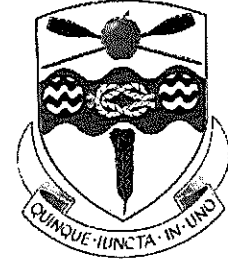




ROTHESAY COUNCIL
OPEN SESSION
Monday, May 11, 2015
MINUTES



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

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

PUBLIC HEARING

Water By-law 2-15

Documentation

15 April 2015

5 May 2015

8 May 2015

DRAFT

1st Section 68 advertisement

2nd Section 68 Advertisement

Memorandum from Town Manager Jarvie

By-law 2-15

Appearances:

Request to speak:

Comments:

Brett McLean, P. Eng. Director of Operations - Rothesay

Andy W. Lodge, BLR Law

6 May 2015 Letter from Mr. Lodge (7 property owners)

6 May 2015 Letter from Messrs. Flood, Flood Construction

Mayor Bishop called the public hearing to order at 7:00 p.m. and gave instructions to those in attendance. He noted the hearing had been duly advertised and DO McLean would be giving a presentation. Mayor Bishop noted the matter will be discussed during the open session of Council and the staff recommendation is to table the By-law until staff and the relevant committees review the comments from the public hearing.

DO McLean noted the hearing is to consider amendments to the current Water By-law 7-04. He gave a brief presentation that outlined the following: current system issues related to aged water and chlorine release (flushing treated water), fire protection, regulations, proposed changes to address issues identified by staff and the public and the proposed change to mandate the use of the water system for commercial, institutional, or non-single family residential buildings (section 4.15). DO McLean noted the following benefits: added value to the property owner over the long term; operational effectiveness; quality and safety of the water supply; recharge of existing residential wells and using rather than wasting (flushing) a valuable commodity. He noted there are operational costs associated with the water system are more than \$1 million

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annually to meet provincial legislation and the connection fees are allocated toward capital costs. The recent water plant upgrade was over \$1 million and while there have been over \$10 million in upgrades to the distribution system in the last ten years, there has only been a 20% increase in usage.

The following comments were made by Council and staff: the utility is not funded by property taxes and is operated as a user pay system and not-for-profit; capital costs are attributed to either the water or sewer utility depending on the project; connection fees have been paid by other property owners for connection to the system; the water supply is tested daily with continuous online monitoring and immediate notice is received by operators of any changes; last year approximately 40,000 m³ was flushed; potential impact on tenants who may already be struggling; and the proposed changes will make the system and application of the By-law more consistent and fair throughout the municipality. Council members questioned whether property owners had done a cost-benefit analysis for testing/maintenance of their own water system and whether a gradual approach with implementation would be an option.

The following people spoke: Andy Lodge, BLR Law (on behalf of 7 property owners); Tim Flood, Flood Construction; Daryl Campbell, retail tenant; Mark Hatfield, Homestar and Cheryl Kennedy. The following comments were made: significant costs to connect to water system; new buildings do not have the same maintenance costs as existing/older buildings that have been purchased on a business case and with their own well; increased costs will be passed on to tenants that will affect the affordable housing market in the community; single family homes are not affected; apartment tenants are individual families who happen to live in the same building; some tenants have chlorine allergies; increased rental costs for small businesses; the Town should offer economic incentives for connections; multi-unit building owners are small businesses that cannot absorb costs associated with connection and use of water system; request to keep the status quo or allow the property owners to decide if they want to connect rather than making it a requirement.

Mayor Bishop thanked those in attendance and indicated further comments could be forwarded to the attention of the Town Clerk. He noted the matter will be discussed during the open session of Council.

MOVED by Counc. Alexander and seconded by Counc. Wells the public hearing be adjourned.

CARRIED.

The public hearing adjourned at 7:50 p.m.

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Mayor Bishop called the meeting to order at 7:50 p.m.

1. APPROVAL OF AGENDA

MOVED by Deputy Mayor Grant and seconded by Counc. Wells the agenda be approved as circulated, with the following change:

Item 8.2 be brought forward to follow Item 5.3.

CARRIED.

2. APPROVAL OF MINUTES Regular meeting 13 April 2015

MOVED by Counc. McGuire and seconded by Counc. Wells the minutes of 13 April 2015 be adopted as circulated.

CARRIED.

