its December 21, 2021 meeting, adopted the following motion:

1. That the information presented by Niagara Region staff be received, and,
2. That the Council of the City of Thorold consents to the passage of By-law No. 96-2021 of The Regional Municipality of Niagara, being a by-law to provide Niagara Region with the exclusive authority to establish, operate and maintain a consolidated passenger transportation system for the Niagara Region.

CARRIED

Yours truly,


Joanne Goulet
Deputy City Clerk

ec: M. Dilwaria, Chief Administrative Officer

CLERK'S DEPARTMENT

February 10th, 2022

Ann-Marie Norio, Regional Clerk
Niagara Region
1815 Sir Isaac Brock Way
Thorold, ON
L2V 4T7

Dear Ms. Norio,

Re: Moving Transit Forward in Niagara: Creation of a Consolidated Transit
Commission - Niagara Region Report PW 55-2021

This correspondence is to confirm that on January 31, 2022, West Lincoln Township Council adopted the following resolution regarding the Township's consent to the passage of By-law No. 2021-96 of the Regional Municipality of Niagara regarding the creation of a consolidated passenger transportation system for the Niagara Region:

That the Council of the Township of West Lincoln consents to the passage of By-law No. 2021-96 of The Regional Municipality of Niagara, being a by-law to provide Niagara Region with the exclusive authority to establish, operate and maintain a consolidated passenger transportation system for the Niagara Region.

If any further information is required, please contact the undersigned at 905-957-3346, Ext 6720.

Yours truly,



Jessica Dyson
Deputy Clerk

cc: Matt Robinson, Niagara Region, Director GO Implementation
Leah Tracey, Project Coordinator, GO Implementation Office

X:\cl-Clerks\Council-2022\Letters\Niagara Region – Go Implementation – Consolidated Transit Commission

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. 2021-96

A BY-LAW TO ESTABLISH, OPERATE AND MAINTAIN A
CONSOLIDATED PASSENGER TRANSPORTATION SYSTEM FOR THE
REGIONAL MUNICIPALITY OF NIAGARA

WHEREAS Niagara Region Council deems it expedient and beneficial to address transit issues in Niagara Region;

WHEREAS the Linking Niagara Transit Committee was established to lead the development of a consolidated governance model, as well as the harmonization and integration of operational and policy regimes of the existing transit properties;

WHEREAS the Inter-municipal Transit Working Group was established to gather information and provide guidance on operational matters related to the transition to a consolidated transit system;

WHEREAS Niagara's four (4) major transit operators entered into a Memorandum of Understanding in 2017 that, in principle, endorsed the creation of a consolidated transit system;

WHEREAS all local area municipalities have been consulted on and provided input regarding the results of the Niagara Transit Governance Study, associated financial strategy, and the subsequently revised models reflecting initial feedback;

WHEREAS the Linking Niagara Transit Committee has endorsed the Commission governance model, Niagara Service Standards Strategy and associated twelve (12) special levy financial strategy as the models under which consolidation should take place as identified in Regional Reports LNTC-C 5-2021 and PW 55-2021;

WHEREAS Niagara Region obtained triple-majority authority in 2017 to establish, operate and maintain an inter-municipal passenger transportation system in Niagara Region and enacted By-law No. 2017-21 on March 23, 2017, which came into effect on June 1, 2017, in this regard;

WHEREAS under this new consolidated system, Niagara Region would plan and operate both intra-municipal and inter-municipal transit routes, including specialized and demand-responsive transit services, throughout Niagara Region creating one unified transit system;

Bill No. 2021-96

Authorization Reference: CL 22-2021;
Minute Item 5.1

WHEREAS existing transit assets would transfer to the Commission on the basis of Municipal Transfer Agreements, to be negotiated and entered into with the major transit operators substantially on the basis of the terms outlined in Appendix 3 to PW 55-2021;

WHEREAS Section 11 of the Municipal Act, 2001, Ch. 25, as amended, grants exclusive jurisdiction over the operation of transit services to lower-tier municipalities in Niagara Region; and

WHEREAS Section 189 of the Municipal Act, 2001, Ch. 25, as amended, provides an upper-tier municipality with the ability to pass a by-law for the transfer of all or part of a lower-tier power to the upper-tier municipality, subject to certain rules regarding consideration and approval by the lower-tier municipalities.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That the authority to establish, operate and maintain a consolidated passenger transportation system for Niagara Region be transferred to The Regional Municipality of Niagara;
2. That steps to transfer jurisdiction and related assets essential to operating a consolidated passenger transportation system to The Regional Municipality of Niagara begin immediately after the following requirements have been met:
 - a. A majority of the councils of the lower-tier municipalities forming part of Niagara Region have passed resolutions consenting to the by-law;
 - b. The total number of electors in the lower-tier municipalities that have passed resolutions consenting to the by-law form a majority of all electors in the Region of Niagara as established in the revised list of electors for the municipal election held in the year 2018.
3. That in this by-law, the term "consolidated passenger transportation system" shall mean a single, unified public transportation services system operating within or between any two or more of the twelve (12) lower-tier municipalities which comprise the Region of Niagara;
4. That The Regional Municipality of Niagara does hereby assume from all lower-tier municipalities comprising the Region of Niagara, those parts of the lower-tier power and related assets essential to provide public transportation systems, other than highways, necessary to own and operate a consolidated passenger transportation system as contemplated by this by-law;

Bill No. 2021-96


Authorization Reference: CL 22-2021;
Minute Item 5.1

5. That Sections 1 and 2 of the by-law shall come into force and effect on the day the requirements of Section 189 of the Municipal Act 2001, Ch. 25, as amended, are met;
6. That Section 4 of this by-law respecting the transfer of assets and operations to the new transit commission does not come into effect until January 1, 2023. For clarity, the lower-tier municipalities that operate public transportation systems will continue to do so until these operations transition to The Regional Municipality of Niagara on January 1, 2023.

