

ROTHESAY

COUNCIL MEETING

Rothesay Town Hall

Monday, January 11, 2016

7:00 pm



1. APPROVAL OF AGENDA

2. APPROVAL OF MINUTES Regular Meeting 14 December 2015

Business Arising from Minutes

3. OPENING REMARKS OF COUNCIL

3.1 Declaration of Conflict of Interest

4. DELEGATIONS

- 4.1 Appleby Subdivision Andrew McKay
6 January 2016 Memorandum from Town Clerk Banks with
attachments

To be dealt with under item 8.4

5. CORRESPONDENCE FOR ACTION

- 5.1 6 January 2016 Memorandum from Town Manager Jarvie RE: UNMB Strategic Plan
9 December 2015 Letter from the Union of Municipalities New Brunswick RE: Strategic
Plan

Accept the recommendation

- 5.2 14 December 2015 Letter from Tourism, Heritage and Culture RE: National Heritage Day
with attachments

Refer to the Heritage Preservation Review Board

- 5.3 16 December 2015 Letter from Fundy Wellness Network RE: Community Wellness Fair

Refer to Mayor

- 5.4 24 December 2015 Letter from resident RE: Rothesay Common and Solar LED Crosswalks
for Hampton Road

Refer to the Public Works and Infrastructure Committee and the Heritage Preservation Review Board

- 5.5 6 January 2016 Letter from Brian Gillis RE: Active Transportation Champion(s)

Refer to Staff for a Response

6. CORRESPONDENCE - FOR INFORMATION

- 6.1 14 December 2015 Letter from Mayor Driscoll RE: Joint EMO
6.2 15 December 2015 Letter to James Hoyt, NB Transportation and Infrastructure RE: Five
Year Program – Provincially Designated Highways in Rothesay
22 December 2015 Letter from Roger Melanson, Minister of Transportation and
Infrastructure RE: Municipal Designated Highway Program
6.3 17 December 2015 Letter from Heather Stilwell and Tracy Friars RE: Let's Celebrate
Concert sponsorship thank you

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- 6.4 17 December 2015 Letter from Hon. Bill Fraser RE: Endorsement of the Framework for Recreation in Canada 2015
- 6.5 21 December 2015 Letter to the KV Committee for Disabled Persons RE: 2015 Report on Accessible Transportation
- 6.6 21 December 2015 Letter to the Kennebecasis Regional Joint Board of Police Commissioners RE: Request for a Contingency Fund
- 6.7 21 December 2015 Letter to the Kennebecasis Valley Fire Department Inc. RE: Approval of Surplus Re-allocation for a vehicle in 2015
- 6.8 23 December 2015 Letter to Rory Grant RE: Remembrance Day Service
- 6.9 6 January 2016 Letter to resident RE: Snow Plowing on Hampton Road

7. REPORTS

7.0 January 2016

Report from Closed Session

- 7.1 30 November 2015 Draft unaudited Rothesay General Fund Financial Statements
- 30 November 2015 Draft unaudited Rothesay Utility Fund Financial Statements
- 7.2 16 December 2015 Draft Public Works and Infrastructure Committee Meeting Minutes
- 7.3 16 December 2015 Draft Utilities Committee Meeting Minutes
- 7.4 16 December 2015 Draft Heritage Preservation Review Board Meeting Minutes
- 7.5 December 2015 Monthly Building Permit Report
- 7.6 5 January 2016 Fundy Library Region Annual Report 2014/2015
- 7.7 6 January 2016 2015 Capital Projects Summary
- 7.8 8 January 2016 Nominating Committee Report

8. UNFINISHED BUSINESS

TABLED ITEMS

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

No action at this time

8.2 Water By-law (Tabled June 2015)

No action at this time

8.3 Amending Agreement and Variance (47 Clark Road) (Tabled December 2015)

No action at this time

8.4 16 Lot Subdivision off Appleby Drive (Tabled December 2015)

See item 4.1

9. NEW BUSINESS

9.1 Almon Lane and Peters Lane Reconstruction

5 January 2016 Report prepared by DO McLean

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9.2 Local Improvement Levy – Kennebecasis Park

6 January 2016 Memorandum from Town Clerk Banks with Warrant of Assessment

9.3 Standby Power Design – Town Hall and Maintenance Garage (Generators)

6 January 2016 Report prepared by DO McLean

9.4 Provincial Government Strategic Review

8 January 2016 Memorandum from Town Manager Jarvie

10. NEXT MEETING

Regular meeting Monday, February 8, 2016

11. ADJOURNMENT



ROTHERESAY

MEMORANDUM



TO : Mayor and Council
FROM : Town Clerk Mary Jane Banks
DATE : 6 January 2016
RE : 16 lot subdivision – off Appleby Drive (PIDs 30175467 & 30175475)

Attached for your information, please find a Request to Appear before Council from Mr. Andrew McKay, along with the information provided to Council at the December Council meeting in relation to the application noted above.

As Council will recall, the proposed 16 lot subdivision off Appleby Drive was reviewed by the Planning Advisory Committee at its regular meeting on December 7, 2015 and recommendations were made to Council. At the December 14th Council meeting, four (4) area residents spoke to the application. Mr. McKay was present at the December Council meeting but did not speak, as indicated in his request.

Council passed the following motion at the December 14th Council meeting:

MOVED ... and seconded ... the proposed 16 lot subdivision off Appleby Drive (PIDs # 30175467 & 30175475) be tabled pending completion of a secondary planning study.

Mr. McKay has been in contact with staff and subsequently requested to speak to Council at the January Council meeting to rebut the comments/concerns expressed at the December Council meeting. His request was granted.

In the event Council wishes to review/discuss the application, please refer to Section 87 of Procedural By-law 2-14, more specifically:

87. Notwithstanding Section 33, no by-law, question, motion or matter that has been disposed of by a vote shall be introduced for reconsideration prior to the expiration of three (3) months from the disposal thereof without a two-thirds (2/3) majority vote of the whole Council.

OPTIONS:

1. Council can receive/file Mr. McKay's comments and leave the matter tabled until such time as the secondary planning study is completed.
2. Council can remove the matter from the table on a two-thirds (2/3) majority vote of the whole Council [*requires 6 of 8 affirmative votes*] and review/discuss the request from Mr. McKay.

Mary Jane Banks

2016Jan11OpenSessionFINAL_024

From: [Andrew Mckay](#)
To: [Mary Jane Banks](#)
Cc: [Brian White](#)
Subject: [BULK Possible SPAM] Request to appear
Date: January-06-16 1:56:38 PM

Hi Mary Jane

I wish to appear before council at the upcoming meeting to ask the council to remove the file from the table and approve it as originally submitted. As you are aware, the last council meeting was not a open public meeting but 3 individual's requested to speak. I was not able to rebut and was not asked to. I would like to address their concern's. Number 1 concern I feel was the traffic issue on the intersection between Horton and Dunedin as the street narrow's right at the corner not allowing enough room for 2 vehicles to pass by each other. This can be easily corrected by widening horton right at the intersection. I would be prepared to work with the town and do the work at my cost. Number 2 issue kinda links to number 1 in that there was a feeling that the Crandall traffic report was not correct as everyone from the new extension of Appleby would backtrack and go up and down Dunedin. The Crandall report said that most people would use Appleby. All three of the people who spoke and the other 2 or 3 in attendance are from the Dunedin side. No one on the Appleby side was there to object. Based on these accusation's, I took it upon myself to go and do a drive test. I started at the bottom of Dunedin and drove to the entrance of Appleby new street off of Higginson. This took 1 minute and 53 seconds. I then went around to the Appleby side of the new extension and drove to the Rothesay rd. This took 47 seconds. This would lead me to believe the Crandall traffic study is pretty accurate.

The 3rd issue with one of the people was their well's being affected during construction. This is not likely as we will not be doing wells as will be running water lines for municipal servicing and should not need to do any blasting. I have already and will again make the offer that if any of the owner's on the adjacent street want to provide current water testing at the time of construction start and the results are normal, if while we are building the street and putting the services in, we affect the water, we will either repair the well or run a line in and connect them to the municipal water system.

We already know that number 1 both the police and the fire department see this as a major improvement in public safety connecting these two really long Cul-de-sac's, number 2 This fixes a problem the town now has without this connection on two cul-de-sac's that are too long and will assure no future liability could come to the town in the event one of the streets are blocked and a emergency situation happens and number 3 the ground water will be drastically improved with a storm drainage extension.

Based on all of this, I see no reason not to proceed as is as will be beneficial to the town, the citizen's and myself as the developer. We will create lot's of needed tax revenue while addressing a couple issue's of public safety, and create so more needed lot's for high end home's in Rothesay.

In the event counsel still has reason to not proceed with initial proposal, there is a plan B that we have that really has no reason to be denied but plan A is much better for all.

Thank You
Andrew Mckay



ROTHESAY MEMORANDUM



TO : Mayor and Council
FROM : Town Clerk Mary Jane Banks
DATE : 10 December 2015
RE : 16 lot subdivision off Appleby Drive

The above-noted matter was discussed at the Planning Advisory Committee meeting on Monday, December 7, 2015. Additional letters were received at the Committee meeting and by the Clerk's office following the meeting. In addition, 3 requests were received to appear before Council on 14 December 2015.

The attached map outlines the proposed development area and the "gray" properties represent property owners who either submitted comments and/or spoke at the Planning Advisory Committee and/or requested to appear before Council.

The following documentation is provided for your information and review:

8 December 2015	Recommendations from the Planning Advisory Committee (PAC)
9 December 2015	Supplemental report from DPDS White with revised agreement per the PAC recommendation
Various	Correspondence received from: Catherine Chiasson (2), Chris Bell (2), Tom Mueller (1) and Michael Start (1)
2 December 2015	(Original) staff report from DPDS White

Mary Jane Banks

QUINQUE JUNCTA IN UNO



ROTHESAY MEMORANDUM



TO : Mayor and Council
FROM : Recording Secretary – Planning Advisory Committee
DATE : 8 December 2015
RE : 16 lot subdivision off Appleby Drive

Please be advised the Planning Advisory Committee passed the following motions at its regular meeting on Monday, December 7, 2015:

MOVED by Counc. Wells and seconded by Craig Pinhey the Planning Advisory Committee recommend that Council authorize the Mayor and Clerk to enter into a Development Agreement as amended with A.E. McKay Builders Ltd. for the development of a 16 lot subdivision on the property identified as (PIDs # 30175467 & 30175475).

CARRIED.

MOVED by Counc. Wells and seconded by Tracy Langley the Planning Advisory Committee recommend that Council assent to the public roads to be known as the extensions of Appleby Drive and Higginson Avenue for the development of a sixteen (16) lot subdivision on the portion of lands identified as PIDs # 30175467 & 30175475.

CARRIED.

MOVED by Counc. Wells and seconded by Counc. Lewis the Planning Advisory Committee recommend to Council to assess the design of the Horton Road and Dunedin Road intersection.

CARRIED.

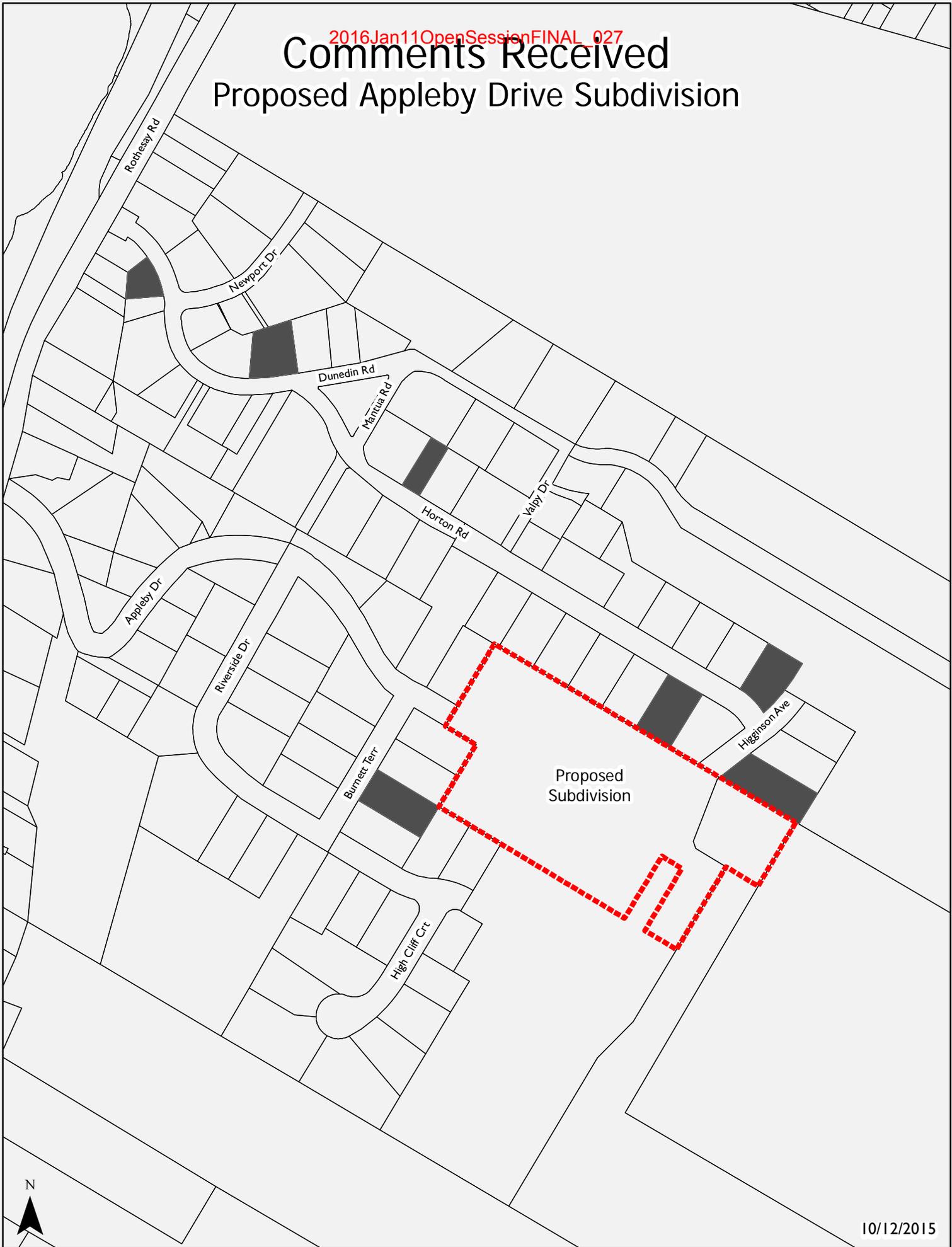
RECOMMENDATION:

- Council authorize the Mayor and Clerk to enter into a Development Agreement as amended with A.E. McKay Builders Ltd. for the development of a 16 lot subdivision on the property identified as (PIDs # 30175467 & 30175475).
- Council assent to the public roads to be known as the extensions of Appleby Drive and Higginson Avenue for the development of a sixteen (16) lot subdivision on the portion of lands identified as PIDs # 30175467 & 30175475.
- Council direct staff to assess the design of the Horton Road and Dunedin Road intersection and report back to Council

Mary Jane Banks

Comments Received

Proposed Appleby Drive Subdivision





70 Hampton Road
Rothesay, NB
E2E 5L5 Canada

Rothesay Council

December 14, 2015

TO: Mary Jane Banks, Town Clerk

SUBMITTED BY:

Brian White, Director of Planning and Development Services

DATE: 9 December 2015

SUBJECT: Appleby Drive Subdivision Agreement (As Amended by PAC)

INFORMATION REPORT

ORIGIN

On December 7, 2015 the Rothesay Planning Advisory Committee did at their regular meeting consider an application from A.E.MacKay Ltd. to subdivide land off Appleby Drive. In review of the application PAC passed the following Motion:

MOVED by Counc. Wells and seconded by Craig Pinhey the Planning Advisory Committee recommend that Council authorize the Mayor and Clerk to enter into a Development Agreement as amended with A.E. McKay Builders Ltd. for the development of a 16 lot subdivision on the property identified as (PIDs # 30175467 & 30175475).

YAY votes recorded from: Chairperson Kean, Counc. Wells, Ewen Cameron, Tracy Langley,
and Craig Pinhey.

NAY votes recorded from: Counc. Lewis and Laurie Gale.

CARRIED.

Staff have revised the DRAFT development agreement as directed by the PAC, several of the amendments are non-substantive and clerical in nature. The primary amendment, as highlighted in yellow, is to defer the requirement for land for public purposes until such time that Rothesay has conducted secondary planning and would be in a better position to define its LPP needs more precisely.

ATTACHMENTS

Attachment A- Appleby Drive Subdivision Agreement (As Amended)

Rothesay

DEVELOPMENT AGREEMENT

Land Titles Act, S.N.B. 1981, c.L-1.1, s.24

Parcel Identifiers
of Parcels Burdened
by Agreement:

30175467 and 30175475

Owner of Land Parcels:

A.E. McKay Builders Ltd.
380 Model Farm Road
Quispamsis, N.B.
E2G 1L8 (Hereinafter called the "Developer")

Agreement with:

Rothesay
70 Hampton Road
Rothesay, N.B.
E2E 5L5 (Hereinafter called the "Town")

a body corporate under and by virtue of the
Municipalities Act, RSNB 1973, Chapter M-22,
located in the County of Kings and Province of New
Brunswick

WHEREAS the Developer is the registered owner of certain lands located off Appleby Drive and Higginson Avenue PIDs 30175467 and 30175475 and which said lands are more particularly described in Schedule A hereto (hereinafter called the "Lands");

AND WHEREAS the Developer is now desirous of entering into a development agreement to allow for the extension of public roads and the development of a subdivision containing not more than sixteen (16) lots for sixteen (16) single family dwellings on the Lands as described in Schedule A.

NOW THEREFORE THIS AGREEMENT WITNESSETH that for and in the consideration of the mutual covenants and agreements herein expressed and contained, the parties hereto covenant and agree as follows:

1. The Developer agrees that the number of Lots situated on the Lands indicated on Schedule A shall not exceed sixteen (16) lots.
2. The Developer agrees that the number of residential dwellings situated on the Lands indicated on Schedule A shall not exceed sixteen (16) single family dwellings.
3. The Developer agrees to submit for approval by the Town, prior to commencing any work on the subdivision, the following plans, each meeting the requirements in accordance with the minimum requirements, standards and specifications as prescribed in the Standard Specifications for Developers of Rothesay Subdivision By-law No. 4-10;
 - i. Plan of Subdivision prepared by a person registered to practice land surveying in the Province of New Brunswick;
 - ii. a letter of engagement from the project engineer retained by the Developer to design the proposed works, along with engineering design drawings for all municipal services as specified herein; and
4. The Developer agrees that the Building Inspector shall not issue a building permit to the Developer for work directly connected with the development of the Lands, nor shall the Developer be entitled to such a permit unless and until the Developer deposits with the Town an Irrevocable Letter of Credit from a Canadian Chartered Financial Institution or other security acceptable to the Town:

- a) Valued at 50% of the cost of construction to execute the work approved by the Engineer pursuant to this agreement; and
- b) Containing a provision that upon the expiration of a thirty-six (36) month term it be renewed and extended (with appropriate amendments to reduce the sum to an amount sufficient to recover the remaining work) from year to year until such time as the Town has accepted "final completion" of the work mentioned in this agreement, by resolution of the Town Council.

Schedules

5. The Developer agrees to develop the Lands in a manner, which, in the opinion of the Development Officer, is generally in conformance with the following Schedules attached to this Agreement:
 - a. Schedule A Legal Description of Parcels
 - b. Schedule B Proposed Plan of Subdivision

Subdivision

6. The Developer agrees that all Lots shall meet the requirements of the Single Family Residential – Standard Zone [R1B] as described in the Rothesay Zoning By-law No. 2-10.
7. The Town and Developer agree that the Development Officer may, at their discretion, consider a reduction in the total number of Lots and the resulting applicable and necessary changes to Schedule B as non-substantive and generally in conformance with this Agreement.
8. The Developer agrees, that except as otherwise provided for herein, the development, subdivision and use of the Lands shall comply with the requirements of the Rothesay Zoning By-law and Subdivision By-law, as may be amended from time to time.

Land for Public Purposes

9. The Town and Developer agree to defer the requirement for Land for Public Purposes (LPP) until such time that the Town has completed the necessary secondary planning study to determine the preferred location of LPP.
10. Furthermore, the Town and Developer agree that an amount no less than 2996 square meters being 10% of the area being subdivided or \$32,356.80 as cash in lieu LPP being 8% of the market value as calculated by by-law shall form a debit owing on the lands.

Site Development

11. The Developer agrees to develop the Lands in a manner, which, in the opinion of the Development Officer, is generally in conformance with Schedule B.
12. The Developer agrees to not commence clearing of trees, excavation of topsoil or blasting activities in association with the construction of the subdivision until the Town has provided final approval of the subdivision design as determined by the Development Officer, in consultation with the Town's Engineer.
13. The Developer agrees that driveways for each developed Lot shall conform as follows:
 - a) All areas used for vehicular traffic or the parking or storage of a vehicle shall be paved with asphalt, concrete, interlocking stone or

- other environmentally safe and dust-free equivalent surface.
- b) Every developed Lot shall have one (1) permanent driveway lighting fixture that shall as follows:
- i. provide illumination of the primary driveway entrance to the public street right of way;
 - ii. be supplied from the property's electrical system;
 - iii. automatically switch on there is insufficient daylight;
 - iv. be located not closer than 1.5 meters to the paved driveway edge and not closer than 2 meters to the public street right of way boundary; and
 - v. be installed by the Developer and maintained by the successive lot owner(s) their successors and assigns, in a manner to ensure continuous operation during night time hours.

Municipal Streets

14. The Developer shall carry out, subject to inspection and approval by Town representatives, and pay for the entire actual cost of the following:
- a. surveying and staking of lots and streets;
 - b. rough grading of streets to profiles approved by the Town;
 - c. fine grading of streets to profiles approved by the Town;
 - d. hard surfacing of the streets as shown on the plan to Town specifications; sub-grade standards, compaction and finish as approved by the Town Engineer, in writing, before final hard surfacing may be installed;
 - e. constructing the roads as shown on the plan and complete the connection to the Gibbon Road as shown on Schedule A;
 - f. supply and maintenance of for a period of one (1) year the topsoil, sod, landscaping and the planting of street trees calculated as one tree for each 10 meters measured along the linear centre line of the public street right of way, planted in location(s) approved by the Town and where such trees are as follows:
 - (a) Not smaller than six centimeters (6 cm) in diameter measured at a point being 2 meters above the root ball such trees species as approved by the Town.
 - g. engineering design and inspection of those works referred to in clauses b), c) d), e) and f) of this section.
15. The Developer agrees to provide, upon completion of Part (13), signed documentation and progress reports from a practicing Professional Engineer, licensed in New Brunswick ensuring that applicable codes and standards have been met and that the work was completed and utilizing such materials as in accordance with the terms of this Agreement and approved specifications.
16. The Developer agrees to provide, upon the request of the Town, as-built drawings that delineate all public infrastructure to be submitted to the Town in compliance with the minimum standards and requirements specified in the Town's Digital Data Submission Standards for Infrastructure and Construction Drawings.
17. The Town reserves the right to assign public street names, notwithstanding that the names may not correspond with those shown on Schedule A.
18. The Developer agrees that all items, materials, pipes, fittings, and other such infrastructure following acceptance of delivery on site by the Developer shall remain the full responsibility of the Developer against their accidental breakage or vandalism until the completed works are accepted by the Town.
19. The Developer agrees that it will not commence construction of any dwelling and no building permit will be issued by the Town for any such

dwelling until such time as the street, which provides the normal access, to each dwelling, has been constructed to Town standards as specified by the Town and is ready for hard surfacing at least beyond the point which shall be used as the normal entrance of the driveway to service such dwelling.

20. The Developer agrees to restore, in so doing assuming all costs, any and all disturbed areas of the public street and public street right of way to the satisfaction of the Town Engineer following installation of the required municipal services.

Storm Water

21. The Developer shall carry out, subject to inspection and approval by Town representatives, and pay for the entire actual costs of the installation of a storm water system. The Developer agrees to accept responsibility for all costs associated with the following:
- a. Construction, to Town standards, of a storm water system including pipes, fittings, precast sections for manholes and catch basins capable of removing surface water, to a predetermined location selected by the Developer's Engineer and approved by the Town Engineer, from the entire developed portion of the lands as well as top soil and hydro-seeding of shoulders of roadways.
22. The Developer agrees to submit for approval by the Town, prior to commencing any work on the storm water system such plans, as required by the Town, that shall conform with the design schematics and construction standards of the Town, unless otherwise acceptable to the Town Engineer.
23. The Developer agrees that all roof leaders, down spouts, and other storm water drains from all proposed dwelling shall not be directed or otherwise connected or discharged to the Town's storm water or sanitary collection system.
24. The Developer agrees that the storm water drainage from all dwellings shall not be discharged:
- a. directly onto the ground surface within one meter of a proposed dwelling;
 - b. within 1.5 m of an adjacent property boundary;
 - c. to a location where discharged water has the potential to adversely impact the stability of a side yard or rear yard slope or a portion of the property where there exists a risk of instability or slope failure; or
 - d. to a location or in such a manner that the discharge water causes or has the potential to cause nuisance, hazard or damage to adjacent dwellings or structures.
25. The Developer agrees to provide to the Town Engineer written certification of a Professional Engineer, licensed to practice in New Brunswick that the storm water system has been satisfactorily completed and constructed in accordance with the Town specifications.

Water Supply

26. The Developer agrees to connect to the Town's nearest and existing water system at a point to be determined by the Town Engineer and utilizing methods of connection approved by the Town Engineer.
27. The Town agrees to supply potable water for the purposes and for those purposes only for a maximum of seven (7) single family residential dwellings and for minor and accessory purposes incidental thereto and for no other purposes whatsoever.

28. The Developer agrees to pay the Town a connection fee for each residential unit to the Town water system calculated in the manner set out by By-law as amended from time to time, to be paid to the Town on issuance of each building permit.
29. The Developer agrees that the Town does not guarantee and nothing in this Agreement shall be deemed to be a guarantee of an uninterrupted supply or of a sufficient or uniform water pressure or a defined quality of water. The Town shall not be liable to the Developer or to any person, firm or corporation for any damage or injury caused by the interruption of the supply of water, the lack of uniform pressure thereof or the quality of water.
30. The Developer agrees that all connections to the Town water mains shall be approved and inspected by the Town Engineer or such other person as is designated by the Town prior to backfilling and that the operation of water system valves is the sole responsibility of the Town.
31. The Developer agrees to comply with the Town's Water By-law and furthermore that a separate water meter shall be installed, at their expense, for each residential connection made to the Town's water system.
32. The Developer agrees that the Town may terminate the Developer's connection to the Town water system in the event that the Town determines that the Developer is drawing water for an unauthorized purpose or for any other use that the Town deems in its absolute discretion.
33. The Developer agrees to provide, prior to the occupation of any buildings or portions thereof, written certification of a Professional Engineer, licensed to practice in New Brunswick that the connection of service laterals and the connection to the existing town water system has been satisfactorily completed and constructed in accordance with the Town specifications.

Sanitary Sewer

34. The Developer agrees to connect to the existing and nearest sanitary sewer system at a point to be determined by the Town Engineer and utilizing methods of connection approved by the Town Engineer.
35. The Developer agrees to pay the Town a connection fee for each residential unit to the Town sewer system calculated in the manner set out by By-law as amended from time to time, to be paid to the Town on issuance of each building permit.
36. The Developer agrees to carry out subject to inspection and approval by Town representatives, and pay for the entire actual costs of the following:
 - a. Engineering design, supply, installation, inspection and construction of all service lateral(s) necessary to connect to the existing sanitary sewer system inclusive of all pipes, laterals, fittings, and precast concrete units.
37. The Developer agrees to submit for approval by the Town, prior to commencing any work to connect to the sanitary sewer system, any plans required by the Town, with each such plan meeting the requirements as described in the Town specifications for such development.
38. The Developer agrees that all connections to the Town sanitary sewer system shall be supervised by the Developer's engineer and inspected by the Town Engineer or such other person as is designated by the Town prior to backfilling and shall occur at the sole expense of the Developer.

Municipal Service Easements

39. The Developer agrees to secure and grant to the Town, its successors and assigns, unencumbered easements crossing the Lands of the Developer and **the Lands of PID 00239632**, in the form customarily used by the Town, providing for the full, free and uninterrupted right, liberty, privilege and easement to install, construct, reconstruct, repair, clean, maintain, inspect and use as part of the municipal services of the Town and as appurtenant thereto, and for all times hereafter, including sewers, water system mains, storm water collection infrastructure and other municipal services of such kind, size, type and number as the Town may from time to time determine necessary.

Retaining Walls

40. The Developer agrees that dry-stacked segmental concrete (masonry block) gravity walls shall be the preferred method of retaining wall construction for the purpose of erosion control or slope stability on the Lands and furthermore that the use of metal wire basket cages filled with rock (gabions) is not an acceptable method of retaining wall construction.
41. The Developer agrees to obtain from the Town a Building Permit for any retaining wall, as required on the Lands, in excess of 1.2 meters in height and that such retaining walls will be designed by a Professional Engineer, licensed to practice in New Brunswick.

Indemnification

42. The Developer does hereby indemnify and save harmless the Town from all manner of claims or actions by third parties arising out of the work performed hereunder, and the Developer shall file with the Town prior to the commencement of any work hereunder a certificate of insurance naming the Town as co-insured evidencing a policy of comprehensive general liability coverage on "an occurrence basis" and containing a cross-liability clause which policy has a limit of not less than Two Million Dollars (\$2,000,000.⁰⁰). The aforesaid certificate must provide that the coverage shall stay in force and not be amended, canceled or allowed to lapse within thirty (30) days prior to notice in writing being given to the Town. The aforesaid insurance coverage must remain in full force and effect during the period available to the Developer pursuant to this agreement to complete the work set out as described in this Agreement.

Notice

43. Any notice or advice which is to be given under this Agreement shall be deemed to have been satisfactorily given to the Developer if delivered personally or by prepaid mail addressed to **A.E. MCKAY BUILDERS LTD.**, 380 MODEL FARM ROAD, QUISPAMIS, N.B., E2G 1L8 and to the Town if delivered personally or by prepaid mail addressed to **ROTHESAY**, 70 HAMPTON ROAD, ROTHESAY, NEW BRUNSWICK, E2E 5L5. In the event of notice by prepaid mail, the notice will be deemed to have been received four (4) days following its posting.

By-laws

44. The Developer agrees to be bound by and to act in accordance with the By-laws of the Town as amended from time to time and such other laws and regulations that apply or may apply in future to the site and to activities carried out thereon.

Termination

45. The Town reserves the right and the Developer agrees that the Town has the right to terminate this Agreement without compensation to the

Developer if the specific proposal has not commenced on or before **December 14, 2020** being a date 5 years (60 months) from the date of Council's decision to enter into this Agreement accordingly the Agreement shall have no further force or effect and henceforth the development of the Lands shall conform with the provisions of the Rothesay Zoning By-law.

46. Notwithstanding Part 44, the Parties agree that development shall be deemed to have commenced if within a period of not less than three (3) months prior to **December 14, 2020** the construction of the public street and municipal service infrastructure has begun and that such construction is deemed by the Development Officer in consultation with the Town Engineer as being continued through to completion as continuously and expeditiously as deemed reasonable.
47. The Developer agrees that should the Town terminate this Agreement the Town may call the Letter of Credit described herein and apply the proceeds to the cost of completing the work or portions thereof as outlined in the agreement. If there are amounts remaining after the completion of the work in accordance with this agreement, the remainder of the proceeds shall be returned to the Institution issuing the Letter of Credit. If the proceeds of the Letter of Credit are insufficient to compensate the Town for the costs of completing the work mentioned in this agreement, the Developer shall promptly on receipt of an invoice pay to the Town the full amount owing as required to complete the work.