Business Arising from Minutes

n/a

3. OPENING REMARKS OF COUNCIL

Mayor Bishop noted the following: James D. Irving was inducted into the Order of Canada and a congratulatory letter has been sent; Deputy Mayor Grant received a Lifetime Achievement Award from Mount Allison University, and BCAP (Business Community Anti-Poverty Initiative) held its annual luncheon and the organization has been doing some great work. Counc. Alexander also noted that Rothesay resident Judith Irving received the Rotary Paul Harris Fellowship Award.

3.1 Declaration of Conflict of Interest

n/a

4. DELEGATIONS

4.1 Breast Feeding Friendly Communities (Dept of Public Health) Kellie Sisk, BN RN
Ms. Kellie Sisk, BN RN (Department of Public Health) gave a presentation to Council. Ms. Sisk noted the following: New Brunswick is well below the national average for breastfeeding; the department is working toward changing the perception and promoting the benefits to communities, including attracting young families, improving health, saving money, protecting the environment and providing food security. She noted a number of communities have already pledged their support and there are opportunities for Rothesay to become involved. Ms. Sisk noted the department is working with restaurants and that signage promoting a breastfeeding friendly community would help in supporting mothers and their children. She advised there is a lot of work to be done and the department does support mothers across all socio-economic groups.

Mayor Bishop thanked Ms. Sisk for her presentation and advised the request would be dealt with later in the agenda.

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5. CORRESPONDENCE FOR ACTION

5.1 14 April 2015 Letter from resident RE: utility fee increases

MOVED by Counc. Alexander and seconded by Counc. Lewis the letter from a resident RE: utility fee increases dated 14 April 2015 be referred to Town Manager Jarvie for a response and a copy provided to the Utilities Committee for information.

CARRIED.

5.2 28 April 2015 Letter from resident RE: commercial property snowplowing (Hampton Road)

MOVED by Deputy Mayor Grant and seconded by Counc. Lewis the letter from a resident RE: commercial property snowplowing (Hampton Road) be referred to Town Manager Jarvie.

CARRIED.

5.3 5 May 2015 Request from the Monarchist League of Canada RE: Celebration of the Queen's reign

MOVED by Deputy Mayor Grant and seconded by Counc. Wells the request from the Monarchist League of Canada RE: Celebration of the Queen's reign be reviewed by staff.

ON THE QUESTION:

There was a brief discussion with respect to possible costs associated with making arrangements for the event and sending the request to area schools.

CARRIED.

Item brought forward.

8.2 Water By-law 2-15

7 May 2015 Memorandum from Town Manager Jarvie

MOVED by Counc. Alexander and seconded by Counc. MacDonald Council table By-law 2-15, Water By-law and direct staff to prepare a report in response to the issues raised at the public hearing.

CARRIED.

6. CORRESPONDENCE - FOR INFORMATION

6.1 Various (March) Responses to residents RE: Common upgrade project

MOVED by Counc. McGuire and seconded by Counc. Wells the responses to residents RE: Common upgrade project (various dates) be received/filed.

CARRIED.

6.2 14 April 2015 Letter to NB Transportation and Infrastructure RE: municipal designated highway program – supplementary funding

MOVED by Counc. MacDonald and seconded by Counc. Alexander the letter to NB Transportation and Infrastructure RE: municipal designated highway program – supplementary funding dated 14 April 2015 be received/filed.

CARRIED.

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6.3 14 April 2015 Letter of support to Saint John Dragon Boat Festival
MOVED by Deputy Mayor Grant and seconded by Counc. Lewis the letter of support to Saint John Dragon Boat Festival dated 14 April 2015 be received/filed.

CARRIED.

6.4 15 April 2015 Letter of thanks from Estey Group RE: East Riverside Kingshurst Park crosswalk
MOVED by Counc. Alexander and seconded by Counc. Wells the letter of thanks from Estey Group RE: East Riverside Kingshurst Park crosswalk dated 15 April 2015 be received/filed.

CARRIED.

6.5 15 April 2015 Letter of thanks from Junior Achievement
MOVED by Counc. Wells and seconded by Deputy Mayor Grant the letter of thanks from Junior Achievement dated 15 April 2015 be received/filed.

CARRIED.

6.6 27 April 2015 Letter of thanks from a resident RE: Rothesay Common ice rink
MOVED by Counc. Wells and seconded by Counc. McGuire the letter of thanks from a resident RE: Rothesay Common ice rink dated 27 April 2015 be received/filed.

CARRIED.

