

SPECIAL COUNCIL AGENDA

Meeting #: SC-05/2020 Special Council
Date: March 17, 2020, 5:00 pm
Location: Town of Pelham Municipal Office - Council Chambers
20 Pelham Town Square, Fonthill

	Pages
1. Call to Order and Declaration of Quorum	
2. Approval of the Agenda	
3. Disclosure of Pecuniary Interest and General Nature Thereof	
4. Staff Report	
4.1 COVID-19 Preparation, 2020-0045-Chief Administrator Officer	2
5. Consideration of By-laws	10
6. Confirming By-law	12
7. Adjournment	

Subject: COVID-19 Preparation**Recommendation:**

BE IT RESOLVED THAT Council receive Report #2020-0045; for information purposes.

Background:

The threat posed by COVID-19 to both the community and to the Corporation is significant. This report focuses upon the Corporation of the Town of Pelham's efforts to mitigate and attempt to ensure service continuity.

Analysis:

Protection of the health and safety for staff is paramount, and guides the decisions discussed in the body of this report. Within the context of minimizing health risks, town staff play an important role in supporting Pelham's economy, and are trying to offer services while minimizing physical contact. The plans for each part of the Corporation are detailed below.

Office of the CAO

The CAO can potentially be replaced on an interim basis by any member of the senior leadership team. For the month of March the Clerk is the back-up, while the director of Public Works fills that role in April.

The Human Resources Department is only one person, who can perform many necessary functions remotely. The Town does not anticipate conducting hiring interviews over the next three weeks.

Public Works Department:

To prepare for staff shortages due to a viral pandemic or labour disruption the Operations Division has developed plans to maintain municipal infrastructure at a minimum service level, while ensuring that the Water Distribution System continues to provide safe drinking water to the public and the roads are safe for travel. Work related to water quality, conveyance of wastewater, road network safety, cemetery operations, and emergency responses to severe weather will receive the highest priority while other work will be completed based on available staff and public safety.

To ensure the delivery of safe drinking water, all sampling and system flushing activities shall be performed in compliance with the applicable Ministry of the Environment regulations, and the Town of Pelham's Drinking Water Quality Management System. The Operations Division currently has five (5) licensed water operators including the Supervisor of Water/Wastewater, Supervisor of Beautification and Manager of Public Works, as well as one (1) operator in training. Only licensed water operators have the authority to take drinking water samples while the operator in training can only complete system maintenance and flushing. An approved list of contractors is maintained for major water distribution or sanitary sewer repairs. If under extreme circumstances, licensed staff are unavailable to complete the regulated sampling program, mutual aid agreements exist with neighboring municipalities to provide these services.

The Operations Division will make every attempt to maintain the road network as per the minimum maintenance standard (MMS) including road patrolling, pothole filling, winter maintenance and regulatory sign repair. Under the MMS, roads are classified by their traffic volume and posted speed limit. Road work will follow the MMS and be focused on the higher road classes or roads with the highest traffic volume first.

Downed limbs and trees are the most common result of severe weather events. Priority will be placed on removing debris from roads and sidewalks. Boulevards may be utilized for debris storage until staffing levels return to normal. The Town also maintains a tree maintenance contract which includes emergency response and cleanup.

The Core Services that will be maintained during staff shortages include:

- Water Quality Compliance including water sampling and flushing
- Road network maintenance in accordance to the Minimum Maintenance Standards
- Emergency Response to Severe Weather & Public Safety
- Cemetery Operations

To maintain infrastructure at minimum service levels during staffing shortages, non-public health and safety services will be reduced first. These include; horticultural planting, sports field preparation, parks maintenance operations, and water meter repairs/replacements. Work that requires close contact with the public will not be completed during pandemics, including home visits and site meetings. Other activities including non-emergency public service requests may not be addressed until staffing returns to normal levels. They will be prioritized and completed at that time based on severity and time spent in queue.

With respect to the operation and level of service provided by our Engineering Department staff are prepared to work off-site from home if required. The Engineering Department does provide assistance to other departments within Public Works, as well as, within the corporation such as development review, issuing of permits related to roadway encroachment and construction projects, assistance related to procurement activities (including tendering functions, the preparation and review or Request for Proposals (RFP) and quotations, and the approval of invoices and purchase orders), contract administration and inspection of tenders and projects, and supporting the Cemetery operations.

Staff shortages in the Engineering Department may result in delays to projects being put out for tendering, quotation or RFP and delays with respect to development approvals . These services are not considered critical to public safety; however, accommodation will be made through rotation of staff or by working from home to mitigate the negative impacts the delays may cause.

Fire and By-law Enforcement:

Fire Prevention: Includes the Fire Chief and Fire Prevention Officer (FPO), the majority of this job function is routine and can be deferred for a couple of weeks. The critical functions are investigation of fires, or life safety complaints. Either of these can be performed by the Chief or the FPO. If the department were to lose both personnel then the next option would be mutual aid from another municipality.