Security

48. The Developer expressly agrees and understands that notwithstanding any provision of the Town's Building By-laws or any statutory by-law or regulatory provision to the contrary, the Building Inspector shall not issue a building permit to the Developer for work directly connected with the development of the Lands, nor shall the Developer be entitled to such a permit unless and until the Developer deposits with the Town an Irrevocable Letter of Credit from a Canadian Chartered Financial Institution or other security acceptable to the Town; and
- a. Valued at 50% of the cost of construction to execute the work approved by the Engineer pursuant to this agreement; and
 - b. Containing a provision that upon the expiration of a thirty-six (36) month term it be renewed and extended (with appropriate amendments to reduce the sum to an amount sufficient to recover the remaining work) from year to year until such time as the Town has accepted "final completion" of the work mentioned in this agreement, by resolution of the Town Council.

Failure to Comply

49. The Developer agrees that after 60 days written notice by the Town regarding the failure of the Developer to observe or perform any covenant or condition of this Agreement, then in each such case:
- (a) The Town shall be entitled to apply to any court of competent jurisdiction for injunctive relief including an order prohibiting the Developer from continuing such default and the Developer hereby submits to the jurisdiction of such Court and waives any defense based upon the allegation that damages would be an adequate remedy;
 - (b) The Town may enter onto the Lands and perform any of the covenants contained in this Agreement or take such remedial action as is considered necessary to correct a breach of the Agreement, whereupon all reasonable expenses whether arising out of the entry onto the Lands or from the performance of the covenants or remedial action, shall be a first lien on the Lands and be shown on any tax certificate issued under the Assessment Act;

- (c) The Town may by resolution discharge this Agreement whereupon this Agreement shall have no further force or effect and henceforth the development of the Lands shall conform with the provisions of the Land Use By-law; and/or
- (d) In addition to the above remedies, the Town reserves the right to pursue any other remediation under the *Community Planning Act* or Common Law in order to ensure compliance with this Agreement.

Entire Agreement

50. This Agreement contains the whole agreement between the parties hereto and supersedes any prior agreement as regards the lands outlined in the plan hereto annexed.

Severability

51. If any paragraph or part of this agreement is found to be beyond the powers of the Town Council to execute, such paragraph or part or item shall be deemed to be severable and all other paragraphs or parts of this agreement shall be deemed to be separate and independent therefrom and to be agreed as such.

Reasonableness

52. Both parties agree to act reasonably in connection with any matter, action, decision, comment or approval required or contemplated under this Agreement.

This Agreement shall be binding upon and endure to the benefit of the parties hereto and their respective heirs, administrators, successors and assigns.

IN WITNESS HEREOF the parties have duly executed these presents the day and year first above written.

Date: _____, 2016

Witness:

A.E. McKay Builders Ltd.

Director

Witness:

Rothsay:

Mayor

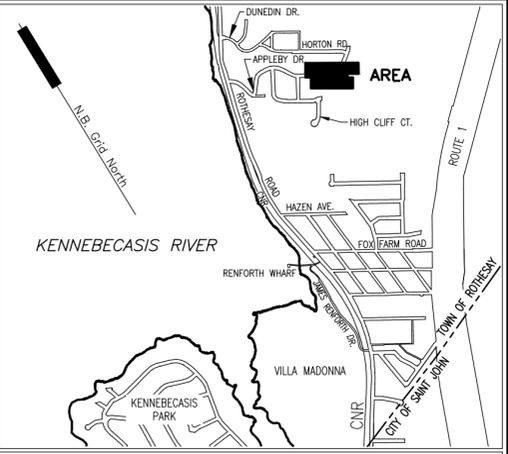
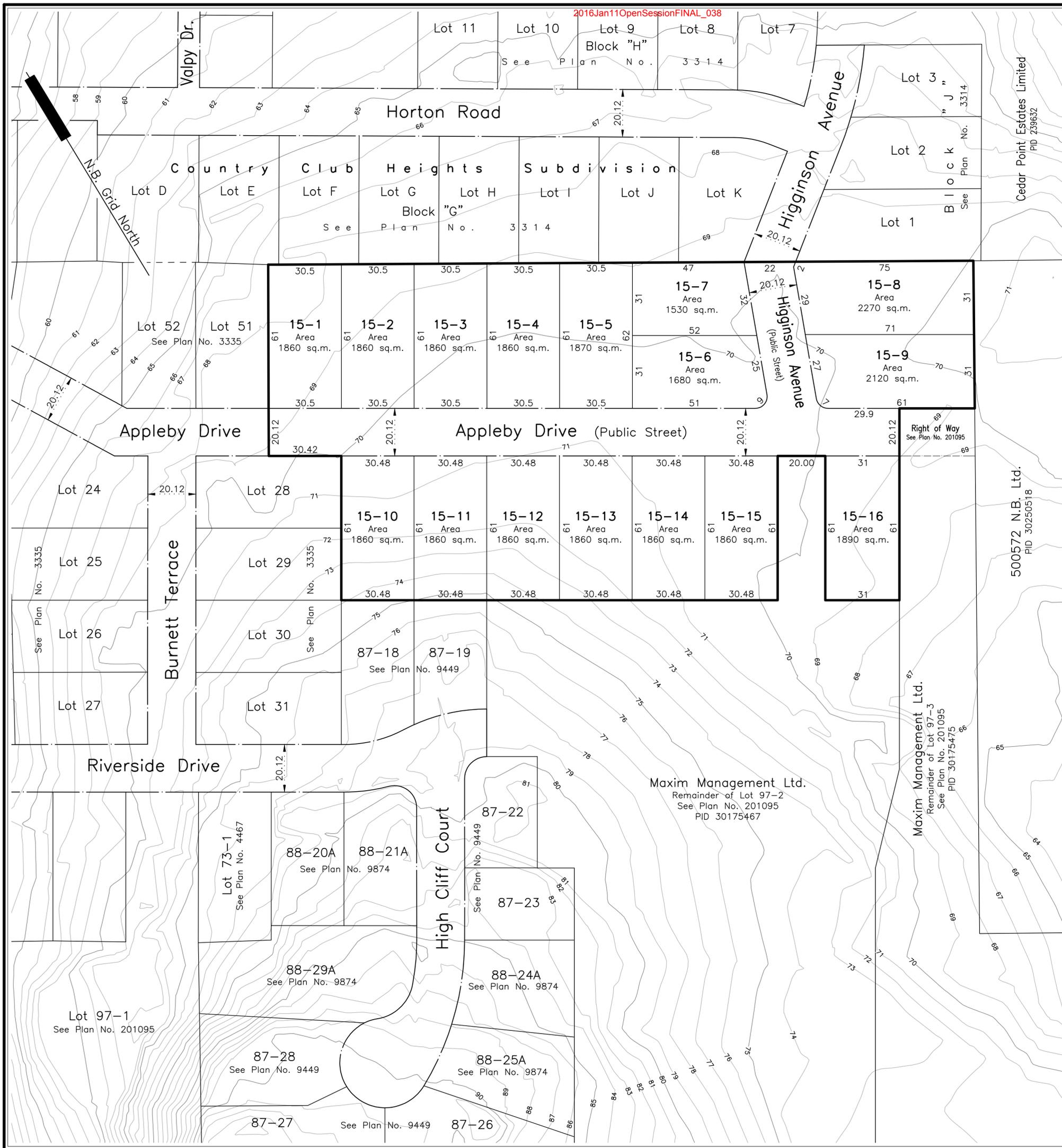
Clerk

Rothesay

SCHEDULE A

PID:	30175467
Apparent Parcel Access:	Public Access
Status:	Current
Effective Date/Time:	2008-09-08 16:14:55
Page:	1
Legal Description:	Place Name: Rothesay Parish: Rothesay County: Kings Label of Parcel on Plan: 97-2 Title of Plan: Subdivision Plan, Phase Electric Ltd. Subdivision Registration County: Kings Registration Number of Plan: 201095 Registration Date of Plan: July 10, 1997

PID:	30175475
Apparent Parcel Access:	Private Access
Status:	Current
Effective Date/Time:	2010-09-24 09:58:15
Page:	1
Legal Description:	Place Name: Rothesay Parish: Rothesay County: Kings Label of Parcel on Plan: 97-3 Title of Plan: Subdivision Plan, Phase Electric Ltd. Subdivision Registration County: Kings Registration Number of Plan: 201095 Registration Date of Plan: July 10, 1997 Together with the benefit of a right of way as described in Deed number 328565 registered in the Kings County Registry Office on July 14, 1997 in book 1342 at page 582. Save Except: Lands conveyed to Her Majesty the Queen (Transportation) by Transfer 29259562 filed in the Kings County Registry Office 2010-09-23



Key Plan
 Scale = 1:25,000

LEGEND:
 ● SMF - Standard survey marker found
 ⊙ SMS - Standard survey marker set
 ● RIBF - Round iron bar found
 ■ IBF - Square iron bar found
 ○ IPF - Iron pipe found
 ⊙ CALC - Calculated point
 ▲ NBCM - N.B. Co-ordinate Monument
 sq.m. - Square metres
 A - Arc R - Radius
 Rad.Pt. - Radius point
 ⊕ - Centreline
 --- Line not to scale
 - - - - - Fence
 PID - Parcel identifier number
 Adj - Adjusted network
 (100) - Tabulated co-ordinate reference
 A.N.B.L.S. - Association of N.B. Land Surveyors

NOTES:
 1. Azimuths and Co-ordinate values refer to the NEW BRUNSWICK GRID CO-ORDINATE SYSTEM (Adjusted Network) and were derived from the tabulated New Brunswick Co-ordinate Monuments. Computations performed and co-ordinate values shown are based on the New Brunswick Stereographic Double Projection and the NAD83 (CSRS) ellipsoid.
 2. Azimuths are rounded to the nearest 10 seconds.
 3. Distances are in METRES and are rounded to the nearest CENTIMETRE.
 4. Lands dealt with by this plan are bounded thus
 5. Peripheral information and adjacent names were derived from various sources and should be verified.
 6. All plans and documents referenced are recorded in the Kings County Registry Office or in the Land Titles Office for the District of New Brunswick.

PURPOSE OF PLAN:
 • To create 16 new residential building lots.
 • To extend Appleby Drive and Higginson Avenue and vest the new portions as public streets.

Subdivision Plan
Appleby Manor
 Subdivision - Phase 2
 Town of Rothesay
 Kings County, N.B.

0 10 20 30 40 50 metres 100
 Scale = 1:1000

KIERSTEAD QUIGLEY
and ROBERTS Ltd.
 Saint John, New Brunswick

Dated: September 11, 2015

Job No. 12-0113 Dwg. No. T-0605

Form 45

AFFIDAVIT OF CORPORATE EXECUTION

Land Titles Act, S.N.B. 1981, c.L-1.1, s.55

Deponent: Andrew McKay
A.E. McKay Builders Ltd.
380 Model Farm Road
Quispamsis, N.B. E2G 1L8

Office Held by Deponent: **Director**

Corporation: A.E. McKay Builders Ltd.

Place of Execution: Rothesay, Province of New Brunswick.

Date of Execution: _____, 2016.

I, **Andrew McKay**, the deponent, make oath and say:

1. That I hold the office specified above in the corporation specified above, and am authorized to make this affidavit and have personal knowledge of the matters hereinafter deposed to;
2. That the attached instrument was executed by me as the officer(s) duly authorized to execute the instrument on behalf of the corporation;
3. the signature "**Andrew McKay**" subscribed to the within instrument is the signature of me and is in the proper handwriting of me, this deponent.
4. the Seal affixed to the foregoing indenture is the official seal of the said Corporation was so affixed by order of the Board of Directors of the Corporation to and for the uses and purposes therein expressed and contained;
5. That the instrument was executed at the place and on the date specified above;

DECLARED TO at Rothesay,
in the County of Kings,)
and Province of New Brunswick,)
This ___ day of _____, 2016.)

BEFORE ME:)

Commissioner of Oaths)

Andrew McKay

Form 45

AFFIDAVIT OF CORPORATE EXECUTION

Land Titles Act, S.N.B. 1981, c.L-1.1, s.55

Deponent: MARY JANE E. BANKS

Rothesay
70 Hampton Road
Rothesay, N.B.
E2E 5L5

Office Held by Deponent: Clerk

Corporation: Rothesay

Other Officer Who Executed the Instrument: WILLIAM J. BISHOP

Rothesay
70 Hampton Road
Rothesay, N.B.
E2E 5L5

Office Held by Other Officer Who Executed the Instrument: Mayor

Place of Execution: Rothesay, Province of New Brunswick.

Date of Execution: _____, 2016.

I, MARY JANE E. BANKS, the deponent, make oath and say:

- 1. That I hold the office specified above in the corporation specified above, and am authorized to make this affidavit and have personal knowledge of the matters hereinafter deposed to;
6. That the attached instrument was executed by me and WILLIAM J. BISHOP, the other officer specified above, as the officer(s) duly authorized to execute the instrument on behalf of the corporation;
7. the signature "William J. Bishop" subscribed to the within instrument is the signature of William J. Bishop, who is the Mayor of the town of Rothesay, and the signature "Mary Jane E. Banks" subscribed to the within instrument as Clerk is the signature of me and is in the proper handwriting of me, this deponent, and was hereto subscribed pursuant to resolution of the Council of the said Town to and for the uses and purposes therein expressed and contained;
8. the Seal affixed to the foregoing indenture is the official seal of the said Town and was so affixed by order of the Council of the said Town, to and for the uses and purposes therein expressed and contained;
9. That the instrument was executed at the place and on the date specified above;

DECLARED TO at town of
Rothesay, in the County of Kings,)
and Province of New Brunswick,)
This ___ day of _____, 2016.)

BEFORE ME:)
)
)
)
Commissioner of Oaths)

MARY JANE E. BANKS

136 Horton Rd;
Rothesay, NB
E2H 1P8

Sunday, December 6, 2015

Mr. Brian L.White
Director of Planning and Development Services
Town of Rothesay
70 Hampton Rd
Rothesay, NB
E2E 5L5

RE: Proposed 16 Lot Subdivision

Dear Mr. White,

I am writing to express concern about the proposed A.E. McKay Builders Ltd. 16 lot subdivision off of Appleby Drive. There are several items that I feel need to be addressed for community safety and wellbeing:

- water and sewerage concerns- while it will be provided for the new homes how will these homes affect the well water of those houses surrounding them? Will our natural filtration systems be affected with the additional homes and their lawn maintenance chemicals; and in the winter salt and sand for driveways?
- Has there been a study of the effect on the well water should this land be disturbed and developed? It is our expectation that this will have been done by an independent organization not connected to the town of Rothesay or A.E. McKay Builders Ltd
- roads on the lower portion of Appleby and Dunedin have bends which can already be hazardous for the existing residents; these safety concerns will only be increased with all of the trucks and equipment needed to build these homes and it will be an ongoing issue with the additional residents and their vehicles- these roads were not built for moderate traffic
- where Horton meets Dunedin is unnavigable for two vehicles at one time. One car must wait while the other makes the turn- this problem will also be intensified and ultimately cause accidents with the addition of other vehicles
- the residents of Horton Rd and Appleby have enjoyed wooded areas behind their homes since they were built in the 70s. We know that with the development of this subdivision most of this green space and privacy will be lost. Should this subdivision be approved we want our privacy to be maintained with a buffer zone of trees and berms
- what is the developer's obligation, with the development of subdivisions, to provide green spaces for its residents?

- should these homes be built, what are the days and hours of construction? How long will our peaceful neighbourhood be polluted with the sounds of building 16 new homes?

I would like the opportunity to speak and have these issues addressed at the PAC meeting December 7th, 2015.

Sincerely,

Catherine Chiasson, B.Ed;DAUS; M.Ed



136 Horton Rd;
Rothesay, NB
E2H 1P8

Tuesday, December 8, 2015

Town of Rothesay
70 Hampton Rd
Rothesay, NB
E2E 5L5

RE: Proposed 16 Lot Subdivision

Mayor William Bishop and Councillors

We came away from Monday night's PAC meeting feeling a lack of confidence in the committee. We raised several concerns about the apparent short-sightedness in the Proposed 16 LOT Subdivision at the top of Dunedin and Appleby Road. While several of the points in my letter to Mr. Brian White (attached) were skimmed over, there seemed to be no consideration for existing homeowners in this plan nor in the plan for 60+ homes that may be built between Horton Rd and Maple Crest.

Mr. Chris Bell of Dunedin Rd. referred to Councillor Wells' comments concerning the intent of council to have a plan for the area to be developed. While this resulted in some discussion around the table, Councillor Wells motioned for the subdivision to be approved simultaneously ignoring the requirement for Rothesay to do its due diligence in creating a responsible plan. Astoundingly, apart from two members, the committee seconded the motion.

We echo Mr. Chris Bell's words in his letter to the Mayor and Councillors:

Although I understand the benefits of new developments in Rothesay, I have very serious concerns about the integrity and legality of the process being followed in this instance.

Mr. Bell goes on to quote specific sections of the **Rothesay Municipal Plan 2010**, Paragraph 14.2.1 of the Rothesay Municipal Plan 2010 (by-law 1-10), which will be violated should the development be approved without having created the secondary plan. In addition, he highlighted inequalities in the way the PAC is handling this development plan, based on information found in the October 13th minutes.

In that same meeting, on Monday, December 7th, we heard Mrs. Donna Moore speak of the disaster created in her home and property by the unattractive commercial development on Clark Rd. Needless to say, our fears about the lack of proper planning are mounting, with Mrs. Moore's story, the well-known flooding issues created in Oakville Acres and the large amount of

money that has been spent trying to beautify and rectify poorly planned commercial sections of Rothesay.

Councillor Miriam Wells stated that a new plan is currently in the budget for 2016. That being the case, why are we in such a rush? It seems we are at risk of putting the cart before the horse. (Bell, 2015)

Why not wait for the completion of proper planning, one that addresses infrastructure and beautification concerns for existing homeowners, so that we can be confident that our homes and community continue to be safe and attractive places to live.

We would like the opportunity to address our concerns before the Mayor and Council on Monday, December 14th, 2015.

Sincerely,

Catherine and Paul- Emile Chiasson

A large black rectangular redaction box covering the names and contact information of the signatories, Catherine and Paul-Emile Chiasson.

Bell,Chris. *Letter to Rothesay's Mayor and Council*, Rothesay, NB December 2015

From: [Brian White](#)
To: [REDACTED]
Subject: FW: OBJECTION to Proposed 16 LOT Subdivision
Date: December-07-15 10:55:53 AM

From: Chris Bell [REDACTED]
Sent: 07 December 2015 09:36 AM
To: Brian White
Subject: OBJECTION to Proposed 16 LOT Subdivision

Dear Mr. Brian White

Please consider this e-mail as my written objection to the Proposed 16 LOT Subdivision as described in your letter dated November 18th, 2015.

I purchased a home on Dunedin Road in July 2012. My wife and I were drawn to the area due to the unique residential character of the neighborhood. Having lived in several other larger cities, we chose to raise our family in Rothesay due to this unique charm.

Formerly known as "Country Club Heights", the area of Dunedin / Appleby is a unique neighborhood that fully embodies the Rothesay lifestyle. It is characterized by mature well treed lots, pride of home ownership, low traffic and most importantly a safe area to raise a family.

Before I would support such a plan, I would like to better understand the following areas of concern:

- i) **Secondary Planning Area:** This area is within the Secondary Planning Area, as such, my understanding is that a secondary plan would need to be created before any development occurs. Has this been completed?
- ii) **Architecture of homes in current proposal:** A.E. McKay's previous developments (such as Hillcrest Gardens and Riverside Springs) are inconsistent with the unique architecture and character of the Dunedin/Appleby area. A.E. McKay's houses within a given subdivision are all very similar and would be at a stark contrast to the current homes in the area.
- iii) **Speculative Build:** We are currently in a very weak real estate market. My understanding is that this is a speculative build. Should demand remain weak, adding more supply will negatively impact existing home prices in the area.
- iv) **Traffic / Infrastructure:** Dunedin Road is already quite busy, how will this development impact traffic and at what point (e.g. how many additional units) would additional roads be required to handle the increased traffic.

I look forward to attending the Planning Advisory Committee to gather additional information on the proposed subdivision.

Best regards,
Chris Bell
20 Dunedin Road

December 9, 2015

2016Jan11OpenSessionFINAL_046

Mayor William J. Bishop and Councillors

I am writing this letter to object to the Proposed 16 LOT Subdivision at the top of Dunedin Road and Appleby Drive (the “**Proposed Development**”).

On December 7, 2015, I attended the Planning Advisory Committee (PAC) meeting (the “**Meeting**”) to gather additional information and voice my concerns regarding the Proposed Development. Although I understand the benefits of new developments in Rothesay, I have very serious concerns about the integrity and legality of the process being followed in this instance.

Paragraph 14.2.1 of the Rothesay Municipal Plan 2010 (by-law 1-10) (the “**Municipal Plan**”) provides that “Several areas in Rothesay should only be developed once a secondary plan is in place. These include the undeveloped area between the Riverside Country Club and Rothesay-Netherwood School, the area southwest of the Club and northeast of Maplecrest Drive, on the northeastern boundary of the municipality and the area southeast of the Mackay Highway which is considered a longer term area for development.”

Paragraph 14.2.3(b) of the Municipal Plan goes on to state that “Council will undertake secondary planning in the areas of the community as designated on Schedule G”. A review of Schedule G (as presented during the Meeting) shows that 34.97%, excluding the Land for Public Purposes (the “**LPP**”), of the Proposed Development is located within the secondary planning area referred to in paragraph 14.2. Including the proposed LPP, over 50% of the Proposed Development is located within the secondary planning area.

The Municipal Plan unmistakably provides that a secondary plan is a condition precedent to the development of any land located in a secondary planning area. There is a process in place and I am afraid it is not being followed.

I brought these concerns to the attention of the PAC at the Meeting. With the exception of 2 members (Laurie Gale and Councillor Peter J. Lewis), the PAC failed to consider the importance of these concerns, particularly in light of the Development Officer’s obligation not to approve a subdivision plan unless it is consistent with the Municipal Plan (see Paragraph 11.1 of the Rothesay Subdivision By-law No. 4-10).

During the Meeting, Mr. Brian White discussed several features of the Proposed Development that were clearly related to a potential larger development (e.g. the location of the LPP was placed near a potential future Arterial road). This reinforced my fear that decisions were being made which are not consistent with the secondary planning provisions of the Municipal Plan. Mr. White is clearly very knowledgeable, however, I was disappointed by the unbalanced view he presented to the PAC and his lack of concern regarding compliance with the Municipal Plan and the Subdivision By-law.

Furthermore, according to a letter sent to Mr. White from A.E. McKay dated September 24, 2015 (found in the October 13th, 2015 Council minutes) related to proposed development off of Renshaw Road, Mr. McKay stated that “As a result of our meetings with you, we were advised that their lands fall within Rothesay’s secondary planning district which necessitates a study be undertaken by Council to determine the scope and nature of the development that can occur there”. Why has Mr. White taken a different position with respect to the Proposed Development?

Councillor Miriam Wells stated that a new plan is currently in the budget for 2016. That being the case, why are we in such a rush? It seems we are at risk of putting the cart before the horse.

Given the foregoing concerns regarding non-compliance with the Municipal Plan and the Subdivision By-law and the potential impact on the legality of the Proposed Development, I would ask the Mayor and Council to take the prudent step of waiting until the new plan is complete before considering this Proposed Development.

Lastly, I am requesting time to speak during the December 14, 2015 Council meeting to highlight the concerns I have raised in this letter.

Best regards,
Chris Bell
20 Dunedin Road



2016Jan11OpenSessionFINAL_047

From: [Bill Bishop](#)
To: [Mary Jane Banks](#); [Brian White](#); [John Jarvie](#)
Subject: FW: Permission to address next council meeting
Date: December-09-15 2:33:33 PM

For your info. Bill B.

William J. Bishop
Mayor
848-6662

Any correspondence with employees, agents, or elected officials of the town of Rothesay may be subject to disclosure under the provisions of the [Right to Information and Protection of Privacy Act, S.N.B. 2009, c. R-10.6](#).

From: tom mueller [REDACTED]
Sent: December-09-15 10:35 AM
To: Bill Bishop; Nancy Grant; Matthew Alexander; Miriam Wells; Bill McGuire; Blair MacDonald; Peter Lewis; Pat Gallagher Jette
Subject: Permission to address next council meeting

To the mayor and councillors of the Town of Rothesay:

I beg your permission to make a presentation at your next meeting.

For your information, the last PAC meeting at the Town Hall raised a number of issues and concerns!

To wit:

1 – According to modern standards, the dead-ends of Applebee and Horton would never have been built today for safety and security concerns; and on this the police, ambulance and fire departments are in agreement. The new subdivision will fix that.

Of course, PAC neglected to acknowledge that this supposed problem could have been easily remedied by paving the already existing connection between Applebee and Horton. The presumed problem requires no new subdivision.

2 – I was shocked that PAC has compounded our consternation by the suggestion that traffic for the most part would be directed up and down Applebee. My son and I performed a quick experiment last evening, in the sincere hope that PAC's proposed new route may serve us well, as we are only a couple of lots away from the new development. We would be eager to discover a better route up and down the hill, especially in winter. But alas and to no avail, the Dunedin/Horton route is far more direct! That means traffic on Horton/Dunedin will increase by another 32 cars (and by yet another 120 cars if the developer is allowed to piggyback another 60 homes in future)! I presume parking spots for winter parking at the bottom of Dunedin will not play part in the plans for this new development.

3 – What really irks me is the repeated assurances provided by Town Hall in verbal communications past, that Dunedin is already not equipped to handle any more traffic, and as a matter of fact the road is **already** not up to spec according to modern standards. During the last meeting, one member of PAC even suggested that in retrospect, the Dunedin upgrade should perhaps have been done differently and may require redress. In any case, I (and several of my neighbors) were assured by Town Hall, on several occasions that NO further development would ever occur until road connections to some extended version of Millenium Drive parallel to the highway were in place. Imagine my chagrin to discover that these assurances are no longer operative. I am certain there was no malicious intent at the time, which begs of course the entire question of *ad hoc* piece-meal planning on the part of PAC!

4 – Just to let everybody know, the sewer line serving the top of Horton is already compromised and substandard and is already is unable to serve current residents' needs. A further load will create even more sewage backups than have already occurred in the past. Meanwhile, the dead-end of the proposed waterline will require regular flushing until the infrastructure can be extended further in future. A possible, but not unlikely scenario will require current owners to abandon their wells and connect to city water due to ground water contamination by an unidentifiable plaintiff who cannot be sued. Of course, the piece-meal planning of a dead-end water pipe will necessarily incur extra costs of an extension (of this we can be sure) and those costs will be customers of the utility (us), and not the Town of Rothesay and not the developer. Ditto all the above for sewage.

These are all legitimate concerns that could easily be addressed by proper long term planning (concerns already elucidated by others far better than I am able) instead of adopting a piecemeal puzzle-piece approach as currently proposed by PAC.

The bottom line: current infrastructure (especially roads) cannot support further development. I am not opposed to further development. I merely ask that further development be properly planned and not occur in a piece-meal "puzzle-piece" fashion. I further ask that safety considerations take primary consideration, specifically the steep and sharp corner on Dundedin.

These are my thoughts, and I thank you for your patience and your indulgence,

Tom Mueller

From: [REDACTED]
To: [Rothesay Info](#)
Subject: Mayor & Council - re: Appleby Development
Date: December-09-15 11:54:44 AM

Dear Mayor and Council.

In response to your invitation for comments regarding the possible development of 16 new single family homes at the top of Appleby I have a comment on the process and based on an incomplete understanding of the Municipal Plan, some questions:

Regarding the Process:

While I applaud the Town for requesting comments from residents on activities that could affect them I find the information included with this request insufficient. If the process of local involvement is to be effective it must include the Towns initial due diligence. This due diligence, at a minimum, must include:

- How does this development meet the intent of the Municipal Plan? In this specific case how will this development, as the Plan requires, support the intension “to remain a preferred residential community offering high quality housing options that suit the need of the existing population as well as offering attractive choices for future residents”. The intent of the Plan seems clear: how will this development “suit the need” of the existing population and secondly what standards does it meet to ensure it is offering an “attractive choice”? These questions need a response.
- If, in the Towns opinion, the proposed development meets the Plan intent; how does it meet the goals and policies articulated in the Plan? Specifically I assume the goals to be met and the policies that apply are those set out in 5.2 of the Plan that I will not include here. Support for these goals and conformance with the policies needs to be confirmed. If these are not the goals to be met what are the goals? And what policies apply?

Without this contextual information I find it very difficult to make an informed comment. I find myself left reacting to anecdotal information, community whispers and my own limitations; none of which I judge to be a base for responsible comment.

I would add that in my limited experience it is the developer’s proposal that responds to and illustrates full conformance with Plan intensions, goal compliance, policy adherence as well as all the technical requirements of well preservation, water access, storm water implications, sewer, etc, etc. It is upon this complete submission that comments are solicited and adjustments’ made. Perhaps this complete developer submission is available as a base for comment?

However, despite the forgoing; I will forge ahead with a couple of questions.

1. The property to be developed is currently zoned for higher density “Mixed Residential” as illustrated in the Land Use Map within the Municipal Plan.
2. This higher density zone falls under the requirement for Secondary Planning as illustrated in the “Secondary Planning Areas” within the Municipal Plan and described in Section 14.2; 5.2.3
3. This area identified for higher density would be served, exclusively, by a single local

road as illustrated in the Road Network diagram of the Municipal Plan.

If these understandings are correct my questions are:

1. Has the zoning plan been amended to facilitate the proposed development to be accomplished within the 'Low Density Residential zone'?
2. If this rezoning has not occurred; has a "Secondary Planning" exercise been undertaken and are its outcomes available?
3. If the "Secondary Planning" exercise has been completed opening up the higher density zone is it the Town's intension to use the existing local roads, through the low density residential area, to provide access to the higher density zone?
4. When I look for the development guidelines or standards to support the Plan, I am unable to find standards other than the reference to the standards (yet to be developed) covering Street trees and Beautification? Please direct me to where I can access the Town's specific design and development standards.

I look forward to Councils response.

Regards

Michael Start, 79 Dunedin Road



To: Chair and Members of Rothesay Planning Advisory Committee

From: Brian L. White, MCIP, RPP
Director of Planning and Development Services

Date: Wednesday, December 02, 2015

Subject: Tentative Subdivision Approval (16 Lots off Appleby Drive)

Applicant:	Andrew McKay	Property Owner:	Maxim Management Ltd.
Mailing Address:	A.E. McKay Builders Ltd. 380 Model Farm RD Quispamsis, NB E2G 1L8	Mailing Address:	555 Somerset Street Suite 208 Saint John, NB E2K 4X2
Property Location:	20 Gibbon Road	PID:	30175467 & 30175475
Plan Designation:	Low Density &	Zone:	Single Family Residential – Standard (R1B)
Application For:	16 Lot Subdivision, New Public Road, Subdivision Developers Agreement		
Input from Other Sources:	Director of Operations, KVFD, KRPF		

Origin:

An application by A.E. McKay Builders Ltd. to subdivide a portion of lands owned by Maxim Management Ltd. and under purchase agreement with McKay Builders. The subject land is accessed off Appleby Drive and the proposal would allow for 16 new single family home lots and a new public road connection to Higginson Avenue. (See Attachment A)

Background:

The subject land off Appleby Drive (PIDs # 30175467 & 30175475) entails two large properties totaling 14,5139.43m² (35.86 acres) zoned Single Family Residential R1B. The subdivision application would see the development of 20.6% of the land for 16 single family homes. All of the proposed lots would exceed the lot requirements for the R1B zone on a range of lot sizes from 1530m² (0.37 acre) to 2270m² (0.56 acre).

