



ROTHESAY COUNCIL

OPEN SESSION
Monday, March 9, 2015
MINUTES



PRESENT: MAYOR WILLIAM J. BISHOP
COUNCILLOR MATT ALEXANDER
DEPUTY MAYOR NANCY GRANT
COUNCILLOR PAT GALLAGHER JETTE
COUNCILLOR PETER LEWIS
COUNCILLOR BLAIR MacDONALD
COUNCILLOR BILL McGUIRE

TOWN MANAGER JOHN JARVIE
TOWN CLERK MARY JANE BANKS
DIRECTOR OF REC/PARKS (DRP) CHARLES JENSEN
DIRECTOR OF OPERATIONS (DO) BRETT McLEAN
DIRECTOR OF PLANNING/DEVELOPMENT (DPDS) BRIAN WHITE
TREASURER DOUG MacDONALD
FINANCIAL OFFICER ELLEN STEEVES

ABSENT: COUNCILLOR MIRIAM WELLS

Mayor Bishop called the meeting to order at 7:05 p.m.

1. APPROVAL OF AGENDA

MOVED by Counc. Alexander and seconded by Deputy Mayor Grant the agenda be approved as circulated.

CARRIED.

2. APPROVAL OF MINUTES Regular meeting 9 February 2015

MOVED by Counc. McGuire and seconded by Counc. Lewis the minutes of 9 February 2015 be adopted as circulated.

ON THE QUESTION:

Counc. MacDonald requested clarification on the discussion about pond hockey on the Common. He noted the discussion under Item 7.2 Draft Parks and Recreation Committee meeting minutes (pp 2-3) that indicated hockey would be permitted. It was unclear whether the decision will be made by the Recreation Department or the Committee. Town Manager Jarvie noted the discussion under Item 9.1 Rothesay Common Tender Award (pp 5-6), that the concerns of Council will be reviewed by the Parks and Recreation Committee. Mayor Bishop concluded the Committee will determine the demand for the various types of programs and will consider council comments as well.

CARRIED.

Business Arising from Minutes

n/a

3. OPENING REMARKS OF COUNCIL

Mayor Bishop noted the Department of Environment and Local Government requires removal

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of ice fishing shacks by March 15th, which could prove challenging this year with the abnormal snowfall and build-up of ice.

Mayor Bishop noted the passing of Joan Fitzgerald, the former Clerk of Renforth and East Riverside-Kingshurst. He commended her many years of service and her dedication to her community in different roles. Counc. Gallagher Jette added her condolences and noted Ms. Fitzgerald was a great mentor to her when Counc. Gallagher Jette entered municipal politics in the early 1990s.

Deputy Mayor Grant passed along thanks from residents to the Operations staff for their efforts in snow-clearing during this abnormal winter. Mayor Bishop noted the challenges that have been experienced and commended the works crews for their work.

3.1 DECLARATION OF CONFLICT OF INTEREST

Counc. Alexander declared a conflict of interest on Item 8.3 Contract T-2014-005: Oakville Acres Detention Pond.

4. DELEGATIONS

n/a

5. CORRESPONDENCE FOR ACTION

5.1 10 February 2015 Email from D/M Grant RE: letter of thanks

MOVED by Deputy Mayor Grant and seconded by Counc. MacDonald a letter of thanks be sent from Mayor and Council to Mr. Creber for his work on emergency planning for the Town.

CARRIED.

6. CORRESPONDENCE - FOR INFORMATION

6.1 5 February 2015 Letter (via email) from Rothesay resident RE: Rothesay Common
MOVED by Counc. Gallagher Jette and seconded by Counc. MacDonald the letter dated 5 February 2015 from Rothesay resident RE: Rothesay Common be received/filed and a response be sent.

ON THE QUESTION:

Counc. Gallagher Jette asked if a response had been sent. Town Manager Jarvie advised a response had not and would not be sent unless some direction is provided by Council. Counc. Gallagher Jette noted there are issues raised in the letter and it would be reasonable to attempt to respond.

CARRIED.

6.1.1 24 February 2015 Letter from Rothesay resident RE: Rothesay Common
MOVED by Counc. Gallagher Jette and seconded by Counc. Lewis the letter from Rothesay resident RE: Rothesay Common dated 24 February 2015 be received/filed and a response sent.

CARRIED.

6.1.2 25 February 2015 Letter from Rothesay resident RE: Rothesay Common (via email)
MOVED by Deputy Mayor Grant and seconded by Counc. MacDonald the letter from

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Rothesay resident RE: Rothesay Common (via email) dated 25 February 2015 be received/filed and a response sent.

CARRIED.