By-law and Enforcement Services: the Division currently employs 2 full-time officers plus the Fire Chief and on May 1st a student. Since there are no bylaw emergencies the department could lose all but one and still function to cover base requirements. A communication plan will be created to identify the longer than usual response to complaints.

Fire Administration: Administration is covered by one person which requires a large amount of data entry, some of which is legislated by timelines. This function could be performed remotely from home. Reports could be accumulated and daily memos and purchase orders could be covered by other staff.

Fire Chief: The Chief does not have a replacement other than Volunteer Officers. Responses and inspections could be carried out by these officers however this is not reliable due to their own employment commitments. The other option would be to deploy the Mutual Aid agreement with a neighbouring municipality and utilize one of their Deputy Fire Chiefs.

Fire Suppression: The Town has 91 Fire Fighters who are all volunteer. Service

could be impacted because of the unknowns and their commitments to their employers and families. Management has the option to page out more than one station and if the resource doesn't match the risk or requirements then mutual aid will be enacted. This could play out the opposite way and the Town's resources could be called to provide services to other municipalities.

Realistically the Volunteer sector could lose up to 30 percent which is not critical to response, however it will result in much higher costs due to paging out multiple stations.

Clerk's Office:

Council and Committee Meetings: There may be a need to suspend Council and Committee meetings if the Town is mandated to do so by the Provincial or Federal governments. If meetings are not suspended, there is potential to not achieve a quorum of Council Members to attend a live meeting. The *Municipal Act, 2001*, S.O. 2001, s. 238(3.1) permits electronic attendance at a meeting of council open to the public, provided that any such member(s) shall not be counted in determining quorum. As such, should infection and or self-isolation rates become significant in the coming weeks, we would encourage a maximum of three members of Council to participate in meetings via electronic means. Under the Provincial legislation, in order for a Council meeting to proceed four Members would be required to physically attend the meeting.

While Council meetings are to be open to the public, in light of the clear initiatives to avoid large scale public gatherings and to protect the health of both Council and staff, it is recommended that public access to public meetings be suspended for the foreseeable future. Further, it is recommended that delegations not critical to corporate business be deferred to a later date. Alternatively, a delegation could submit written materials in lieu of attending. Delegations that require a Council decision will be limited to one representative, for example the Cannabis Control Committee. Council agendas will be restricted to mandatory items for the duration of this pandemic event.

To ensure public access to the meetings, Pelham will promote virtual attendance by viewing the livestream option through the Town's website. Out of an abundance of caution, it is recommended that meetings be closed to the gallery.

Committee of Adjustment Public Hearings: The Committee of Adjustment, being a local board under the provisions of the Municipal Act, is bound by the same rules as Council with regard to attendance electronically at a meeting. If meetings are cancelled, all persons required to be notified will be so advised. If meetings

continue, steps will be taken to spread the hearing panel members out at the Council horseshoe to provide as much separation as possible. This Committee has a quorum requirement of three members. If a member is unable to attend due to illness or self-isolation, we would contact the remaining two members to attend before considering postponing a hearing. Hearings are live-streamed and in order to allow for public participation, we are investigating the potential to open a live chatroom.

In-Person Public Interaction: The Clerk's office is one of the main points of contact for the public in many aspects of work which requires face to face interactions with the public, including issuance of marriage licence documents, Commissioner of Oath services, issuance of burial permits, lottery licence interactions with the non-profit groups and general public enquiry engagement. Three staff members are Commissioners for Taking Affidavits, and two can assist with Old Age Pension documents. This type of service will continue as long as Town Hall remains open to the public. New wedding ceremonies will be suspended.

Work From Home: Much of the administrative Clerk's function can be undertaken from the employee's home as each individual has been provided the appropriate access through the Town's IT Manager. The Clerk and Deputy-Clerk work closely to ensure each are able to step in for the other in an emergency situation and both are able to support the Administrative Assistant if there were a lengthy absence. The Communications and Public Relations Specialist is a one-person entity but the Administrative Assistant is able to upload news items and disseminate press releases in his absence.

Community Planning and Development:

To prepare for staff shortages or a changing work environment that may arise resulting from the COVID-19 pandemic, the Community Planning and Development Department plans to maintain service levels in the Building and Planning Divisions to the greatest extent possible. The Building division receives building permit applications and plans digitally, minimizing the need for builders/designers to have to come to the Town Hall to make applications, therefore minimizing the potential risk of exposure to the virus. Inquiries and correspondence can be issued via email or telephone to minimize public inquires at the counter. Plans Examination can also occur digitally. Building inspectors can still do on-site inspections and submit inspection reports to the builder digitally. Consideration of screening at the time of booking inspections to help ensure that contractors on the site are healthy and have not been exposed to the virus can occur in effort to minimize risk.