Secondary Planning Schedule G

PAC will recall that Staff previously noted that a portion (34.97%) of the proposed subdivision falls within the boundary of Rothesay's Municipal Plan Schedule G. Schedule G describes areas of undeveloped lands within Rothesay that require the preparation of a secondary municipal plan to allow for coordination of roads, utilities, open space and recreation amenities and for public input. The Municipal Plan specifically notes that "several areas in Rothesay should only be developed once a secondary plan is in place" including the undeveloped area southwest of the Riverside Country Club and northeast of Maplecrest Drive. The plan policy (see policy 14.2.3) does not specifically restrict Council from considering plans of subdivision for development but rather requires that Council undertake detailed community planning.

14.2.3 POLICY

- Council will undertake secondary planning in the areas of the community as designated on Schedule G.*
- Council will recover some of the costs of detailed planning from benefiting property owners.*
- Council will ensure that secondary planning addresses zoning, road networks, municipal water, sewer and storm sewer systems, third party utilities, pedestrian networks, buffering and recreation needs.*

PAC should also give attention to the mapping method used to illustrate Schedule G. (see Figure 1) The specific mapping technique used is commonly referred to as a "bubble" diagram or map. A bubble diagram is commonly used by land use planners to define areas in a very loose general manner as opposed to adhering property boundaries. The rounded smooth edges of the bubbles are used to represent a rough sense of geography which is then used to develop a more refined plan. The primary purpose of the bubble diagram is to provide flexibility. This type of map would otherwise require greater amounts of research and analysis in order to specifically determine the exact boundaries of a study area. Schedule G in its current configuration provides flexibility to the degree that Council can make a discretionary determination regarding the exactly boundaries to follow and whether or not the plan policy should be observed.

The fundamental purpose of Schedule G is that Council should take a cautious, phased approach to development requests. Opening up new areas of development prematurely may create an unintended incentive for attracting more growth to our community, at a time when Council is implementing unrelated capital projects that would compete for municipal resources. However, in this particular instance Staff believe that the small localized nature of the development provides an excellent residential infill opportunity that serves to greatly enhance public safety.



Figure 1 - Schedule G in Yellow

Staff are also confident that the implementation of the proposed subdivision will not adversely impact Council's ability to conduct Secondary Planning within Schedule G at a later date. Furthermore, the proposed manner of subdivision (16 lots) will not prejudice the possibility of further subdividing the land or the convenient subdividing of adjoining lands. Staff are also of the strong opinion that connecting Appleby Drive to Higginson Avenue will have positive outcomes for transportation connectivity and public safety.

Analysis

Staff's previous report from the November 2015 PAC meeting indicated that the applicant was required to supply additional information in response to Staff questions:

1. **Traffic Impact:** Staff requested and did receive a traffic impact statement (see Attachment B) that includes a response from Peter Allaby, P.Eng Transportation Lead with Crandall Engineering Ltd. Mr. Allaby's report includes a summary statement as follows:

"In summary, the proposed 16-lot residential development will generate low traffic volumes, the majority of which are expected to use Appleby Drive for access. The low volumes are not expected to cause operational or safety issues on Appleby Drive or other adjacent local streets. Future traffic volumes on Appleby Drive with the development in place will still be well within the volume range typically found on local streets

The street extensions and connection from Appleby Drive to Higginson Avenue are positive features, improving both public safety and neighbourhood connectivity."

2. **Waterline Extension:** The Director of Operations requested confirmation regarding how the subdivision will be serviced with water as the access to the Town's waterline requires access across the land of Cedar Point Estates Limited. The applicant has responded that they have obtained approval for a municipal services easement from the company directors of Cedar Point Estates (Mrs. Elsie Blanchard and Mr. Phil Blanchard) to allow the water line through their property connecting to the Higginson Avenue right of way. (see Figure 2)

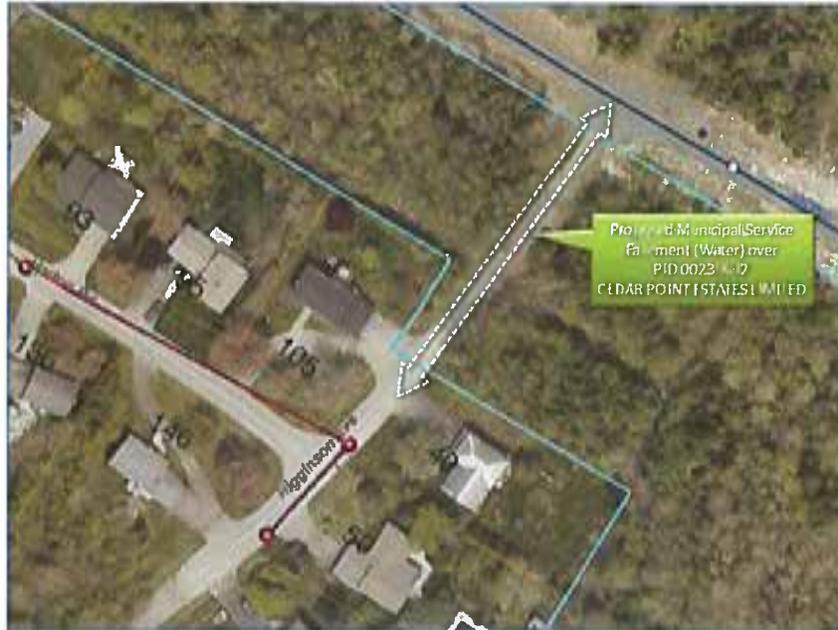


Figure 2 - Location of Service Easement to extend Water to Proposed Subdivision

3. **Existing Easements/Encumbrances:** Staff requested that the applicant provide clarification regarding the extinguishing of existing private easement across the subject land. The applicant has supplied (see Attachment C) a letter from their solicitor which states they have received confirmation from Serge Gauvin, Registrar General of Land Titles, that upon the filing of subdivision plan whereby the extension of Appleby Drive vests as a public street, Service New Brunswick will remove existing right-of-way shown on title as an encumbrance on the subject parcels.
4. **Land for Public Purposes:** The applicant has agreed to a 3.6 acres parcel of land for public purposes (LPP). Furthermore, the Town agrees that pursuant to Section 42(4) (a) of the Community Planning Act that 3.6 acres of land would exceed the amount required by the subdivision by-law for the proposed sixteen (16) lots under this Agreement. Accordingly, pursuant to Section 42(4) (b) of the Community Planning Act the excess LPP requirement shall be credited toward all future LPP requirement in respect of any subsequent subdivision plans.
5. **Polling:** As normal polling procedure Staff have sent out notices regarding this subdivision to all the property owners in the Dunedin and Appleby area (see Figure 3). Staff have not received any written responses as Wednesday, December 02, 2015 and only received 4 phone calls. None of the responses expressed opposition to the proposal, although all expressed concern over potential increased traffic. The majority view of the calls received was that the project would offer some benefit to the neighbourhood. Staff do note that members of the public have expressed concern regarding the adequacy of road networks (steepness of grade, tight turns, lack of sidewalk) leading to and from the proposed development. The public also expressed concern about the noise, parking and general neighbourhood disruption during the construction of subdivision.

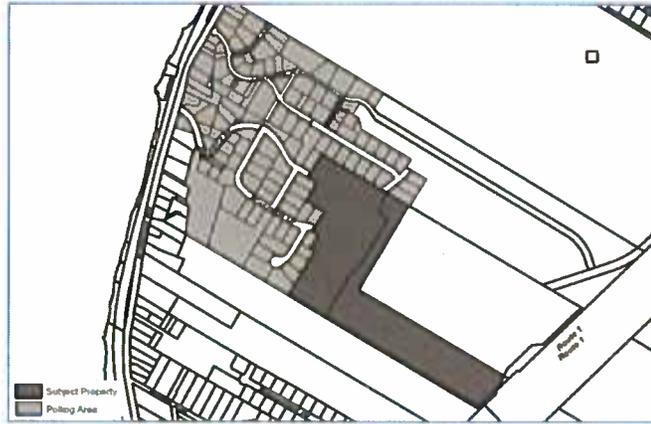


Figure 3 - Map showing area of polling notification

6. **Public Safety:** Staff forwarded the application to both the Kennebecasis Regional Police Force and Kennebecasis Valley Fire Department for review. Staff received responses back from Deputy Chief Steve Palmer, KRPF and Chief Bill Ireland, KVFD. The public safety agencies both reviewed the proposal and offered no objections. Furthermore, both Police and Fire indicated that the connection of Appleby to Horton via Higginson would create an advantage for their respective departments by way of eliminating these two dead-end street neighbourhoods.

In review of the proposed subdivision Staff can confirm that the residential nature of the proposal conforms with the low density residential intent of the Municipal Plan. Staff are confident that the proposed development will be a residential community similar to the existing neighbourhood and accordingly would not present major land use conflicts. The cost of extending municipal services and for new roads is born entirely by the developer and will not negatively impact on the financial capability of Rothesay to absorb any operational costs relating to the development. (eg. Snow plowing, garbage pickup, etc.) Staff are also confident that the subject land is suitable for the proposed use and poses no obvious concerns or hazards for development.

Development Agreement:

The proposed subdivision and development of new public infrastructure (road, sewer, and water) would be subject to a Development Agreement by Council's approval. (see Attachment A)

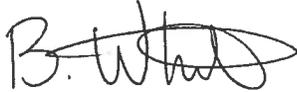
Recommendation:

It is recommended THAT the Planning Advisory Committee:

- a) Recommend that Council authorize the Mayor and Clerk to enter into a Development Agreement with A.E. McKay Builders Ltd. for the development of a 16 lot subdivision on the property identified as (PIDs # 30175467 & 30175475).
- b) Recommend that Council assent to the public roads to be known as the extensions of Appleby Drive and Higginson Avenue for the development of a sixteen (16) lot subdivision on the portion of lands identified as PIDs # 30175467 & 30175475.
- c) Recommend that Council give assent to the subdivision plan, which includes 3.6 acres of land for public purposes to be registered by Parcel description in conjunction with the subdivision of 16 lots from PIDs # 30175467 & 30175475.

Attachments:

- Attachment A Tentative Plan of Subdivision
- Attachment B Conceptual Renderings
- Attachment C Map of Proposed LPP
- Attachment D Traffic Impact Statement
- Attachment E Letter from Cox Palmer Re: Existing Easement



Report Prepared by: Brian L. White, MCIP, RPP

Date: Wednesday, December 02, 2015

Rothesay

DEVELOPMENT AGREEMENT

Land Titles Act, S.N.B. 1981, c.L-1.1, s.24

Parcel Identifiers
of Parcels Burdened
by Agreement:

30175467 and 30175475

Owner of Land Parcels:

A.E. McKay Builders Ltd.
380 Model Farm Road
Quispamsis, N.B.
E2G 1L8 (Hereinafter called the "Developer")

Agreement with:

Rothesay
70 Hampton Road
Rothesay, N.B.
E2E 5L5 (Hereinafter called the "Town")

a body corporate under and by virtue of the
Municipalities Act, RSNB 1973, Chapter M-22,
located in the County of Kings and Province of New
Brunswick

WHEREAS the Developer is the registered owner of certain lands located off Appleby Drive and Higginson Avenue PIDs 30175467 and 30175475 and which said lands are more particularly described in Schedule A hereto (hereinafter called the "Lands");

AND WHEREAS the Developer is now desirous of entering into an development agreement to allow for the extension of public roads and the development of a subdivision containing not more than sixteen (16) lots for sixteen (16) single family dwellings on the Lands as shown on Schedule A.

NOW THEREFORE THIS AGREEMENT WITNESSETH that for and in the consideration of the mutual covenants and agreements herein expressed and contained, the parties hereto covenant and agree as follows:

1. The Developer agrees that the number of Lots situated on the Lands indicated on Schedule A shall not exceed sixteen (16) lots.
2. The Developer agrees that the number of residential dwellings situated on the Lands indicated on Schedule A shall not exceed sixteen (16) single family dwellings.
3. The Developer agrees to submit for approval by the Town, prior to commencing any work on the subdivision, the following plans, each meeting the requirements in accordance with the minimum requirements, standards and specifications as prescribed in the Standard Specifications for Developers of Rothesay Subdivision By-law No. 4-10:
 - i. Plan of Subdivision prepared by a person registered to practice land surveying in the Province of New Brunswick; a
 - ii. Letter of engagement from the project engineer retained by the Developer to design the proposed works, along with engineering design drawings for all municipal services as specified herein
4. The Developer agrees that the Building Inspector shall not issue a building permit to the Developer for work directly connected with the development of the Lands, nor shall the Developer be entitled to such a permit unless and until the Developer deposits with the Town an Irrevocable Letter of Credit from a Canadian Chartered Financial Institution or other security acceptable to the Town:

- a) Valued at 50% of the cost of construction to execute the work approved by the Town Engineer pursuant to this agreement; and
- b) Containing a provision that upon the expiration of a thirty-six (36) month term it be renewed and extended (with appropriate amendments to reduce the sum to an amount sufficient to recover the remaining work) from year to year until such time as the Town has accepted "final completion" of the work mentioned in this agreement, by resolution of the Town Council.

Schedules

- 5. The Developer agrees to develop the Lands in a manner, which, in the opinion of the Development Officer, is generally in conformance with the following Schedules attached to this Agreement:
 - a. Schedule A Legal Description of Parcels (PIDs 30175467 and 30175475)
 - b. Schedule B Proposed Plan of Subdivision

Subdivision

- 6. The Developer agrees that all Lots shall meet the requirements of the Single Family Residential – Standard Zone [R1B] as described in the Rothesay Zoning By-law No. 2-10.
- 7. The Town and Developer agree that the Development Officer may, at their discretion, consider a reduction in the total number of Lots and the resulting applicable and necessary changes to Schedule B as non-substantive and generally in conformance with this Agreement.
- 8. The Developer agrees, that except as otherwise provided for herein, the development, subdivision and use of the Lands shall comply with the requirements of the Rothesay Zoning By-law and Subdivision By-law, as may be amended from time to time.

Land for Public Purposes

- 9. The Town agrees to accept 3.6 acres as PARCEL ### as shown on Schedule B as Land for Public Purposes.
- 10. Furthermore, the Town and Developer agree pursuant to Section 42(4) (a) of the Community Planning Act that PARCEL ### vested to Rothesay exceeds the amount required by the subdivision by-law for the proposed sixteen (16) lots under this Agreement.
- 11. Furthermore, the Town and Developer agree pursuant to Section 42(4) (b) of the Community Planning Act that the excess LPP requirement shall form a credit toward all future LPP requirements in respect of any subsequent subdivision of PIDs 30175467 and 30175475.

Site Development

- 12. The Developer agrees to develop the Lands in a manner, which, in the opinion of the Development Officer, is generally in conformance with Schedule B.
- 13. The Developer agrees to not commence clearing of trees, excavation of topsoil or blasting activities in association with the construction of the subdivision until the Town has provided final approval of the subdivision design as determined by the Development Officer, in consultation with the Town's Engineer.

14. The Developer agrees that driveways for each developed Lot shall conform as follows:
- a) All areas used for vehicular traffic or the parking or storage of a vehicle shall be paved with asphalt, concrete, interlocking stone or other environmentally safe and dust-free equivalent surface.
 - b) Every developed Lot shall have one (1) permanent driveway lighting fixture that shall as follows:
 - i. provide illumination of the primary driveway entrance to the public street right of way;
 - ii. be supplied from the property's electrical system;
 - iii. automatically switch on when there is insufficient daylight;
 - iv. be located not closer than 1.5 meters to the paved driveway edge and not closer than 2 meters to the public street right of way boundary; and
 - v. be installed by the Developer and maintained by the succeeding property owner(s) their successors and assigns, in a manner to ensure continuous operation during night time hours.

Municipal Streets

15. The Developer shall carry out, subject to inspection and approval by Town representatives, and pay for the entire actual cost of the following:
- a. surveying and staking of lots and streets;
 - b. rough grading of streets to profiles approved by the Town;
 - c. fine grading of streets to profiles approved by the Town;
 - d. hard surfacing of the streets as shown on the plan to Town specifications; sub-grade standards, compaction and finish as approved by the Town Engineer, in writing, before final hard surfacing may be installed;
 - e. constructing the roads as shown on the plan and complete the connection to the Gibbon Road as shown on Schedule A;
 - f. supply and maintenance of for a period of one (1) year the topsoil, sod, landscaping and the planting of street trees calculated as one tree for each 10 meters measured along the linear centre line of the public street right of way, planted in location(s) approved by the Town and where such trees are as follows:
 - (a) Not smaller than six centimeters (6 cm) in diameter measured at a point being 2 meters above the root ball such trees species as approved by the Town.
 - g. engineering design and inspection of those works referred to in clauses b), c) d), e) and f) of this section.
16. The Developer agrees to provide, upon completion of Part (15), signed documentation and progress reports from a practicing Professional Engineer, licensed in New Brunswick ensuring that applicable codes and standards have been met and that the work was completed and utilizing such materials as in accordance with the terms of this Agreement and approved specifications.
17. The Developer agrees to provide, upon the request of the Town, as-built drawings that delineate all public infrastructure to be submitted to the Town in compliance with the minimum standards and requirements specified in the Town's Digital Data Submission Standards for Infrastructure and Construction Drawings.
18. The Town reserves the right to assign public street names, notwithstanding that the names may not correspond with those shown on Schedule B.
19. The Developer agrees that all items, materials, pipes, fittings, and other such infrastructure following acceptance of delivery on site by the Developer shall remain the full responsibility of the Developer against

their accidental breakage or vandalism until the completed works are accepted by the Town.

20. The Developer agrees that NO OCCUPANCY shall occur for any such dwelling until such time as the public street, which provides the normal access, to each dwelling, has been constructed to Town standards as specified by the Town and is ready for hard surfacing at least beyond the point which shall be used as the normal entrance of the driveway to service such dwelling.
21. The Developer agrees to restore, in so doing assuming all costs, any and all disturbed areas of the public street and public street right of way to the satisfaction of the Town Engineer following installation of the required municipal services.

Storm Water

22. The Developer shall carry out, subject to inspection and approval by Town representatives, and pay for the entire actual costs of the installation of a storm water system. The Developer agrees to accept responsibility for all costs associated with the following:
 - a. Construction, to Town standards, of a storm water system including pipes, fittings, precast sections for manholes and catch basins capable of removing surface water, to a predetermined location selected by the Developer's Engineer and approved by the Town Engineer, from the entire developed portion of the lands as well as top soil and hydro-seeding of shoulders of roadways.
23. The Developer agrees to submit for approval by the Town, prior to commencing any work on the storm water system such plans, as required by the Town, that shall conform with the design schematics presented on Schedule B and the design and construction standards of the Town, unless otherwise acceptable to the Town Engineer.
24. The Developer agrees that all roof leaders, down spouts, and other storm water drains from all proposed dwelling shall not be directed or otherwise connected or discharged to the Town's storm water or sanitary collection system.
25. The Developer agrees that the storm water drainage from all dwellings shall comply with Schedule B and furthermore not be discharged:
 - a. directly onto the ground surface within one meter of the dwelling;
 - b. within 1.5 m of an adjacent property boundary;
 - c. to a location where discharged water has the potential to adversely impact the stability of a side yard or rear yard slope or a portion of the property where there exists a risk of instability or slope failure; or
 - d. to a location or in such a manner that the discharge water causes or has the potential to cause nuisance, hazard or damage to adjacent dwellings or structures.
26. The Developer agrees to provide to the Town Engineer written certification of a Professional Engineer, licensed to practice in New Brunswick that the storm water system has been satisfactorily completed and constructed in accordance with the Town specifications.

Water Supply

27. The Developer agrees to connect to the Town's nearest and existing water system at a point to be determined by the Town Engineer and utilizing methods of connection approved by the Town Engineer.
28. The Town agrees to supply potable water for the purposes and for those purposes only for a maximum of sixteen (16) single family residential

dwellings and for minor and accessory purposes incidental thereto and for no other purposes whatsoever.

29. The Developer agrees to pay the Town a connection fee for each residential unit to the Town water system calculated in the manner set out by By-law as amended from time to time, to be paid to the Town on issuance of each building permit.
30. The Developer agrees that the Town does not guarantee and nothing in this Agreement shall be deemed to be a guarantee of an uninterrupted supply or of a sufficient or uniform water pressure or a defined quality of water. The Town shall not be liable to the Developer or to any person, firm or corporation for any damage or injury caused by the interruption of the supply of water, the lack of uniform pressure thereof or the quality of water.
31. The Developer agrees that all connections to the Town water mains shall be approved and inspected by the Town Engineer or such other person as is designated by the Town prior to backfilling and that the operation of water system valves is the sole responsibility of the Town.
32. The Developer agrees to comply with the Town's Water By-law and furthermore that a separate water meter shall be installed, at their expense, for each residential connection made to the Town's water system.
33. The Developer agrees that the Town may terminate the Developer's connection to the Town water system in the event that the Town determines that the Developer is drawing water for an unauthorized purpose or for any other use that the Town deems in its absolute discretion.
34. The Developer agrees to provide, prior to the occupation of any buildings or portions thereof, written certification of a Professional Engineer, licensed to practice in New Brunswick that the connection of service laterals and the connection to the existing town water system has been satisfactorily completed and constructed in accordance with the Town specifications.

Sanitary Sewer

35. The Developer agrees to connect to the existing and nearest sanitary sewer system at a point to be determined by the Town Engineer and utilizing methods of connection approved by the Town Engineer.
36. The Developer agrees to pay the Town a connection fee for each residential unit to the Town sewer system calculated in the manner set out by By-law as amended from time to time, to be paid to the Town on issuance of each building permit.
37. The Developer agrees to carry out subject to inspection and approval by Town representatives, and pay for the entire actual costs of the following:
 - a. Engineering design, supply, installation, inspection and construction of all service lateral(s) necessary to connect to the existing sanitary sewer system inclusive of all pipes, laterals, fittings, and precast concrete units.
38. The Developer agrees to submit for approval by the Town, prior to commencing any work to connect to the sanitary sewer system, any plans required by the Town, with each such plan meeting the requirements as described in the Town specifications for such development.
39. The Developer agrees that all connections to the Town sanitary sewer system shall be supervised by the Developer's engineer and inspected by the Town Engineer or such other person as is designated by the Town

prior to backfilling and shall occur at the sole expense of the Developer.

Municipal Service Easements

40. The Developer agrees to secure and grant to the Town, its successors and assigns, unencumbered easements crossing the Lands of the Developer, in the form customarily used by the Town, providing for the full, free and uninterrupted right, liberty, privilege and easement to install, construct, reconstruct, repair, clean, maintain, inspect and use as part of the municipal services of the Town and as appurtenant thereto, and for all times hereafter, including sewers, water system mains, storm water collection infrastructure and other municipal services of such kind, size, type and number as the Town may from time to time determine necessary.

Retaining Walls

41. The Developer agrees that dry-stacked segmental concrete (masonry block) gravity walls shall be the preferred method of retaining wall construction for the purpose of erosion control or slope stability on the Lands and furthermore that the use of metal wire basket cages filled with rock (gabions) is not an acceptable method of retaining wall construction.
42. The Developer agrees to obtain from the Town a Building Permit for any retaining wall, as required on the Lands, in excess of 1.2 meters in height and that such retaining walls will be designed by a Professional Engineer, licensed to practice in New Brunswick.

Indemnification

43. The Developer does hereby indemnify and save harmless the Town from all manner of claims or actions by third parties arising out of the work performed hereunder, and the Developer shall file with the Town prior to the commencement of any work hereunder a certificate of insurance naming the Town as co-insured evidencing a policy of comprehensive general liability coverage on "an occurrence basis" and containing a cross-liability clause which policy has a limit of not less than Two Million Dollars (\$2,000,000.⁰⁰). The aforesaid certificate must provide that the coverage shall stay in force and not be amended, canceled or allowed to lapse within thirty (30) days prior to notice in writing being given to the Town. The aforesaid insurance coverage must remain in full force and effect during the period available to the Developer pursuant to this agreement to complete the work set out as described in this Agreement.

Notice

44. Any notice or advice which is to be given under this Agreement shall be deemed to have been satisfactorily given to the Developer if delivered personally or by prepaid mail addressed to **A.E. MCKAY BUILDERS LTD.**, 380 MODEL FARM ROAD, QUISPAMIS, N.B., E2G 1L8 and to the Town if delivered personally or by prepaid mail addressed to **ROTHESAY**, 70 HAMPTON ROAD, ROTHESAY, NEW BRUNSWICK, E2E 5L5. In the event of notice by prepaid mail, the notice will be deemed to have been received four (4) days following its posting.

By-laws

45. The Developer agrees to be bound by and to act in accordance with the By-laws of the Town as amended from time to time and such other laws and regulations that apply or may apply in future to the site and to activities carried out thereon.

Termination

46. The Town reserves the right and the Developer agrees that the Town has the right to terminate this Agreement without compensation to the Developer if the specific proposal has not commenced on or before May 12, 2019 being a date 5 years (60 months) from the date of Council's decision to enter into this Agreement accordingly the Agreement shall have no further force or effect and henceforth the development of the Lands shall conform with the provisions of the Rothesay Zoning By-law.
47. Notwithstanding Part 44, the Parties agree that development shall be deemed to have commenced if within a period of not less than three (3) months prior to May 12, 2019 the construction of the public street and municipal service infrastructure has begun and that such construction is deemed by the Development Officer in consultation with the Town Engineer as being continued through to completion as continuously and expeditiously as deemed reasonable.
48. The Developer agrees that should the Town terminate this Agreement the Town may call the Letter of Credit described herein and apply the proceeds to the cost of completing the work or portions thereof as outlined in the agreement. If there are amounts remaining after the completion of the work in accordance with this agreement, the remainder of the proceeds shall be returned to the Institution issuing the Letter of Credit. If the proceeds of the Letter of Credit are insufficient to compensate the Town for the costs of completing the work mentioned in this agreement, the Developer shall promptly on receipt of an invoice pay to the Town the full amount owing as required to complete the work.

Security

49. The Developer expressly agrees and understands that notwithstanding any provision of the Town's Building By-laws or any statutory by-law or regulatory provision to the contrary, the Building Inspector shall not issue a building permit to the Developer for work directly connected with the development of the Lands, nor shall the Developer be entitled to such a permit unless and until the Developer deposits with the Town an Irrevocable Letter of Credit from a Canadian Chartered Financial Institution or other security acceptable to the Town; and
- a. Valued at 50% of the cost of construction to execute the work approved by the Engineer pursuant to this agreement; and
 - b. Containing a provision that upon the expiration of a thirty-six (36) month term it be renewed and extended (with appropriate amendments to reduce the sum to an amount sufficient to recover the remaining work) from year to year until such time as the Town has accepted "final completion" of the work mentioned in this agreement, by resolution of the Town Council.

Failure to Comply

50. The Developer agrees that after 60 days written notice by the Town regarding the failure of the Developer to observe or perform any covenant or condition of this Agreement, then in each such case:
- (a) The Town shall be entitled to apply to any court of competent jurisdiction for injunctive relief including an order prohibiting the Developer from continuing such default and the Developer hereby submits to the jurisdiction of such Court and waives any defense based upon the allegation that damages would be an adequate remedy;
 - (b) The Town may enter onto the Lands and perform any of the covenants contained in this Agreement or take such remedial action as is considered necessary to correct a breach of the Agreement, whereupon all reasonable expenses whether arising out of the entry

onto the Lands or from the performance of the covenants or remedial action, shall be a first lien on the Lands and be shown on any tax certificate issued under the Assessment Act;

(c) The Town may by resolution discharge this Agreement whereupon this Agreement shall have no further force or effect and henceforth the development of the Lands shall conform with the provisions of the Land Use By-law; and/or

(d) In addition to the above remedies, the Town reserves the right to pursue any other remediation under the *Community Planning Act* or Common Law in order to ensure compliance with this Agreement.

Entire Agreement

51. This Agreement contains the whole agreement between the parties hereto and supersedes any prior agreement as regards the lands outlined in the plan hereto annexed.

Severability

52. If any paragraph or part of this agreement is found to be beyond the powers of the Town Council to execute, such paragraph or part or item shall be deemed to be severable and all other paragraphs or parts of this agreement shall be deemed to be separate and independent therefrom and to be agreed as such.

Reasonableness

53. Both parties agree to act reasonably in connection with any matter, action, decision, comment or approval required or contemplated under this Agreement.

This Agreement shall be binding upon and endure to the benefit of the parties hereto and their respective heirs, administrators, successors and assigns.

IN WITNESS HEREOF the parties have duly executed these presents the day and year first above written.

Date: _____, 2016

Witness:

A.E. McKay Builders Ltd.

Director

Witness:

Rothesay:

Mayor

Clerk

Rothesay

SCHEDULE A

PID: 30175467
Apparent Parcel Access: Public Access
Status: Current
Effective Date/Time: 2008-09-08 16:14:55
Page: 1
Legal Description: Place Name: Rothesay Parish: Rothesay County: Kings Label of Parcel on Plan: 97-2 Title of Plan: Subdivision Plan, Phase Electric Ltd. Subdivision Registration County: Kings Registration Number of Plan: 201095 Registration Date of Plan: July 10, 1997

PID: 30175475
Apparent Parcel Access: Private Access
Status: Current
Effective Date/Time: 2010-09-24 09:58:15
Page: 1
Legal Description: Place Name: Rothesay Parish: Rothesay County: Kings Label of Parcel on Plan: 97-3 Title of Plan: Subdivision Plan, Phase Electric Ltd. Subdivision Registration County: Kings Registration Number of Plan: 201095 Registration Date of Plan: July 10, 1997 Together with the benefit of a right of way as described in Deed number 328565 registered in the Kings County Registry Office on July 14, 1997 in book 1342 at page 582. Save \$ Except: Lands conveyed to Her Majesty the Queen (Transportation) by Transfer 29259562 filed in the Kings County Registry Office 2010-09-23

Form 45

AFFIDAVIT OF CORPORATE EXECUTION

Land Titles Act, S.N.B. 1981, c.L-1.1, s.55

Deponent: Andrew McKay
A.E. McKay Builders Ltd.
380 Model Farm Road
Quispamsis, N.B. E2G 1L8

Office Held by Deponent: Director

Corporation: A.E. McKay Builders Ltd.

Place of Execution: Rothesay, Province of New Brunswick.

Date of Execution: _____, 2016.

I, Andrew McKay, the deponent, make oath and say:

- 1. That I hold the office specified above in the corporation specified above, and am authorized to make this affidavit and have personal knowledge of the matters hereinafter deposed to;
2. That the attached instrument was executed by me as the officer(s) duly authorized to execute the instrument on behalf of the corporation;
3. the signature "Andrew McKay" subscribed to the within instrument is the signature of me and is in the proper handwriting of me, this deponent.
4. the Seal affixed to the foregoing indenture is the official seal of the said Corporation was so affixed by order of the Board of Directors of the Corporation to and for the uses and purposes therein expressed and contained;
5. That the instrument was executed at the place and on the date specified above;

DECLARED TO at Rothesay,
in the County of Kings,
and Province of New Brunswick,
This ___ day of _____, 2016.