6.2 19 February 2015 Letter (copy) from Quispamsis to Fundy Regional Service Commission RE: Regional Policing

MOVED by Counc. Alexander and seconded by Counc. MacDonald the Letter (copy) from Quispamsis to Fundy Regional Service Commission RE: Regional Policing dated 19 February 2015 be received/filed.

CARRIED.

6.3 18 February 2015 Letter (copy) from Quispamsis to Minister Kenny (DoELG) RE: Waste Packaging and Paper Stewardship Program (copy of presentation)

MOVED by Counc. MacDonald and seconded by Counc. McGuire the Letter (copy) from Quispamsis to Minister Kenny (DoELG) RE: Waste Packaging and Paper Stewardship Program dated 18 February 2015 be referred to staff for a report back to Council on financial and other implications of the program.

CARRIED.

6.4 3 March 2015 Letter from Rothesay property owner RE: Proposed By-law 2-15 water utility fees (see Item 8.2.2)

MOVED by Counc. Lewis and seconded by Counc. McGuire the letter from Rothesay property owner RE: Proposed By-law 2-15 water utility fees dated 3 March 2015 be received/filed.

CARRIED.

7. REPORTS

7.0 **March 2015**

Report from Closed Session

n/a

7.1 19 November 2014 Kennebecasis Public Library (KPL) Board meeting minutes
November 2014 KPL Librarian's Report
31 October 2014 Comparative Income Statement (KPL)
21 January 2015 Kennebecasis Public Library (KPL) Board meeting minutes
January 2015 KPL Librarian's Report
30 November 2014 Comparative Income Statement (KPL)
2014 KPL Annual Report

MOVED by Deputy Mayor Grant and seconded by Counc. Lewis the Kennebecasis Library Board meetings minutes, reports, financial information and 2014 Annual Report be received/filed.

ON THE QUESTION:

It was noted the capital project is complete and under \$6 million, and the drywall requiring paint is a result of normal "wear and tear" and has been done for approximately \$600.

CARRIED.

7.2 10 December 2014 Kennebecasis Valley Fire Department (KVFD) Inc. Board meeting

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minutes
31 October 2014 KVFD Statement of Operations with budget variances
10 December 2014 KVFD Chief's Report
Jan – Nov 2014 KVFD Response Type Report

MOVED by Counc. Gallagher Jette and seconded by Counc. MacDonald the Kennebecasis Valley Fire Department meeting minutes, statement of operations and reports be received/filed.

ON THE QUESTION:

Counc. MacDonald advised the reference to liability is related to the payment of vacation pay on retirement and an individual can retire early in the year but receive payment for the entire year. He also advised the Chief is reviewing the Regional Fire Agreement to ensure the wording is consistent with self-administration.

CARRIED.

7.3 31 December 2014 Draft unaudited Rothesay Utility Fund Financial Statements
MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant the Draft unaudited Rothesay Utility Fund Financial Statements dated 31 December 2014 be received/filed.

ON THE QUESTION:

Counc. MacDonald noted some capital projects (approximately \$300,000) had been charged to the General Fund rather than the Utility Fund. The reserve transfer motions have already been made for 2014 so there will be a deficit in 2014 and that will be allocated as an expense in two years.

CARRIED.

31 December 2014 Draft unaudited Rothesay General Fund Financial Statements
MOVED by Counc. MacDonald and seconded by Counc. Gallagher Jette the Draft unaudited Rothesay General Fund Financial Statements dated 31 December 2014 be received/filed.

ON THE QUESTION:

Counc. MacDonald noted there is a surplus of approximately \$285,000 that will be part of revenue in two years. Counc. Gallagher Jette requested further detail on legal costs, back to 2013. Counc. MacDonald noted this is on the agenda for the next Finance Committee meeting.

CARRIED.

31 January 2015 Draft unaudited Rothesay Utility Fund Financial Statements
MOVED by Counc. MacDonald and seconded by Counc. Alexander the Draft unaudited Rothesay Utility Fund Financial Statements dated 31 January 2015 be received/filed.

CARRIED.

31 January 2015 Draft unaudited Rothesay General Fund Financial Statements
MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant the Draft unaudited Rothesay General Fund Financial Statements dated 31 January 2015 be received/filed.

CARRIED.

3 March 2015 Draft Finance Committee meeting minutes

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MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant the Draft Finance Committee meeting minutes dated 3 March 2015 be received/filed.

ON THE QUESTION

Counc. Lewis noted the discussion about utility servicing in Wells and questioned whether it would affect the approved upgrade on Anna Avenue. Town Manager Jarvie advised utility servicing in Wells is likely on the long-term horizon. Counc. MacDonald suggested discussion should be held now, giving consideration to the new wastewater requirements that will come into effect in 2019/20 and the capacity of the proposed wastewater treatment plant.