THE REGIONAL MUNICIPALITY OF NIAGARA



James Bradley, Regional Chair



Ann-Marie Norio, Regional Clerk

Passed: November 25, 2021

Linking Niagara Transit Committee – Achievements

The following is a brief summary of the significant milestones achieved by the Linking Niagara Transit Committee during its term, including those from the Inter-Municipal Transit Working Group, operating under its direction:

- Established a single digital mobile platform – Transit App – providing real-time bus tracking for all Niagara Region Transit (NRT), Niagara Falls Transit, St. Catharines Transit and Welland Transit fleets.
- Standardized on-bus customer service policies and consolidated all after-hours customer service call handling to a single external provider across all four major systems.
- Completed the Specialized Transit in Niagara Study which examined ridership, demand projections, a scan of jurisdictional comparators and industry best practices.
- Implemented a Universal Support Person Pass common to all Niagara transit systems to enable those with mobility limitations to travel with an approved support person with valid identification.
- Secured Annual U-Pass agreements with Niagara College and Brock University Student Unions.
- Procured, in partnership with our municipal operators, 14 new buses to meet the NRT fleet requirements for recent service enhancements, ensuring the utilization of the reduced operating rate.
- Confirmed the recommended single fare technology (Masabi) that will provide a seamless customer experience across Niagara and that will enable the launch of region-wide mobile ticketing.
- Joint application for Provincial and Federal grant programs, i.e. ICIP, to facilitate the upgrade to a common fare payment technology. While still underway, this program has been refocused to align with the consolidation of transit into a single operating entity.
- Developed, launched, and expanded the Niagara Region Transit On-Demand pilot project, providing a new and dynamic approach to the delivery of transit in West Niagara.
- Successfully coordinated the response to COVID-19 across Niagara's major transit providers, implementing shared safety and operational responses throughout the pandemic.

- Completed the Niagara Transit Governance Study, providing the initial recommended governance model for the consolidation of transit.
- Conducted significant consultation with municipalities, interested parties, and the public to refine and further develop the recommended governance, financial and service strategies.
- Unanimous approval of the final transit consolidation strategies, recommending the initiation of the triple-majority process.

DATE: April 19, 2022

REPORT NO: REC-03-2022

SUBJECT: **Funeral, Burial and Cremation Services Act, 2002 and Ontario Regulation 30/11**

CONTACT: Bob Denison, RRFS, CBT, Manager of Parks, Recreation & Facilities
Mike DiPaola, P.Eng., Director of Public Works and Recreation

OVERVIEW:

- The purpose of this report is to provide information on the requirements for municipalities to assume care of abandoned cemeteries under the Funeral, Burial and Cremation Services Act, 2002 and Ontario Regulations 30/11 and the operational pressures resulting from this requirement.
- The Township of West Lincoln supports Prince Edward County's call for government action concerning the current legislation and regulations surrounding municipal requirements to take over and maintain abandoned operating cemeteries.

RECOMMENDATION:

1. That, Recommendation Report REC-03-2022, "Funeral, Burial and Cremation Services Act, 2002 and Ontario Regulation 30/11", dated April 19, 2022 be received for information; AND
2. That, the Council of the Township of West Lincoln hereby supports Prince Edward County's call for Government action concerning the current legislation and regulations surrounding municipal requirements to take over and maintain abandoned operating cemeteries; AND
3. That, a copy of this resolution be sent to the Minister of Government & Consumer Services, ROMA, and all Ontario municipalities.

ALIGNMENT TO STRATEGIC PLAN:

Theme #3:

• **Strategic Responsible Growth** - Helping West Lincoln grow strategically and responsibly while respecting our heritage.

Theme #6:

• **Efficient, Fiscally Responsible Operations** – Streamlining sustainable processes to deliver services and maintain our assets.

BACKGROUND:

The Township recently received communications from The Corporation of Mississippi Mills in the form of a Council resolution to support Prince Edward County's call for Government action concerning current legislation and regulations surrounding municipal requirements to take over and maintain abandoned cemeteries. Both correspondence received are attached as Appendix A & B to this report.

The Township of West Lincoln has recently assumed three private cemeteries from non-operational churches to administer the daily operations and maintenance. These locations are summarized below:

- In 2016 the Township assumed the Caistor Baptist Church Cemetery on Concession Five Road.
- In 2017 the Township assumed the Bismark Cemetery on Regional Road 65.
- In 2017 the Township assumed Bethel Cemetery on Regional Road 65.

Assuming these above cemeteries resulted in increased operating and capital budgets to maintain and improve the new locations.

CURRENT SITUATION:

When municipalities take over the management of abandoned, closed or neglected cemeteries they must deal with the following:

- Acquiring ownership of the cemetery lands (legal and land transfer fees).
- There is usually no trust fund or it is too small to generate the interest needed to cover annual maintenance costs such as grass cutting and land repairs.
- The cemeteries may be full or closed so they generate no revenue.
- The property has been neglected and needs extensive maintenance to bring into compliance with current legislation and liability requirements.
- The records of burials are incomplete or even non-existent, so if there is sellable space the selling of lots is problematic.

The initial costs of assuming cemeteries varies on the size and condition of the cemetery being turned over, however these costs are historically substantial for the municipality to absorb. The cost associated with these legal fees, potential survey work, land/title transfer could be in the order of \$10,000 to \$15,000.

Annual costs of maintaining a cemetery whether active or closed comprises of grass cutting, headstone repairs and other general land maintenance duties required to create and maintain a safe and dignified location. These associated maintenance costs vary and are in the order of \$2,000 per cemetery for general land maintenance, plus any required headstone maintenance and/or capital expenditures required for capital asset renewal.