BEFORE ME:

Commissioner of Oaths

Andrew McKay

Form 45

AFFIDAVIT OF CORPORATE EXECUTION

Land Titles Act, S.N.B. 1981, c.L-1.1, s.55

Deponent: MARY JANE E. BANKS

Rothesay
70 Hampton Road
Rothesay, N.B.
E2E 5L5

Office Held by Deponent: Clerk

Corporation: Rothesay

Other Officer Who Executed the Instrument: WILLIAM J. BISHOP

Rothesay
70 Hampton Road
Rothesay, N.B.
E2E 5L5

Office Held by Other Officer Who Executed the Instrument: Mayor

Place of Execution: Rothesay, Province of New Brunswick.

Date of Execution: _____, 2016.

I, MARY JANE E. BANKS, the deponent, make oath and say:

- 1. That I hold the office specified above in the corporation specified above, and am authorized to make this affidavit and have personal knowledge of the matters hereinafter deposed to;
6. That the attached instrument was executed by me and WILLIAM J. BISHOP, the other officer specified above, as the officer(s) duly authorized to execute the instrument on behalf of the corporation;
7. the signature "William J. Bishop" subscribed to the within instrument is the signature of William J. Bishop, who is the Mayor of the town of Rothesay, and the signature "Mary Jane E. Banks" subscribed to the within instrument as Clerk is the signature of me and is in the proper handwriting of me, this deponent, and was hereto subscribed pursuant to resolution of the Council of the said Town to and for the uses and purposes therein expressed and contained;
8. the Seal affixed to the foregoing indenture is the official seal of the said Town and was so affixed by order of the Council of the said Town, to and for the uses and purposes therein expressed and contained;
9. That the instrument was executed at the place and on the date specified above;

DECLARED TO at town of Rothesay, in the County of Kings, and Province of New Brunswick, This ___ day of _____, 2016.

BEFORE ME:

Commissioner of Oaths

MARY JANE E. BANKS



CONCEPTUAL PLAN ONLY
NOT TO BE USED FOR CONSTRUCTION



Drawing No.	CONCEPTUAL SITE PLAN		
Project No.	PO1502	Drawn by	MAP
Date	JANUARY 2014	Scale	1:500

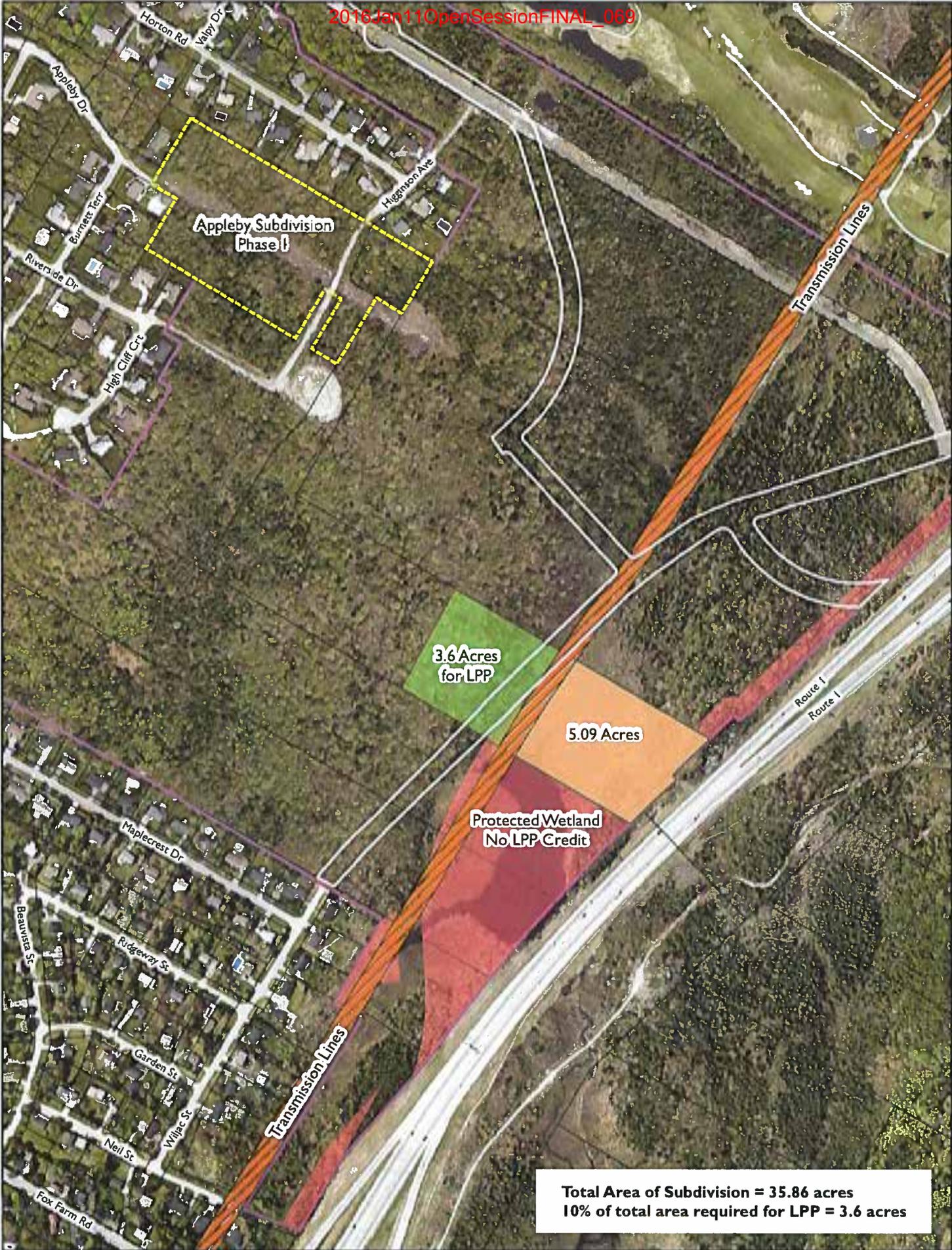
PROPOSED SUBDIVISION
APPLY FOR
RENEWAL PERMITS



MCKAY Builders
380 Model Farm Road, Chatham, NH, 07011
Phone: 508-844-5354

POLYLINE DESIGNS
PROFESSIONAL ARCHITECTURE & INTERIOR DESIGN
1515 W. 10th Street, Suite 100, Fargo, ND 58103
Phone: 701-782-1111





Appleby Subdivision
Phase I

3.6 Acres
for LPP

5.09 Acres

Protected Wetland
No LPP Credit

Total Area of Subdivision = 35.86 acres
10% of total area required for LPP = 3.6 acres

COX & PALMER | coxandpalmerlaw.com

New Brunswick | Newfoundland and Labrador | Nova Scotia | Prince Edward Island

October 29, 2015

Via Email: BrianWhite@rothesay.ca

Town of Rothesay
70 Hampton Road
Rothesay, NB E2E 5L5

Attn: Brian L. White, MCIP, RPP
Director of Planning and Development Services

Dear Sirs:

RE: Vendor: Maxim Management Ltd.
Purchaser: A.E. McKay Builders Ltd.
Property: PIDs 30175467 and 30175475, Rothesay, NB
Our File 115/7304

We are solicitors for A.E. McKay Builders Ltd.

With respect to item 3 of the report from Brian L. White, Director of Planning and Development Services, to the Chair and Members of Rothesay Planning Advisory Committee dated October 5, 2015, we have received confirmation from Serge Gauvin, Registrar General of Land Titles, that upon the filing of Subdivision Plan Appleby Manor Subdivision - Phase 2, Town of Rothesay, Kings County, NB, whereby the extension of Appleby Drive vests in Rothesay as a public street, Service New Brunswick will remove existing right-of-way shown on plan filed in New Brunswick Land Titles Office as Number 201095 (plan attached) as an encumbrance on the Certificates of Registered Ownership for PIDs 30175467 and 30250518.

Yours very truly,



Raymond F. Glennie
RFG/sm
Encl.
cc Andrew McKay

Raymond F. Glennie, Q.C. | Partner

Direct 506 633 2713 Main 506 632 8900 Fax 506 632 8809 Email rglennie@coxandpalmer.com
One Germain Street Suite 1500 Brunswick Square Saint John NB E2L 4V1
Correspondence P. O. Box 1324 Saint John NB E2L 4H8



Registration Data
 Plan No. 1997-02-07
 Date of Registration: April 23, 1998
 Registered Under: Section 1997 of the Land Use Act
 Registered Under: Section 1997 of the Land Use Act

Notes
 1) Diagrams are not to scale. All dimensions are in meters, to nearest centimeter.
 2) All dimensions are in meters, to nearest centimeter.
 3) Area of survey outlined that is not to be subdivided is indicated by a dashed line.
 4) The survey was conducted on July 9, 1987.
 5) The survey was conducted on July 9, 1987.
 6) The survey was conducted on July 9, 1987.
 7) The survey was conducted on July 9, 1987.
 8) The survey was conducted on July 9, 1987.
 9) The survey was conducted on July 9, 1987.

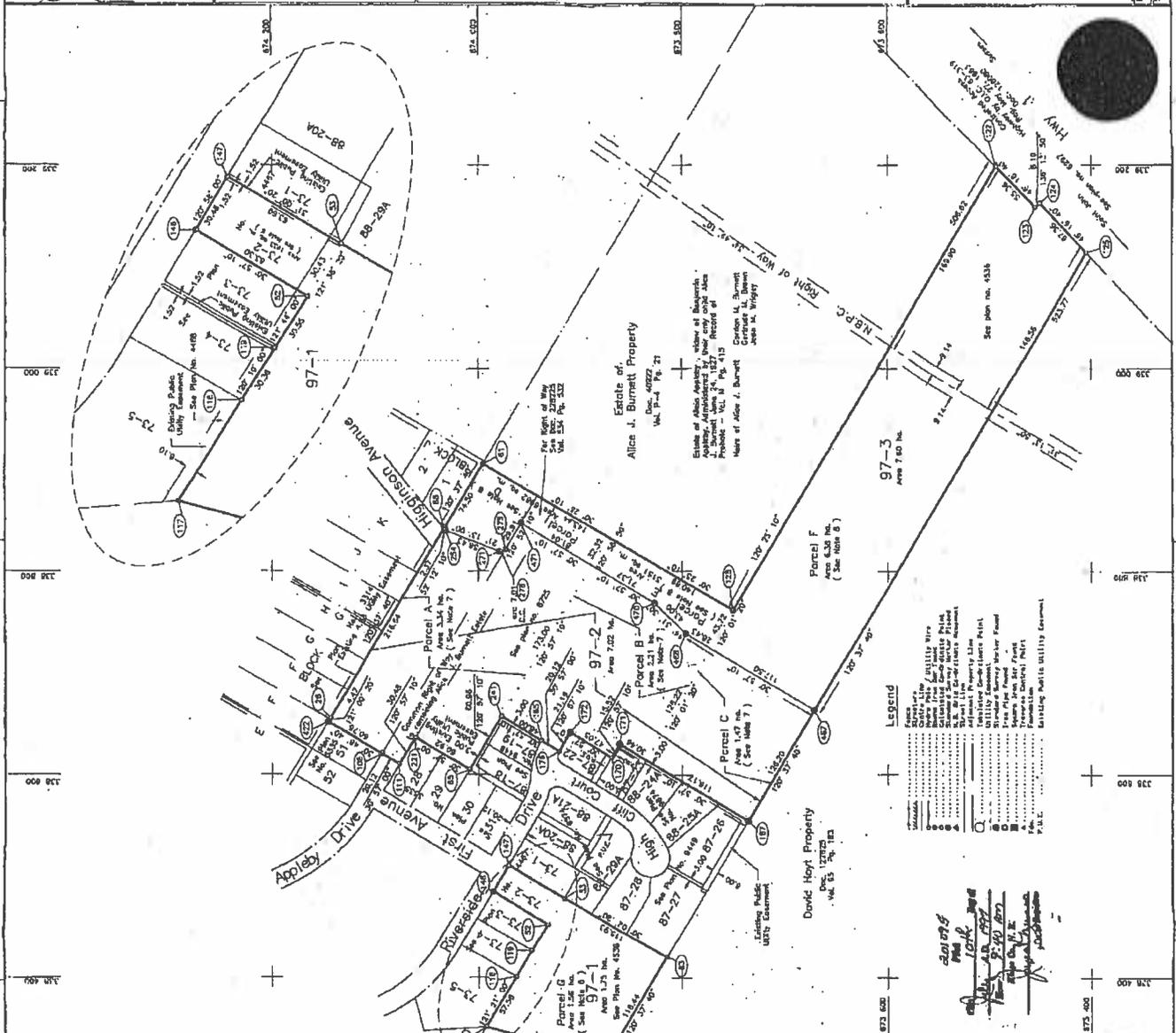
Subdivision Approved
 Approved by the Registrar of Deeds on July 9, 1987.
 Approved by the Registrar of Deeds on July 9, 1987.

Amount of Charges
 Charges of East Riverside, Registered under the Land Use Act, 1997, are as follows:
 1. 1997-02-07
 2. 1997-02-07

Subdivision Plan
 Phase Electric Ltd. Subdivision
 Situate Village of East Riverside
 Kingshurst, County of Kings
 Province of New Brunswick

Surveyed by: *[Signature]*
 Date: July 9, 1987
 Surveyed by: *[Signature]*
 Date: July 9, 1987

Scale: 1:1000
 Date: July 9, 1987



Curve Table

Curve	Chord	Radius	Angle	Area
1	34.7	8.43	5.00	4.22
2	34.7	8.43	5.00	4.22

New Brunswick Grid Co-Ordinate Values

Grid	North	East
28	674 143 288	674 143 288
29	674 143 288	674 143 288
30	674 143 288	674 143 288
31	674 143 288	674 143 288
32	674 143 288	674 143 288
33	674 143 288	674 143 288
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99	674 143 288	674 143 288
100	674 143 288	674 143 288

Legend

- Parcel boundaries
- Lot boundaries
- Right of Way
- Public Utility
- Water Main
- Sanitary Sewer
- Storm Sewer
- Electric
- Telephone
- Gas
- Other



Andrew McKay President / Sales

380 Model Farm Road, Quispamsis E2G 1L8 • Phone: 644-8104

October 27, 2015

Town of Rothesay
70 Hampton Road
Rothesay, NB E2E 5L5

Attn: Brian White
Director of Planning and Development Services

Dear Sir:

Re: Appleby Manor Tentative Plan

Further to your request, we are pleased to enclose a traffic impact statement from Crandall Engineering.

In addition, we have obtained approval from the adjacent landowners, Mr. & Mrs. Phil Blanchard (Cedar Point Estates) to access the water line through their property. They have agreed to grant a municipal services easement to allow us to connect to water.

As far as LLPP is concerned, we will work with you and other town officials to designate an appropriate parcel of land acceptable to both the Town and A E McKay Builders

Regards,


Andrew McKay
A.E. McKay Builders Ltd.



Project # 15272
October 16, 2015

“SENT VIA E-MAIL”

A.E. McKay Builders
380 Model Farm Road
Quispamsis, NB
E2G 1L8

ATTENTION: Mr. Andrew McKay

Dear Mr. McKay:

**Traffic Impact Statement for Appleby Manor Subdivision - Phase 2
Rothesay, NB**

A.E. McKay Builders is planning to develop a 16-lot single family home subdivision situated on a 3.6 hectare parcel of land at the end of Appleby Drive in Rothesay, NB. As part of the development, Appleby Drive will be extended by 260m and will connect with Higginson Avenue, which will be extended by 60m. Twelve lots will front Appleby Drive while four lots will front Higginson Avenue. The site will be accessed from two streets: Appleby Drive with connection to Rothesay Road; and Horton Road with connection to Dunedin Road and then Rothesay Road. A site plan showing the location of the proposed development and the surrounding streets is shown in **Figure 1** attached. The Subdivision Plan is also attached.

Crandall Engineering Ltd. was retained to complete this Traffic Impact Statement as a requirement of the development application process. The objectives of this assignment were to determine the amount of traffic that would be generated by the proposed development and what impacts, if any, the development traffic would have on adjacent streets.

EXISTING TRANSPORTATION CONDITIONS

A description of the streets providing access to the development site is as follows:

- **Appleby Drive** is a local residential street beginning at Rothesay Road and extending 500m to a dead-end termination. Appleby Drive provides connections to several other local residential streets, including Riverside Drive, Burnett Terrace, and High Cliff Court. Together, these streets provide access to 48 homes. The intersection from Appleby Drive onto Rothesay Road is currently the only external access point for these 48 homes. It is estimated that daily traffic volumes on Apple Drive reach up to 460 vehicles per day at the entrance to Rothesay Road. Appleby Drive features steep grades and has no sidewalk.
- **Dunedin Road** is a local residential street beginning at Rothesay Road and extending 500m to a dead-end termination. Dunedin Road provides connections to several other local residential streets, including Newport Road, Mantua Road, Valby Drive, Horton Road, and Higginson Avenue. Together, these streets provide access to approximately 53 homes. The intersection from Dunedin Road onto Rothesay Road is currently the only external access point for these 53 homes. It is estimated that daily traffic volumes on Dunedin Road reach up to 510 vehicles per day at the entrance to Rothesay Road. Dunedin Road features steep grades and has sidewalk for the first 250m. Horton Road extends east from Dunedin Road

and connects to Higginson Avenue, which terminates at a dead-end. The end of Higginson Avenue is 850 m from the Dunedin Road/Rothesay Road intersection, which is the only external access point to this area.

- **Rothesay Road** is a collector street and carries more than 10,000 vehicles per day in the vicinity of Dunedin Road and Appleby Drive. Dunedin Road and Appleby Drive intersect Rothesay Road at stop controlled approaches. Given the low traffic volumes on Dunedin Road and Appleby Drive, it is anticipated that these approaches operate at a good level of service without deficiencies.

DEVELOPMENT TRAFFIC GENERATION AND ASSIGNMENT

The volume of traffic that would be generated by the proposed development was estimated using trip generation rates contained in the *9th Edition* of the *Trip Generation Manual*, published by the Institute of Transportation Engineers (ITE). ITE land use #210 (Single Family Detached Housing) was used to determine generation, where trip rates are calculated based on the number of dwellings. The peak hour and daily traffic generation estimates are listed in Table 1 for a typical weekday.

Table 1 - Estimated Traffic Generation for the Proposed Development

Development	Size	AM Peak Hour			PM Peak Hour			Daily Total
		Enter	Exit	Total	Enter	Exit	Total	
Single Family Homes ITE Land Use #210	16 Lots	3	9	12	10	6	16	152

Based on the location of the proposed development lots, it is expected that most traffic will use Appleby Drive to access Rothesay Road. The traffic volume that will be added to Appleby Drive is low (e.g. 16 vehicles or less during peak hours) and is not expected to cause operational or safety issues. The total daily traffic on Appleby Drive with the proposed development in place is estimated to be 600 vehicles per day. The total daily traffic that will be on Dunedin Road is estimated to be similar. These volumes are still considerably less than 1,000 vehicles per day, which is a common upper threshold for the daily volume on a local street.

STREET CONNECTIONS

Currently, Appleby Drive and Dunedin Road/Horton Road are long dead end streets, each with only one external access point. The proposed development includes roadway extensions that would see Appleby Drive connect with Higginson Avenue. This connection provides the following benefits:

- The connection allows for secondary access out of each residential area should either Dunedin Road or Appleby Drive be blocked due to an emergency; and
- The Appleby and Dunedin/Horton neighbourhoods become linked internally with greater connectivity for vehicle and pedestrian movements.

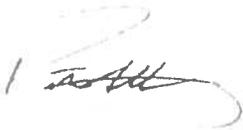
In summary, the proposed 16-lot residential development will generate low traffic volumes, the majority of which are expected to use Appleby Drive for access. The low volumes are not expected to cause operational or safety issues on Appleby Drive or other adjacent local streets. Future traffic volumes on Appleby Drive with the development in place will still be well within the volume range typically found on local streets.

The street extensions and connection from Appleby Drive to Higginson Avenue are positive features, improving both public safety and neighbourhood connectivity.

Please do not hesitate to contact us should you have any questions or require clarifications related to this Traffic Impact Statement.

Yours truly,

CRANDALL ENGINEERING LTD.

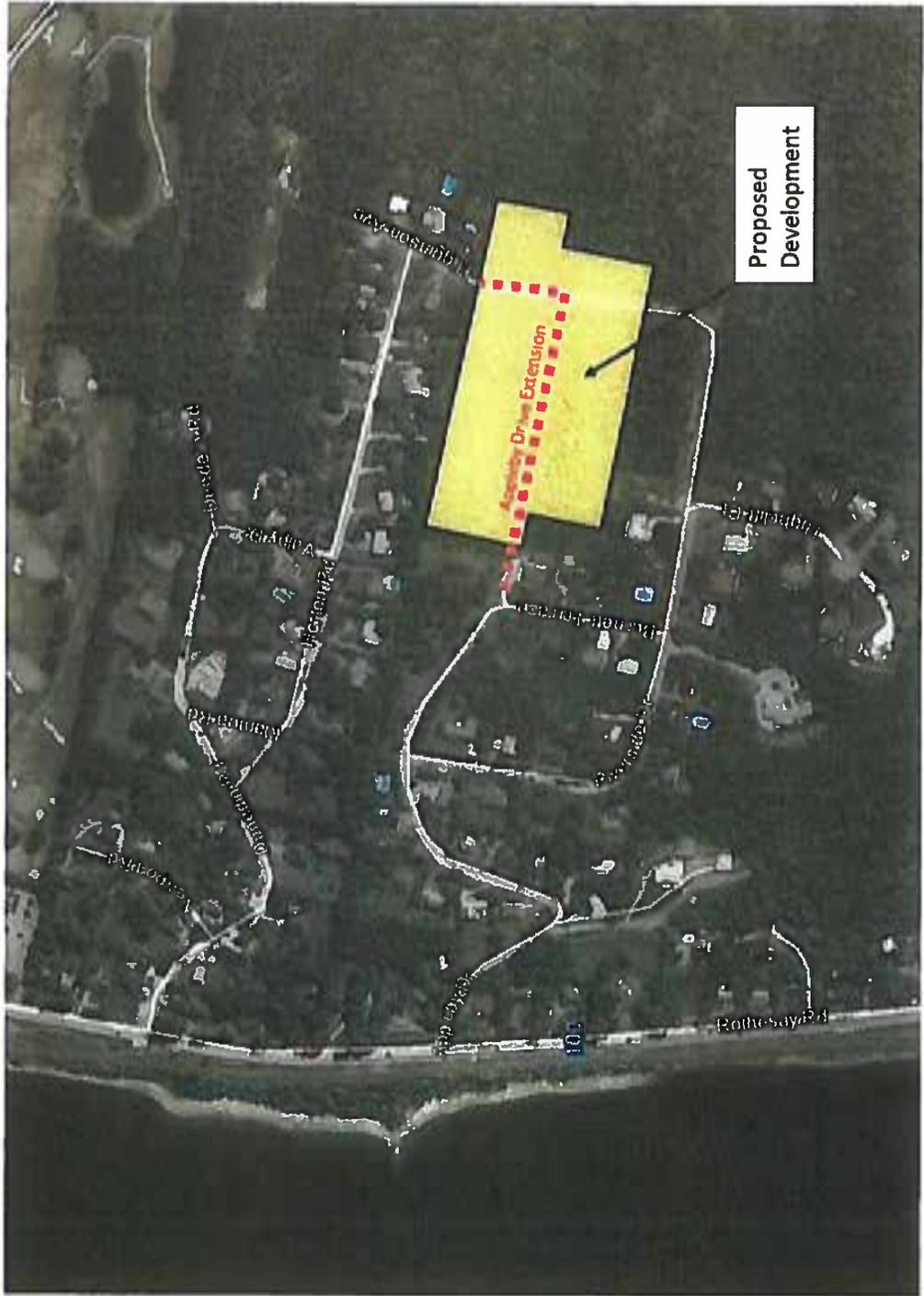
A handwritten signature in black ink, appearing to read 'Peter Allaby', with a large, stylized flourish above the name.

Peter Allaby, P.Eng.
Transportation Lead



**APPENDIX A
SITE LOCATION PLAN AND SUBDIVISION PLAN**

Figure 1 - Site Location Plan





2016Jan11OpenSessionFINAL_079

ROTHESAY

INTEROFFICE MEMORANDUM



TO : Mayor Bishop & Council
FROM : John Jarvie
DATE : 6 January 2016
RE : UMNB Strategic Plan

Recommendation:

It is recommended Council approve advice to the UMNB regarding the development of a Strategic Plan as follows:

1. Encourage the Government to consult directly with individual municipal municipalities on major policy issues.
2. Develop clear, democratic processes for arriving at the Union's position on issues, particularly between annual conferences.
3. Develop a more structured approach for communication and negotiation with other municipal associations in New Brunswick.
4. More emphasis on fully informing all member municipalities of the activities of the UMNB particularly with respect to discussions with the provincial government on policy issues; e.g. bi-weekly newsletters, copies of correspondence; summaries of meetings attended and information on discussions when confidentiality is requested by government.
5. Maintain the UMNB website with current information and add policy position papers and the capacity to poll members on emerging issues.
6. Hold more frequent zone meetings to convey information and gather the views of the members.

Background:

The Union of Municipalities of New Brunswick has requested its members to identify aspects which should be considered in the preparation of a strategic plan for the organization (copy of letter attached).

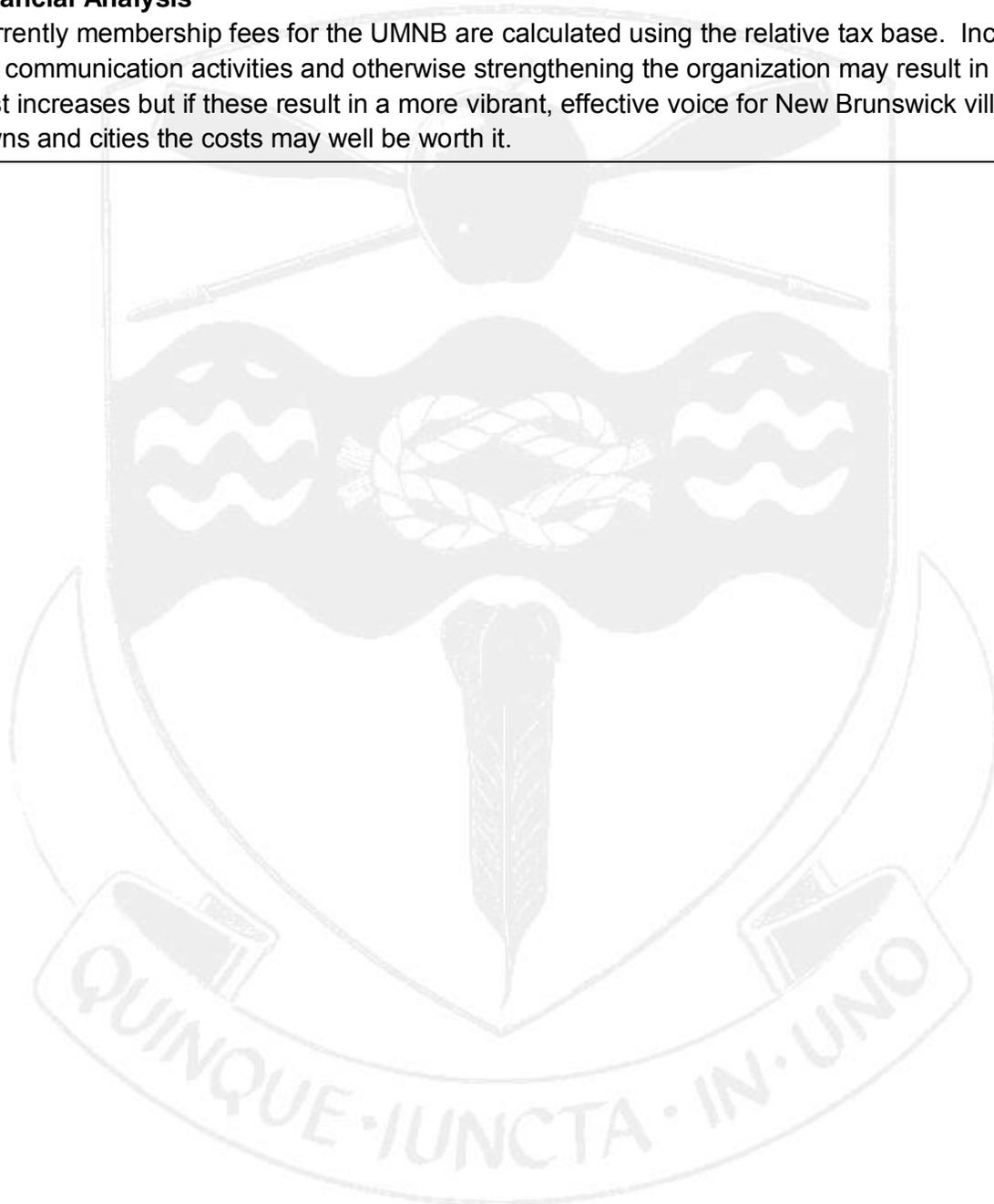
The UMNB is frequently asked to represent New Brunswick municipalities in discussions with the Provincial Government on policy matters related to municipal finance, legislation and other aspects of the relationship between the two orders of government. A few municipalities are not members of any association. Staff believe that the Government should make greater efforts to directly engage municipalities rather than asking the UMNB and other municipal associations to develop a position of its membership. Such 'consensus' may simply be the least controversial or most easily stated and may not provide much opportunity for dissenting opinions. To be effective in representing its members, the Union needs efficient and effective communication tools and feedback mechanisms and needs to share information widely.

Modern communication tools include the capacity to summarize ongoing exchanges with government and with the other associations and convey these effectively to the membership. A current website and perhaps a blog or Facebook page allowing an active exchange of views among representatives of its members may help to strengthen the positions of the UMNB and enhance its credibility with government. Regular communication regarding current issues and

highlighting specific decisions to be determined and time frames would be helpful in eliciting municipal responses. Generally agendas of Board meetings could be circulated or posted in advance of the meetings such that member municipalities have an opportunity to be more fully informed and participate in the business of the Union. Such increased involvement cannot help but make the Union more effective in representing the needs of its membership.

Financial Analysis

Currently membership fees for the UMNB are calculated using the relative tax base. Increasing the communication activities and otherwise strengthening the organization may result in some cost increases but if these result in a more vibrant, effective voice for New Brunswick villages, towns and cities the costs may well be worth it.



December 9, 2015

Dear Members:

As you will remember a resolution was brought to the floor of our annual general meeting in October 2015 which did not proceed because it did not receive unanimous consent from the floor. As a result it was brought forward by one of our Directors at the November meeting of our Board and adopted. (Please see attached). Since then UMN B has hired Bonny Hoyt-Hallett to carry out the work required and at a meeting held recently discussion ensued on how to proceed. Some time limits have been established and some questions need to be answered. We are looking at January 22nd for responses from our members.

The following questions are important and need to be addressed as we move forward with development of a strategic plan as the adopted motion requires -

- Consider where you would like to see the association in 10 years
- What goals would you like set by the association over the next 5 years?
- List 5 issues in order of priority that need to be addressed by the association.

Should there be other information which you consider pertinent please add it so that it may be considered. Please reply to Bonny Hoyt-Hallett at bonnyhh@gmail.com by January 22nd so that work may be started. In addition, please copy UMN B on your response. Thank you -

Yours truly

Mayor Arthur Slipp
President

December 14, 2015

Mayor William Bishop
Town of Rothesay
70 Hampton Road
Rothesay, NB E2E 5L5



Your Worship and Council:

National Heritage Day has been in existence since 1974, and was established by the Heritage Canada Foundation to encourage Canadians to identify, protect and enhance their natural, cultural and built heritage. In New Brunswick we set aside an entire week for this purpose, and focus upon a different heritage theme each year. Included within the week's celebrations are National Flag of Canada Day (February 15) and National Heritage Day (the third Monday in February).