CARRIED.

➤ Actuarial services

4 March 2015 Memorandum from Treasurer MacDonald

MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant Council authorize the Treasurer to sign the Terms of Engagement with Morneau Shopell for the December 31, 2014 Retirement Allowance Accounting Valuation.

CARRIED.

MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant Council authorize the Treasurer to sign the Terms of Engagement with Morneau Shopell for the December 31, 2014 Sick Leave Accounting Valuation.

CARRIED.

➤ Funding requests (3)

4 March 2015 Memorandum from Treasurer MacDonald

MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant Council deny funding for the New Brunswick Medical Education Trust, as it was not a budgeted item and further they be advised to contact the Clerk to appear before Council for 2016 budget considerations.

CARRIED.

MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant Council deny funding for the Walk for Alzheimer's.

ON THE QUESTION:

Counc. Alexander requested clarification on the process followed for reviewing applications. Counc. MacDonald advised there is a policy that the Committee follows in making its decisions. The Committee tends to focus on community-related events moreso than general fundraising.

CARRIED.

MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant Council deny funding for the KV Figure Skating Club.

ON THE QUESTION:

Counc. MacDonald noted the Skating Club already receives a discounted rate for ice time.

CARRIED.

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25 February 2015 Mayor's Donations Report
RECEIVED FOR INFORMATION.

7.4 17 February 2015 Draft Parks and Recreation Committee meeting minutes
MOVED by Counc. McGuire and seconded by Counc. MacDonald the draft Parks and Recreation Committee meeting minutes dated 17 February 2015 be received/filed.

ON THE QUESTION:

There was a brief discussion with respect to snowblowing trails in Rothesay. It was noted the trails in the Wells Park will not be paved and also the Hillside Trail is used for snowshoeing and cross-country skiing. There was a brief discussion with respect to comments in the draft Committee minutes. Mayor Bishop noted there is a difference of opinion from committee members and members of the public on associated project and operational costs. Counc. McGuire commented the discussion at the Committee meeting was related to the costs per day of operation for the artificial ice surface. Mayor Bishop concluded there are two schools of thought on the operational costs.

CARRIED.

7.5 18 February 2015 Draft Utilities Committee meeting minutes
MOVED by Counc. Alexander and seconded by Counc. Lewis the draft Utilities Committee meeting minutes dated 18 February 2015 be received/filed.

CARRIED.

➤ Water service lateral

MOVED by Counc. Alexander and seconded by Counc. Lewis Council pay half of each homeowner's claims with respect to damages incurred with respect to the water service lateral failure that occurred in August 2014 (fire on Rothesay Road). The cause of the failure could not be determined.

ON THE QUESTION:

DO McLean advised the cost is approximately \$5500 in total.

CARRIED.

➤ Water By-law 2-15 Public Hearing

To be dealt with under Item 8.2.2

7.6 18 February 2015 Draft Rothesay Heritage Preservation Review Board meeting minutes

MOVED by Counc. MacDonald and seconded by Counc. Alexander the draft Rothesay Heritage Preservation Review Board meeting minutes dated 18 February 2015 be received/filed.

ON THE QUESTION:

It was clarified the bridges are not part of the Common Upgrade project and the Heritage Board has been reviewing the aesthetics of the two bridges to make them more authentic and in keeping with the Common.

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CARRIED.

7.7 February 2015 Building Permits Summary Report
MOVED by Counc. MacDonald and seconded by Counc. Alexander the February 2015 Building Permits Summary Report be received/filed.

CARRIED.

7.8 2 March 2015 Draft Planning Advisory Committee meeting minutes
MOVED by Counc. Lewis and seconded by Counc. MacDonald the draft Planning Advisory Committee meeting minutes dated 2 March 2015 be received/filed.

CARRIED.

➤ Summer Haven Crescent

MOVED by Counc. Lewis and seconded by Counc. Alexander Council, pursuant to Section 56(2) of the *Community Planning Act*, give Assent to the Amending Subdivision Plan Dwg No. 3478 dated January 21, 2015, prepared by Kierstead Quigley and Roberts Ltd., showing a Public Street as "Summer Haven Crescent" located off 20 Gibbon Road.

CARRIED.

8. UNFINISHED BUSINESS

8.1 Traffic By-law 1-14 (Tabled June 2014)
No action at this time.

8.2 Water and Sewer By-laws

8.2.1 Sewer By-law 1-15 – Reading by section number, 3rd Reading and Enactment
27 February 2015 Memorandum prepared by DO McLean

MOVED by Counc. Alexander and seconded by Counc. Lewis Council give reading by section number, to By-law 1-15, "Sewer By-law".

