

From: [REDACTED]  
To: [Mailbox, Office of the Mayor](#)  
Cc: [Mailbox, Clerks](#); [Galbraith, Kelvin](#); [Kearns, Lisa](#); [Nisan, Rory](#); [Stolte, Shawna](#); [Sharman, Paul](#); [Bentivegna, Angelo](#)  
Subject: Re: RE: City Masking Bylaw  
Date: Wednesday, March 16, 2022 3:09:40 PM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi,

Thanks for this reply.

I'm afraid I see too many cooks in the kitchen regarding Covid mandates, and too many splits of who has authority to decide.

I am particularly concerned about schools and the educational system, and have repeatedly expressed that concern. Now I find out from your message here that the City bylaw does not apply to schools. And also that the Regional Office of Health has authority, and could issue a Section 22 order, which could mandate masking in schools. Then, as well, you tell me the Medical Officers of Health at the Region is recommending lifting the mask bylaw.

So who has the responsibility to protect the children and the school system in this messy division of power? Regional Health has a conflict of interest between following orders that are "legal", and the fact that something that is "legal" is not necessarily permissible, or morally justified in an ethical society, especially when the possible consequences for the most vulnerable in our society are known and are grave.

This conflict is very concerning as it raises questions of responsibility and accountability for a decision about children and schools - Who will be called to account for the decision and the consequences? Is the Board of Education responsible for this fiduciary duty of trust? If not, then why not?

I say again, it is just too soon to stop masking and other Covid controls in the school system right after all the interactions and mingling, and therefore increased virus transmission opportunities that will occur during school break. Several weeks are needed to see what happens. In addition, the City and Regional masking and other Covid bylaws, as you say, and I repeat -

*"requires the wearing of masks or other face coverings within enclosed spaces open to the public, including:*

- *City Hall and City facilities open to the public;*
- *Burlington Transit;*
- *Public areas of offices, retail outlets and malls; and*
- *Inside common areas of apartment and condominium buildings."*

My point here is that enclosed public spaces are the areas of maximum transmission,

and the masking is the first line of defence, then distancing, and this is an historical practice of public health infection protection.

Further, I say we need more time in general to consider lifting the masking bylaw because there is a lag in time to show what the health indicators are doing after the break, and in general.

I read this below in the Washington Post today, and it would do us well to heed the warning about the failure to be cautious in decisions with very serious consequences that we already know about very well. The whole article is worth a read in terms of what is going on with the virus.

*"A surge in [coronavirus](#) infections in Western Europe has experts and health authorities on alert for another wave of the pandemic in the United States even as most of the country has done away with restrictions after a sharp decline in cases."*

*"Infectious-disease experts are closely watching the subvariant of [omicron](#) known as BA.2, which appears to be more transmissible than the original strain, BA.1, and is fueling the outbreak overseas."*

My bottom line is that someone has to be called to be responsible to fulfill the Board of Education duty as Trustees - with root of Trust - to protect the children and the schools from the risk of this inherent policy harm, as stated by many independent experts, and by the known ways of how the virus acts. This is not safe policy for children, teachers, schools, or parents. It is not stated by Ford to be a safe policy, but a personal choice about risk tolerance.

The children themselves do not have the wherewithal to make such an independent choice for themselves, and are at the mercy of the politics, and what you decide to do. The rest of us will be collateral damage.

In my view, whoever gets to decide, whether it is the Board or not, will be guilty of negligence of fiduciary duty if they just obey Premier Ford's orders.

Thanks,

Tom Muir

----- Original Message -----

From: mayor@burlington.ca

To: [REDACTED]

Cc: Clerks@burlington.ca; Kelvin.Galbraith@burlington.ca;

Lisa.Kearns@burlington.ca; Rory.Nisan@burlington.ca;

Shawna.Stolte@burlington.ca; Paul.Sharman@burlington.ca;

Angelo.Bentivegna@burlington.ca  
Sent: Wednesday, March 16, 2022 8:11 AM  
Subject: RE: City Masking Bylaw

Hi Tom,

This is Hannelie from the Mayor's team. Thank you very much for reaching out to the Mayor with your communication, and for sharing your comments. As the Mayor is caught up in engagements, she asked me to respond to your email to ensure you receive a timely reply.

We certainly understand that for some residents, masks provided an extra layer of comfort, while others would like to see the mandate ending as soon as possible. Our office received many emails from both sides, and it is certainly not an easy decision to make.

