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| M&C No.      | M&C 2023-99                             |
| Report Date  | April 13, 2023                          |
| Meeting Date | April 17, 2023                          |
| Service Area | Transportation and Environment Services |

***SUBJECT: Stopping Train Whistles Including at Two West Side Rail Crossings***

***EXECUTIVE SUMMARY OF COMMITTEE OF THE WHOLE REPORT FOR OPEN SESSION OF COUNCIL***

Train whistles are currently required for public safety purposes at most rail crossings in the City. Their noise, however, impacts surrounding residents. Train whistles can be stopped at a rail crossing but only after conditions of the applicable regulating body are met, including mitigating the safety impacts of stopping train whistles such as assuring gates are in place.

Two rail crossings, one on Sherbrooke Street and another on Sand Cove Road, are considered the greatest priorities to stop train whistles because (1) they are on the rail line leading from the Port where expansion is underway, (2) have three times the number of residents within a 300 metre radius relative to any other crossing in the City expected to be impacted by Port growth, and (3) are closer together than many other crossings in the City that subject some residents to twice the number of train whistles.

A proposed shared Capital investment between the City, the Province, and NB Southern Railway and a recommended contribution to maintenance from the City would allow the gates to be installed and train whistles to stop at these two west side rail crossings.

This Common Council has prioritized addressing noise from trains in our 10-year strategic plan.

***COUNCIL RESOLUTIONS***

That Committee of the Whole recommend to Common Council the following:

1. That the Mayor be authorized to send a letter to New Brunswick Southern Railway (NBSR) on behalf of the City requesting the cessation of train whistles at the rail crossings on Sherbrooke Street and Sand Cove Road,
2. That the City enter into a Contribution Agreement with NBSR in the form as presented to Committee of the Whole at its April 17, 2023 meeting, and

that the Mayor and City Clerk be authorized to execute the said agreement or any document ancillary thereto,

3. That the City enter into the contribution agreement with the Provincial Regional Development Corporation (RDC) in the form presented to Committee of the Whole at its April 17, 2023 meeting, and that the Mayor and City Clerk be authorized to execute the said agreement,
4. That the City approve a grant in the amount of \$145,350.00 to NBSR if and when required as per the obligations of the Contribution Agreement cited in recommendation #2, to be funded from the City's General Fund Operating Budget, and
5. That the Chief Financial Officer be authorized to release funds to NBSR, provided by RDC, upon, and as described in conditions being met in both (a) the Contribution Agreement with NBSR as cited in #2 and (b) the contribution agreement with RDC as cited in recommendation #3.