In 2016, Heritage Week will take place February 8 – 15, and the theme will be *Leadership & Legacy – Les legs de leadership*. This topic touches upon many aspects of New Brunswick's past, including the accomplishments of New Brunswick women, as well as those who have forged a place in our provincial memory. As a member of the Heritage Week 2016 Celebrations Committee, I invite you to reflect upon the individuals in your community who have helped shaped our identity, and think about ways of commemorating their legacy during Heritage Week 2016.

Please take a moment to review the resources and ideas presented within this package, and think about how you can help nurture an appreciation for past individuals within your community. Civic meeting places are at the heart of every community, and Heritage Week 2016 presents an excellent opportunity to recognize this.

The attached proclamation can be easily adapted for inclusion upon the municipal council meeting agenda for the week, and more ideas can also be found on the Heritage Week 2016 web site located at: <http://www.gnb.ca/heritage>.

Choose to celebrate and participate in Heritage Week 2016! All events registered by **January 31** will be posted on the Heritage Week web site, and will be included in listings prepared for public distribution. All individuals and groups registering events will also receive a "Certificate of Participation".

Join with us in celebrating New Brunswick's heritage on February 8 to 15, 2016!

Sincerely,

A handwritten signature in blue ink that reads "Cynthia Wallace-Casey".

Cynthia Wallace-Casey, PhD
Heritage Branch



HERITAGE WEEK 2016 PROCLAMATION

WHEREAS the second week in February is provincially recognized as the time to celebrate our heritage; and

WHEREAS the third Monday in February is National Heritage Day in Canada; and

WHEREAS the significant heritage which we have inherited from our ancestors plays a vital role in providing a unique identity to our _____; and

WHEREAS this heritage provides us with a legacy to be handed down for the benefit and enjoyment of future generations; and

WHEREAS _____ wishes to remember those individuals who have helped shaped our identity, and who have forged a place in the history of this _____;

NOW THEREFORE I, _____, Mayor of _____, do hereby proclaim the week of February 8 -15, 2016 as **HERITAGE WEEK** in the _____ and Monday, February 15, 2016 as **HERITAGE DAY** in the _____ and urge all citizens to support and participate in heritage activities occurring throughout the _____.

IN WITNESS WHEREOF: I have set my hand and caused the seal of the Mayoralty of the _____ to be affixed hereto.

December 14, 2015



Dear Friends of Heritage:

Subject: Heritage Week 2016

As Minister for the Department of Tourism, Heritage, and, Culture, I invite you to celebrate Heritage Week 2016, taking place February 8 to 15.

The theme for Heritage Week 2016 is *Leadership & Legacy – Les legs de leadership*. This topic touches upon many aspects of New Brunswick's past, including the accomplishments of New Brunswick women, as well as those who have forged a place in our provincial memory. I invite you to please take a moment to reflect upon the individuals who have helped shaped our identity and think about ways of commemorating their legacy during Heritage Week 2016.

Now is the time to begin planning. For this reason, New Brunswick's Heritage Week Committee is pleased to provide you with this resource package, commemorating *Leadership & Legacy*. It is hoped that the enclosed material will assist you in organizing and promoting your activities.

Please take a few moments to review the material provided and think about what you can do to recognize Heritage Week 2016. Then plan your event and complete the enclosed registration form.

Heritage Week 2016 offers a fitting opportunity to commemorate our shared past.

Sincerely,



Hon. Bill Fraser
Minister

Enclosure





5th Annual Warm-Up to Winterfest
Fundy Wellness Network Event – Community Wellness Fair

Good day Hon. Bill Bishop and the counsellors of the Town of Rothesay:

On Sunday, January 24, 2016, the Fundy Wellness Network is hosting an event from 1:00-4:00 p.m. at the Saint John Market Square Atrium. The towns of: Rothesay, Quispamsis, Grand Bay/Westfield and the city of Saint John have come together to provide a Community Wellness Fair that will celebrate the many health related businesses and organizations we have in the region. There will be booths, activities, and information that will encourage positive changes in attitudes, behaviors, and perceptions towards healthy eating, physical activity, mental fitness, and tobacco free living. This will be an inclusive event that provides an opportunity to network, educate, and promote wellness to citizens of all ages in the region.

This is a great opportunity for individuals, friends, and families to learn about accessible, affordable, community-based programs that focus on physical activity, healthy eating, and mental fitness. Local organizations, groups, and clubs will be highlighted so that people can be educated on what is available or for them to become, and remain, in motion.

This event will act as a platform to help promote the region's Winterfest 2016 events that are taking place two weeks thereafter. There will be indoor and outdoor activities all around the Greater Saint John area promoting family fitness and recreation. Both of these events encourage outdoor recreation for families and showcase the possibilities for year round participation.

Thank you for considering this request to be in attendance,

Alberta Stanton Rousselle & Jill Roberts

Co-chairs Fundy Wellness Network



www.fundywellness.ca



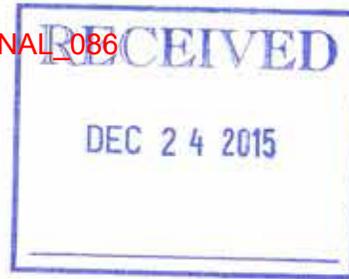
www.facebook.com/rmef.fwn



www.twitter.com/fwn_rmef



fwn.rmef@gmail.com



December 24, 2015

Town of Rothesay

Mayor and Council:

As an urban design advocate and in particular a streetscape advocate, I have been working to improve streetscapes and urban environments in Canada. I founded StreetscapeCanada.com, and have recognized the Town of Rothesay on a number of occasions in various articles. I am very proud of the design excellence in our town and the extraordinary beauty of our tree lined streets and leafy lanes.

I have in particular credited the recent streetscaping efforts on Hampton Road central business district. As you know there has been some criticism, but there is one concern which I think needs to be addressed. A number of people have said they find it difficult to see pedestrians at the various crosswalks. Perhaps it is the new trees or the various traffic signs that seem to distract them, but I believe this may have dangerous and even tragic consequences.

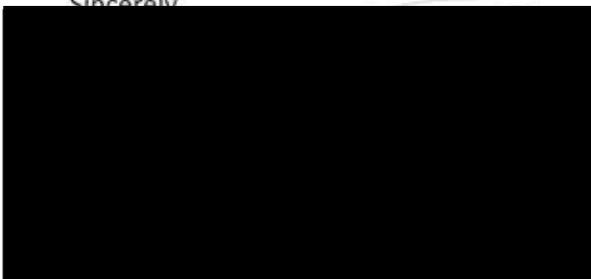
I have also noted that both the City of Saint John as well as the Town of Hampton have been installing new solar LED cross walk indicators. I would like to suggest the Town of Rothesay do the same at the new Hampton Road pedestrian crossings. I have included two photos I recently took at the new YMCA.

My understanding is that these new light systems are highly effective, very inexpensive and would have minimal negative impact on the streetscape. Please note I have no affiliation with either manufacturers or distributors of the these products. I suggest this idea simply based upon observation.

The second observation is regarding the newly completed Rothesay Commons. I am also a heritage advocate and was pleased to see the new skate house was finished with wood siding, cedar shingle details as well as wood windows. As you are no doubt aware, these items must meet heritage standards and be compatible. The overall design is also compatible with the historic nature of the Commons. The part that is not compatible is the highly artificial play area surface as well as some of the play structures. I would like to suggest you enhance the green screening around the play area by using cedar hedging and additional trees. This rather inexpensive solution should help alleviate the non compatible nature of the play area, and also provide additional privacy and safety for parents and children using this space.

Please accept these suggestions as merely inexpensive solutions to some valid criticism being expressed in our beautiful town.

Sincerely,





Photos: YMCA Saint John





January 6, 2016

Mayor and Council,

Ref: my presentation to council July 13th 2015

The Canadian Government has agreed to the latest climate change protocol and is already indicating the intention of rolling the responsibility for meeting the goals downhill to the Provinces, Municipalities, industry and citizens. The good news is that Rothesay is already in position to reduce our carbon footprint by implementing our Active Transportation Plan (ATP). We could be "ahead of the wave".

As you are aware I've been promoting Active Transportation for many years and although my out of character more aggressive approach last summer ruffled a few feathers I believe it raised awareness for the plight of our ATP. During my various presentations, it became apparent that few people had intimate knowledge of our ATP and why it should be considered in every Town infrastructure expenditure.

I provided many simple inexpensive ideas to advance our ATP getting more people more active more safely while spending less money. You referred my submission to the Public Works and Infrastructure and Recreation Committees. My reviews of the council meeting minutes since July indicate no response from the committees on the main request. There was allot to digest in the literature presented so maybe the main request was lost.

So.... I'll limit this submission to the single most important item:

Have you selected a "Champion" or "Champions" for Active Transportation? One who has studied our Active Transportation Plan, has the desire and power to get the ATP implemented, will promote the ATP at every Town expenditure, will be the liaison with walking, running and cycling groups.

Looking forward to your positive response.

Regards,

A handwritten signature in blue ink, appearing to read "B. Gillis".

Brian Gillis





Office of the Mayor Town of Quispamsis

12 Landing Court | P.O. Box 21085 | Quispamsis, NB | E2E 4Z4
T: 506 849 5778 | F: 506 849 5799 | quispamsis@quispamsis.ca

December 14, 2015

Mayor William J. Bishop
Town of Rothesay
70 Hampton Road
Rothesay, NB E2E 5L5



Your Worship and Members of Council,

RE: JOINT EMO

This is to acknowledge and thank you for your letter of November 19, 2015 relating that Rothesay desires to proceed with its own emergency preparedness plan, independent from Quispamsis.

Your correspondence was reviewed by the Quispamsis Town Council at its December 1, 2015 Regular Meeting. Given Rothesay's decision, Quispamsis will now proceed to amend its Emergency Measures Action Plan and associated documentation to reflect the Quispamsis EMO. Town Council also, at its December 1, 2015 Regular Meeting, officially appointed Mr. Brian Shanks as the Quispamsis EMO Director.

If Rothesay wishes to present to us a mutual aid agreement for cooperation in areas of common interest and in those catastrophic events that affect both our Towns, we would be happy to pass it along to Council for consideration.

Trusting this meets with your approval, and wishing you all the best of the Christmas Season,

Yours truly,

G. Murray Driscoll
Mayor



2016 Jan 11 Open Session FINAL_091
ROTHESAY

150 Years Proud 1860-2010



15 December, 2015

Design Branch
NB Transportation & Infrastructure
P.O. Box 6000
Fredericton, NB
E3B 5H1

Attention: James Hoyt, P.Eng.
Acting Director

70 Hampton Road
Rothesay, NB
Canada E2E 5L5
T: 506-848-6600
F: 506-848-6677
Rothesay@rothesay.ca
www.rothesay.ca

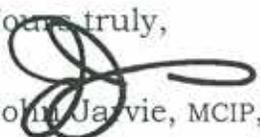
Dear Mr. Hoyt:

Re: Five Year Program – Provincially Designated Highways in Rothesay

Further to your letter to Mayor William Bishop of December 4th, enclosed please find a five year plan for improvements to the Provincially designated highways in Rothesay. This plan was approved by Rothesay Town Council at its December 14th regular meeting. Should there be funds available in excess of the amount indicated in the plan; Rothesay would be pleased to expand the 2016 components of the program.

Please advise if additional information is required.

Yours truly,


John Jarvie, MCIP, RPP
Town Manager

Enc. : Rothesay Designated Highways Five Year Plan

Cc : Mayor W. Bishop
A. Kerr, DTI
R. Brun, DTI

Explore our past / Explorez notre passé
Discover your future / Découvrez votre avenir

Grand Bay-Westfield • Quispamsis • Rothesay • St. Martins • Saint John

Rothesay

Capital Plan - Public Works

Designated Highways:	Total	Provincial Share at 75%	Rothesay Share at 25%
2016		-	-
Designated Highways 2016:		-	-
Asphalt Surface Course, resurfacing Rothesay Road between Rothesay Corner and East Riverside Kingshurst Park (2000 m x 9.5) , (Incl eng'g)	\$ 570,000	427,500	142,500
Curb : Rothesay Road between Rothesay Corner and East Riverside Kingshurst Park (incl eng'g)	\$ 404,000	303,000	101,000
		-	-
Total Designated Highways 2016:	\$ 974,000	730,500	243,500
		-	-
2017		-	-
Designated Highways 2017:		-	-
Asphalt Surface Course, resurfacing Rothesay Road between East Riverside Kingshurst Park and Fox Farm Road (1785 m x 9.5), (Incl eng'g)	\$ 610,000	457,500	152,500
Curb: East Riverside Kingshurst Park and Fox Farm Road (incl eng'g)	\$ 359,650	269,738	89,913
Storm sewer repair at 2466 Rothesay Road (collapsed storm sewer discharge cross	\$ 45,000	33,750	11,250
		-	-
Total Designated Highways 2017:	\$ 1,014,650	760,988	253,663
		-	-
2018		-	-
Designated Highways 2018:		-	-
Asphalt Surface Course, resurfacing Rothesay Road between Fox Farm Road and City Limit (1166 x 9.5), incl eng'g)	\$ 398,000	298,500	99,500
Curb: East Riverside Fox Frm Road and City Limit (incl eng'g)	\$ 235,740	176,805	58,935
		-	-
Total Designated Highways 2018:	\$ 633,740	475,305	158,435
		-	-
2019		-	-
Designated Highways 2019:		-	-
Storm Sewer Improvement, replace CSP between Scotia Bank and Common lookoff	60,000	45,000	15,000
Asphalt Surface Course, resurfacing Hampton Road between Henderson and Rothesay Corner (526.4 m x 10.98), (Incl eng'g)	173,000	129,750	43,250
Curb: Hampton Road between Henderson and Rothesay Corner (incl eng'g)	106,096	79,572	26,524
		-	-
Total Designated Highways 2019:	\$ 339,096	254,322	84,774
		-	-
2020		-	-
Designated Highways 2020:		-	-
Fox Farm Road between Mackay Highway and Rothesay Road (772 x 9.5), (icl eng'g)	\$ 264,000	198,000	66,000
Retaining wall / Slope stabilization including new railing, Fox Farm Road	\$ 105,000	78,750	26,250
		-	-
Total Designated Highways 2020:	\$ 369,000	276,750	92,250
		-	-
Total	\$ 3,330,486	2,497,865	832,622



File No. 32-93

December 22, 2015

Mr. William Bishop, Mayor
Town of Rothesay
70 Hampton Road
Rothesay NB E2E 5L5



Dear Mayor Bishop:

I am writing to follow up on our discussions with the three municipal associations regarding the recently proposed cost sharing formula for projects under the Municipal Designated Highway Program.

Funding for the Municipal Designated Highway Program was increased to \$25 million for 2015 and will be at this level for the next 3 years in order to address the considerable demand for projects under this program. The proposed cost sharing formula would enable more work to be done more quickly thus improving the conditions of the highway infrastructure inside municipalities.

I have taken into consideration all of the comments received from individual municipalities and the positions taken by the municipal associations with regard to the proposed funding formula. The attached document provides the details on the types of work eligible, the criteria for project selection and the financial assistance available under the 2016 Municipal Designated Highway Program. Please note that there will be a partnering fund of \$17 million using the shared cost amounts of 5% to 15% for villages, 15% to 25% for towns, as well as 15% to 50% for cities and a traditional fund of \$8 million where DTI will cover 100% of the eligible project costs as was done in past years.

It is extremely important that you respond to the request for an updated 5-year plan that you have recently received by the required date and that you indicate the amount of the municipal contribution for each project if applicable.

Consideration for inclusion in the 2016 municipal program will only be given to those that provide an updated 5-year plan.

I am committed to announce the approved municipal program projects by mid February 2016.

Sincerely,

A handwritten signature in blue ink, appearing to read "Roger Melanson".

Roger Melanson
Minister of Finance/Minister of Transportation and Infrastructure

c.c. Clerk
District Engineer

Enc.



Municipal Designated Highway Program

Through its Municipal Designated Highway Program (MDHP), the Department of Transportation and Infrastructure will partner with municipalities in New Brunswick to share eligible and approved costs of maintaining and upgrading provincially designated highways located within municipal boundaries. The fund is \$25 million in 2016-17. Not only will the program contribute to responsible asset management of strategic transportation infrastructure, but it will also generate economic development and create jobs from construction and export activity.

Eligibility

To be considered for funding, all proposed projects must contribute to maintaining or rehabilitating a provincially designated highway in a municipality. Examples of work that will be considered under the program include the following:

- Highway resurfacing
- Highway reconstruction
- Culvert replacement
- Ditching
- Highway widening
- Storm Sewer System
- Curb and Gutter

It should be stressed that the program will not fund trails, land, water main, sanitary sewer, sidewalks, lighting, landscaping, etc. and other costs that DTI does not consider critical to the asset's lifecycle.

Criteria

The criteria by which proposed projects will be evaluated under the MDHP include the following:

- the leverage of funds;
- the potential for job creation and the sustainability of those jobs;
- the readiness of the project; and
- the potential for the bundling of contracts to obtain savings

Financial Assistance Available

Under the MDHP, up to \$25 million is available each of the next three years from 2016-2017 through 2018-2019. This funding will be divided into two pools, a partnering pool and a traditional funding pool. Funding available for partnering with municipalities will be \$17 million with the remaining \$8 million to fund projects where DTI will cover 100% of the eligible project costs as was done in past years. DTI can partner with municipal governments on eligible projects under the following shared cost amounts:

Cities: 15% to 50%

Towns: 15% to 25%

Villages: 5% to 15%

The funding model uses the following information as a guide to calculate the cost share percentage for each municipality:

- kilometres of designated highways from the Municipal Kilometrage Reports
- kilometres of municipal streets from the Municipal Kilometrage Reports
- municipal tax base from the Department of Environment and Local Government
- equalization payments from the Department of Environment and Local Government

Municipal government may source their shares of the required funding from own revenues, the federal government, the Municipal Capital Borrowing Board, but not from any funding amounts received from other provincial entities such as Regional Development Corporation.

To illustrate funding amounts, the following two examples are presented:

Example 1

City A, as part of its Asset Management Plan, proposes to rehabilitate 2 kilometres of a provincially designated highway that travels through its city. The rehabilitation work is expected to cost \$ 4 million, including the replacement of two culverts and some widening of the road to accommodate increased traffic. As this work would be considered 100% eligible and the applicant has a cost share percentage of 43%, DTI would fund \$2.28 million ($\$4 \text{ million eligible} * 57\%$)

Example 2

Village B with a cost share percentage of 8%, proposes to widen its main street at a cost of \$1 million. At the same time, it plans to replace a deteriorating sidewalk and add trees and shrubbery which is expected to bring the total cost to \$2 million. DTI would fund \$920,000 of this \$2 million project (eligible work of \$1 million * 92%)

How to Apply

All projects to be considered must be submitted by January 31st and be part of an updated five-year plan by the municipal applicant. All proposed costs will be verified by DTI before funding is approved. DTI will review the applications and municipalities will be advised of their approved projects and funding amounts by February 15th.

Contact

Mr. Raymond Brun
Design Branch
Transportation and Infrastructure



The Friars Sisters

Let's CELEBRATE with Tracy Friars, Family & Friends



December 17, 2015

Town of Rothesay
Attn: Mayor Wm. Bishop & Council
70 Hampton Road
Rothesay, NB
E2E 5L5

Thank you so much.

YOUR SUPPORT HELPED TO MAKE THIS HAPPEN! \$55,281.41

The Tracy Friars Family & Friends, "Let's Celebrate" concert held on November 23, 2015 at the Imperial Theatre performed to a sold out audience for the 12th consecutive year.

On Thursday, December 17th the Five Priority Neighborhoods received a cheque for \$55, 281.41. *Your generosity in being a sponsor of this concert, along with the support of those who bought tickets made this possible!*

Whether you were a first time donor or have been supporting our efforts for the past 12 years, we want to express our heartfelt appreciation for your sponsorship. The monies raised this year will go a long way in helping to fund sustainable projects in the Lower South End, Waterloo Village, Crescent Valley, Old North End and Lower West Side.

Please find attached a copy of the program, which featured your company's name and logo. Your logo was also featured prominently on a large screen at the Imperial and the names and level of sponsorship were read aloud. We "sing" your praises!

In the next few months the "Around the Block" newspaper, circulated widely in the Five Priority Neighborhoods, will send out a very public Thank You to you the Sponsors of our Concert. You will receive a copy of this. Your financial support of these neighborhoods has brought renewed energy to the good work that is being led by the residents themselves.

The following quote sums up the impact of what can happen when we come together. *"People trapped in a cycle of destitution often don't realize their lives can be changed for the better through their own activities. Once they understand that, it's like a light gets turned on."*

Once again, thank you so much.

Heather

Heather Stilwell, Concert Chairperson
506-849-1424
e-mail: kajen@nbnet.nb.ca

Tracy

Tracy Friars
506-647-1317
e-mail: tfriars@nbnet.nb.ca



Tonight's program is dedicated in loving memory of Florence Friars (Mom & Grammy) by her children, grandchildren and great-grandchildren! Her spirit and love are felt here tonight and will continue to live on in the hearts of her family!

Sit Back...Relax...and Enjoy!

We are so fortunate to share this stage with amazingly talented local musicians:

Janet Kidd	<i>Director, Accompanist</i>
Terri-Lynn McNichol.....	<i>Accompanist</i>
Philip Garrett.....	<i>Bass</i>
George Garrett.....	<i>Percussion</i>
Peter MacDonald.....	<i>Lead Guitar</i>
Rachel Kidd.....	<i>Violin</i>
John Hughes.....	<i>Accompanist</i>
Dr. Wendy Stewart.....	<i>Accordion</i>
Debbie Harry.....	<i>Guitar</i>

Thank-You One & All

Thank you for joining us tonight at this beautiful Imperial Theatre for our 12th annual Celebrate event! We are excited to be here with you and our sponsors to support the recipient of this year's show, The 5 Priority Neighborhoods of Saint John.

On behalf of our organizing committee and our recipient, I extend a heartfelt **thank you** to our major sponsor Saint John Construction Association and all other sponsors for their support of this event. Our sponsors have generously supported this event and they deserve our recognition and a very sincere **thank you**. We are excited that as a result of your attendance here tonight and the generosity of these sponsors, we will provide a substantial contribution to The 5 Priority Neighborhoods that will enable them to complete current projects and those not yet started.

To all our performers...we are so blessed in this community to have such outstanding talent and every year you come here to perform filled with energy, joy and a love of music. I can't say **thank you** enough to each of you for your contribution to what happens on this stage and in the hearts of the people gathered. Janet Kidd... **thank you** for making this night so enjoyable both for the audience and for all the performers on the stage. You are one of a kind!

Finally, this evening and long after it has come to a close, we will have the opportunity to support the numerous exciting and sustainable projects happening in the 5 Priority Neighborhoods. What we know for sure is that the people working on these projects are filled with determination and hope that what they are doing today will positively change the lives of their children and families forever. To them I say **thank you; thank you** for the leadership you demonstrate every day in your communities and for being an inspiration to us all. Enjoy the evening!

God Bless You All.....Tracy

HOW GREAT THOU ART	<i>Choir</i>
IN THIS VERY ROOM	<i>Tracy</i>
YES, LORD	<i>Choir</i>
FLOW	<i>Sistema Teaching Artists & Students</i>
RIPPLES	<i>Tim & Graeme Walker & Adam Friars</i>
ASHOKEN FAREWELL.....	<i>Choir</i>
IRISH MEDLEY	<i>Friars Sisters</i>
I THINK YOU'RE WONDERFUL	<i>Grandkids</i>
FOREVER YOUNG.....	<i>Michael and James MacDonald</i>
A REEL GOOD TIME	<i>Rachel, Krista, Brad & Wendy</i>
I BELIEVE	<i>Choir</i>
A MOMENT WITH THE 5 PRIORITY NEIGHBORHOODS	
WE CAN DO ANYTHING	<i>Terry Kelly & Tracy</i>
INTERMISSION	
CHRISTMAS CAROL JAMBOREE	<i>Choir</i>
YOU ON CHRISTMAS DAY	<i>Terry Kelly</i>
VARIATIONS ON FALA LA WITH A TWIST.....	<i>Men & Music</i>
HOME FOR CHRISTMAS MEDLEY	<i>Choir</i>
BECAUSE IT'S CHRISTMAS	<i>Tracy</i>
WINTER WONDERLAND	<i>Fiddln' Keys</i>
LITTLE TOY TRAINS	<i>Friars Sisters</i>
I HEARD THE BELLS	<i>Choir</i>
THE GREATEST GIFT.....	<i>Tracy & Michael</i>
SOMETHING LOVELY	<i>Saint John String Quartet</i>
O HOLY NIGHT.....	<i>Choir</i>
SAFE HOME.....	<i>Tracy & Choir</i>

FRIENDS OF LET'S CELEBRATE

Trevor Holder, MLA, Saint John-Portland
Jeremiah's Deli
JMS Courier
AQUILA Tours
East Coast Moving & Storage
Bill Harrington
Wayne Long, MP, Saint John-Rothesay

Brenton Kean
Darren Marr Law Office
Slocum & Ferris
Carquest Canada
Father J. Stanislas Paulin

IN-KIND DONATIONS

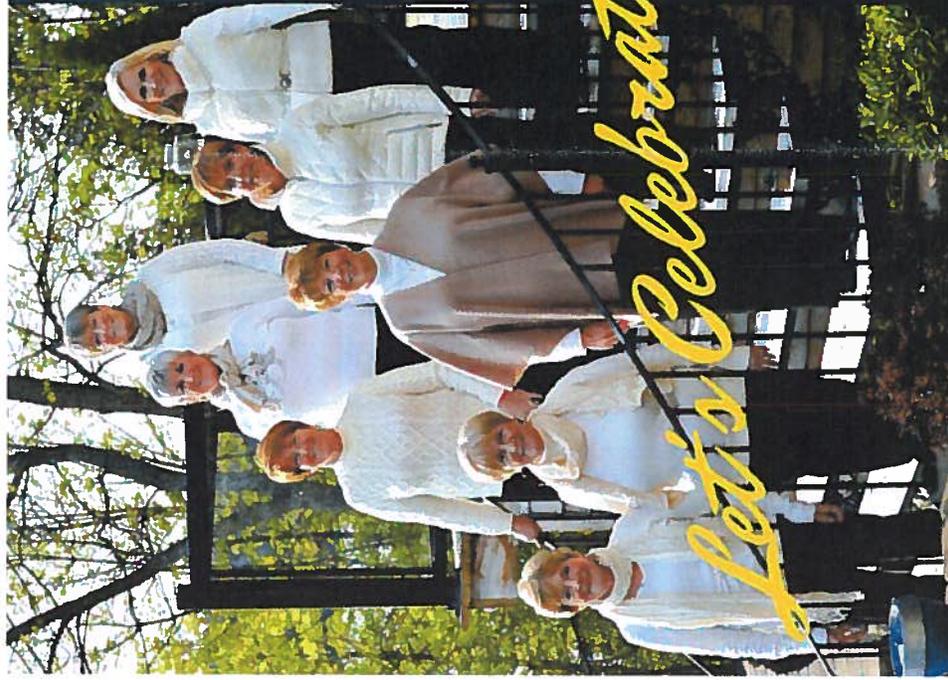
Mary Henderson – Photography
Kevin Goggan – Artwork
Park Avenue United Church

Special **THANKS** to each one of you who have significantly contributed to making this a special night!

Tracy Friars, Family & Friends

November 23, 2015

Thank You for Coming.....Safe Home



Monday
November 23rd
IMPERIAL THEATRE
7:30PM

Featuring **The Tracy Friars, The Friars' Sisters** and local entertainment including a 90 voice choir accompanied by Terri-Lynn Melnichol and under the direction of Janet Kidd

With
TRACY FRIARS
Family & Friends

MAJOR SPONSOR



PROCEEDS TO 5 Priority Neighborhoods



Waterloo Village
Lower South End
Old North End
Lower West Side
Crescent Valley

December 17, 2015



Mayor William J. Bishop and Council
Town of Rothesay
70 Hampton Rd.
Rothesay, NB E2E 5L5

Dear Mayor Bishop and Council:

Subject: Endorsement of the Framework for Recreation in Canada 2015

Thank you for your correspondence of November 30, 2015 relating to Rothesay Town Council's Endorsement of the Framework for Recreation in Canada 2015.

A small working group has been established to review and monitor the implementation of the Framework throughout the province in order to encourage continuous momentum and uptake. They will be reporting back to stakeholders in 2016 on progress and best practices resulting from the release of the Framework.

I wish you and Council continued success with efforts towards providing recreation opportunity for the citizens of Rothesay and the wellbeing of all New Brunswickers.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Fraser".

Hon. Bill Fraser
Minister





2016 Jan 110 Open Session FINAL_100
ROTHERSAY

150 Years Proud 1860-2010



70 Hampton Road
Rothesay, NB
Canada E2E 5L5

T: 506-848-6600
F: 506-848-6677

Rothesay@rothesay.ca
www.rothesay.ca

21 December 2015

Dean Mullin, Chair
KV Committee for Disabled Persons
10 Ridge Manor Drive
Quispamsis, New Brunswick
E2E 6B6

Dear Mr. Mullin:

Re: 2015 Report on Accessible Transportation for Rothesay and Quispamsis

Rothesay Council has received and reviewed the 2015 Report on Accessible Transportation for Rothesay and Quispamsis. We acknowledge that you will not be requesting any new funding for the 2015-2016 term. Furthermore, Rothesay Council commends the KV Committee for Disabled Persons for all its work in providing accessible transportation to all residents in the Kennebecasis Valley. We look forward to the continuation of this valuable service in the new year and wish you all the best this holiday season.

Sincerely,

William J. Bishop
Mayor

Cc: Rothesay Council



2016 Jan 11 Open Session FINAL_101

ROTHESAY

150 Years Proud 1860-2010



70 Hampton Road
Rothesay, NB
Canada E2E 5L5

T: 506-848-6600
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Rothesay@rothesay.ca
www.rothesay.ca

21 December 2015

Gary Clark, Chairman
Kennebecasis Regional Joint Board of Police Commissioners
C/O Chief McIntyre
126 Millennium Drive
Quispamsis, New Brunswick
E2E 6E6

Dear Counc. Clark:

Re: Request for a Contingency Fund

Please be advised that Rothesay Council passed the following motion at its regular meeting on December 14, 2015.

MOVED ... and seconded ... Council deny the request for a contingency fund in the Police Department budget.

CARRIED.

Rothesay Council acknowledges and appreciates the forward thinking and strategical planning associated with developing a contingency fund. However, there is provision for cost overruns in the current agreement, therefore Council has declined the request for a contingency fund in the Police Department budget. On behalf of Rothesay Council and Town Staff, I wish you and the Kennebecasis Regional Joint Board of Police Commissioners all the best this holiday season.

Sincerely,

William J. Bishop
Mayor

Cc: Rothesay Council

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70 Hampton Road
Rothesay, NB
Canada E2E 5L5
T: 506-848-6600
F: 506-848-6677
Rothesay@rothesay.ca
www.rothesay.ca

21 December 2015

Chief Bill Ireland
Kennebecasis Valley Fire Department Inc.
7 Campbell Drive
Rothesay, New Brunswick
E2E 5B6

Dear Chief Ireland:

Re: Approval of Surplus Re-allocation for a vehicle in 2015

I am pleased to advise that Rothesay Council passed the following motion at its regular meeting on December 14, 2015.

MOVED ... and seconded ... Council concur with an amendment to the 2015 Capital Budget of the Kennebecasis Fire Department to transfer the amount of \$40,000 from the 2015 operating surplus to the 2015 capital budget.

CARRIED.