6.7 1 May 2015 Email from a resident RE: curb side recycling
MOVED by Counc. Alexander and seconded by Counc. MacDonald the email from a resident RE: curb side recycling dated 1 May 2015 be received/filed.

CARRIED.

7. REPORTS

7.0 **May 2015** **Report from Closed Session**
n/a

7.1 2014 Annual Report Kennebecasis Valley Fire Department
MOVED by Counc. Gallagher Jette and seconded by Counc. MacDonald the 2014 Kennebecasis Valley Fire Department Annual Report be received/filed.

CARRIED.

7.2 25 March 2015 Kennebecasis Public Library (KPL) Board meeting minutes
March 2015 KPL Librarian's Report
28 February 2015 KPL Comparative Income Statement
MOVED by Deputy Mayor Grant and seconded by Counc. Wells the Kennebecasis Public Library (KPL) Board meeting minutes dated 25 March 2015, the March 2015 KPL Librarian's Report and the draft Comparative Income Statement dated 28 February 2015 be received/filed.

ON THE QUESTION:

Deputy Mayor Grant noted the KV Memory Project book launch was very well attended and the Library is hosting a lunch and learn for Asian Heritage Month.

CARRIED.

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7.3 25 March 2015 Kennebecasis Regional Joint Board of Police Commissioners (KRJBPC) meeting minutes

31 March 2015 KRJBPC Statement of Financial Position

MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant the Kennebecasis Regional Joint Board of Police Commissioners (KRJBPC) meeting minutes dated 25 March 2015 and the KRJBPC Statements of Financial Position dated 31 March 2015 be received/filed.

CARRIED.

7.4 31 March 2015 DRAFT Unaudited Utility Fund Financial Statements

MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant the draft unaudited Utility Fund Financial Statements dated 31 March 2015 be received/filed.

CARRIED.

31 March 2015 DRAFT Unaudited General Fund Financial Statements

MOVED by Counc. MacDonald and seconded by Counc. Gallagher Jette the draft Unaudited General Fund Financial Statements dated 31 March 2015 be received/filed.

ON THE QUESTION:

Counc. Gallagher Jette requested an update on the legal costs breakdown previously requested. Counc. MacDonald advised the Finance Committee will be meeting next week.

CARRIED.

7.5 21 April 2015 Draft Parks and Recreation Committee meeting minutes

MOVED by Counc. Wells and seconded by Counc. McGuire the draft Parks and Recreation Committee meeting minutes dated 21 April 2015 be received/filed.

ON THE QUESTION:

There was a brief discussion with respect to the risk assessment report done a number of years ago for the properties in Kennebecasis Park. Town Manager Jarvie advised that the lands are being registered into Land Titles and staff are continuing to work on obtaining encroachment agreements. Council was advised the tender for the Wells Park projects will close on May 26th. Council was advised the start date for the Rothesay Common project will be June 1st, with equipment on site in mid-May.

CARRIED.

➤ Town owned lands in Kennebecasis Park

MOVED by Counc. Wells and seconded by Counc. McGuire Council direct staff to continue maintaining the status quo for recreation areas in Kennebecasis Park and that for the time being the Town manage the access issues through enforcement of the By-law.

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ON THE QUESTION:

There was a brief discussion with respect to the intention of the motion. Counc. McGuire indicated the goal is to maintain access to Town lands. It was noted Town staff will continue to monitor and manage access issues by enforcing the requirements of the By-law.

CARRIED.

7.6 22 April 2015 DRAFT Public Works and Infrastructure Committee meeting minutes
MOVED by Counc. Lewis and seconded by Counc. Alexander the draft Public Works and Infrastructure Committee meeting minutes be received/filed.

ON THE QUESTION:

There was a brief discussion with respect to the Grove Avenue/Hampton Road crosswalk and alterations that will be made so the hedge will not need to be removed. The cross-walk button will be moved from the island to the corner and a new heritage pole will be installed.

CARRIED.

➤ Gondola Point Rd/Isaac Street sightlines

MOVED by Counc. Lewis and seconded by Counc. Alexander the Town investigate further DO McLean's proposal to improve the intersection and sightlines along Gondola Point Road/Isaac Street and to obtain a police report with respect to traffic volume/incidents on the stretch of Gondola Point Road/Isaac Street.

CARRIED.

➤ LED crosswalk at Highland Avenue/Eriskay Drive

MOVED by Counc. Lewis and seconded by Counc. Alexander the Town investigate the cost of LED lighted crosswalks at the intersection of Highland Avenue and Eriskay Drive.