Staff recognizes that there is some history and cultural significance to providing the proper care and administration to the abandoned cemeteries in West Lincoln, however the resources to properly care for these cemeteries can create quite the burden for the taxpayers to absorb. A recent example was the requirement to demolish the existing Caistor Baptist Church for safety reason, which was in the order of \$30,000.

To use our current situation as an example, there is a list of at least seven (7) private cemeteries in the Township of West Lincoln. From that list, one private cemetery recently had discussions with the Township about the process for municipal assumption in the near future. This potential assumption could double our existing operating budget (approx. \$65,000), as it is a very large cemetery including a mausoleum. The Township currently maintains 21 cemeteries.

Staff is recommending that the Township support the Prince Edward County's call for government action concerning this topic (See Appendix B), in which they are asking for the Government to consider:

Develop a program that – provides seed money to properly fund the initial costs for taking over a cemetery, and annually helps cover the ongoing costs of maintenance and care the legislation and regulations require.

Change the legislation to – provide relief to rural municipalities that cannot bear the costs downloaded to overburdened taxpayers. To allow municipalities the opportunity to choose whether there is any historical/cultural significance justifying taking it over.

FINANCIAL IMPLICATIONS:

There are no current financial implications at this time.

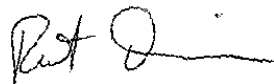
INTER-DEPARTMENTAL COMMENTS:

This Report was reviewed by the Director of Public Works & Recreation, Director of Finance, CAO, and the Township Clerk.

CONCLUSION:

Staff would request that Council hereby supports the Prince Edward County's call for government action concerning the current legislation and regulations surrounding municipal requirements to assume and maintain abandoned cemeteries; and that a copy of this resolution be sent to the Minister of Government & Community Services, ROMA, and all other Ontario municipalities.

Prepared & Submitted by:



Bob Denison, RRFS, CBT
Manager of Parks, Recreation & Facilities



Mike DiPaola, P.Eng.
Director of Public Works & Recreation

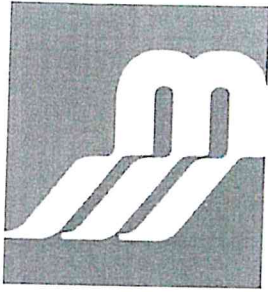
Approved by:



Beverly Hendry
Chief Administrative Officer

APPENDIX A – Resolution from Mississippi Mills Ontario

APPENDIX B – Communication from Prince Edward County Mayor's office



**The Corporation of the
Municipality of Mississippi Mills**

Council Meeting

Resolution Number 079-22

Title: Information List #05-22 Township of South Glengarry Resolution re: Abandoned Cemeteries

Date: Tuesday, March 15, 2022

Moved by Councillor Holmes

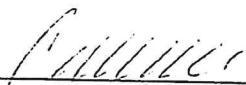
Seconded by Councillor Dalgity

BE IT RESOLVED THAT the Council of the Municipality of Mississippi Mills hereby supports Prince Edward County's call for government action concerning the current legislation and regulations surrounding municipal requirements to take over and maintain abandoned operating cemeteries;

AND FURTHERMORE that a copy of this resolution be sent to the Minister of Government & Consumer Services, ROMA, the Eastern Ontario Wardens Caucus and all Ontario municipalities.

CARRIED

I, Casey Munro, Deputy Clerk for the Corporation of the Municipality of Mississippi Mills, do hereby certify that the above is a true copy of a resolution enacted by Council.



Casey Munro, Deputy Clerk



From the Office of the Mayor
The Corporation of the County of Prince Edward
Shire Hall, 332 Main St. Picton, ON K0K 2T0
T: 613.476.2148 x1001 F: 613.476.5727
sferguson@pecounty.on.ca | www.thecounty.ca



December 6, 2021

Mayor Robin Jones
ROMA Chair
30 Bedford Street
P.O. Box 68
Westport, ON K0G 1X0

Sent by Email: rjones@villageofwestport.ca

Dear Mayor Jones:

RE: Funeral, Burial and Cremation Services Act, 2002 and Ontario Regulations 30/11

I am writing you on behalf of the County of Prince Edward (PEC) to express our concerns about the current legislation and regulations that require municipalities to take over and maintain pioneer (closed) and abandoned operating cemeteries when volunteers or owners can no longer manage them. As with other rural communities in Ontario, PEC is facing increasing financial and operational pressures due to obligations the current legislation, the Funeral, Burial and Cremation Services Act, 2002 and Ontario Regulations 30/11, and believe that the magnitude of the problem warrants action.

We are asking that ROMA act on our collective behalf to find some solution to this growing financial obligation.

When municipalities take over the management of abandoned, closed or neglected cemeteries they must deal with the following:

- acquiring ownership of the cemetery land;
- there is no care and maintenance trust fund, or it is too small to generate the interest needed to cover annual maintenance costs (grass cutting, brushing, tree removal);
- the cemetery is full or closed so there is no revenue from sales of interments rights;
- the property has been neglected and needs extensive maintenance to bring into compliance with the legislative requirement of making a safe environment for visitors and workers – Trees & brush removed, monuments stabilized etc.; and
- the records of burials are incomplete or even nonexistent so if there is still room in the cemetery the selling of interment rights will be problematic.

The initial costs of assuming the cemeteries will vary on the size and condition of the cemetery being turned over however they can be quite substantial. Annual costs of maintaining a closed

or active cemetery, grass cutting, weed wiping, brushing repair of sunken graves, fencing, tree removal, monuments will also vary from cemetery to cemetery.