Rothesay Council agrees with the importance of having a safe reliable vehicle available to the Fire Department. We acknowledge the steady decline of useful value in vehicles with consistent use and trust the new vehicle will meet all needs and requirements of the Kennebecasis Valley Fire Department. On behalf of Rothesay Council and Town Staff, I wish you and the Kennebecasis Valley Fire Department all the best this holiday season.

Sincerely,

William J. Bishop
Mayor

Cc: Rothesay Council



2016Jan11OpenSessionFINAL_103
ROTHESAY



150 Years Proud 1860-2010



70 Hampton Road
Rothesay, NB
Canada E2E 5L5

T: 506-848-6600
F: 506-848-6677

Rothesay@rothesay.ca
www.rothesay.ca

23 December 2015

Mr. Rory Grant

[REDACTED]
Rothesay, NB
[REDACTED]

Dear Rory:

On behalf of Rothesay Council, staff and residents, I take this opportunity to recognize and thank you for your efforts in organizing the annual Remembrance Day Service on the Rothesay Common. I know it is no small feat and every year the attendance has been increasing.

As you know, the informal service has been enjoyed and much appreciated by many residents in the Kennebecasis Valley. Your contributions to the community have not gone unnoticed.

I wish you and yours the joys of the holiday season and all the best in 2016 and I hope you have the opportunity to enjoy the new ice surface on the Rothesay Common this winter.

Sincerely,

William J. Bishop
Mayor

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2016 Jan 11 Open Session FINAL_104

ROTHESAY

150 Years Proud 1860-2010



5 January, 2016

[REDACTED]
Rothesay, NB
[REDACTED]

70 Hampton Road
Rothesay, NB
Canada E2E 5L5

T: 506-848-6600
F: 506-848-6677

Rothesay@rothesay.ca
www.rothesay.ca

Dear [REDACTED]

Re: Snow Plowing at Neighbouring Property

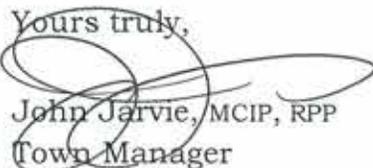
Thank you for your letter of April, 2015 regarding snow plow operations on the property next to your home. The letter was referred to me for a response and we have delayed pending snow plowing weather.

The issue has been raised with the local office of New Brunswick Environment and Local Government and the site was visited by an inspector from the Department last spring. As we understand it, the Department would consider it an offense if snow from the parking lot was deliberately deposited into the stream but some limited amounts of snow incidentally ending up in the stream would be considered acceptable. We understand Department representatives will inspect periodically.

However your letter suggests your main concern may not be pollution of the waterway but rather obstruction of your drain tile. We note that for the drain tile to empty into the stream, our records show that it would have to cross into the neighbouring property. We suggest you write to the abutting property owner and request his cooperation to insure the outlet from the tile is maintained unobstructed. Please see attached.

I trust this is of some help in resolving the issue to your satisfaction.

Yours truly,


John Jarvie, MCIP, RPP
Town Manager

Enc. : Draft Letter

Cc : P. Stull, NBDOE & LG

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Town of Rothesay

General Fund Financial Statements

November 30, 2015

Includes:

General Capital Fund Balance Sheet	G2
General Reserve Fund Balance Sheet	G3
General Operating Fund Balance Sheet	G4
General Operating Revenue & Expenditures	G5-G9
Variance Report	G10
Capital Project Listing - November	G11
Capital Project Listing - December - DRAFT	G12

Town of Rothesay

Balance Sheet - Capital General Fund 11/30/15

ASSETS

Capital Assets - General Land	3,220,477
Capital Assets - General Fund Land Improvements	5,705,990
Capital Assets - General Fund Buildings	3,631,554
Capital Assets - General Fund Vehicles	1,744,024
Capital Assets - General Fund Equipment	1,681,428
Capital Assets - General Fund Roads & Streets	34,787,458
Capital Assets - General Fund Drainage Network	16,873,831
Capital Assets - Under Construction - General	754,083
	<u>68,398,843</u>
Accumulated Amortization - General Fund Land Improvements	(1,820,170)
Accumulated Amortization - General Fund Buildings	(1,919,087)
Accumulated Amortization - General Fund Vehicles	(911,714)
Accumulated Amortization - General Fund Equipment	(603,456)
Accumulated Amortization - General Fund Roads & Streets	(15,788,896)
Accumulated Amortization - General Fund Drainage Network	(5,533,575)
	<u>(26,576,898)</u>
	<u>\$ 41,821,945</u>

LIABILITIES AND EQUITY

Gen Capital due to/from Gen Operating	(568,238)
Total Long Term Debt	5,499,000
	<u>\$ 4,930,762</u>
Total Liabilities	
Investment in General Fund Fixed Assets	36,891,184
	<u>\$ 41,821,945</u>

Town of Rothesay
 Balance Sheet - General Fund Reserves
 11/30/15

ASSETS

BNS General Operating Reserve	619,734
BNS General Capital Reserves	185,671
BNS - Gas Tax Reserves - GIC	3,480,578
Gen Reserves due to/from Gen Operating	(2,451)
	<u>\$ 4,283,533</u>

LIABILITIES AND EQUITY

Def. Rev - Gas Tax Fund - General	3,339,739
Invest. in General Capital Reserve	55,064
General Gas Tax Funding	139,805
Invest. in General Operating Reserve	619,537
Invest. in Land for Public Purposes Reserve	88,281
Invest. in Town Hall Reserve	41,107
	<u>\$ 4,283,533</u>

Town of Rothesay
Balance Sheet - General Operating Fund
11/30/15

CURRENT ASSETS

Cash	462,013
Receivables	142,100
HST Receivable	732,242
Inventory	23,881
Gen Operating due to/from Util Operating	521,897
Total Current Assets	<u>1,882,133</u>
Other Assets:	
Projects	<u>5,507,383</u>
	<u>5,507,383</u>
 TOTAL ASSETS	 <u><u>7,389,516</u></u>

CURRENT LIABILITIES AND EQUITY

Accounts Payable	2,511,937
Other Payables	335,791
Gen Operating due to/from Gen Reserves	(2,451)
Gen Operating due to/from Gen Capital	568,238
Accrued Sick Leave	9,000
Accrued Pension Obligation	345,200
Accrued Retirement Allowance	276,295
Def. Rev-Quispamsis/Library Share	37,783
TOTAL LIABILITIES	<u>4,081,793</u>

EQUITY

Retained Earnings - General	249,325
Surplus/(Deficit) for the Period	<u>3,058,397</u>
	<u>3,307,721</u>
	<u><u>7,389,514</u></u>

2016Jan11OpenSessionFINAL_110

Town of Rothesay

Statement of Revenue & Expenditure
11 Months Ended 11/30/15

	CURRENT MONTH	BUDGET FOR MONTH	CURRENT Y-T-D	BUDGET Y-T-D	VARIANCE Better(Worse)	NOTE #	ANNUAL BUDGET
REVENUE							
Warrant of Assessment	1,226,582	1,226,582	13,492,397	13,492,397	0		14,718,978
Sale of Services	34,599	55,275	290,543	338,425	(47,882)		384,700
Services to Province of New Brunswick	0	5,526	55,250	60,781	(5,531)		66,306
Other Revenue from Own Sources	4,783	7,727	562,675	121,002	441,673		140,729
Unconditional Grant	9,689	9,689	106,574	106,574	0		116,262
Conditional Transfers	20,350	0	43,213	26,500	16,713		26,500
Other Transfers	0	0	691,525	691,525	0		894,025
	<u>\$1,296,001</u>	<u>\$1,304,798</u>	<u>\$15,242,176</u>	<u>\$14,837,202</u>	<u>\$404,974</u>		<u>\$16,347,500</u>
EXPENSES							
General Government Services	97,201	145,750	1,661,409	1,859,326	197,917		2,053,519
Protective Services	320,804	319,788	4,262,265	4,247,263	(15,002)		4,567,051
Transportation Services	315,210	281,990	2,963,346	2,978,726	15,380		3,355,933
Environmental Health Services	55,924	58,167	611,605	577,333	(34,272)		633,000
Environmental Development	34,223	60,403	469,699	572,277	102,578		619,122
Recreation & Cultural Services	87,438	110,567	1,678,339	1,700,300	21,961		1,791,344
Fiscal Services	232,958	233,040	537,115	539,253	2,138		3,327,531
	<u>\$1,143,759</u>	<u>\$1,209,705</u>	<u>\$12,183,779</u>	<u>\$12,474,478</u>	<u>\$290,699</u>		<u>\$16,347,500</u>
Surplus (Deficit) for the Year	<u>\$152,242</u>	<u>\$95,093</u>	<u>\$3,058,397</u>	<u>\$2,362,724</u>	<u>\$695,673</u>		<u>\$ -</u>

Town of Rothesay

Statement of Revenue & Expenditure
11 Months Ended 11/30/15

	CURRENT MONTH	BUDGET FOR MONTH	CURRENT Y-T-D	BUDGET YTD	VARIANCE Better(Worse)	NOTE #	ANNUAL BUDGET
REVENUE							
Sale of Services							
Bill McGuire Memorial Centre	600	1,833	27,234	20,167	7,067	1	22,000
Town Hall Rent	377	15,800	7,643	53,800	(46,157)	2	69,600
Arena Revenue	30,383	32,042	189,866	199,958	(10,092)	3	228,000
Community Garden	0	0	840	900	(60)		900
Recreation Programs	3,239	5,600	64,960	63,600	1,360		64,200
	<u>34,599</u>	<u>55,275</u>	<u>290,543</u>	<u>338,425</u>	<u>(47,882)</u>		<u>384,700</u>
Other Revenue from Own Sources							
Licenses & Permits	4,205	6,667	131,691	73,333	58,358	4	80,000
Police Fines	0	0	40,775	36,000	4,775		48,000
Interest & Sundry	537	417	20,089	4,583	15,506	5	5,000
Miscellaneous	25	644	369,937	7,085	362,852	6	7,729
History Book Sales	16	0	183	0	183		0
	<u>4,783</u>	<u>7,727</u>	<u>562,675</u>	<u>121,002</u>	<u>441,673</u>		<u>140,729</u>
Conditional Transfers							
Canada Day Grant	0	0	2,500	1,500	1,000		1,500
Grant - Other	20,350	0	40,713	25,000	15,713	7	25,000
	<u>20,350</u>	<u>0</u>	<u>43,213</u>	<u>26,500</u>	<u>16,713</u>		<u>26,500</u>
Other Transfers							
Surplus of 2nd Previous Year	0	0	84,025	84,025	0		84,025
Utility Fund Transfer	0	0	607,500	607,500	0		810,000
	<u>0</u>	<u>0</u>	<u>691,525</u>	<u>691,525</u>	<u>0</u>		<u>894,025</u>
EXPENSES							
General Government Services							
Legislative							
Mayor	2,836	2,967	30,008	32,633	2,626		35,600
Councillors	8,221	8,667	95,456	95,333	(122)		104,000
Regional Service Commission 9	0	0	6,983	7,235	252		7,235
Other	225	1,417	5,539	15,583	10,044		17,000
	<u>11,282</u>	<u>13,050</u>	<u>137,986</u>	<u>150,785</u>	<u>12,799</u>		<u>163,835</u>
Administrative							
Office Building	9,799	10,750	135,380	177,250	41,870	8	190,000
Solicitor	0	2,917	21,086	32,083	10,997		35,000
Administration - Wages & Benefits	68,000	102,548	759,086	826,010	66,924	9	975,000
Supplies	3,142	6,542	79,121	98,358	19,237	10	104,900
Professional Fees	0	3,056	27,450	46,944	19,495	11	50,000
Other	4,740	5,097	64,569	71,064	6,495		76,161
	<u>85,682</u>	<u>130,909</u>	<u>1,086,692</u>	<u>1,251,710</u>	<u>165,018</u>		<u>1,431,061</u>

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	CURRENT MONTH	BUDGET FOR MONTH	CURRENT Y-T-D	BUDGET YTD	VARIANCE Better(Worse)	NOTE #	ANNUAL BUDGET
Other General Government Services							
Community Communications	0	750	5,513	8,250	2,737		9,000
Civic Relations	78	333	2,804	6,667	3,863		7,000
Insurance	0	0	145,993	146,166	173		146,166
Donations	160	708	36,928	47,792	10,864		48,500
Cost of Assessment	0	0	237,957	237,957	0		237,957
Property Taxes - L.P.P.	0	0	7,537	10,000	2,463		10,000
	<u>238</u>	<u>1,792</u>	<u>436,731</u>	<u>456,831</u>	<u>20,100</u>		<u>458,623</u>
	<u>97,201</u>	<u>145,750</u>	<u>1,661,409</u>	<u>1,859,326</u>	<u>197,917</u>		<u>2,053,519</u>
Protective Services							
Police							
Police Protection	168,550	168,566	2,022,605	2,022,786	182		2,191,352
Crime Stoppers	0	0	2,800	2,800	0		2,800
	<u>168,550</u>	<u>168,566</u>	<u>2,025,405</u>	<u>2,025,586</u>	<u>182</u>		<u>2,194,152</u>
Fire							
Fire Protection	141,618	138,600	1,743,391	1,723,289	(20,102)	12	1,861,889
Water Costs Fire Protection	0	0	350,000	350,000	0		350,000
	<u>141,618</u>	<u>138,600</u>	<u>2,093,391</u>	<u>2,073,289</u>	<u>(20,102)</u>		<u>2,211,889</u>
Emergency Measures							
911 Communications Centre	9,539	9,539	114,471	114,471	(0)		124,010
EMO Director/Committee	0	1,667	0	18,333	18,333	13	20,000
	<u>9,539</u>	<u>11,206</u>	<u>114,471</u>	<u>132,804</u>	<u>18,333</u>		<u>144,010</u>
Other							
Animal & Pest Control	1,097	1,000	6,101	11,000	4,899		12,000
Other	0	417	22,898	4,583	(18,314)	14	5,000
	<u>1,097</u>	<u>1,417</u>	<u>28,999</u>	<u>15,583</u>	<u>(13,415)</u>		<u>17,000</u>
Total Protective Services	<u>320,804</u>	<u>319,788</u>	<u>4,262,265</u>	<u>4,247,263</u>	<u>(15,002)</u>		<u>4,567,051</u>

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	CURRENT MONTH	BUDGET FOR MONTH	CURRENT Y-T-D	BUDGET YTD	VARIANCE Better(Worse)	NOTE #	ANNUAL BUDGET
Transportation Services							
Common Services							
Administration (Wages & Benefits)	124,833	141,245	1,574,494	1,570,341	(4,154)		1,765,753
Workshops, Yards & Equipment	71,816	45,458	509,296	540,042	30,745	15	585,500
Engineering	2,213	1,250	5,215	13,750	8,535		15,000
	<u>198,862</u>	<u>187,954</u>	<u>2,089,006</u>	<u>2,124,132</u>	<u>35,126</u>		<u>2,366,253</u>
Street Cleaning & Flushing							
Street Cleaning & Flushing	19,109	3,571	28,364	31,429	3,065		35,000
Roads & Streets	25,790	7,967	89,182	75,033	(14,149)	16	83,000
Crosswalks & Sidewalks	1,528	767	14,475	17,233	2,758		18,000
Culverts & Drainage Ditches	6,366	6,000	44,639	79,000	34,361	17	80,000
Snow & Ice Removal	49,084	58,967	428,378	375,733	(52,645)	18	459,000
	<u>101,877</u>	<u>77,271</u>	<u>605,038</u>	<u>578,429</u>	<u>(26,610)</u>		<u>675,000</u>
Street Lighting							
Street Lighting	12,258	12,307	127,649	135,373	7,725		147,680
Traffic Services							
Street Signs							
Street Signs	0	833	12,498	9,167	(3,331)		10,000
Traffic Lanemarking							
Traffic Lanemarking	0	0	20,038	24,000	3,962		24,000
Traffic Signals							
Traffic Signals	883	1,500	24,014	16,500	(7,514)	19	18,000
Railway Crossing							
Railway Crossing	1,186	2,000	16,579	22,000	5,421		24,000
	<u>2,069</u>	<u>4,333</u>	<u>73,128</u>	<u>71,667</u>	<u>(1,462)</u>		<u>76,000</u>
Public Transit							
Public Transit - Comex Service							
Public Transit - Comex Service	0	0	63,300	65,250	1,950		87,000
KV Committee for the Disabled							
KV Committee for the Disabled	0	0	2,500	2,500	0		2,500
Public Transit - Other							
Public Transit - Other	145	125	2,725	1,375	(1,350)		1,500
	<u>145</u>	<u>125</u>	<u>68,525</u>	<u>69,125</u>	<u>600</u>		<u>91,000</u>
Total Transportation Services	<u>315,210</u>	<u>281,990</u>	<u>2,963,346</u>	<u>2,978,726</u>	<u>15,380</u>		<u>3,355,933</u>
Environmental Health Services							
Solid Waste Disposal Land Fill							
Solid Waste Disposal Land Fill	15,603	19,167	191,277	210,833	19,556		230,000
Solid Waste Disposal Compost							
Solid Waste Disposal Compost	3,017	2,333	25,434	25,667	232		28,000
Solid Waste Collection							
Solid Waste Collection	21,505	22,500	236,550	247,500	10,950		270,000
Solid Waste Collection Curbside Recycling							
Solid Waste Collection Curbside Recycling	7,504	11,667	104,175	58,333	(45,842)	20	70,000
Clean Up Campaign							
Clean Up Campaign	8,296	2,500	54,169	35,000	(19,169)	21	35,000
	<u>55,924</u>	<u>58,167</u>	<u>611,605</u>	<u>577,333</u>	<u>(34,272)</u>		<u>633,000</u>
Environmental Development Services							
Planning & Zoning							
Administration							
Administration	26,731	47,159	372,797	423,398	50,601	22	457,000
Planning Projects							
Planning Projects	0	4,167	1,029	45,833	44,805	23	50,000
Heritage Committee							
Heritage Committee	0	625	7,527	6,875	(652)		7,500
	<u>26,731</u>	<u>51,951</u>	<u>381,352</u>	<u>476,107</u>	<u>94,754</u>		<u>514,500</u>
Economic Development Comm.							
Economic Development Comm.	7,202	7,202	79,219	79,220	1		86,422
Tourism							
Tourism	0	0	3,103	3,200	97		3,200
	<u>7,202</u>	<u>7,202</u>	<u>82,322</u>	<u>82,420</u>	<u>98</u>		<u>89,622</u>
	<u>33,933</u>	<u>59,153</u>	<u>463,675</u>	<u>558,527</u>	<u>94,852</u>		<u>604,122</u>

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	CURRENT MONTH	BUDGET FOR MONTH	CURRENT Y-T-D	BUDGET YTD	VARIANCE Better(Worse)	NOTE #	ANNUAL BUDGET
Recreation & Cultural Services							
Administration	13,751	23,067	229,970	219,533	(10,436)	24	235,800
Apartment Buildings	0	0	120	0	(120)		0
Beaches	0	0	50,985	60,800	9,815		60,800
Rothesay Arena	21,514	26,131	250,078	238,726	(11,352)	25	263,500
Memorial Centre	4,214	4,542	53,759	58,458	4,699		63,000
Summer Programs	660	0	58,074	58,700	626		58,700
Parks & Gardens	33,499	39,696	484,897	503,669	18,772	26	531,000
Playgrounds and Fields	6,467	9,817	96,550	107,983	11,434		117,800
Regional Facilities Commission	0	0	350,472	350,472	0		350,472
Kennebecasis Public Library	6,147	6,148	67,618	67,624	6		73,772
Big Rothesay Read	0	83	1,868	917	(952)		1,000
Special Events	1,172	750	32,952	29,750	(3,202)		31,500
Rothesay Living Museum	16	333	996	3,667	2,670		4,000
	<u>87,438</u>	<u>110,567</u>	<u>1,678,339</u>	<u>1,700,300</u>	<u>21,961</u>		<u>1,791,344</u>
Fiscal Services							
Debt Charges							
Interest	15,958	16,040	110,115	112,253	2,138		186,031
Debenture Payments	<u>217,000</u>	<u>217,000</u>	<u>427,000</u>	<u>427,000</u>	<u>0</u>		<u>669,000</u>
	<u>232,958</u>	<u>233,040</u>	<u>537,115</u>	<u>539,253</u>	<u>2,138</u>		<u>855,031</u>
Transfers To:							
Capital Fund for Capital Expenditures	0	0	0	0	0		2,040,000
Reserve Funds	0	0	0	0	0		422,500
Town Hall Reserve Transfer	0	0	0	0	0		10,000
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>		<u>2,472,500</u>
	<u>232,958</u>	<u>233,040</u>	<u>537,115</u>	<u>539,253</u>	<u>2,138</u>		<u>3,327,531</u>

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Town of Rothesay
 Capital Projects 2015
 General Fund
 11 Months Ended 30/11/2015

DRAFT

	Original BUDGET	CURRENT Y-T-D	Remaining Budget	Funding: Reserves /ak/Infrastru	Grants	Operating	Borrow
General Government							
12021860 Town Hall Improvements G-2014-008	315,000	-	315,000	-	-	315,000	-
Total General Government	315,000	-	315,000	-	-	315,000	-
Protective Services							
12011560 Protective Serv. Equipment Purchases P-2015-003	25,000	20,758	4,242	-	-	25,000	-
Total Protective Services	25,000	20,758	4,242	-	-	25,000	-
Transportation							
12013060 Oakville Acres T-2014-005	2,000,000	1,304,143	695,857	-	-	490,000	2,000,000
12021360 Transportation Equipment Purchases T-2015-001	490,000	196,641	293,359	-	-	330,000	350,000
12022760 Asphalt/Microsealing T-2014-002 (Phase 3 2015)	680,000	612,868	67,132	-	-	40,000	-
12023260 Sidewalks - Strong Court T-2014-018	40,000	32,929	7,071	-	-	310,000	180,000
12023060 French Village Road T-2015-010 (Phase 3 2015)	310,000	301,233	8,767	40,000	-	35,000	-
12023560 Salt Shed Improvements T-2014-021	75,000	97,476	22,476	-	-	35,000	-
12023760 Curb & Gutter Eriksay/Iona T-2015-004	275,000	9,778	265,222	-	275,000	60,000	-
12023860 Engineering 2016 Streets T-2016-001	60,000	28,620	31,380	-	-	140,000	-
12023960 In House Almon/RAS Church/Golf Club T-2015-005	140,000	5,300	134,700	-	-	240,000	-
12024060 Drainage Improvements Eriksay/Iona	240,000	6,304	233,696	-	-	48,126	-
2014 Project Carry-Overs	-	49,894	49,894	-	-	48,126	-
Total Transportation	4,310,000	2,597,061	1,712,939	40,000	515,000	1,405,000	2,350,000
Environmental Health							
Recreation							
12012060 Arena Upgrade	25,000	24,756	244	-	-	25,000	-
12014060 Anniversary Park	-	45,665	45,665	-	-	120,000	2,400,000
12016560 Miller Field Building R-2013-08	120,000	13,127	106,873	-	-	50,000	-
12018160 2013 Rothesay Common Upgrade R-2013-01	2,400,000	2,075,373	324,627	110,000	-	100,000	-
12020860 Recreation Equipment Purchases R-2015-002	160,000	127,319	32,681	-	-	180,000	-
12022460 Memorial Centre Improvements R-2014-010	100,000	88,991	11,009	-	-	180,000	-
12023360 Wells Trail R-2014-019	665,000	712,054	47,054	-	-	485,000	-
Grant Received	-	378,551	378,551	-	-	485,000	-
12023460 Wells Ballfield R-2014-020	665,000	422,631	242,369	-	-	295,000	180,000
Grant Received	-	241,802	241,802	-	-	295,000	-
Total Recreation	4,135,000	2,889,564	625,083	110,000	-	970,000	2,760,000
Total	\$ 8,785,000	\$ 5,507,383	\$ 2,657,264	\$ 150,000	\$ 515,000	\$ 970,000	\$ 5,110,000
On Hold							
Land assembly	300,000	-	-	-	-	315,000	300,000
Designated Highway	315,000	-	-	-	-	2,250,000	2,250,000
Major Recreation Facility R-2013-07	6,750,000	-	-	-	-	3,535,000	7,660,000
Total Approved	16,150,000	-	-	150,000	2,765,000	3,535,000	2,040,000

Town of Rothesay
 Capital Projects 2015
 General Fund
 12 Months Ended 31/12/2015

DRAFT!

	Original BUDGET	CURRENT Y-T-D	Remaining Budget	Funding: Reserves	Gas Tax/Infrastructure	Grants	Operating	Borrow
General Government								
12021860 Town Hall Improvements G-2014-008	315,000	0	315,000	-	-	-	315,000	-
Total General Government	315,000	0	315,000	-	-	-	315,000	-
Protective Services								
12011560 Protective Serv. Equipment Purchases P-2015-003	25,000	20,758	4,242	-	-	-	25,000	-
Total Protective Services	25,000	20,758	4,242	-	-	-	25,000	-
Transportation								
12013060 Oakville Acres T-2014-005	2,000,000	1,307,039	692,961	40,000	275,000	-	490,000	2,000,000
12021360 Transportation Equipment Purchases T-2015-001	490,000	195,094	294,906	-	-	-	330,000	350,000
12022760 Asphalt/Microsealing T-2014-002 (Phase 3 2015)	680,000	612,868	67,132	-	-	-	40,000	-
12023260 Sidewalks - Strong Court T-2014-018	40,000	32,929	7,071	-	-	-	310,000	-
12023060 French Village Road T-2015-010 (Phase 3 2015)	310,000	301,233	8,767	-	-	-	35,000	-
12023560 Salt Shed Improvements T-2014-021	75,000	142,468	-67,468	-	-	-	60,000	-
12023760 Curb & Gutter Eriksay/Iona T-2015-004	275,000	9,778	265,222	-	-	-	140,000	-
12023860 Engineering 2016 Streets T-2016-001	60,000	9,102	50,898	-	-	-	240,000	-
12023960 In House Almon/RAS Church/Golf Club T-2015-005	140,000	25,858	114,142	-	-	-	-	-
12024060 Drainage Improvements Eriksay/Iona	240,000	6,304	233,696	-	-	-	-	-
2014 Project Carry-Overs	0	49,894	-49,894	-	-	-	-	-
Total Transportation	4,310,000	2,644,441	1,665,559	40,000	515,000	-	1,405,000	2,350,000
Environmental Health								
Recreation								
12012060 Arena Upgrade	25,000	24,756	244	-	-	-	25,000	-
12014060 Anniversary Park	0	45,665	-45,665	-	-	-	120,000	-
12016560 Miller Field Building R-2013-08	120,000	57,528	62,472	-	-	-	2,400,000	-
12018160 2013 Rothesay Common Upgrade R-2013-01	2,400,000	2,132,051	267,949	110,000	-	-	50,000	-
12020860 Recreation Equipment Purchases R-2015-002	160,000	129,181	30,819	-	-	-	100,000	-
12022460 Memorial Centre Improvements R-2014-010	100,000	94,923	5,077	-	-	-	485,000	-
12023360 Wells Trail R-2014-019	665,000	721,018	-56,018	-	-	-	180,000	-
Grant Received		-378,551						
12023460 Wells Ballfield R-2014-020	665,000	422,631	242,369	-	-	-	485,000	-
Grant Received		422,631						
Total Recreation	4,135,000	3,007,400	507,247	110,000	0	0	295,000	2,760,000
Total	\$ 8,785,000	\$ 5,672,599	\$ 2,492,048	\$ 150,000	\$ 515,000	\$ 970,000	\$ 2,040,000	\$ 5,110,000
On Hold								
Land assembly	300,000						315,000	300,000
Designated Highway	315,000						2,250,000	2,250,000
Major Recreation Facility R-2013-07	6,750,000						3,535,000	2,040,000
Total Approved	16,150,000			150,000	2,765,000	3,535,000	2,040,000	7,660,000

Town of Rothesay

Utility Fund Financial Statements

November 30, 2015

Attached Reports:

Capital Balance Sheet	U1
Reserve Balance Sheet	U2
Operating Balance Sheet	U3
Operating Income Statement	U4
Variance Report	U5
Capital Project Listing - November	U6
Capital Project Listing - December - DRAFT	U7

Town of Rothesay
Capital Balance Sheet
As at 11/30/15

ASSETS

Assets:

Capital Assets - Under Construction - Utilities	930,735
Capital Assets Utilities Land	178,555
Capital Assets Utilities Buildings	417,867
Capital Assets Utilities Equipment	15,542
Capital Assets Utilities Water System	24,396,874
Capital Assets Utilities Sewer System	15,920,217
Capital Assets Utilities Land Improvements	42,031
Capital Assets Utilities Roads & Streets	220,011
	<u>42,121,832</u>

Accumulated Amortization Utilites Buildings	(286,227)
Accumulated Amortization Utilites Water System	(5,244,366)
Accumulated Amortization Utilites Sewer System	(7,107,045)
Accumulated Amortization Utilites Land Improvements	(42,031)
Accumulated Amortization Utilites Equipment	(10,877)
Accumulated Amortization Utilites Roads & Streets	(1,478)
	<u>(12,692,023)</u>

TOTAL ASSETS	<u><u>29,429,809</u></u>
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LIABILITIES

Current:

Util Capital due to/from Util Operating	(202,924)
Total Current Liabilities	<u>(202,924)</u>

Long-Term:

Long-Term Debt	7,184,175
Total Liabilities	<u>6,981,252</u>

EQUITY

Investments:

Investment in Fixed Assets	22,448,556
Total Equity	<u>22,448,556</u>

TOTAL LIABILITIES & EQUITY	<u><u>29,429,807</u></u>
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Town of Rothesay

Utility Reserve Balance Sheet

As at 11/30/15

ASSETS

Assets:

Bank - Utility Reserve	1,035,295
Due from Utility Operating	500,000
TOTAL ASSETS	<u>\$ 1,535,295</u>

EQUITY

Investments:

Invest. in Utility Capital Reserve	1,231,027
Invest. in Utility Operating Reserve	64,117
Invest. in Sewage Outfall Reserve	240,152
TOTAL EQUITY	<u>\$ 1,535,296</u>

Town of Rothesay
 Utilities Fund Operating Balance Sheet
 As at 11/30/15

ASSETS

Current assets:		
Accounts Receivable Net of Allowance		343,832
Accounts Receivable - Misc.		1,200
Total Current Assets		<u>345,032</u>
Other Assets:		
Projects		1,505,552
		<u>1,505,552</u>
 TOTAL ASSETS		 <u>\$ 1,850,583</u>

LIABILITIES

Accrued Payables		47,211
Due from General Fund		521,897
Due from (to) Capital Fund		202,924
Due to (from) Utility Reserve		500,000
Deferred Revenue		22,689
Total Liabilities		<u>1,294,720</u>

EQUITY

Surplus:		
Opening Retained Earnings		(448,970)
Profit (Loss) to Date		1,004,835
		<u>555,865</u>
 TOTAL LIABILITIES & EQUITY		 <u>\$ 1,850,585</u>