The Planning staff do meet regularly with the public at the counter and in project

meetings. Meetings will be kept small and the public is encouraged to make inquiries via telephone and email in an effort to minimize public contact and maintain service levels.

Planning staff can also work remotely from home and still be productive. Rotating shifts of working at home can be deployed with Planning Staff, if necessary, to minimize potential exposure of the virus to Staff.

At this time no public meeting is scheduled for April and staff will monitor with regard to further public meetings in the future.

Planning Staff regularly host pre-consultation meetings on the first and third Thursday morning(s) of the month. These meetings are attended by staff from other departments, i.e. Clerks, Public Works and agencies as well as applicants and consultants. These meetings will occur by appointment only and take place in at the MCC where there are rooms that are large enough to maintain suitable separation. Ideally, these meetings and/or some of the participants can take place via teleconference.

Two members of Planning Staff are no longer attending the 2020 Farmland Forum, The Shifting Landscape of Farmland Protection Conference in Guelph on March 26th, 2020.

Corporate Services Department:

Corporate Services has identified a number of functions which can be done, at least in part, from home. Home-based and remote logins have now been tested for most staff. Specifically, the following arrangements have been made:

Payroll: The Payroll Clerk has his laptop installed with on-line access to the Town's finance system and can run payroll from home. The HR Consultant is the Payroll Clerk's back up so she also has on-line access from home.

Both the Treasurer and Deputy Treasurer can approve bank files electronically from home if required.

Information Technology: The IT Manager has home access to all computer networks and can monitor the systems from home. The Part-time IT person can back up the IT manager, if required.

Collection of Taxes and Water Billing Payments: These payments can be received with on-line banking, paying at the bank, through regular mail and

telephone banking. The next due date for taxes is April 30 and all bills have been sent out. The next water billing is due March 31. Bills will be sent out by March 16. The Town is looking at either restricting or refusing cash payment.

Accounts Payable: All invoices are current to March 20 due date. The Payroll Clerk is the back up to the Accounts Payable Clerk. He can process payments in her absence.

Procurement: The Purchasing Clerk can process Purchase Orders from home if required. The Administrative Assistant is being trained as the back up to Procurement.

2019 Financial Statements and Audit: Staff are working on year-end Financial Statements in preparation of the year end audit scheduled for the week of April 6. Staff is on target to have all working papers and Financial Statements completed before the arrival of the auditors. Some staff have on-line access from home if required.

Recreation, Culture and Wellness:

Meridian Community Centre: CLOSED MARCH 16, 2020

Enhanced COVID 19 Cleaning Procedures: Hand sanitizers are located at facility entrances; walking track; and gymnasiums. Signs are posted to remind patrons to use upon entry. All work stations have hand sanitizers and disinfectant wipes. Touch points in all washrooms are disinfected and restocked every 2 hours during the operation of the facility. One facility support staff is dedicated to handrails, door handles and counter disinfection in all public areas during each shift. Staff met with public health this week with regard to enhanced cleaning procedures, described above.

Programming: Cancelled until further notice.

Walking Track: Not open to the public.

Drop-In Programs: Cancelled until further notice.

Community Centre Rentals: All events have been cancelled up to the end of April including: The Pelham Home Show; Home Hardware Trade Show; Transportation Summit; Crime Stoppers Seminar and private functions at the MCC and Old Pelham Town Hall will be cancelled.

Staffing: Most staff continue to work as normal. Staff focus will turn to maintenance activities such as painting.

Financial Considerations:

Staff productivity is likely to be reduced. Cost impacts cannot be accurately measured at this time.

Alternatives Reviewed:

The actions of other area municipalities were reviewed in preparation of this report.

Strategic Plan Relationship: Strong Organization

This report addresses efforts to protect staff and organizational capacity.

Consultation:

This report was written by the entire Senior Leadership Team.

Other Pertinent Reports/Attachments:

None

Prepared and Submitted by:

David Cribbs, BA, MA, JD, MPA
Chief Administrative Officer

THE CORPORATION OF THE
T O W N O F P E L H A M
BY-LAW # 4215 (2020)

Being a by-law to Delegate Authority to the Mayor, the Chief Administrative Officer and Various Municipal Officers or Departmental Directors, or any of their Designates, for Certain Acts During a Pandemic and/or Other Emergency Period

WHEREAS Section 11(2) of the *Municipal Act, S.O. 2001*, c. 25, as amended, authorizes a lower-tier municipality to pass by-laws regarding the financial management of the municipality and its local boards, the economic, social and environmental well-being of the municipality and the health, safety and well-being of persons,

AND WHEREAS in order to be prepared should Council be prohibited from holding meetings during a declared pandemic and/or other emergency period;