While we acknowledge there is some history and cultural significance to pioneer cemeteries, the care and maintenance costs are increasingly hard to justify to the tax-paying public who have little or no personal or emotional attachment to these abandoned properties. Many are small parcels of land in out of the way rural settings which are not easy to access. At a time when municipalities are recognizing and declaring a climate emergency, the energy and resources that are required for ongoing grass cutting and tree/vegetation maintenance and the resultant CO2 emissions is hard to justify to the public.

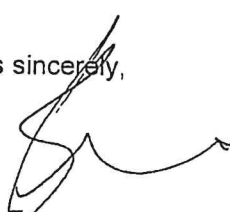
To use our current situation as an example, a list of cemeteries in Prince Edward County completed in the mid 1980's identified 76 cemeteries. Currently, PEC manages and operates 53 of those cemeteries; 46 are designated as pioneer (no longer open for sales) and 7 are active (open for sales and interment) and one for interment but no sales. Of the remaining 15 cemeteries, 3 have already inquired about the process for turning the cemetery over to the municipality.

We would like the government to consider the following:

- Develop a grant program that:
 - Provides seed money to properly fund the initial costs of taking over a cemetery; and
 - Annually helps cover the ongoing costs of maintenance and care that the legislation and regulations require.
- Change the legislation to provide relief to rural municipalities that cannot bear the costs downloaded to overburdened taxpayers. A consideration in this regard would be:
 - To allow municipalities the opportunity to choose whether there is any historical /cultural significance justifying taking it over.

We hope that action is taken to address the increasing financial and operational pressures due to obligations in the current legislation. We welcome the opportunity to discuss the matter further in a meeting with the goal of resolving these concerns.

Yours sincerely,



Steve Ferguson
Mayor

c.c. Members of Council
M. Wallace, CAO
Hon. Ross Romano, Ministry of Government & Consumer Services
Hon. Todd Smith MPP, Bay of Quinte
Eastern Ontario Warden's Caucus
Cemetery Advisory Committee

Motion 2021-737

Moved by Councillor Harper
Seconded by Councillor Prinzen

THAT Council authorize the Mayor to write a letter to Rural Ontario Municipal Association (ROMA), requesting assistance in dealing with the increasing financial burden of pioneer and abandoned cemeteries; specifically, that ROMA canvass other rural municipalities to identify the challenges we collectively face in meeting obligations under the Funeral, Burial and Cremation Services Act, 2002 & Ontario Regulations 30/11; and,

THAT options are proposed to the Province to consider which will provide municipalities financial and/or legislative relief in the assumption of, and the ongoing operational management of pioneer and abandoned cemeteries.

CARRIED

Council recessed at 9:18 p.m. and reconvened at 9:28 p.m.

10. Committee Reports

10.1 Report of the Committee of the Whole from the meeting held October 28, 2021

Motion 2021-738

Moved by Councillor Nieman
Seconded by Councillor Bailey

THAT the report of the Committee of the Whole from the meeting held October 28, 2021 be adopted as presented, save and except Motions CW-211-2021 and CW-212-2021.

CARRIED

Councillor Roberts spoke to the importance of investigating an income tested loans to address affordable and attainable housing issues in Prince Edward County.

Motion 2021-739

Moved by Councillor Roberts
Seconded by Councillor MacNaughton

THAT Motion CW-211-2021 be amended to delete the dollar figure and house purchases under \$400,000, and read as follows:

THAT Council direct staff to investigate providing a forgivable income tested loans funded from the CIP for house purchases under \$500,000, and to also investigate the process of updating the current Community Improvement Plan.

Councillor Roberts requested a Recorded Vote on **2021-738**

DATE: April 19, 2022

REPORT NO: PW-07-2022

SUBJECT: **Amendment to Budget – 2022 Motor Grader Purchase Authorization**

CONTACT: Steve McGean, CRSS, ORO, Manager of Operations
Mike DiPaola, P. Eng. – Director of Public Works and Recreation

OVERVIEW:

- As part of the Township's 2022 Public Works Equipment Replacement 10 Year Capital Plan, Council approved the replacement of Motor Grader No. 30013. A RFP was put out to market through a joint procurement opportunity.
- The RFP was done through LAS/Sourcwell which we have used before for our street lighting program.
- The winning supplier in the RFP was Toromont CAT in the amount of \$596,500 (plus HST).
- The Motor Grader and plow is a like-for-like replacement.
- Additional service items to make the Grader road ready are required as outlined in this report.
- Council approved \$550,000 in the 2022 Capital Equipment Budget for the replacement of Motor Grader No. 30013.
- Staff request Council approve a Budget Amendment (BA2022-02) in the amount of \$63,000 from the Equipment Reserve.
- Staff further recommend acceptance of the RFP submission by Toromont CAT.

RECOMMENDATION:

1. That, Recommendation Report PW-07-2022, "Amendment to Budget – 2022 Motor Grader Purchase Authorization", dated April 19, 2022, be received; and,
2. That, Council accept the RFP submission by Toromont CAT for the supply and delivery of the 2022 Motor Grader in the amount of \$596,500 (plus HST); and,
3. That Council approve a Budget Amendment (BA2022-02) in the amount of \$63,000 from the Equipment Reserve; and
4. That, a By-Law be passed to authorize the Mayor and Clerk to enter into an agreement with Toromont CAT.

ALIGNMENT TO STRATEGIC PLAN:**Theme #1**

- **Strong Transportation Connections** – West Lincoln has transportation infrastructure that is safe for motorists, cyclists and pedestrians, and networks that are well-maintained and connected within our community, with other Niagara communities and major highways.

Theme #6

- **Efficient, Fiscally Responsible Operations** – The Township of West Lincoln is a lean organization that uses sustainable, innovative approaches and partnerships to streamline processes, deliver services and manage infrastructure assets.