Town of Rothesay
Utilities Operating Income Statement
11 Months Ended 11/30/15

	CURRENT MONTH	BUDGET FOR MONTH	CURRENT YTD	BUDGET YTD	VARIANCE Better(Worse)	NOTE #	ANNUAL BUDGET
RECEIPTS							
Sale of Water	32	0	679,758	671,968	7,790		890,400
Meter and non-hookup fees	0	0	28,184	22,500	5,684		30,000
Water Supply for Fire Prot.	0	0	350,000	350,000	0		350,000
Local Improvement Levy	0	0	59,269	60,000	(731)		60,000
Sewerage Services	142	0	1,474,320	1,473,400	920		1,473,400
Connection Fees	7,900	6,500	88,320	58,500	29,820	1	65,000
Interest Earned	4,543	2,917	52,940	32,083	20,856	2	35,000
Misc. Revenue	3,275	417	7,575	4,583	2,992		5,000
TOTAL RECEIPTS	15,892	9,833	2,740,365	2,673,035	67,331		2,908,800
WATER SUPPLY							
Share of Overhead Expenses	0	0	182,250	182,250	0		243,000
Audit/Legal/Training	0	1,000	2,453	11,000	8,547	3	15,000
Purification/Treatment	134,153	21,487	346,964	240,861	(106,104)	4	262,348
Transm/Distribution	10,576	7,250	75,616	79,750	4,134		87,000
Power & Pumping	3,431	4,000	42,521	44,000	1,479		48,000
Billing/Collections	106	250	4,212	2,750	(1,462)		3,000
Water Purchased	0	100	255	1,100	845		1,200
Misc. Expenses	237	1,333	9,663	14,667	5,004		16,000
TOTAL WATER SUPPLY	148,504	35,421	663,936	576,377	(87,558)		675,548
SEWERAGE COLLECTION & DISPOSAL							
Share of Overhead Expenses	0	0	425,250	425,250	0		567,000
Audit/Legal/Training	34	1,833	1,923	20,167	18,243	5	28,860
Collection System	78,914	10,417	96,559	75,383	(21,176)	6	85,800
Lift Stations	798	1,583	24,823	17,417	(7,407)	7	19,000
Treatment/Disposal	9,187	5,788	46,150	68,463	22,313	8	74,250
Misc. Expenses	1,778	875	6,238	9,625	3,387		10,500
TOTAL SWGE COLLECTION & DISPOSAL	90,709	20,496	600,944	616,304	15,361		785,410
FISCAL SERVICES							
Interest on Long-Term Debt	15,854	15,854	203,670	203,448	(222)		269,063
Principal Repayment	29,000	29,000	193,205	193,205	0		416,705
Transfer to Reserve Accounts	0	0	0	0	0		188,298
Capital Fund	0	0	0	0	0		500,000
Prev. Yrs Deficits	0	0	73,776	73,776	0		73,776
TOTAL FISCAL SERVICES	44,854	44,854	470,651	470,429	(222)		1,447,842
TOTAL EXPENSES	284,067	100,770	1,735,530	1,663,111	(72,420)		2,908,800
NET INCOME (LOSS) FOR THE PERIOD	(268,175)	(90,937)	1,004,835	1,009,924	(5,089)		0

Town of Rothesay

Variance Report - Utility Operating
11 months ending November 30, 2015

Note #	Account Name	Actual YTD	Budget YTD	Variance	
				Better(worse)	Description of Variance
Revenue					
1	Connection Fees	88,320	58,500	29,820	New housing starts
2	Interest Earned	52,940	32,083	20,857	Interest on accounts receivable
Water System Expenses					
3	Audit/Legal/Training	2,453	11,000	8,547	Training not used
4	Purification/Treatment	346,964	240,861	(106,103)	Cleaning of wells
Sewerage Collection and Disposal					
5	Audit/Legal/Training	1,923	20,167	18,244	Training not used
6	Collection System	96,559	75,383	(21,176)	Sewer break
7	Lift Stations	24,823	17,417	(7,406)	Equipment replacement
8	Treatment/Disposal	46,150	68,463	22,313	Maintenance costs lower than expected
Fiscal Services					
-					

Town of Rothesay

Capital Projects 2015

Utilities Fund

11 Months Ended 11/30/15

	Original BUDGET	CURRENT Y-T-D	Remaining Budget	Funding: Reserves	Gas Tax /Infrastructure	Grants	Operating	Borrow
Water								
12041730	0	1,213	-1,213					
12043130	310,000	448,504	-138,504					310,000
12043630	110,000	251,932	-141,932				110,000	
12043430	250,000	123,812	126,188	70,000			180,000	
12042730	210,000	174,715	35,285				210,000	
12043330	500,000	454,326	45,674					500,000
12040030	0	-4,636	4,636					
Total Water Capital	1,380,000	1,449,864	69,864	70,000	-	-	500,000	810,000
Sewer								
12031130	0	55,687	-55,687					
12042330	7,500,000	0	7,500,000					2,500,000
Total Sewer Capital	7,500,000	55,687	7,444,313	-	-			2,500,000
Total Utilities Capital	\$ 8,880,000	\$ 1,505,552	\$ 7,374,448	\$ 70,000	\$ -	\$ 5,000,000	\$ 500,000	\$ 3,310,000

Town of Rothesay

Capital Projects 2015

Utilities Fund

12 Months Ended 12/31/15

DRAFT

	Original BUDGET	CURRENT Y-T-D	Remaining Budget	Note	Funding: Reserves	Gas Tax /Infrastructure	Grants	Operating	Borrow
12041730 CCMF Characterization	0	1,743	-1,743						
12043130 Gondola Pt. Rd W-2015-001	310,000	448,525	-138,525	Tender exceeded original budget				110,000	310,000
12043630 McGuire Centre Extension W-2015-003	110,000	319,836	-209,836					180,000	
12043430 Well Development - Watershed W-2014-014	250,000	128,206	121,794		70,000			210,000	
12042730 Membrane Racks W-2013-24	210,000	174,715	35,285						
12043330 Water Treatment Plant Upgrade W-2014-013	500,000	454,326	45,674						500,000
12040030 Capital Projects Reversed	0	-4,636	4,636						
Total Water Capital	1,380,000	1,522,714	142,714		70,000			500,000	810,000
Sewer									
12031130 Wastewater Feasibility Study	0	65,189	-65,189						
12042330 Wastewater Treatment Design - S-2014-016	7,500,000	0	7,500,000				5,000,000		2,500,000
Total Sewer Capital	7,500,000	65,189	7,434,811				5,000,000		2,500,000
Total Utilities Capital	<u>\$ 8,880,000</u>	<u>\$ 1,587,903</u>	<u>\$ 7,292,097</u>		<u>\$ 70,000</u>	<u>\$ -</u>	<u>\$ 5,000,000</u>	<u>\$ 500,000</u>	<u>\$ 3,310,000</u>



PUBLIC WORKS AND INFRASTRUCTURE
COMMITTEE MEETING

Rothesay Town Hall

Wednesday, December 16, 2015

8:30 a.m.



PRESENT: COUNCILLOR MATT ALEXANDER, CHAIR
COUNCILLOR PETER LEWIS
SCOTT SMITH
RAHA MOSCA (*arrived at 8:51 a.m.*)

TOWN MANAGER JOHN JARVIE
RECORDING SECRETARY LIZ POMEROY

ABSENT: DIRECTOR OF OPERATIONS (DO) BRETT McLEAN
RYAN SCOVILLE

Chairperson Alexander called the meeting to order at 8:32 a.m.

1. APPROVAL OF AGENDA

MOVED by Scott Smith and seconded by Counc. Lewis the agenda be approved as circulated, with the following addition:

Item 6.4 Painted Crosswalks in Kennebecasis Park

CARRIED.

2. APPROVAL OF MINUTES Regular meeting of 18 November 2015

MOVED by Counc. Lewis and seconded by Scott Smith the minutes of 18 November 2015 be adopted as circulated.

CARRIED.

3. DELEGATIONS:

N/A

4. REPORTS & PRESENTATIONS:

N/A

5. UNFINISHED BUSINESS:

5.1 Update on Capital Projects.

All projects are almost complete. The Wells trail will be completed in the spring. It was noted there are a few clean-up items to be done for Renforth and the Bill McGuire Centre. The Common project is progressing nicely. There was a brief discussion on Rothesay ball fields.

5.2 Update on RA-5 crosswalks.

It was noted the Town is still waiting on the delivery of the poles. The bases have not been installed at this point in time but the Town is planning to do so soon.

5.3 Update on solid waste

➤ Tonnage report

The Committee reviewed the tonnages for solid waste, compost and curbside recycling. Town Manager Jarvie showed the Committee a dolly designed to assist residents with transporting their recycling bins to the end of their driveways if they are too heavy. The bins are able to hook onto the dolly one above the other. It was noted the dolly could be used to reduce storage space and provide a convenient method to transport the bins. Town Manager Jarvie advised the price is still being discussed. There was a general discussion with respect to the recycling bins.

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5.4 Update on RNS curbside recycling collection

4 December 2015 Letter from Town Manager Jarvie to Paul Kitchen, Headmaster RNS

It was noted Paul Kitchen the Headmaster of Rothesay Netherwood may attend the next regular meeting of Council to discuss the issue further. Town Manager Jarvie advised the matter was discussed with FERO and a rough estimate of the cost was provided. Concern was expressed noting the street was not up to municipal standards. There was a general discussion on possible options.

5.5 Update on Almon and Peters Lane

Town Manager Jarvie showed the Committee the proposed design. It was noted Staff intend to meet with the residents soon.

Raha arrived at 8:51 a.m.

5.6 Update on video inspections - Maiden Lane, Goldie Court, Gondola Point Rd. and Kaitlyn Street

The Committee agreed to keep the item on the agenda for the next meeting.

5.7 Update on Runner signage in bike lanes

29 October 2015 Letter from resident RE: Request for runner signage in bike lanes

9 November 2015 Email from resident RE: Running in the bike lane

11 November 2015 Website Contact Message from resident RE: Runners in bike lane

Town Manager Jarvie noted the NB Motor Vehicle Act states it is unlawful for pedestrians to travel along or upon an adjacent roadway where sidewalks are available. It was discussed painting a symbol in the bike lanes could be said to be encouraging a disregard of the law.

5.8 Update on drainage issue on Elizabeth Parkway

4 November 2015 Letter from resident RE: Drainage issue on Elizabeth Parkway

There was general discussion regarding the issue and options available. The Committee agreed the resident should be contacted to discuss possible solutions.

5.9 Update on Gondola Point Road traffic/parking

1 December 2015 Email from Chief McIntyre

It was noted speeds signs of 30 km/hour have been installed in the area. The residents expressed gratitude for the signs. There is still concern of entering and exiting the townhouses when vehicles are parked in close proximity to the driveway. It was suggested the Town discuss possible solutions with Saint David's Church. It was noted if signs are painted on the road during the winter months it is unlikely they will get noticed under the snow. There was a discussion of traffic in the area and traffic calming solutions.

5.10 Update on Dobbin St. Flooding

11 December 2015 Memorandum from Town Clerk Banks with attachments

The matter was discussed at the regular Council meeting on December 14, 2015 and Council tabled the motion to approve a variance allowing a fourth building to be constructed on 47 Clark Road. The Committee noted the land occupied by Vito's and the Brodersen developments was zoned residential many years ago and later rezoned to commercial. Town Manager Jarvie advised the standards for storm water management have changed over the years. There was general discussion with the following comments: the rainfall on September 30, 2015 was heavier than usual; the development of 47 Clark Road did introduce more pavement into the area which reduces natural absorbency; if the new building is approved the owner must adhere to current stormwater standards for the whole property; home maintenance is important both internally and externally especially in older homes; and the issue was caused from an improper sanitary sewer and storm sewer connection at the residence. There was discussion on current drainage infrastructure in the Town and possible solutions. Two

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weather stations have been acquired and will be used to provide information to help understand the changing weather.

6. NEW BUSINESS:

- 6.1 7 December 2015 Memorandum from Recording Secretary RE: Bike Rack Motion

It was noted the item was discussed at the regular Council meeting on December 14, 2015. The Town is in discussion with the New Brunswick Community College to determine if the college would be interested in helping create the bike racks. It was further noted the college would look into the matter once the winter term commences in the new year. There was a general discussion on bike racks. Town Staff will report back to the Committee with options.

- 6.2 14 December 2015 2016 Budget
The Committee reviewed the item for information.

- 6.3 23 November 2015 Email from Counc. Lewis RE: Church Street Parking
The Committee agreed the item will be kept on the agenda for the next meeting to discuss with the Director of Operations.

- 6.4 Painted Crosswalk in Kennebecasis Park
Counc. Alexander advised he received correspondence from a resident requesting a painted crosswalk in the area of Kennebecasis Park near the elementary school. It was noted crosswalks are typically used to connect areas with sidewalks. Since the area requested does not have sidewalks it cannot be determined if residents will use the crosswalk. There was a general discussion with respect to the area. It was noted the cost would be minimal and signs would be needed. The Committee agreed an estimate of the cost should be provided at the next meeting and the item will be kept on the agenda.

7. CORRESPONDENCE FOR ACTION:

N/A

8. CORRESPONDENCE FOR INFORMATION:

- 8.1 7 December 2015 Letter from DO McLean RE: Drainage concerns on Robinson
Counc. Alexander gave background information on the issue. It was noted the Town Engineer has offered to meet with the homeowner to assist by discussing possible solutions. There was general discussion with respect to the area and infrastructure. The Committee expressed concern that some possible solutions could solve the initial issue but could lead to problems in other areas.

- 8.2 7 December 2015 Letter from DO McLean RE: Speeding concerns
Counc. Alexander explained the letter and noted it is to be received for information.

10. NEXT MEETING

Wednesday, **January 20, 2016**

11. ADJOURNMENT

MOVED by Scott Smith and seconded by Raha Mosca the meeting be adjourned.

CARRIED.

The meeting adjourned at 9:54 a.m.

 CHAIRPERSON

 RECORDING SECRETARY



ROTHESAY
UTILITIES COMMITTEE MEETING
Rothesay Town Hall
Wednesday, December 16, 2015
5:30 p.m.



PRESENT: COUNCILLOR MATT ALEXANDER, CHAIR
STEPHEN WAYCOTT
BLAINE JUSTASON
PAUL BOUDREAU

TOWN MANAGER JOHN JARVIE
DIRECTOR OF OPERATIONS (DO) BRETT McLEAN
RECORDING SECRETARY LIZ POMEROY

ABSENT: DR. BRIAN CRAIG

Chairperson Alexander called the meeting to order at 5:30 p.m.

1. APPROVAL OF AGENDA

MOVED by Paul Boudreau and seconded by Blaine Justason the agenda be approved as circulated.

CARRIED.

2. APPROVAL OF MINUTES Regular meeting of 21 October 2015

MOVED by Paul Boudreau and seconded by Blaine Justason the minutes of 21 October 2015 be adopted as circulated.

CARRIED.

3. DELEGATIONS:

N/A

4. REPORTS & PRESENTATION:

N/A

5. UNFINISHED BUSINESS:

5.1 Update on water exploration.

DO McLean advised all the permits are in place to drill additional wells in the Carpenter Pond well field. Work was scheduled earlier in the week but has been delayed because of weather conditions.

5.2 Update on Wells Park.

The trail will be paved and the dog park will continue construction in the spring. There was a general discussion with respect to possible cross-country skiing on the trail and boulders to protect the trail from vehicles.

5.3 Update on Water By-Law.

DO McLean advised he met with the multi-unit building owners group. Concerns expressed were as follows: high upfront cost, cost per unit, accountability for water consumption among tenants, and low interest in switching from wells that are already meeting demand. DO McLean noted averaged over five years based on standard demand the aggregate amount is roughly \$16/month per apartment. He added water can be purchased on a metered basis which could be read monthly as opposed to quarterly to detect possible unusual water consumption amounts early. It was noted the multi-unit building owners group seemed more inclined should the connection costs be waved or reduced. DO McLean advised the matter must be discussed by Council. There was general discussion with respect to solutions. It was agreed the issue would be discussed in the new year.

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5.4 Update on Capital Program.

All projects are completed, only a few tidying up items remain. The mixing system for the Hillside Storage water tank will be reinstalled below the 75% draw level in the spring. DO McLean advised the McLachlan tank mixing system was installed below the normal band of fluctuation so Staff do not expect the same problem to occur.

5.5 RFP – Engineering Design Services for Wastewater Treatment Plant Pumping Stations and Transmission Lines – verbal report

DO McLean advised there is a lot of interest and it is proposed to be awarded at the February regular Council meeting.

6. NEW BUSINESS:

6.1 2016 Budget

The Committee reviewed the 2016 Utilities Operating Fund budget and the 2016 Utilities Capital Fund budget. It was noted the base rate for water has increased from \$1.06 per cubic metre to \$1.15 per cubic metre. Sewer rates also increased from \$340 per equivalent user to \$350 per equivalent user. It was noted should the work for Almon Lane and Peters Lane be approved it will not have an effect on any rates at this point in time. It was further noted Staff intend to meet with the residents of Almon Lane and Peters Lane to discuss the most recent proposed design. The design includes using the existing width of the lanes and incorporating minimal curb. There was a discussion on the timeframe of the project should it be approved.

7. CORRESPONDENCE FOR ACTION:

N/A

8. CORRESPONDENCE FOR INFORMATION:

N/A

9. NEXT MEETING

Wednesday, **January 20, 2016**

10. ADJOURNMENT

MOVED by Stephen Waycott and seconded by Blaine Justason the meeting be adjourned.

CARRIED.

The meeting adjourned at 6:20 p.m.

 CHAIRPERSON

 RECORDING SECRETARY



HERITAGE PRESERVATION REVIEW BOARD
MEETING
Rothesay Town Hall
Wednesday, December 16, 2015
7:00 p.m.



PRESENT: MICHAEL WENNBERG, CHAIR
COUNCILLOR MIRIAM WELLS
JIM BAIRD, VICE CHAIR
RANDOLPH GIFFIN
J.P. FOISY
HOWARD PEARN (*left at 7:27 p.m.*)

DIRECTOR OF PLANNING/DEVELOPMENT (DPDS) BRIAN WHITE
RECORDING SECRETARY LIZ POMEROY

ABSENT: GREG MURDOCK
LORRAINE FORBES

Chairperson Wennberg called the meeting to order at 7:00 p.m.

1. APPROVAL OF AGENDA

MOVED by Counc. Wells and seconded by Howard Pearn the agenda be approved as circulated, with the following amendments:

Item 4.1 Church Windows 7 Gondola Point Road (moved to Item 4.3)
Item 4.1 Rothesay Common
Item 4.2 Board Nominations

CARRIED.

2. APPROVAL OF MINUTES Regular meeting of 21 October 2015

MOVED by Jim Baird and seconded by Howard Pearn the minutes of 21 October 2015 be adopted as circulated.

CARRIED.

3. REPORTS: None

4. NEW BUSINESS:

4.1 Rothesay Common

DPDS White explained he is requesting advice from the Board regarding whether or not an application is needed for a Certificate of Appropriateness to erect temporary seasonal winter skating fencing surrounding the Rothesay Common ice surface. He displayed an image of the desired design for the fencing. A definition of development was provided as it relates to the Heritage By-law and it was noted it mentions "permanent recreational facilities". DPDS White noted the fencing would be in place for approximately 90 days then removed. He further noted the Heritage By-law states the Board can determine if a Certificate of Appropriateness is not required. Concern was expressed regarding the following: the issue has not come before the Parks and Recreation Committee; if the fencing is used every winter can it be classified as temporary; a fence has not been erected in previous years; the effect the fencing will have on the snow clearing process; and the Board had approved the initial design and this would be considered an amendment. The Board inquired if a safety concern was present to warrant the fencing. DPDS White advised the edge of the skating surface is in close proximity to the stream. It was noted the design does not include a puck lip. The Board agreed an application should be brought in explaining the clear need, purpose and how it will mesh with other accoutrements.

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Counc. Wells noted the grand opening of the Rothesay Common will be on Monday, December 21, 2015 at 6:30 p.m. There will be skating, hot chocolate, refreshments, and a tree lighting ceremony.

4.2 Board Nominations

Chairperson Wennberg noted both his and Lorraine Forbes' terms on the Heritage Preservation Review Board were coming to an end. It was suggested as Lorraine was part of the Board as a resident representative of the Heritage Area, the individual replacing her should also be resident of the Heritage Area. Any recommendations can be provided to Counc. Blair MacDonald chair of the Nominating Committee. Chairperson Wennberg announced his suggestions for possible members. There was a general discussion regarding the suggested individuals. The Board inquired if Chairperson Wennberg had approached any of the suggested individuals to gauge their interest. Chairperson Wennberg advised he would do so pending the approval of the Board. There was consensus the Board agreed that Chairperson Wennberg could discuss the opportunity with the individuals. It was noted the Board will determine the new Chair, Vice Chair, and Secretary in the new year. Chairperson Wennberg thanked the Board and invited any further suggestions to be emailed to him.

4.3 7 Gondola Point Road**David Price, Trustee**

OWNER:

St. David's United Church

PID:

00255786

PROPOSAL:

Heritage Permit – Replace Church Windows

Howard Pearn declared a conflict of interest and left the meeting at 7:27 p.m.

Mr. David Price, Trustee for St. David's United Church was in attendance. DPDS White explained the application was to obtain a Heritage Permit to allow for the replacement of 8 Church windows. The definition of maintenance in accordance with the Heritage By-law indicates the replacement of damaged materials is permitted as long as the materials and design are the same. There was an extensive discussion on the materials replacing the windows. Concern was expressed regarding a precedent set by decisions made in the past. Comments were made with respect to the following: best suited materials, consistency, colour, price, and renovation history of the Church. J.P. Foisy noted changes can be made to buildings without a consideration for Heritage preservation so it may be beneficial to look at pictures and/or drawings of the initial design to compare. It was noted the Board and Mr. Price were unsure if any original drawings existed.

MOVED by Counc. Wells and seconded by Randy Giffin that the Rothesay Heritage Preservation Review Board issue a Heritage permit for the replacement of poor functioning and deteriorated wooden windows with a combination of wood vinyl and wood aluminum clad windows at 7 Gondola Point Road (PID 00255786) subject to the following condition(s):

1. Six vinyl clad wood windows matching dimensions, colour and appearance of the original;
2. All new windows shall match the exterior glazing muntin bar pattern and dimensions of the original; and
3. Two new exterior aluminum clad windows to be black in colour.

CARRIED.***Meeting Addendum:***

Counc. Wells thanked Chairperson Wennberg on behalf of the Board, Council and Town Staff for his many years of service on the Heritage Preservation Review Board. J.P. Foisy added he appreciated Chairperson Wennberg's guidance.

DRAFT

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5. OLD BUSINESS: None

6. CORRESPONDENCE FOR INFORMATION: None

7. DELEGATIONS: None

8. NEXT MEETING

Monday, **January 20, 2016**

9. ADJOURNMENT

MOVED by Counc. Wells and seconded by J.P. Foisy the meeting be adjourned.

CARRIED.

The meeting adjourned at 8:10 p.m.

CHAIRPERSON

RECORDING SECRETARY

December 2015 Building Permit Report

<i>Date</i>	<i>Permit Number</i>	<i>Property Location</i>	<i>Nature of Construction</i>	<i>Value of Construction</i>	<i>Building Permit Fee</i>
2015/12/02	2015-239	94 French Village Road	Electrical Upgrade	\$1,400.00	\$20.00
2015/12/03	2015-240	11 Allison Dr.	New Roof Trusses and Roof	\$25,000.00	\$181.25
2015/12/05	2015-241	62 Elizabeth Parkway	Temp Electrical Entrance	\$1,000.00	\$20.00
2015/12/07	2015-242	2 James Street	Electrical Upgrade	\$1,500.00	\$20.00
2015/12/08	2015-243	48 Hampton Road	Building Addition (Field House)	\$125,000.00	\$906.00
2015/12/03	2015-244	73 Elizabeth Parkway	Demolition		\$500.00
2015/12/08	2015-245	54 Gibbon Road	Deck	\$2,500.00	\$20.00
2015/12/10	2015-246	8 Summer Haven	Single Family	\$350,000.00	\$2,537.50
2015/12/10	2015-247	84 Hampton Road	Windows	\$1,600.00	\$20.00
2015/12/11	2015-248	17 Wanda Crescent	Electrical Upgrade	\$1,400.00	\$20.00
2015/12/03	2015-249	73 Elizabeth Parkway	Single Family	\$475,000.00	\$3,443.75
2015/12/15	2015-250	11 Marr Road	Renovation	\$48,000.00	\$348.00
2015/12/22	2015-251	42 Sprucewood Ave.	Door	\$1,600.00	\$20.00

<i>Date</i>	<i>Permit Number</i>	<i>Property Location</i>	<i>Nature of Construction</i>	<i>Value of Construction</i>	<i>Building Permit Fee</i>
2015/12/18	2015-252	6 Prince Albert Court	Single Family	\$210,000.00	\$1,522.50
2015/12/18	2015-253	7 Victoria Crescent	Single Family	\$220,000.00	\$1,609.50
2015/12/18	2015-254	59 Gibbon Road	Structural Roof Replacement	\$10,000.00	\$72.50
2015/12/22	2015-255	16 Burpee Ave	Generator Connection	\$1,000.00	\$20.00

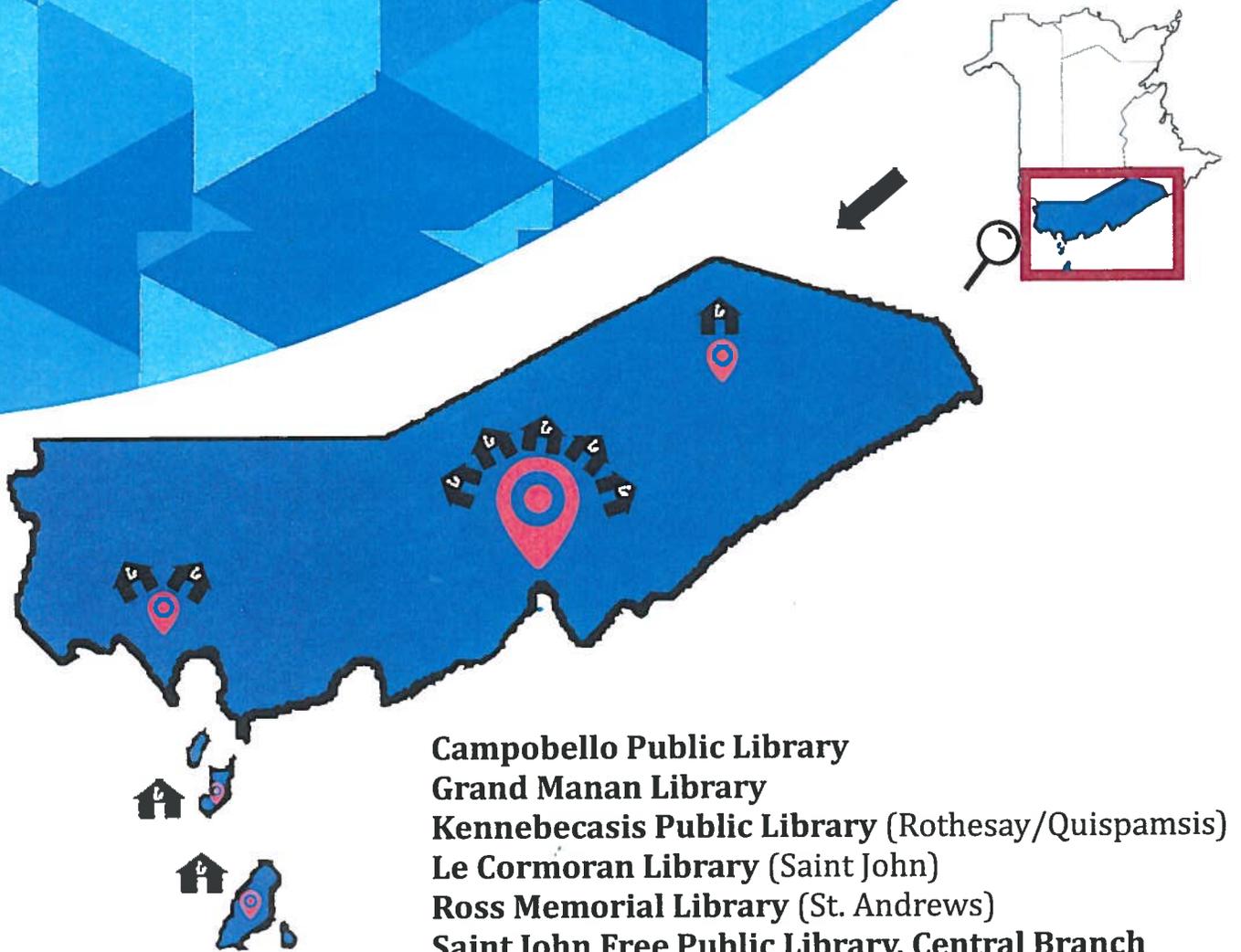
	Value of Construction	Building Permit Fee
Monthly Total Dec. 2015 **	<u>\$1,475,000.00</u>	<u>\$11,261.00</u>
Summary for 2015 to Date**	<u>\$15,779,184.00</u>	<u>\$130,464.70</u>
Monthly Total Dec 2014	<u>\$10,800.00</u>	<u>\$123.50</u>
Summary for 2014 to Date **	<u>\$10,309,201.83</u>	<u>\$80,266.98</u>
**Excludes Water / Sewage Fees		

Steven Nason, CBCO *Steve Nason*
 Building Inspector

Fundy Library Region
**annual
report** 2014/15



www.gnb.ca/publiclibraries



- Campobello Public Library**
- Grand Manan Library**
- Kennebecasis Public Library (Rothesay/Quispamsis)**
- Le Cormoran Library (Saint John)**
- Ross Memorial Library (St. Andrews)**
- Saint John Free Public Library, Central Branch**
- Saint John Free Public Library, East Branch**
- Saint John Free Public Library, West Branch**
- St. Croix Public Library (St. Stephen)**
- Sussex Regional Library**

MESSAGE FROM THE REGIONAL DIRECTOR

As evidenced by the overview of facts and figures presented in this report, the 2014-2015 fiscal year was another **resounding success** in the Fundy Library Region. The success of public library service in the Region is the direct result of the collaborative effort of many different stakeholders at the provincial, regional and community level. An investment of time, energy and money by all stakeholders brought about the success of public library programs and services delivered at the community level.

Funding from the Province of New Brunswick, through the New Brunswick Public Library Service, ensures our libraries are staffed and the collections are managed. Administrative support and strategic direction from this partner is an integral part of public library service delivery in New Brunswick. It ensures library patrons have equitable access to library services at any of the 63 public libraries in the province. The provincial operating expenditures for the Fundy Library Region in the 2014-2015 fiscal year totaled **\$2,453,042.03**.

Participating municipalities serve an important role in funding the provision and maintenance of public library facilities, including all furnishings, equipment, and supplies required for service delivery at the community level. Municipalities also appoint trustees to the local public library boards. School districts support operations in our region's two public-school libraries by providing and maintaining facilities and contributing to library collections.



Regional Director
~ **BRIAN STEEVES**



special thanks to

...the many **volunteers** who contribute to public libraries throughout our communities. Your hard work is appreciated, particularly those who serve on library boards and advocate on behalf of public library service in our communities.

My greatest thanks are reserved for the thousands of **members from our communities** who visited our libraries. On behalf of all the staff, we highly value your patronage, feedback and support.

“I encourage you to share your positive public library experiences with families, friends and neighbours who are not regular public library users, so they too can have the same opportunities to **connect, learn, play, create and succeed.**”



Our Impact

45,852 patrons



524,396 items circulated

not including eResources



3,703 new members

8.08%

5,174 total programs offered = 72,603 participants
 almost 4% increase

949 programs offered in our communities
 almost **25%** increase

on our shelves + 26,404 items added

384,929 books	10,596 music
17,809 magazines	4,729 audiobooks
19,978 movies	10,235 other

70,193 reference questions answered

73,741 computer uses

279 volunteers gave 6,063 hours



\$158,529 donations

2016Jan11OpenSessionFINAL_140

A-Day-In-The-Life:

more than **2,200**  visitors per day

that is more than **3x** the number of passengers flying from the Saint John Airport!