ON THE QUESTION:

It was noted this request has been brought up a couple of times so the Committee is requesting further information.

CARRIED.

7.7 April 2015 Monthly Building Permit Summary Report

MOVED by Counc. Alexander and seconded by Counc. Lewis the April Building Permit Summary Report be received/filed.

CARRIED.

7.8 4 May 2015 DRAFT Planning Advisory Committee meeting minutes

MOVED by Counc. Lewis and seconded by Counc. McGuire the draft Planning Advisory Committee meeting minutes dated 4 May 2015 be received/filed.

CARRIED.

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- Millennium Drive development concept

MOVED by Counc. Lewis and seconded by Counc. McGuire Council schedule a meeting on behalf of the applicant on Monday, June 22, 2015 at 7:00 p.m. at the Bill McGuire Memorial Centre, 95 James Renforth Drive, whereby the applicant will be required to present their proposal to the public for the properties on Millennium Drive (PID#s 30227086 and 00173443), to allow the community to become familiar with the proposal and provide comment.

ON THE QUESTION:

It was noted there is additional work to be done on the proposal by both the applicant and staff. The development agreement will be prepared by staff and the applicant is required to provide a stormwater plan and traffic impact study. DPDS White indicated the proposal is consistent with the Municipal Plan.

CARRIED.

8. UNFINISHED BUSINESS

TABLED ITEMS

8.1 Traffic By-law 1-14 (Tabled June 2014)

No action at this time

BUSINESS ARISING FROM PUBLIC HEARING

8.2 Water By-law 2-15

7 May 2015 Memorandum from Town Manager Jarvie

Dealt with above.

8.3 Comex service – proposed changes

5 May 2015 Memorandum from Town Manager Jarvie

MOVED by Counc. Lewis and seconded by Counc. MacDonald Council approve changes to the Comex commuter bus services, Route 52, as follows:

- the number of runs each weekday morning to be reduced from six to three and each weekday afternoon from six to four;
- the route to be operated in both directions (on Hampton and Rothesay Roads) on all runs;
- a stop to be added at the intersection of Hampton Road and Sierra Avenue; and
- service to the McAllister Mall and Parkside Road in Quispamsis to be eliminated from this route.

ON THE QUESTION:

Counc. MacDonald asked for details on the usage for the routes to be eliminated. Town Manager Jarvie advised there is sample data for the different runs. Treasurer MacDonald advised a financial analysis was completed, with assumptions from no loss of ridership up to a loss of 50% and Rothesay will still save money with the new route schedule. He noted the goal

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is to accommodate the vast majority of users and the additional route was added in the afternoon to accomplish this goal. Counc. Wells also noted the route will follow Rothesay Road, as opposed to the Mackay Highway, to capture more users. Deputy Mayor Grant requested clarification on the times for the morning routes. Treasurer MacDonald noted the first run will be about 6:30 am and the second at roughly 7:30 am.

CARRIED.

8.4 Curbside recycling

8 May 2015 Memorandum from Town Manager Jarvie

MOVED by Counc. Alexander and seconded by Counc. McGuire:

WHEREAS the Fundy Regional Services Commission voted on 28 April 2015 to maintain the *status quo* with respect to a waste diversion program for the Fundy Region;

WHEREAS the provincial government has not yet enacted legislation for an Extended Producer Responsibility program, the details of which could realistically take several years to come to fruition;

AND WHEREAS Rothesay residents endorse curbside recycling as a more environmentally-friendly waste diversion option than the *status quo*;

BE IT RESOLVED that Rothesay Council, recognizing that waste diversion makes for a cleaner, greener, and more progressive community, recommends approval in principle the initiation of a curbside recycling collection service be implemented as soon as possible with a detailed report on the options, timing, and cost to be presented at the June Council meeting and that options for phasing out the blue bin depots within the Town also be presented at the June Council meeting.

