



Central York Fire Services

Agenda

Joint Council Committee

Date: Tuesday, January 7, 2020
Time: 9:30 AM
Location: Cane Room
Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Pages

1. Additions & Corrections to the Agenda

2. Declarations of Pecuniary Interest

3. Presentations

4. Deputations

5. Approval of Minutes

**5.1 Central York Fire Services – Joint Council Committee Meeting
Minutes of November 5, 2019**

1

1. That the Central York Fire Services – Joint Council Committee Meeting Minutes of November 5, 2019 be approved.

**5.2 Central York Fire Services – Joint Council Committee Meeting
(Closed Session) Minutes of November 5, 2019**

1. That the Central York Fire Services – Joint Council Committee Meeting (Closed Session) Minutes of November 5, 2019 be approved.

**5.3 Central York Fire Services – Joint Council Committee Special
Meeting Minutes of November 26, 2019**

7

1. That the Central York Fire Services – Joint Council Committee Special Meeting Minutes of November 26, 2019 be approved.

6. Items

6.1 Amendment to the Town of Newmarket By-law 2019-60 regarding
Motor Vehicle Collision Cost Recovery Program

11

1. That Fire Services Report 2020-01 titled Amendment to the Town of Newmarket By-law 2019-60 regarding Motor Vehicle Collision Cost Recovery Program dated December 20, 2019 be received; and,
2. That the Joint Council Committee (JCC) recommend to Newmarket and Aurora Town Councils that amendments to Newmarket By-law 2019-60 be adopted in accordance with Attachment 1 to this report; and,
3. That staff be authorized and directed to do all things necessary to give effect to this resolution.

7. **New Business**

8. **Closed Session (if required)**

9. **Adjournment**



Central York Fire Services

Minutes

Joint Council Committee

Date: Tuesday, November 5, 2019
 Time: 9:30 AM
 Location: Holland Room - Town of Aurora
 Aurora Town Hall
 100 John West Way
 Aurora ON

Members Present: Mayor Mrakas, Town of Aurora
 Councillor Gallo, Town of Aurora
 Deputy Mayor & Regional Councillor Vegh, Town of Newmarket
 Councillor Broome, Town of Newmarket
 Councillor Gilliland, Town of Aurora
 Councillor Bisanz, Town of Newmarket

Staff Present: J. Sharma, Chief Administrative Officer, Town of Newmarket
 D. Nadorozny, Chief Administrative Officer, Town of Aurora
 I. Laing, Fire Chief, Central York Fire Services
 R. Wainwright van Kessel, Director of Finance – Treasurer, Town of Aurora
 R. Comeau, Deputy Chief, Central York Fire Services
 M. Mayes, Director of Financial Services/Treasurer, Town of Newmarket
 D. Schellenberg, Manager of Finance & Accounting, Town of Newmarket
 L. Georgeff, Director of Human Resources, Town of Newmarket
 K. Saini, Deputy Town Clerk, Town of Newmarket

Guests: Chris Kubbinga, Thomas Brown Architects

The meeting was called to order at 9:30 AM.
Mayor Mrakas in the Chair.

1. Additions & Corrections to the Agenda

None.

2. Declarations of Pecuniary Interest

None.

3. Presentations

None.

4. Deputations

None.

5. Approval of Minutes

**5.1 Central York Fire Services – Joint Council Committee Meeting
Minutes of September 3, 2019**

Moved by: Councillor Gilliland

Seconded by: Deputy Mayor & Regional
Councillor Vegh

1. That the Central York Fire Services – Joint Council Committee Meeting Minutes of September 3, 2019, Special Meeting Minutes of September 11, 2019, Special Meeting (Closed Session) Minutes of September 11, 2019 and Special Meeting Minutes of October 22, 2019 be approved.

Carried

**5.2 Central York Fire Services – Joint Council Committee Special
Meeting Minutes of September 11, 2019**

**5.3 Central York Fire Services – Joint Council Committee Special
Meeting (Closed Session) Minutes of September 11, 2019**

**5.4 Central York Fire Services – Joint Council Committee Special
Meeting Minutes of October 22, 2019**

6. Items

6.1 CYFS Budget Report - Third Quarter 2019

D. Schellenberg provided an update on the operating budget for CYFS.

Moved by: Councillor Gallo

Seconded by: Councillor Gilliland

1. That the report entitled CYFS Budget Report - Third Quarter 2019 dated October 22, 2019 be received for information purposes.

Carried

6.2 Station 4-5 - Update

Chris Kubbinga of Thomas Brown Architects provided an update on the revised designs to reduce the building footprint and size to reduce costs. He advised that the project appeared to be on track to meet the revised timelines.