BACKGROUND:

Motor Grader No. 30013 is 18 years old and has approximately 11,000 hours of operation. Council approved the replacement of Motor Grader No. 30013 as part of the 2022 Capital Works Equipment budget. This equipment is a crucial part of maintaining our roads.

CURRENT SITUATION:

Group buying is a powerful tool that assists organizations to purchase a number of products and services. By combining requests, municipalities can access high-quality, competitively-priced goods and services and, where applicable, optimize internal resources and time involved in executing certain procurement activities. Local Authority Services (LAS) was created in 1992 by the Association of Municipalities of Ontario (AMO). LAS is incorporated as a not-for-profit organization under the laws of Canada and is mandated to work with Ontario municipalities, as well as organizations from the broader public sector, to help realize lower costs, higher revenues, and enhanced staff capacity through cooperative procurement efforts and innovative training, programs, and services. LAS is one of the leading public sector buying groups in Canada, leveraging the combined purchasing power of over 2,500 Canadian municipalities. The LAS Municipal Buying Program offers a viable and competitive sourcing option to the Township. Their team has streamlined the procurement process by developing Request for Proposals (RFPs) and Invitation for Bids (IFBs) for national, competitive solicitations that meet the Town's purchasing by-law requirements. Their rigorous process is continually refined to best meet member needs and offers products from nationally recognized vendors.

The buying program provides:

- Group buying pricing for a variety of equipment classes including snow & ice handling equipment and specialized heavy equipment such as Loaders, Graders, and Backhoes.
- No minimum purchase requirements, volume commitments, or membership fees.
- Pre-established terms and conditions to expedite and streamline purchasing activity.
- Offerings have already undergone a formal competitive bid process ensuring compliance with purchasing practices and all trade agreements.

All products under the LAS Capital Equipment Purchasing offering are procured through Sourcewell, one of North America's trusted leaders in municipal cooperative procurement. Sourcewell is a self-supporting government organization with over 40 years of dedicated service helping government, education, and non-profit agencies operate more efficiently through a variety of solutions.

A competitive Request for Proposal (RFP #032119) was issued by Sourcewell nationwide and open to all suppliers. In an effort to award Heavy Equipment on a value for money basis, a set criterion was included and weighted as follows:

➤ Conformance to Terms	50 Points
➤ Pricing & Life Cycle Costs	400 Points
➤ Financial, Industry, & Marketplace Successes	75 Points
➤ Ability to Sell / Service	100 Points
➤ Marketing Plan	50 Points
➤ Value Added Attributes	75 Points
➤ Warranty Coverages & Information	50 Points
➤ Variety of Products & Services Offered	<u>200 Points</u>
TOTAL:	1000 Points

The Sourcewell proposal evaluation committee evaluated proposals received based on a 1,000-point evaluation system. Proposals were received and evaluated from fourteen (14) suppliers, with Toromont CAT receiving the highest score of 912.

Staff reviewed the Top 5 submissions, and concluded that only 2 of these suppliers manufacture this piece of equipment. In addition, to Toromont CAT receiving the highest score, their pricing for this grader was lowest.

The winning RFP supplier Toromont CAT quoted a price of \$546,000.00 (plus HST) for the Motor Grader and \$50,500.00 (plus HST) for the required snow plow package. In order to prepare the Grader to be road-ready, additional items totalling approximately \$5,000 are required. These road-ready items include GPS unit, two way radios, decals, and associated items such as wiring and fuses.

Toromont CAT Motor Graders are known to be excellent machines and will be a great addition to our fleet. Since we are utilizing this joint government procurement opportunity, we are receiving a significant discount from the list price.

FINANCIAL IMPLICATIONS:

Council approved \$550,000 for the replacement of Motor Grader No. 30013 in the 2022 Equipment Capital budget. Due to the effects of COVID on the material and supply chains, there have been significant price increases in heavy equipment and long delivery delays. Delivery for this machine is expected in the first quarter of 2023 if ordered following Council approval. These price increases have had a dramatic affect to all suppliers and purchasers. In order to make the Grader road-ready, other additional expenses are required.

Staff has itemized the following for Council's consideration:

Motor Grader	\$ 546,000.00
Plow Package	\$ 50,500.00
GPS Unit, Two Way Radio, misc.	\$ 5,000.00
Sub-total	\$ 601,500.00
Net HST Amount	\$ 10,586.40
Total (rounded up nearest 1000)	\$ 613,000.00
Approved Capital Budget	\$ 550,000.00
Amendment to Budget Request	\$ 63,000.00

An amendment to budget (BA2022-02) in the amount of \$63,000.00 from the Equipment Reserve is required.

INTER-DEPARTMENTAL COMMENTS:

This report has been reviewed with the Treasurer/Director of Finance, Clerk, and CAO.

CONCLUSION:

In summary, Staff requests an amendment to budget in the amount of \$63,000 to be funded from the Equipment Reserve.

Staff further recommends that the RFP submission from Toromont CAT for the 2022 Motor Grader be accepted at a total cost of \$596,500 and that the Mayor and Clerk be authorized to enter into an agreement with Toromont CAT.

Prepared by:



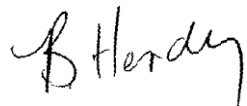
Steve McGean CRSS, ORO
Manager of Operations

Submitted by:



Mike DiPaola P. Eng.
Director of Public Works & Recreation

Approved by:



Bev Hendry
Chief Administrative Officer

DATE: April 19, 2022

REPORT NO: PW-06-2022

SUBJECT: **2022 Road Rehabilitation Project Tender Award (PW 2022-01) - Budget Amendment (BA2022-03)**

CONTACT: Ray Vachon, C.E.T. - Project Manager
Mike DiPaola, P. Eng. - Director of Public Works & Recreation

OVERVIEW:

- In February 2022, Council approved the 2022 Capital Budget that included \$1,320,000.00 for the 2022 Road Rehabilitation project.
- Staff circulated a Tender on March 8, 2022, with three (3) tender submissions received on the closing date of March 23, 2022.
- A low bid in the amount of \$876,971.00 (excluding HST) was received from Walkers Construction Limited (formerly Norjohn Contracting and Paving Ltd).
- Staff recommends awarding the contract Walkers Construction Limited.
- Staff recommends a project contingency allowance in the amount of \$87,594.31 which represents approximately 10% of the total project expenditures.