ON THE QUESTION:

Counc. Alexander noted he chaired a committee on solid waste diversion that recommended the Fundy Regional Service Commission move forward with curbside recycling. The Commission did not accept the recommendation and Rothesay can now move forward with curbside recycling in the community. Counc. Gallagher Jette requested clarification on the term "approval in principle" without more information on associated costs. She advised she supports the philosophy but had concerns with respect to costs. Counc. Gallagher Jette suggested the motion could wait until the June meeting when the financial information is presented. Mayor Bishop advised the motion is intended to give a clear indication on the direction the Town will be pursuing and to give direction to staff to provide more information to Council. Counc. Alexander advised he strongly supports the initiative and the current garbage collection contract has an option to provide this service. He also advised the motion provides a clear indication on the direction to be taken. There was a brief discussion with respect to the blue bins in the arena parking lot and what the possible costs may be for the program. Town Manager Jarvie advised staff will have a recommendation for the June Council meeting to proceed with the program. He advised collection fees will be \$7500/month and additional costs will be incurred to purchase the containers. Town Manager Jarvie advised additional information is forthcoming

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from the collection contractor and Fundy Region Solid Waste. There was a brief discussion with respect to container costs and it was noted additional detail will be provided next month. Counc. Alexander clarified curbside recycling is in addition to the current garbage and collection compost programs.

NAY vote recorded from Counc. Gallagher Jette.

CARRIED.

9. NEW BUSINESS

BUSINESS ARISING FROM DELEGATIONS

9.1 Breast Feeding Friendly Communities (Dept of Public Health)

Powerpoint presentation Kellie Sisk, BN RN

MOVED by Counc. Gallagher Jette and seconded by Counc. McGuire Rothesay become a Breast Feeding Friendly Community, based on the presentation by Ms. Sisk.

CARRIED.

ADMINISTRATIVE

9.2 Fishing shack debris

29 April 2015 Email from Counc. Wells

Mayor Bishop noted the jurisdiction for ice fishing shacks is with the provincial Department of Environment and the Town has no authority.

There was a general discussion with respect to the responsibilities of the Department and options to prevent this issue in the future. Town Manager Jarvie advised staff will be meeting with representatives from the Department this week to raise the concerns of Council and Rothesay residents. The abnormal winter weather conditions were noted as contributing factor this year with shacks being frozen into the ice. Concerns were expressed about the debris either washing up on shore or sinking to the bottom of the river. DRP Jensen advised the Town uses divers to check the area around the Renforth Wharf prior to opening the beach area. Counc. Alexander noted a meeting had been held with Department representatives and Council representatives last year but there was no follow-up by the Department. Town Manager Jarvie will update Council following the meeting with Department representatives.

RECEIVED FOR INFORMATION.

9.3 Committee Appointments

6 May 2015 Memorandum from Nominating Committee (KRJBPC)

MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant Council re-appoint Mr. Peter Bourque to the Kennebecasis Regional Joint Board of Police Commissioners, with a term to expire 31 December 2017.

CARRIED.

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RECREATION

9.4 Arthur Miller Fields Building

29 April 2015 Memorandum from R. Kincade to Town Manager Jarvie

MOVED by Counc. Wells and seconded by Deputy Mayor Grant Council authorize staff, acting as the general contractor for the Town, to proceed with the construction of exterior renovations to the Arthur Miller Field building, including the addition of public washrooms, within the amount of allocated budget of \$120,000.

ON THE QUESTION:

Competitive quotes will be obtained for the significant project components and building permits will be required but there is no decision necessary from the Planning Advisory Committee as it is a permitted use.

CARRIED.

OPERATIONS

9.5 Engineering Design and Construction Management Services T-2015-004

Eriskay Drive/Iona Avenue

5 May 2015 Memorandum prepared by DO McLean

MOVED by Counc. Wells and seconded by Counc. McGuire Council accept the proposal submitted by Brunswick Engineering and Consulting Inc. in the amount of \$85,543.27 to provide design and construction management services for Contract T-2015-004: Curb, Sidewalk and Storm Sewer Installation on Eriskay Drive/Iona Avenue and further that the Mayor and Town Clerk be authorized to execute the appropriate documentation in that regard.

ON THE QUESTION;

Counc. Alexander requested clarification on the final design to be presented to residents before construction. Town Manager Jarvie advised an open house has tentatively been scheduled for June.

10. NEXT MEETING


The next regular meeting of Council will be held one week later, on Monday, June 15, 2015.

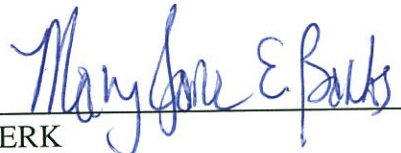
11. ADJOURNMENT

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

CARRIED.

The meeting adjourned at 9:05 p.m.


MAYOR


CLERK