Members of the Joint Council Committee queried staff on the effect these changes will have on the use of the facility and the next steps for the project.

Moved by: Councillor Broome

Seconded by: Councillor Gilliland

1. That the Station 4-5 Update be received.

Carried

6.3 Fire Master Plan

Chief Laing advised that Central York Fire Services had received funding in 2019 for a new 10 year fire master plan, but the plan review was put on hold pending the outcome of the Ontario Government's Regional Governance Review. He advised that the Town of Newmarket's Procurement department is leading the RFP process for a consultant to lead the development of a new Fire Master Plan to begin in 2020.

Moved by: Councillor Bisanz

Seconded by: Deputy Mayor & Regional
Councillor Vegh

1. That the Fire Master Plan update be received for information purposes.

Carried

6.4 2020 Schedule of Meetings

Moved by: Councillor Bisanz

Seconded by: Councillor Broome

1. That the Joint Council Committee approve the following meeting schedule for 2020:

- January 7, 2020
- March 3, 2020
- May 5, 2020
- July 7, 2020
- September 1, 2020
- November 3, 2020

Carried

7. New Business

None.

8. Closed Session

8.1 Labour relations or employee negotiations as per Section 239 (2) (d) of the Municipal Act, 2001.

Moved by: Councillor Bisanz

Seconded by: Councillor Gallo

1. That the Joint Council Committee resolve into Closed Session to discuss labour relations or employee negotiations as per Section 239 (2) (d) of the Municipal Act, 2001.

Carried

The Joint Council Committee resolved into Closed Session at 10:10 AM.

The Joint Council Committee (Closed Session) Minutes are recorded under separate cover.

The Joint Council Committee resumed into Open Session at 10:39 AM.

9. Adjournment

Moved by: Councillor Broome

Seconded by: Councillor Gallo

1. That the meeting be adjourned at 10:40 AM.

Carried

Mayor Mrakas, Chair

Date



Central York Fire Services

Minutes

Joint Council Committee

Date: Tuesday, November 26, 2019

Time: 9:00 AM

Location: Cane Room
Municipal Offices
395 Mulock Drive
Newmarket, ON L3Y 4X7

Members Present: Mayor Mrakas, Town of Aurora
Councillor Gallo, Town of Aurora
Councillor Gilliland, Town of Aurora
Deputy Mayor & Regional Councillor Vegh, Town of Newmarket
Councillor Bisanz, Town of Newmarket
Councillor Broome, Town of Newmarket

Staff Present: I. McDougall, Acting Chief Administrative Officer/Commissioner of Community Services, Town of Newmarket
D. Nadorozny, Chief Administrative Officer, Town of Aurora
I. Laing, Fire Chief, Central York Fire Services
A. Downey, Director of Operations, Town of Aurora
R. Wainwright van Kessel, Director of Finance – Treasurer, Town of Aurora
R. Volpe, Deputy Chief, Central York Fire Services
D. Schellenberg, Manager of Finance & Accounting, Town of Newmarket
L. Georgeff, Director of Human Resources, Town of Newmarket
A. Walkom, Legislative Coordinator, Town of Newmarket

Guests: Mayor Taylor, Town of Newmarket

1. Additions & Corrections to the Agenda

None.

2. Declarations of Pecuniary Interest

None.

3. Deputations

None.

4. Items

4.1 Central York Fire Services Headquarters Station 4-5

Chief Laing and the Director of Operations provided an overview of the modifications of designs for Fire Station 4-5 to fit the budget. They advised that the footprint had been decreased by 15% to reduce costs, removed one bay, decreased the size of the bays and removed one classroom. Members of the Joint Council Committee asked clarifying questions regarding the effect of these changes on the use of the building. Chief Laing advised that suppression would not be affected and that the changes would not be detrimental on training activities.

Members of the Committee discussed alternative methods for funding the additional costs associated with the project, including delaying hirings to produce operational savings.

Moved by: Councillor Bisanz

Seconded by: Councillor Gilliland

1. That Report No. OPS19-025 be received; and,
2. That the revised design of Station 4-5 be approved.

Carried

An alternate motion was presented and is noted below in bold.

Moved by: Councillor Bisanz

Seconded by: Councillor Broome

3. That the revised budget of \$13,567,727 be approved with funding as follows:

- a. **\$11,000,000 from original funding sources; and,**
- b. **\$1,650,000 from reserves, as a 15% variance for a Class "C" estimate; and,**
- c. **\$917,727 from operational savings including but not limited to delayed hirings through 2020 and 2021.**

Carried

Moved by: Deputy Mayor & Regional
Councillor Vegh

Seconded by: Councillor Gallo

- 4. That the Joint Council Committee (JCC) recommend that the tender be awarded to REMO General Contracting Ltd. in the amount of \$10,836,817.