RECOMMENDATION:

1. THAT, Recommendation Report PW-06-2022, re: "2022 Road Rehabilitation Project Tender Award (PW 2022-01) – Budget Amendment (BA2022-03)", dated April 19, 2022, be received; and,
2. THAT, Council awards the Tender submission to Walkers Construction Limited for the road rehabilitation work, in the amount of \$876,971.00 (excluding HST); and,
3. THAT a project contingency allowance in the amount of \$87,594.31 be provided for this project; and,
4. THAT, Budget Amendment BA2022-03 to re-allocate the financing for the four road projects included within this tender, as outlined in Appendix C, be approved; and,
5. THAT, a by-law be passed to authorize the Mayor and Clerk to enter into an agreement with Walkers Construction Limited.

ALIGNMENT TO STRATEGIC PLAN:**Theme # 1**

- Strong Transportation Connections – Building safe, connected and well maintained infrastructure networks.

BACKGROUND:

As part of the Roads Needs Study and the approved 2022 Capital Budget, the following roads were included in the 2022 Road Rehabilitation Program:

- **South Grimsby Road 18** from RR 20 to Young Street
- **Abingdon Road** from Concession 5 to Sixteen Road.
- **Concession 4 Road** from Silverdale Road to Hodgkins Road
- **South Chippawa Road** from RR 2 (Caistorville Rd) to Abingdon Road

Please refer to the Appendix A for the locations and key plan for the above roads included in this year's program.

CURRENT SITUATION:

On March 8, 2022, staff circulated a tender document on the Township's Bidding System; Bids & Tenders. On the closing date of March 23, 2022, three (3) tenders were received and opened.

All three (3) submissions were checked for completeness, accuracy and arithmetic correctness. All extensions and the totals for all tenders were checked and there were no errors found. The tender bid submissions are as follows, in alphabetical order:

Company	Tender Price (excl. HST)
Anthony's Excavating Central Inc.	\$884,098.00
Circle P Paving Inc.	\$889,944.00
Walkers Construction Limited	\$876,971.00

The low bidder Walkers Construction Limited and their subcontractors, have experience completing similar works in other Niagara municipalities. The lowest bidder is capable of successfully completing this project.

The costs for each proposed road section was determined, including the tender's general items, provisional items, net HST, and geotechnical construction testing by prorating to each road's respectful GL account. These cost splits are summarized in Appendix B.

Based on this low tender submitted Walkers Construction Limited, the Township's proposed total cost for this project is itemized below:

Tender Cost (Low Bid)	\$ 876,971.00
Non-Recoverable HST	\$ 15,434.69
Project Contingency (approx. 10%)	<u>\$ 87,594.31</u>
Total Estimated Cost:	\$ 980,000.00

FINANCIAL IMPLICATIONS:

A summary of the approved capital budget amounts for this project is summarized in the below table:

Description	GL Account	Budget
South Grimsby Rd 18	3-06-06110-630237	\$ 275,000.00
Abingdon Rd	3-06-06110-630227	\$ 260,000.00
Concession 4 Rd	3-06-06110-630228	\$ 285,000.00
South Chippawa Rd	3-06-06110-630238	\$ 500,000.00
		\$1,320,000.00

The total estimated project cost is within the approved budget of \$1,320,000.00 for this road rehabilitation project. In addition, the expenditures per asset type are also within the allocated budget amounts for each account.

Council is asked to approve Budget Amendment BA2022-03 which re-allocates the funding based on the results of the tender. It is important to note that this budget amendment is not a request for additional funds, it is simply re-allocating the funding based on the revised budget of \$980,000. Details can be found in Appendix C.

INTER-DEPARTMENTAL COMMENTS:

This report was reviewed by the Director of Finance, CAO, and the Clerks Department.

CONCLUSION:

In summary, Staff recommends that this contract be awarded to the low bidder, Walkers Construction Limited at their bid price of \$876,971.00 (excluding HST), that a project contingency allowance in the amount of \$87,594.31 be including for this project, for a total project cost estimated at \$980,000.00. Additionally, Staff recommend that Budget Amendment (BA2022-03) to re-allocate funds, be accepted.

Staff further recommends that the Mayor and Clerk be authorized to enter into an agreement for contract with Walkers Construction Limited for the 2022 Road Rehabilitation construction project as outlined above.

Prepared & Submitted by:



Ray Vachon, C.E.T.
Project Manager



Mike DiPaola, P. Eng.
Director of Public Works & Recreation

Approved by:



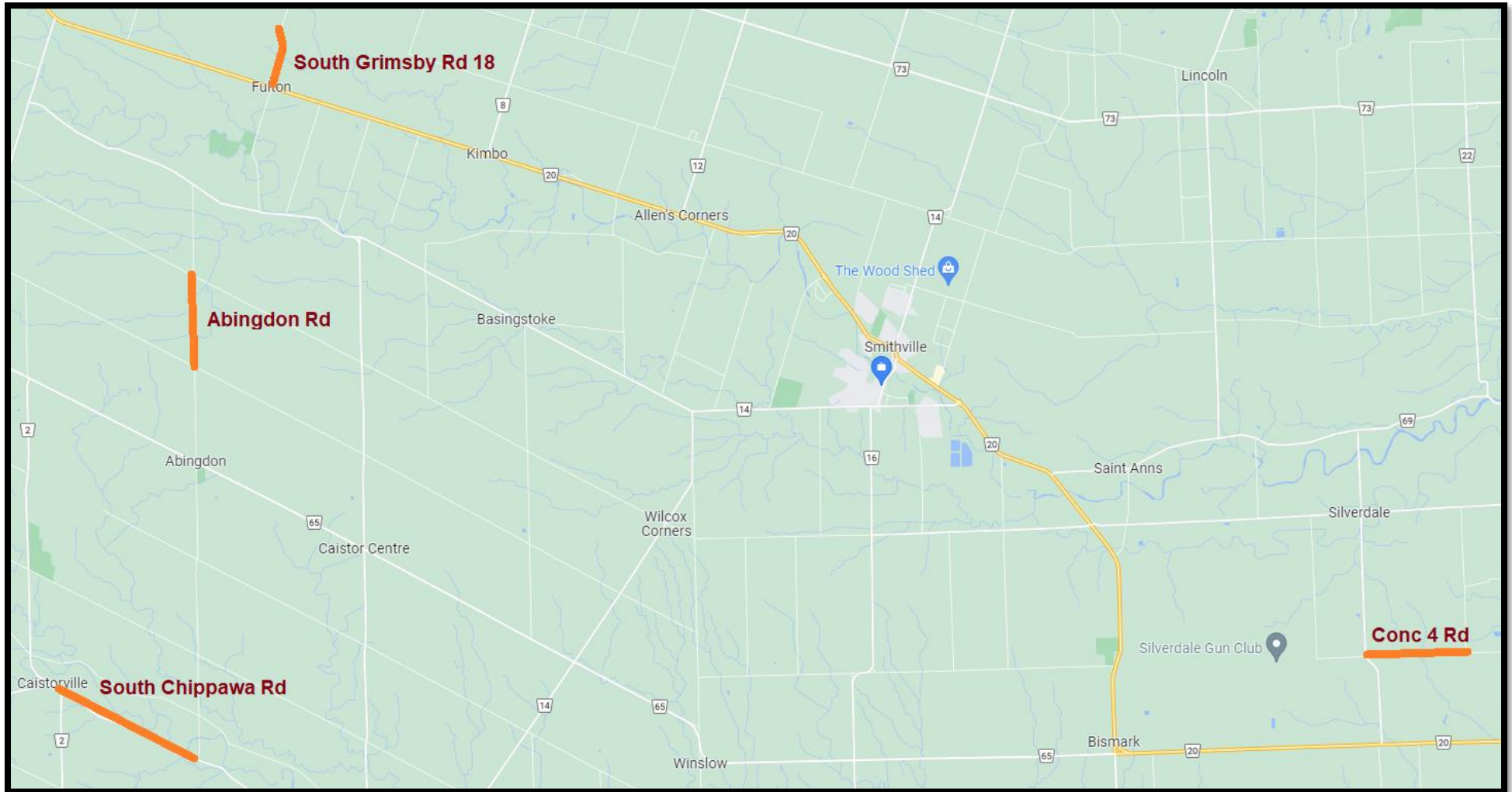
Bev Hendry
CAO

APPENDIX A – Road Rehabilitation Location Plan

APPENDIX B – Prorated Account Splits

APPENDIX C – Impact to Budget – Budget Amendment BA2022-03

APPENDIX A – 2022 ROAD REHABILITATION LOCATION PLAN



Appendix B - Prorated Account Splits

	Total Each Section	Prorated Splits Gen. & Prov.	Total Per Account	Project Contingency	Totals with Non-Refun. HST	Budget	Remaining Budget
Sched A - General	\$ 89,679.75						
Sched B - South Grimsby Rd 18	\$ 154,618.50	21%	\$ 180,548.26	\$ 18,033.66	\$ 201,759.57	\$ 275,000.00	\$ 73,240.43
Sched C - Abingdon Rd	\$ 172,615.25	23%	\$ 201,563.09	\$ 20,132.68	\$ 225,243.29	\$ 260,000.00	\$ 34,756.71
Sched D - Concession 4 Rd	\$ 148,186.50	20%	\$ 173,037.60	\$ 17,283.48	\$ 193,366.54	\$ 285,000.00	\$ 91,633.46
Sched E - South Chippawa Rd	\$ 275,603.00	37%	\$ 321,822.05	\$ 32,144.48	\$ 359,630.60	\$ 500,000.00	\$ 140,369.40
Sch H - Provisional Items	\$ 36,268.00						
Totals	\$ 876,971.00	100%	\$ 876,971.00	\$ 87,594.31	\$ 980,000.00	\$ 1,320,000.00	\$ 340,000.00

Impact to Budget - Budget Amendment BA2022-03

	Original Budget	Revised Budget	Original Funding			Revised Funding		
			Gas Tax	OCIF	Development Charge	Gas Tax	OCIF	Development Charge
Sched B - SGR 18	\$ 275,000.00	\$ 201,759.00	\$ 247,500.00		\$ 27,500.00	\$ 181,583.00		\$ 20,176.00
Sched C - Abingdon	\$ 260,000.00	\$ 225,243.00	\$ 234,000.00		\$ 26,000.00	\$ 76,387.00	\$ 126,332.00	\$ 22,524.00
Sched D - Conc 4	\$ 285,000.00	\$ 193,367.00	\$ 256,500.00		\$ 28,500.00	\$ 174,030.00		\$ 19,337.00
Sched E - S. Chippawa	\$ 500,000.00	\$ 359,631.00		\$ 450,000.00	\$ 50,000.00		\$ 323,668.00	\$ 35,963.00
Total	\$ 1,320,000.00	\$ 980,000.00	\$ 738,000.00	\$ 450,000.00	\$ 132,000.00	\$ 432,000.00	\$ 450,000.00	\$ 98,000.00

DATE: April 19, 2022

REPORT NO: REC-05-2022

SUBJECT: **2022 Wellandport Grass Cutting Contract Request for Quotation (RFQ) Authorization, 3 Year Term**

CONTACT: Bob Denison, RRFS, CBT, Manager of Parks, Recreation & Facilities
Mike DiPaola, P.Eng, Director of Public Works & Recreation

OVERVIEW:

- The current Wellandport maintenance contract expired in December of 2021.
- Staff prepared and circulated a Request for Quotation document for maintenance of the Wellandport Park for a three-year term.
- Eighteen bids were received for this Request for Quotation.
- Staff recommends acceptance of the quotation submitted by George Lane Landscaping.