CARRIED.

The Clerk read By-law 1-15 by section number.

MOVED by Counc. Lewis and seconded by Counc. Alexander Council give 3rd reading by title and enactment to By-law 1-15, "Sewer By-law".

ON THE QUESTION:

Counc. Gallagher Jette requested clarification on the changes. Counc. Alexander advised the Committee reviewed By-law 1-15 and advised most of the changes were grammatical. He noted a review of fees from other municipalities was also reviewed by the Committee. The annual fee has increased but other fees remained the same.

CARRIED.

The Clerk read By-law 1-15 by title.

8.2.2 Water By-law – Public Hearing

27 February 2015 Memorandum prepared by DO McLean

MOVED by Deputy Mayor Grant and seconded by Counc. Alexander Council schedule a public hearing for Monday, May 11, 2015 at 7 p.m., in accordance with the requirements for public

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hearings as outlined in the Community Planning Act, to give consideration to By-law 2-15, "Water By-law".

ON THE QUESTION:

It was noted although the usual process is to hold a public hearing at the outset of the process, Counc. Alexander advised the Committee agreed a hearing was needed for the Water By-law as a result of the changes in connection requirements for non-residential properties and also the changes in the fee structure. Mayor Bishop advised Mr. Turnbull, who was in attendance, he would have the opportunity to speak at the public hearing. Staff will make a presentation at the public hearing in May.

CARRIED.

Counc. Alexander declared a conflict of interest and left the meeting room.

8.3 Contract Award Oakville Acres

27 February 2015 Memorandum prepared by DO McLean

MOVED by Counc. Lewis and seconded by Counc. MacDonald the matter be removed from the table.

CARRIED.

MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant Council award Contract T-2014-005: Oakville Acres Flood Detention Pond to the low tenderer, Fairville Construction Ltd., at the tendered price of \$1,117,792.61 (including HST), as calculated based on estimated quantities, and further that the Mayor and Town Clerk be authorized to execute the necessary contract documents.

CARRIED.

8.4 Connection Fees – 171 Gondola Point Road

26 February 2015 Memorandum from Town Manager Jarvie

MOVED by Deputy Mayor Grant and seconded by Counc. Lewis Council approve an adjustment to the time the connection fee is required to be paid for water and sewer services for a new apartment building at 171 Gondola Point Road so that the amount is due and payable on or before June 30, 2018.

ON THE QUESTION:

Counc. MacDonald commented that deviations from established rules and standard practices can cause challenges in the future. Counc. Alexander advised the Utilities Committee requested clarification from Council following its decision to change the Committee's recommendation (of three years) at the last Council meeting. Town Manager Jarvie advised the motion provides clarity and the developer will be advised at the time of signing the development agreement.

CARRIED.

9. NEW BUSINESS

9.1 Salt Storage Shed

27 February 2015 Memorandum prepared by DO McLean

MOVED by Counc. MacDonald and seconded by Counc. Alexander Council award the construction of the footing, foundation walls and heated concrete floor for the Master Drive Salt Storage Shed Expansion to Wheaton Construction at their quoted price of \$38,500.00 plus HST,

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and further that the Director of Operations be authorized to issue a Purchase Order in that regard.

ON THE QUESTION:

There was discussion with respect to components of the design, particularly heated floors and the need for future phases and related costs. DO McLean advised a partially heated floor is more efficient than overhead blowers and the equipment will be ready for use sooner. DRP Jensen and DO McLean will coordinate the storage of equipment. Town Manager Jarvie advised there will be an addition to the capital budget for the costs of future phases. DO McLean advised this phase is to construct the concrete pad and the next phase will be on the April Council agenda.

NAY vote recorded from Counc. Lewis.

CARRIED.

10. NEXT MEETING

10.1 June Council meeting date

Mayor Bishop noted three council members will be away for the regularly scheduled June Council meeting which could affect the quorum if another member were to be unavailable.

MOVED by Counc. MacDonald and seconded by Counc. Lewis the June Council meeting be rescheduled to Monday, June 15, 2015.

CARRIED.


The next regular meeting of Council will be held on Monday, April 13, 2015.

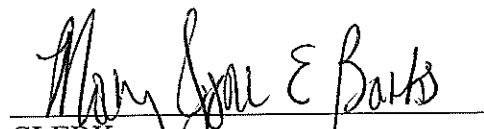
11. ADJOURNMENT

MOVED by Counc. Gallagher Jette and seconded by Counc. MacDonald the meeting be adjourned.

CARRIED.

The meeting adjourned at 8:10 p.m.


MAYOR


CLERK