Carried

5. Closed Session

Mayor Mrakas advised that there was no requirement for a closed session.

6. Adjournment

Moved by: Councillor Broome

Seconded by: Councillor Gallo

- 1. That the Central York Fire Services Joint Council Committee adjourn at 9:44 AM.

Carried

Mayor Mrakas, Chair

Date



CENTRAL YORK FIRE SERVICES

December 20, 2019

FIRE SERVICES REPORT 2020-01

To: Joint Council Committee

Origin: Central York Fire Services - Deputy Chief Rocco Volpe

Subject: **Amendment to the Town of Newmarket By-law 2019-60 regarding Motor Vehicle Collision Cost Recovery Program**

Recommendations

1. That Fire Services Report 2020-01 titled Amendment to the Town of Newmarket By-law 2019-60 regarding Motor Vehicle Collision Cost Recovery Program dated December 20, 2019 be received; and,
2. That the Joint Council Committee (JCC) recommend to Newmarket and Aurora Town Councils that amendments to Newmarket By-law 2019-60 be adopted in accordance with Attachment 1 to this report; and,
3. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Comments

The purpose of this report is to provide JCC with a recommendation to amend By-law 2019-60 with respect to how invoicing is processed and revenue is collected through the Motor Vehicle Collision (MVC) Cost Recovery Program.

Fire Services Report 2019-03 MVC Cost Recovery Program recommended to Council that the at-fault driver be directly invoiced. Instead of invoicing the at-fault driver directly, which By-law 2019-60 states, it was recommended by the Finance Department to invoice the insurance company of the vehicle owner who was determined to be "at-fault" (via the police report).

Background

Subsequent to the passing of the By-law, further consultation was undertaken with Financial Services regarding the process to manage the invoicing and collection of the fees.

Finance staff had conferred with their colleagues in other municipalities and the general consensus is that when insurance companies are invoiced, rather than individuals, the invoices are paid in a shorter time frame with less Town intervention. It appears in practice that even if the incorrect insurance company is billed (due to fault being amended) the companies will simply forward the invoice on to the other party's insurer and payment is made.

Process for invoicing at-fault drivers involved in an MVC

After attending the scene of a collision, CYFS will record licence plates and document what services were rendered at the scene. The licence plate number will allow CYFS to access a police report through the Ministry of Transportation's database. Once the police report has been obtained, CYFS will work with the Town of Newmarket's Finance Department to issue an invoice directly to the "at-fault" party's insurance company.

If the at-fault party's insurance company does not pay, CYFS will have the ability to invoice the Registered Owner of the vehicle who was deemed "at-fault" by the police. The Registered Owner information will be obtained through the Ministry of Transportation's database. If the Registered Owner does not pay the invoice, it will be collected through a collection agency.

If there is no police report filed, CYFS will not issue an invoice, but will track these occurrences for a report back to a future JCC meeting.

Comparator Fire Services

Staff have completed a comparison of other Fire Services in York, Simcoe, Peel and Durham Regions and have determined that the following municipalities, Vaughan, Georgina, New Tecumseth and Orillia also directly bill insurance companies.

Financial Impact

Staff are expecting a positive financial impact from this change due to a reduced collection time and possibly lower collection costs.

Conclusion

CYFS supports the recommendation from Finance to move forward with invoicing insurance companies directly.

Consultation

The Senior Fire Management Team consulted with the Town of Newmarket Finance and Legal Department.

Impact on the Master Fire Plan

This report has no impact on the Master Fire Plan.

Contact

For more information regarding this report contact Deputy Chief Rocco Volpe at rvolpe@cyfs.ca

Attachments

Attachment 1 – Draft revisions to By-law 2019-60 (invoicing insurance companies directly)

Attachment 2 – Draft Corporation of the Town of Newmarket By-law 2019-60



Rocco Volpe, Deputy Chief
Central York Fire Services



Corporation of the Town of Newmarket

By-law 2020-XX

A By-law to amend By-law 2019-60, a By-law to establish and require payment of fees and charges for certain services provided by Central York Fire Services for emergency or non-emergency incidents.

Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. That section 4 of By-law 2019-60 be amended as follows:

When a fee is imposed pursuant to this By-law, the amount of the fees owed to the **Corporation** shall be invoiced by the **Corporation** for the fees owed to (a) the insurance company of the vehicle owner who was determined to be at fault, or (b) if the payment is not made by the said insurance company or there is no insurance, payment shall be made by the owner of the vehicle who was determined to be "at-fault."

Enacted January 20, 2020.

John Taylor, Mayor

Lisa Lyons, Town Clerk



Corporation of the Town of Newmarket

By-law 2019-60

A By-law to establish and require payment of fees and charges for certain services provided by Central York Fire Services for emergency or non-emergency incidents.