RECOMMENDATION:

1. THAT, Recommendation Report REC-05-2022, re: “2022 Wellandport Grass Cutting Contract Request for Quotation (RFQ) Authorization, 3 Year Term”, dated April 19, 2022 be received; and,
2. THAT, Council accept the quotation submission by George Lane Landscaping for a three-year contract, in the total amount of \$27,600.00 (plus HST); and,
3. THAT, a By-Law be passed to authorize the Mayor and Clerk to enter into an agreement with George Lane landscaping.

ALIGNMENT TO STRATEGIC PLAN:

Theme #5:

- **Community Health and Safety** – West Lincoln continues to be a safe community where all residents are supported to thrive throughout their lives.

Theme #6:

- **Efficient, Fiscally Responsible Operations** – The Township of West Lincoln is a lean organization that uses sustainable, innovative approaches and partnerships to streamline processes, deliver services and manage infrastructure assets.

BACKGROUND:

The current three-year Wellandport Park maintenance contract ended in 2021. Following the Township's purchasing policy, staff issued a Request for Quotation (RFQ) to solicit competitive bids for a new three-year maintenance contract. The contract is for grass cutting, general property maintenance, inspections and garbage removal at the Wellandport Park located at 5042 Regional Road 63, in the hamlet of Wellandport. This park is approximately 19 acres (7.7 hectares) in area.

CURRENT SITUATION:

Staff prepared and circulated the Request for Quotation document with a closing date of April 7, 2022. The RFQ was advertised on the Bids and Tenders and the Township's websites. Eighteen submissions were submitted on the closing date. Submissions were as follows:

Company	Annual Price	Three Year Term Price
1. Buist	\$8,937.50	\$26,812.50
2. George Lane Landscaping	\$9,200.00	\$27,600.00
3. 19505 Inc.	\$12,000.00	\$36,000.00
4. Clintar Outdoor Services	\$12,100.0	\$36,300.00
5. Bos Landscaping	\$14,900.00	\$44,700.00
6. 27031 Inc.	\$16,000.00	\$48,000.00
7. Griffin Landscape Management	\$16,170.00	\$48,510.00
8. ABC	\$19,000.00	\$57,000.00
9. Oakridge Landscaping.	\$19,446.00	\$58,338.00
10. Dicam	\$20,443.33	\$61,330.00
11. Grown Home	\$21,660.21	\$64,980.64
12. Seasons Changing	\$23,040.00	\$69,120.00
13. True Cut	\$24,050.00	\$72,150.00
14. North Country	\$30,000.00	\$90,000.00
15. C.S Landscaping	\$33,000.00	\$99,000.00
16. Worms	\$35,000.00	\$105,000.00
17. Stevensville	\$46,000.00	\$138,000.00
18. Snow Wrangler	\$73,303.97	\$219,911.90

The lowest bidding company, Buist Landscaping from Hannover Ontario supplied three references for staff to follow up with. Only one reference responded and stated that Buist had not yet actually completed any work for them thus making it difficult to supply a reference. Staff have also determined that this company has not performed any work within Niagara Region.

George Lane Landscaping has been providing the Township's cemetery maintenance and Wellandport grass cutting maintenance for many years and has the required experience

and training to complete all the criteria as set out in the scope of the RFQ and has an excellent track record in delivering professional landscaping and maintenance services for the Township.

As per the RFQ document the lowest bidder or any quotation may not be accepted. In addition, under Clause 1.19 d) of the Procurement Policy the award of the contract to the lowest vendor may be considered inappropriate for any reason. The annual difference between the bids received from Buist and George Lane Landscaping is \$260.00. Due to this minor difference in price, the lack of staff experience dealing with the low bidder, and the inability to follow up on the references provided by this firm, staff is recommending that the low bidder's price be considered inappropriate and that the second bid from George Lane Landscaping be accepted for this contract.

As a result of recommending this contract award to the second bidder (or irregular bid) and as per Clause 4.3 a) of the Township's Procurement Policy, the authorization and award of this contract will be through Council resolution. Therefore, staff is recommending that Council accept the quotation submission by George Lane Landscaping for a three-year contract, in the total amount of \$27,600.00 (plus HST).

FINANCIAL IMPLICATIONS:

The award of this grass cutting and maintenance contract will be funded through the annual parks operating budget. There are sufficient funds to cover the award of this contract.

INTER-DEPARTMENTAL COMMENTS:

This report was reviewed by the Director of Finance, the Clerk's office, and the CAO

CONCLUSION:

In summary, Staff recommends that the bid submission from George Lane Landscaping for the 2022 (three-year term) Wellandport Park and Maintenance contract be accepted, in the amount of \$9,200 (plus HST) yearly or \$26,812.50 (plus HST) over the three-year term.

Prepared & Submitted by:



Bob Denison, RRFS, CBT
Manager of Parks, Recreation & Facilities

Approved by:



Beverly Hendry
Chief Administrative Officer



Mike DiPaola, P.Eng
Director of Public Works & Recreation