AND WHEREAS Council deems it expedient to delegate authority to the Chief Administrative Officer and various Officers or Departmental Directors of the Corporation of the Town of Pelham to take action, where necessary, to ensure business continuity and to provide for the ability to make decisions and establish authority for matters relating to public health, safety and the well-being of persons, and to provide for goods and services acquisitions during such period;

NOW THEREFORE the Council of the Corporation of the Town of Pelham enacts as follows:

1. THAT the CAO and the Treasurer, or designates, are jointly delegated as the financial signing authority for expenditures outside the current budget, exceeding \$25,001 as contained in the Town of Pelham Procurement By-law for pandemic or emergency related expenses that are deemed reasonable under the circumstances as determined by the CAO and Treasurer and that Section 23(2) of the Purchasing Policy Procurement of Supplies and Services is hereby suspended relating to Council approval;
2. THAT the CAO and Clerk, or designates, are jointly delegated the authority to extend and/or execute any current Agreement of Purchase and Sale pertaining to the disposition of any real or personal property the where Council has previously authorized the sale;
3. THAT the Mayor or the CAO and the Clerk, or designates, are jointly appointed signing authority for all agreements pursuant to Article 5;
4. THAT the CAO and the appropriate Department Director, or designates, are jointly delegated authority to proceed on any recommendation having received approval at either Committee of the Whole or the Policy and Priorities Committee but not yet having obtained Council ratification;
5. THAT the CAO and/or the appropriate Department Directors, or designates, be authorized to approve work-from-home provisions for municipal staff and to authorize payroll-related matters as they relate to the specific pandemic or emergency situation;
6. THAT the CAO and the appropriate Department Directors, or designates, be authorized to eliminate the appearance of delegations before Council, save and except delegations that are related to a specific mandated corporate business, and that any such delegation be limited to one representative;

- 7. THAT all Standing Committee meetings, such as Committee of the Whole and Policy and Priorities Committee be suspended for the duration of the pandemic or emergency period, or as advised by the Corporation’s Community Emergency Management Co-ordinator (CEMC) and in consultation with the Senior Leadership Team, and that only matters of a time-sensitive nature be presented to Council;
- 8. THAT unless otherwise proclaimed by the Province of Ontario, and in accordance with The Act, Council meetings shall achieve a quorum of no fewer than four Members physically present while three Members may attend through electronic means, and meetings shall be live-streamed for the viewing public, whereas the public is prohibited from personal attendance;
- 9. THAT the Chief Administrative Officer be and is hereby appointed as a Deputy Clerk with all of the duties and responsibilities of the Clerk in his/her absence;
- 10. THAT the Mayor and Clerk, or designates, be authorized to execute any Agreements previously reported to Council that may have not yet been ratified through By-law;
- 11. THAT the CAO shall report to Council on any actions taken under the provisions of this By-law;
- 12. THAT this By-law shall take effect immediately and remain in force only during a period of a declared pandemic or other similar emergency.

Enacted, signed and sealed this 17th day of March, 2020 A.D.

MAYOR MARVIN JUNKIN

CLERK NANCY J. BOZZATO

THE CORPORATION OF THE
T O W N O F P E L H A M
BY-LAW #4216(2020)

**Being a by-law to adopt, ratify and confirm the actions of
the Council at its special meeting held on the 17th day of
March 2020.**

WHEREAS Section 5 (3) of the Municipal Act, S.O. 2001, Chapter M.25, as amended, provides that, except if otherwise authorized, the powers of Council shall be exercised by by-law;

AND WHEREAS it is deemed desirable and expedient that the actions of the Council as herein set forth be adopted, ratified and confirmed by by-law;

NOW THEREFORE COUNCIL OF THE CORPORATION OF THE TOWN OF PELHAM ENACTS AS FOLLOWS:

- (1) (a) The actions of the Council at its meeting held on the 17th day of March, 2020, including all resolutions or motions approved, are hereby adopted, ratified and confirmed as if they were expressly embodied in this by-law.
(b) The above-mentioned actions shall not include:
 - (I) any actions required by law to be taken by resolution, or
 - (II) any actions for which prior Ontario Municipal Board approval is required, until such approval is obtained.
- (2) The Mayor and proper officials of the Corporation of the Town of Pelham are hereby authorized and directed to do all things necessary to give effect to the above-mentioned actions and to obtain approvals where required.
- (3) Unless otherwise provided, the Mayor and Clerk are hereby authorized and directed to execute and the Clerk to affix the seal of the Corporation of the Town of Pelham to all documents necessary to give effect to the above-mentioned actions.
- (4) THAT this by-law shall come into force on the day upon which it is passed.

READ, ENACTED, SIGNED AND SEALED
THIS 17th DAY OF March, 2020 A.D.

MAYOR MARVIN JUNKIN

TOWN CLERK, NANCY J. BOZZATO