The City's mask bylaw is set to expire automatically by June 30, or within five days of the Province lifting their mask bylaw, unless Council extend or revoke it sooner. Council will be discussing our mask bylaw at the Council meeting on March 22<sup>nd</sup> and will consider advice from Medical Officers of Health (who at the Region is recommending lifting the mask bylaw), other health professionals and tables, and resident input. Similarly, Halton Region's mask bylaw is set to expire on April 30<sup>th</sup>, unless extended or revoked sooner. This will be discussed at the Halton Regional Council meeting on March 23<sup>rd</sup>, at the call of the Regional Chair.

The Mayor's website posted an article that shares more information about both the city and regional by-laws, what this means for residents and also where the city's mask by-law applies. I have [linked the article for you here for your interest](#) - please feel free to share this with others who may have similar concerns. Quoting from the article: "Burlington City Council and the City of Burlington Emergency Control Group value the extra week and a half to see where the health indicators are, especially after the March Break, before making a final decision."

Also important to note is that the city's by-law requires the wearing of masks or other face coverings within enclosed spaces open to the public, including:

- City Hall and City facilities open to the public;
- Burlington Transit;
- Public areas of offices, retail outlets and malls; and
- Inside common areas of apartment and condominium buildings.

It does **not** apply in schools for example, although the Regional Medical Officer of Health could issue a Section 22 order, which could mandate masking in schools.

You are always welcome to reach out to the Mayor if you need assistance regarding any city related matter. We value every opportunity to engage with the community and appreciate your input.

Please consider signing up for the Mayor's monthly newsletter [via the Mayor's Website](#) (visit [this link](#) for the March edition), that summarizes what is happening in and around City Hall and also stay connected with the Mayor via her [twitter account](#), or on [Facebook](#) as well. Our whole team is working as quickly as possible to share every update as we have them so that you can stay informed in real-time.

Best wishes to stay safe and healthy.

Kind regards,

**Hannelie van Niekerk | Executive Administrator & Constituent Liaison**

**Office of the Mayor Marianne Meed Ward | City of Burlington**

**From:** [REDACTED]

**Date:** March 13, 2022 at 6:04:50 PM EDT

**To:** "Meed Ward, Marianne"

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**Subject:** City Masking Bylaw

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mayor and Councilors,

I submitted this to the Gazette today as a comment to a relevant story on City meetings.

I neglected to add to this comment, that a prudent delay in a masking bylaw repeal would not result in any Covid cases and harm, however, an imprudent, politically motivated repeal according to Doug Fords dictate would result in cases and following harm for sure according to the facts of how the virus works.

Thanks,

Tom Muir

## **Comment.**

- I think this is a pivotal time to say NO to Doug Ford about masking.

The City has its own masking bylaw, and a repeal of it is our decision, as a City, and we have to take the time needed for a thoughtful lifting, with adequate time and circumstance to assess the results and especially, for unintended consequences.

I have sensed in the news, and independent medical expert opinion, that the end of March would be a prudent target date and would give us enough time to see what happens.

It must not be just another order from Mr. Ford that we must obey, no thinking about it. From his own public words, Mr. Ford has stated many times, in so many words, that he "can't wait to get rid of the mask and other Covid mandates", and that his Chief Officer of Health, Kieran Moore, is "a practical man" - I heard these statements myself on TV.

I've also heard or read of much independent expert opinion, including the Chair of the Ontario Advisory Committee, that it is too fast a pace for repeal, and a reasonable, informational delay, will not have any impact of real significance, but the repeal right after the Spring break, as Ford dictates must be, can be predicted, by the nature of the virus, to result in small scattered clusters of infections that can become major outbreaks.

That's the consensus opinion and concern of the independent experts who have spoken out - and this concern is based on the history of group gatherings of school kids and parents/teachers. It's a fact based fear.

But Mr. Ford does not look to be listening. He says we are all on our own, even children not vaccinated. To the immunocompromised, he said, wear a mask - cold comfort that will for sure sicken some.

Dr. Kieran Moore has bought into the policy talk of everyone doing their own risk assessment, an expression of his "practical side" I guess. I worked for the Province and the Fed sometimes doing policy analysis, so I easily recognize a medical/health bureaucrat, who is the only staff that can speak, construct a politically driven health policy to suit his boss. Happens all the time.

The fact is people don't have the information to do this, and the information flow coming out of the province is set to change and this will confound understanding, sow confusion and division, and will surely cover up what really happens to surge Covid, or to not have any casualties due to the policy.

So again, I urge City Council to stand strong, and to exercise your right and responsibility for the City by-laws around Masking and Covid to protect our children, teachers, schools, and their families that won't suffer by an intelligent, informed lifting of mandates, but by the laws of the virus spread, will have another more or less surge, and by consequence a related amount of sickness and death.

- Mr. Ford is in election mode and can't be trusted.

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