Whereas The Corporation of the Town of Newmarket and The Corporation of the Town of Aurora have established a consolidated fire and emergency services department known as Central York Fire Services through By-law 2001-146 to deliver emergency and non-emergency services; and,

Whereas subsections 210(31) and (32) of the Municipal Act R.S.O. 1990, c. M.45, as amended, authorize a municipality to enact by-laws imposing fees and charges for services provided directly by the municipality to a user of services and to vary such fees and charges as the municipality considers appropriate; and,

Whereas section 220.1 of the Municipal Act, R.S.O. 1990, c. M.45, as amended, authorizes a municipality to impose fees or charges on any class of persons for services or activities provided or done by or on behalf of the municipality; and,

Whereas the Municipal Act, 2001 provides that a municipality may pass a by-law for imposing fees or charges for services or activities provided by or done on behalf of it; and,

Whereas the Town of Newmarket has enacted a Fees and Charges By-law 2018-64, as amended from time to time, to establish fees or charges for services or activities provided by or done on behalf of it.

Therefore the Municipal Council of the Corporation of the Town of Newmarket enacts as follows:

Definitions

Note: definitions have been bolded for convenience purposes.

1. In this By-law,
 - a) “at fault” means the motor vehicle deemed to be at fault in a motor vehicle collision by the police or by the Central York Fire Services attending at the motor vehicle collision;
 - b) “Central York Fire Services” means the consolidated fire department established for the Corporation of the Town of Newmarket and the Corporation of the Town of Aurora within the meaning of the Fire Protection and Prevention Act, 1997, S.O. 1997, c.4, as amended, and is deemed to include any member of the Central York Fire Services;
 - c) “Corporation” means The Corporation of the Town of Newmarket;
 - d) “Deputy Fire Chief” means the person who has been appointed by Council to act in the place of the Fire Chief of the fire

department in their absence or in the case of a vacancy in the office;

- e) “Fire Chief” means the person who is ultimately responsible to Council for the delivery of fire protection services;
- f) “firefighting and/or emergency services” includes all services related or incidental to the prevention, control, and suppression of fires and the protection of lives and property;
- g) “motor vehicle” as defined in the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended;
- h) “motor vehicle collision ” means Central York Fire Services attending the scene of a motor vehicle collision on any property in the Town of Newmarket or Town of Aurora;
- i) “owner” means the registered owner of property, or any person, firm or corporation having control over or possession of the property or any portion thereof, including mortgagee in possession, receiver and manager, trustee and trustee in bankruptcy;
- j) “police” means the York Regional Police or Ontario Provincial Police;
- k) “vehicle owner” means the registered owner of vehicle, or any person, firm or corporation having control over or possession of the vehicle or any portion thereof, including mortgagee in possession, receiver and manager, trustee and trustee in bankruptcy.

Motor Vehicle Collisions

- 2. When **Central York Fire Services** attend at the scene of a **motor vehicle** collision on a King’s Highway, Regional or Municipal road, or a private road and provide **firefighting and/or emergency services**, the **vehicle owner** of the **motor vehicle** deemed to be **at fault** in the **motor vehicle collision** shall pay to the **Corporation** the fees outlined in **Corporation’s** Fees and Charges By-law, as amended.
- 3. In the event that it is determined by **Central York Fire Services** or the **police** that a **vehicle owner** deemed to be **at fault** is not **at fault**, then **Central York Fire Services** reserves the right to deem another **motor vehicle** involved in the **motor vehicle collision** to be **at fault**, and as such that **vehicle owner** shall pay to the **Corporation** the fees as established by the Fees and Charges By-law, as amended.

Administration and Enforcement

- 4. When a fee is imposed pursuant to this By-law, the amount of the fees owed to the **Corporation** shall be invoiced by the **Corporation** for the fees owed to (a) the insurance company of the vehicle owner who was determined to be at fault, or (b) if the payment is not made by the said insurance company or there is no insurance, payment shall be made by the owner of the vehicle who was determined to be at fault.

5. Payment terms shall be net 30 days from the date of the invoice, after which time a finance charge of 1.25% per month (15% per annum) is applied to the outstanding balance monthly.
6. The fees imposed by this By-law may be waived or reduced where circumstances warrant with the approval of the **Central York Fire Services' Fire Chief** or **Deputy Fire Chief**.

Severability

7. Should any section of this By-law be declared invalid by a court of competent jurisdiction, such section shall be construed as being served here from and the remainder of the By-law shall continue in full force and effect.

Enacted this 30th day of September, 2019.

John Taylor, Mayor

Lisa Lyons, Town Clerk