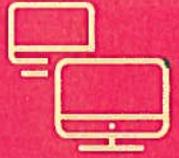
*248,820 passengers in 2014
* Saint John Airport 2014 Annual Report*

almost **2,000** items checked out each day.




19 programs offered each day with almost **270** participants

almost **150** WiFi Users 

275 public computer used 

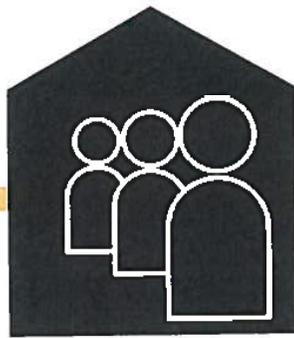
almost **100** items added to our libraries

260 holds placed on items




Our gateway to...

connect



- Targeted programming and initiatives for newcomers.
- Outreach initiatives to schools, community centres, seniors centres, assisted living facilities, churches, local businesses, and more.
- The Central Library partnered with *Brilliant Labs* to offer #kidscancode programming and they inaugurated a Makerspace.



- The Summer Reading Club helped sustain and improve the reading levels of the **2,265** children that read **60,500** books.

Learn

- The adult literacy collection helps adults improve their literacy, numeracy, and computational skills.
- Computer courses, e-reader tutorials, conversation circles, and book clubs.
- Math and literacy outreach activities at local elementary schools.



Play

- Internationally-recognized *Every Child Ready to Read*® principles are incorporated into our children's programming and spaces: talking, singing, reading, writing, and playing.

- *Minecraft* at Ross Memorial Library, movie nights and Teen Trivia at Kennebecasis Public Library, LEGO® Club at Grand Manan Public Library & West Branch, and performances by the Saint John String Quartet at the Central Library.



CREATE



- Knitting groups at Central Library, West Branch, and Painters Circle at Kennebecasis Public Library.
- Puppet shows were featured at many branches, along with youth programs full of crafts, songs, and stories.
- Children enjoyed many art activities during Toddler Time and Pre-School storytimes.



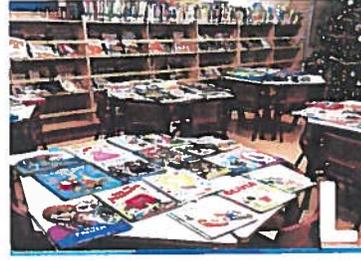
succeed

- Focus on outreach and information resources of interest to small businesses and entrepreneurs.
- Alternative formats and services for people with print disabilities.
- Literacy for Kids tutoring sessions, and Hackmatack Children's Choice Book Awards programs to encourage reading in children ages 6-12.
- Collaborative relationship with the local Work Rooms—community job-seeking resource centres.



Central Library won the Saint John Multicultural & Newcomers Resource Centre Inc.'s
Outstanding Community Partnership Award
 &

St. Croix Public Library won the Council of the Federation of Canadian Premiers 2015 Literacy Award in the category of
Adult Literacy Provider in NB



- A. Reading outside of Sussex Regional Library
- B. Wearing hand made paper hats at the Central Library
- C. Outer space program at St. Croix Public Library
- D. Teen Talent Show at the Central Library
- E. West Branch celebrating Asian Heritage Month
- F. Kennebecasis Public Library dressing up for Halloween
- G. East Branch received a visit from Lieutenant Governor, Jocelyne Roy Vienneau
- H. Winners of the Grade 9 Regional Dear Author Writing Contest with author Riel Nason
- I. Campobello Public Library and Museum
- J. Crafting at Ross Memorial Library
- K. Children's Programming Room at Le Cormoran Library
- L. Children's Area at the Grand Manan Library
- M. St. Croix Public Library receives the Council of the Federation of Literacy Award

**INTEROFFICE MEMORANDUM**

TO : Mayor Bishop & Council
 FROM : John Jarvie
 DATE : 6 January 2016
 RE : 2015 Capital Project – Status Report

The following is a list of 2015 capital projects underway and the current status of each.

PROJECT	BUDGET	\$ TO 15/12/15*	COMMENTS
Oakville Acres Detention Pond	\$2.0M**	65%	complete
Asphalt Resurfacing	190,000	100%	complete
Micro-seal Resurfacing	140,000	100%	Florence, Raymond and Wanda completed.
French Village Rd resurfacing	310,000	100%	complete
Curb/gutter/sidewalk - Eriskay	\$0.55M	2%	Engineering only in 2015 due to condition of sewer system
Anna Ave paving	350,000	100%	complete
Engineering 2016 streets	60,000	15%	Consultant engaged
Cross-walk signals Grove/ Church/Golf Club	140,000	18%	Equipment ordered; civil work in December, poles scheduled for February
Recreation equipment	160,000	81%	Zamboni delivered, Dobbin St. playground installed, KPark rink house 90%,
Arena Upgrade	25,000	100%	Painting, lobby repairs, ammonia system, floor
Miller Field Building	120,000	47%	foundation work complete, floor, walls erected, trusses on-site
Wells Trail	\$0.67M	86%	Trail base in, culverts installed and wooden bridges substantially complete, contractor estimate 85% complete
Wells Ballfield	\$0.67M	86%	Field fenced, levelled and seeded with grass growing; dog park grading complete
Rothesay Common Upgrade	\$2.4M	88%	90% complete and on schedule.
McGuire Centre Site Work	100,000	95%	Project substantially complete.
James Renforth Water Ext	110,000	100%	Project substantially complete
Gondola Point water line	310,000	100%	Complete
Transportation Equipment	470,000	38%	Skid steer delivered, SUVs delivered, backhoe deferred to 2016,
Water Treatment Plant Upgrade	\$0.7M	89%	Changes in plant complete, membranes installed, system commissioning and calibration complete.
Wellfield Development	250,000	51%	Regulatory permission received, drilling sites confirmed, drilling of 2 wells scheduled for the week of December 14th
Wastewater Collection Upgrade	\$7.5M	-	Engineering RFP closing Feb 2 nd

* Funds paid to this date.

**Estimated construction costs ±1.3M current phase



ROTHESAY MEMORANDUM



TO : Mayor and Council
FROM : Nominating Committee
DATE : 8 January 2016
RE : Committee appointments

The Nominating Committee is recommending the following appointments:

Public Works and Infrastructure Committee

Shawn Peterson (new appointment) Term until December 31, 2017

Utilities Committee

Mark McAloon (new appointment) Term until December 31, 2017

Kennebecasis Public Library

Donna Hennessey (new appointment) Term until December 31, 2017

Harbour Station Board

Andrew Peters (new appointment) Term until December 31, 2017

Rothesay Heritage Preservation Review Board

Jim Baird (re-appointment) Term until December 31, 2017

Jon LeHeup (new appointment) Term until December 31, 2017

Catherine Grant (new appointment) Term until December 31, 2017

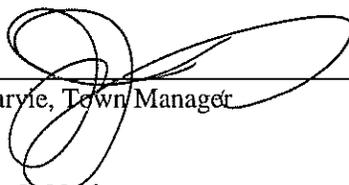


70 Hampton Road
Rothesay, NB
E2E 5L5 Canada

Rothesay Council
January 11, 2016

TO: Mayor Bishop and Members of Rothesay Council

SUBMITTED BY:



John Jaryie, Town Manager

DATE: January 5, 2016

SUBJECT: T-2016-001: Almon Lane and Peters Lane Reconstruction

RECOMMENDATION

It is recommended that Rothesay Mayor and Council:

1. Authorize the Director of Operations to proceed with detailed design of the Almon Lane and Peters Lane Reconstruction project; and
2. Authorize the Director of Operations to issue a public tender call for construction services for the project.

ORIGIN

The 2016 General Fund and Utility Fund Capital Budgets include funding for the renewal of underground services and street reconstruction on Almon Lane and Peters Lane.

BACKGROUND

Almon Lane and Peters Lane are very narrow streets. The existing water and sanitary infrastructure is in poor condition and there is no continuous storm drainage system. The road surface and the underlying road base have deteriorated to a point beyond rehabilitation and will require complete reconstruction. The project was included in the approved 2016 budgets, however at their meeting of October 13, 2015 Council adopted a motion whereby the project would be deferred indefinitely if the differences among area residences (concerning design aspects of the project) could not be resolved with one further meeting. In response to this motion staff met individually with the majority of the property owners that immediately border the two lanes.

These meetings served to introduce a plan to the residents that had been adjusted according to their verbal and written concerns.

DISCUSSION

The stakeholders for this project, identified by Council as those needing to have their differences resolved (as per the October motion), are the owners of the following properties:

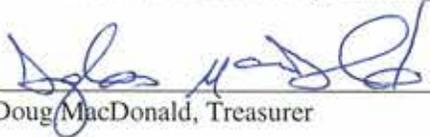
- 27 Hampton Road
- 33 Hampton Road
- 5/7/9 Almon Lane
- 8 Almon Lane
- 12 Almon Lane
- 11 Almon Lane
- 15 Almon Lane
- 19 Almon Lane
- 36 Gondola Point Road
- 38 Gondola Point Road
- 2 Peters Lane
- 3 Peters Lane
- 5 Peters Lane
- 8 Church Avenue
- 10 Church Avenue

Staff have discussed the plan with 11 of the 15 property owners and are prepared to state that the concerns of the residents have been addressed and that the differences, per the October Council motion, have been resolved. A public meeting will be held to roll out the new design to the general public, including the identified stakeholders, once the design has been advanced to approximately the 80% stage.

FINANCIAL IMPLICATIONS

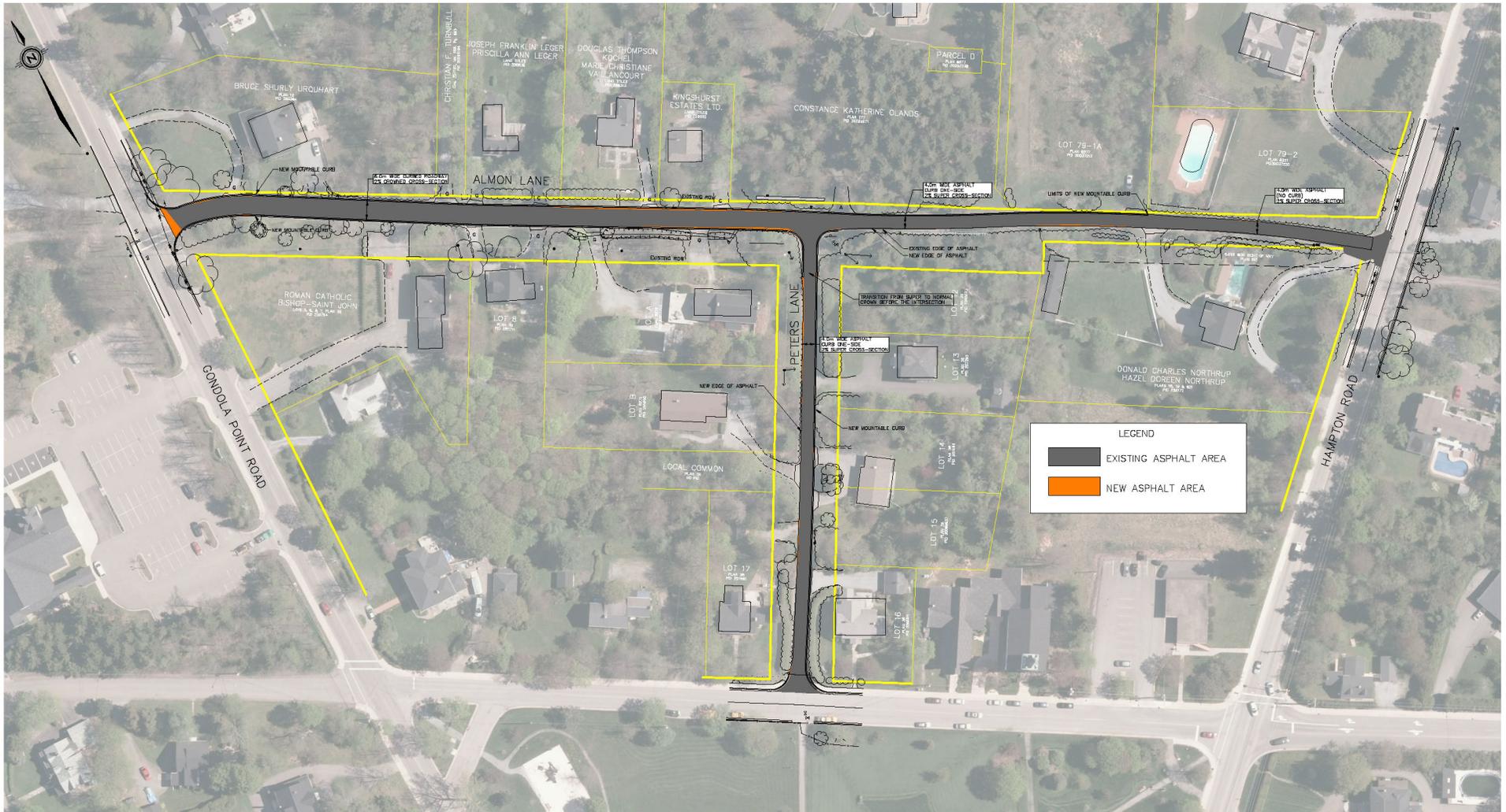
The 2016 General Fund and Utility Fund Capital Budgets include a combined amount of \$1,200,000 for the reconstruction of the Lanes. The design consultant will produce a Class "A" cost estimate for the project prior to finalizing the 'Issued for Tender' drawings. A public call for tenders will not be issued unless the Class "A" estimate is within the approved budget envelope; if the estimate exceeds the budgeted amount staff will either reduce the scope of the project accordingly or bring the item back before Council with recommendations for a subsequent course of action.

Report Prepared by: 
Brett McLean, Director of Operations

Report Reviewed by: 
Doug MacDonald, Treasurer

A copy of this report can be obtained by contacting the Rothesay Town Clerk, 70 Hampton Road, Rothesay, NB E2E 5L5 (506-848-6664).

2016Jan11OpenSessionFINAL_148
Almon & Peters Lane



- Reduce curb by 45%
- Maintain status quo traffic flow
- No widening contemplated
- No tree removal for purposes of widening



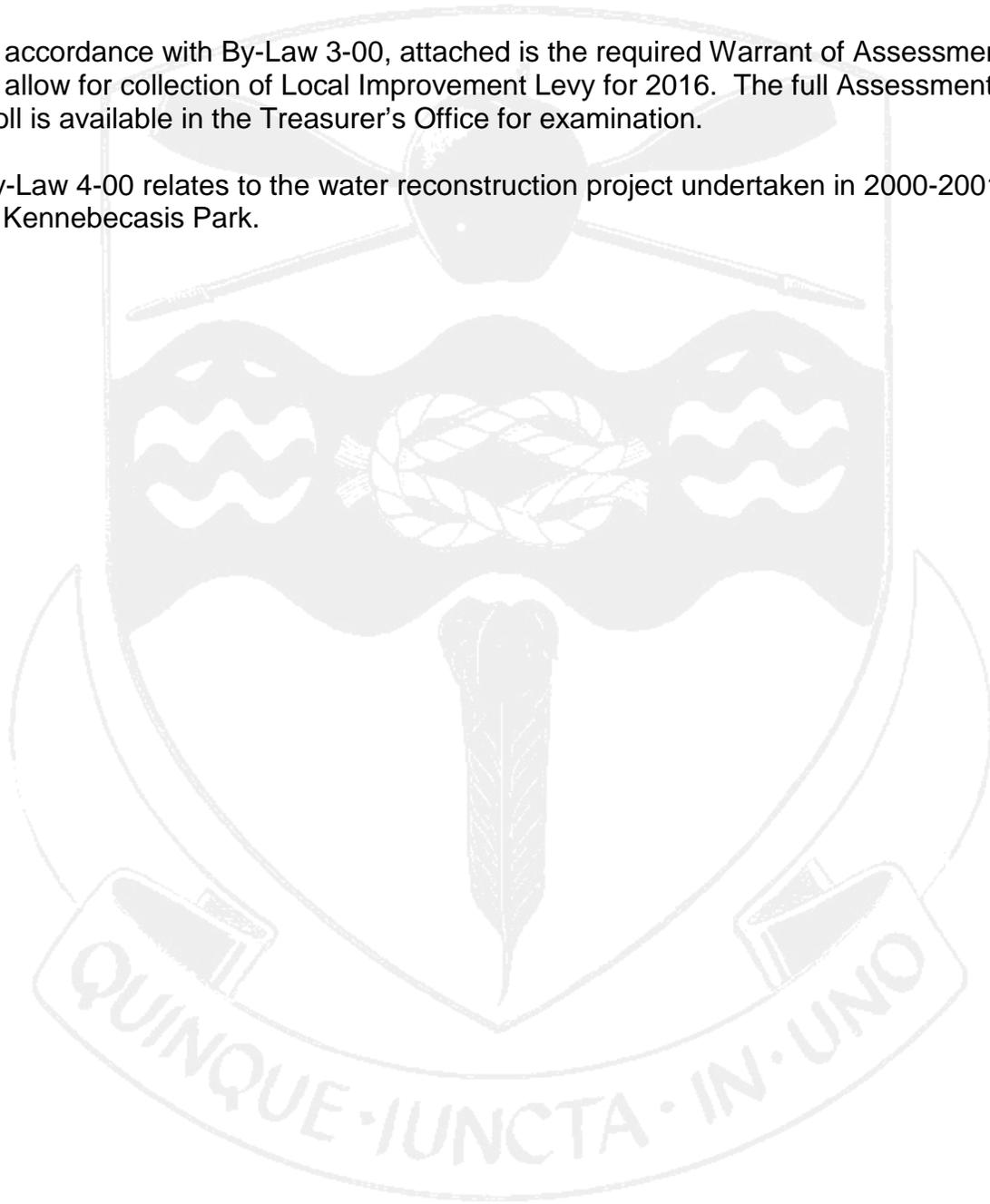
ROTHESAY MEMORANDUM



TO	:	Mayor and Council
FROM	:	Mary Jane Banks, Town Clerk
DATE	:	January 6, 2016
RE	:	Local Improvement Levy

In accordance with By-Law 3-00, attached is the required Warrant of Assessment to allow for collection of Local Improvement Levy for 2016. The full Assessment Roll is available in the Treasurer's Office for examination.

By-Law 4-00 relates to the water reconstruction project undertaken in 2000-2001 in Kennebecasis Park.





70 Hampton Road
 Rothesay, NB
 Canada E2E 5L5
 T: 506-848-6600
 F: 506-848-6677
 Rothesay@rothesay.ca
 www.rothesay.ca

Warrant of Assessment

MOVED by Counc. and seconded by Counc. :

Whereas projects were undertaken as local improvements in accordance with the pertinent By-laws, Rothesay Council hereby directs that a special warrant be issued for the sum set out in the local improvement assessment roll for 2016 and further directs the Clerk to cause such special assessments to be collected in accordance with By-law 3-00.

Local Improvement By-law #	Amount to be collected
By-law 4-00	\$59,268.53

Dated: 11 January 2016

 Mayor

 Clerk

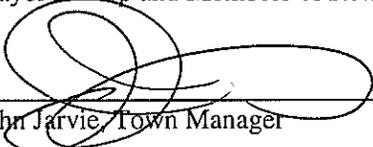


70 Hampton Road
Rothesay, NB
E2E 5L5 Canada

Rothesay Council
January 11, 2016

TO: Mayor Bishop and Members of Rothesay Council

SUBMITTED BY:



John Jarvie, Town Manager

DATE: January 6, 2016

SUBJECT: Contract T-2015-001-B
Standby Power Design- Town Hall and Maintenance Garage

RECOMMENDATION

It is recommended that Rothesay Mayor and Council:

- 1) Award Contract T-2015-001-B: Standby Power design – Town Hall and Maintenance Garage to the low tenderer, Security Electrical Ltd., at the tendered price of \$432,891.70 (including HST), as calculated based on estimated quantities, and further that the Mayor and Town Clerk be authorized to execute the necessary contract documents.

ORIGIN

The 2015 General Fund Capital Budget includes items for the supply and installation of emergency backup power at Rothesay Town Hall and at the Rothesay Maintenance Garage.

BACKGROUND

CBCL Ltd. Has designed the emergency power installations for Rothesay Town Hall and the Master Drive Maintenance Garage. A tender call for the project was issued through the New Brunswick Opportunities Network on December 3, 2015.

ANALYSIS

The original project anticipated installing new generators at each of the two locations complete with automatic transfer switches and necessary building circuit upgrades. During the design phase it was noted by the consultant that the currently undersized generator at the Water Filtration Plant was almost perfectly suited for the Town Hall installation. Understanding that an upgrade to the Water Plant generator would be necessary in the coming years, the consultant identified potential savings in moving the existing generator from the Water Plant to Town Hall and installing a new generator at the Water plant. The installation at the Maintenance Garage remained unchanged from the originally plan.

TENDER RESULTS

The tender closed on January 6, 2016 and three bids were submitted. One of the submitted bids was deemed non-compliant by the Tender Opening Committee. The compliant bid results were as follows:

- 1. Security Electrical Ltd., Quispamsis, NB \$ 432,891.70
- 2. Heron Enterprises Inc., Saint John, NB \$ 442,801.80

The Engineer's estimate for the project was \$442,478.00

The tenders were reviewed by staff and all tenders were found to be formal in all respects. Staff is of the opinion that the low tenderer has the necessary resources and expertise to perform the work, and recommend acceptance of their tender.

FINANCIAL IMPLICATIONS

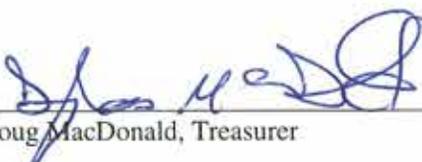
The anticipated completion cost is as follows:

	Total incl. HST	HST rebate	Subtotal	Diff from \$430,000 Budget
Phase III Costs as Tended				
Consulting Fees	26,457.00	2,240.93	24,216.07	
Construction costs	432,891.70	36,666.31	396,225.39	
Subtotal	459,348.70	38,907.24	420,441.46	9,558.54

The 2015 General Fund Capital Budget included \$430,000 for the project. The difference between the estimated completion cost of the tendered project and the budget is \$9,558.54.



Report Prepared by: Brett McLean, Director of Operations



Report Reviewed by: Doug MacDonald, Treasurer

A copy of this report can be obtained by contacting the Rothesay Town Clerk, 70 Hampton Road, Rothesay, NB E2E 5L5 (506-848-6664).



ROTHESAY

INTEROFFICE MEMORANDUM



TO : Mayor Bishop & Council
FROM : John Jarvie
DATE : 8 January 2016
RE : Provincial Government Strategic Review

Recommendation:

It is recommended that Council forward the following responses to the proposals in the Provincial Government's Strategic Review:

1. Adopt the attached responses and any others Council wishes to include;
2. Forward the response directly to Minister Boudreau; and
3. Attend the public Dialogue Session on January 13th.

Background:

The Provincial Government has published a document called CHOICES TO MOVE NEW BRUNSWICK FORWARD; Strategic Program Review (Strategic Review). A copy is appended. This document is intended to set out potential options for the Government to generate additional revenue and/or reduce costs. A public meeting ('dialogue session') is scheduled for Wednesday, January 13th at 6:30 pm at the Community College, 950 Grandview Avenue in Saint John and the Government has announced the annual budget will be tabled February 2nd. This budget is expected to implement some of the suggestions included in the Strategic Review.

There are at least two perspectives from which Council might comment on this document. Some of the suggestions would directly affect the operation of the Town as a corporation either specifically or simply as a municipality in New Brunswick. Council may wish to comment on these so as to identify costs or operational issues arising from the Choices.

Council may also wish to advocate on behalf of Town residents where a measure would not directly affect the Town as a corporation but some or all segments of the community. The comments in this memorandum are focused primarily on the former but Council may wish to see other items included in the position put forward to the Province.

With respect to corporate concerns, a primary one is the (perhaps inadvertent) shifting of costs from other sources to the property tax payer, particularly at the municipal level. The property tax is not a progressive tax and shifting costs to municipal governments invariably results in moving away from ability to pay toward other less acceptable distributive cost models. In addition the property tax is generally seen by the public as a municipal fiscal tool even though the Provincial tax rates for non-residential and non-owner occupied property is higher in Rothesay than the municipal rates. Moving costs from the provincial to the municipal level may be good short term politics but it is likely to move even further from the prevalent model where the Province is responsible for services related to people while property-related services are a municipal responsibility.

A related aspect is the transparency of the effects of the changes at the Provincial level. If the Province is raising revenue or reducing costs which then become the responsibility of municipalities without commitment changes in the Provincial/municipal transfers, fiscally responsible municipalities and their property taxpayers will be penalized for the Provincial financial condition. Municipalities, individually and collectively, will need to communicate regularly and clearly to their taxpayers if Provincial Government policy changes result in increased costs to municipal governments.

Financial Analysis:

It is difficult to analyze the costs to the Town of many of the 'Choices' proposed since much of the detail is unknown. However a few examples may be helpful. A one percent increase in the tax on insurance company premiums might see a cost increase in the \$1500 range while a 2% increase in Harmonized Sales Tax could range anywhere from a cost savings to a more likely increase of \$90,000 or as much as \$210,000 annually. (The Town paid approximately \$360,000 annually in HST over the past two years.)

An increase in the fuel taxes could result in significant cost to Rothesay too. An increase of 10¢ per litre would result in approximately \$14-15,000 in additional fuel cost.

Cost increases for some of the data used regularly would likely not have a major affect but would involve additional cost without the benefit of increased productivity. Similarly it is difficult to accurately speculate on increased costs for policing due to higher tobacco taxes.

The most significant of the **Choices** could be in *Reforming local governance*. A rational set of changes could mean a fairer, more understandable system of inter-government transfers, a greater share of property tax revenue, opportunities for creativity in the delivery of services, a more equitable property tax system and a host of other improvements. While a major financial gain is unlikely, the potential for overall improvement is significant.





Comments on
CHOICES TO MOVE NEW BRUNSWICK FORWARD;
Strategic Program Review



The following are observations on selected 'Choices' from the Review document.

Reshaping the civil service – est. savings \$20-45M

Such measures should be supported and continually applied. There may be opportunities to rationalize government service delivery in cooperation with all or some municipalities. (The fact that all municipalities are not capable of participation in shared service delivery should not be a basis for failing to pursue possibilities with willing and capable partners). There is overlapping jurisdiction and responsibilities between orders of government in a variety of areas and rationalization in this regard could produce savings at each level. We are not aware that such rationalization savings are included in the estimates provided.

Privatize custodial services – est. savings \$5-7M

While this measure would not directly result in costs to Rothesay, it may result in costs to community groups using schools for after-hours activities. It may also increase the viability of the conversion of the existing arena building to a multi-use recreation facility if costs are raised for the use of school facilities.

Reforming local governance – est. savings \$25-30M

Currently the Province spends millions of dollars annually in support of municipalities through direct grants such as the Community Funding and Equalization Grant (+\$70M), designated highways funding (\$25M), and discretionary cost sharing on capital expenditures. In addition policing subsidies, transportation services to villages, economic development services and others may be construed as services provided by the Province to the benefit of municipalities. For the purposes of the Government analysis services to the Local Service Districts may also be included under this heading.

Movement to a model of *'pay for what you get and get what you pay for'* on a more rigorous basis should be pursued with respect to services in Local Service Districts and Government should be able to clearly account for expenditures in these areas. Property owners in these geographical areas should expect to pay the costs of the services they consume and should not expect to be subsidized by other taxpayers. Similarly the current 'equalization' aspect of the community funding formula should be reviewed with a stronger move toward municipalities becoming more financially independent. Returning a greater share of the non-residential property tax (now 16¢) to municipalities and requiring municipalities with a high dependence on Provincial funding to develop fiscal management programs to phase out dependence on this subsidy for their operations are among the measures that should be implemented.

Among the commitments under its strategic review, the Government should define a schedule for the long awaited municipal restructuring and reorganizing of the Provincial-Municipal fiscal arrangement. This includes changes in the philosophy in the municipal and community planning legislation granting more authority and responsibility to municipalities.

Monetizing data registries – est. additional revenue \$8-10M

While there may be opportunities to generate addition revenue associated with some of the Provincially owned data, this could result in cost increases for municipal use of data such as the Land Titles Registry and related mapping services (Planet). An associated outcome could be reduced utility in the systems such as currently with the assessment system where municipalities have limits on access even though the system is funded by a tax on municipalities.

Increase tobacco tax – est. additional revenue \$7-25M

While increasing the tobacco tax will be generally considered favourably, there may well be cost increases for the policing of trade in contraband products. The Government should revisit its decision not to return any of the revenue generated from fines revenue where cost for enforcement of these and other measures results in increased criminal activity and municipal policing costs.

Increase the HST - est. additional revenue \$175-295M

While it will be difficult to avoid an increase in the HST rate due to the comparable rate in neighbouring jurisdictions, transparency should demand that the net rate charged to municipalities should not increase (presently 3.4288%). In fact the Province should follow the lead of the Federal Government and make municipalities HST exempt for any expenditure that does not directly relate to revenue generation.

Recovering highway maintenance costs - est. additional revenue \$8M

From the narrative in the discussion paper it seems that the option of tolls on Provincial highways has been considered in detail even to the point of identifying collection locations (8). Rothesay is adamantly opposed to tolls between the Kennebecasis Valley and Saint John. Such tolls are unlikely to affect New Brunswickers uniformly. Increased policing and maintenance costs could be borne by local property taxpayers with no revenue offset and there is already in place a revenue generating measure through fuel taxes. While some leakage would occur with increases in fuel tax rates, we doubt it would be greater than the costs incurred with the implementation of a system of tolls.

It should also be noted that cost associated with maintenance should be analyzed when highway system expansions are being considered. Cost avoidance should be part of the Province's financial management strategy and expanding the highway system should only take place following a thorough analysis of the costs (including maintenance and replacement) and benefit of such expansion.

Increase Insurance Premium Tax - est. additional revenue \$15-20M

It should be noted that municipalities pay insurance premiums in significant amounts and to some extent such a tax would be hidden from municipal property tax payers. Since the Province has heretofore self-insured, such costs for government-owned structures and liability associated with operations in Local Service Districts would increase inequities. A rebate for municipalities should be considered.

CHOICES

TO MOVE NEW BRUNSWICK FORWARD

Strategic Program Review



CHOICES TO MOVE NEW BRUNSWICK FORWARD
Strategic Program Review

Province of New Brunswick
PO 6000, Fredericton NB E3B 5H1 CANADA

www.gnb.ca

ISBN 978-1-4605-0999-9 (PDF: English edition)
ISBN 978-1-4605-1000-1 (PDF : version française)

10491 | 2015.11

Message from Minister Victor Boudreau

Our government has pledged to focus on three priorities:

1. **Job creation** — growing our economy to create opportunities for New Brunswickers to stay here or return home and for new New Brunswickers to move here, all the while generating tax revenue to help pay for important services;
2. **Getting our finances in order** — if we do not make changes we will not be able to afford to invest in services like health and education to support families, nor programs that create the conditions for job growth; and
3. **Improving services for families** — making strategic investments in programs such as health, education, child care and senior care; and reducing poverty to make New Brunswick the best place to raise a family.

Without action, our province faces mounting debt. It now represents the fifth-highest cost to government when compared with departmental budgets. If we keep going down the same path, our credit rating could be downgraded and our interest costs could go up. The less money we spend on paying interest on debt, the more we have to invest in health and education.

If the province does not get its finances in order, decisions may be forced upon us. Ministers involved in a similar exercise undertaken in Saskatchewan in the early 1990s have since acknowledged that their decisions were made in New York and Toronto rather than the provincial capital of Regina because they waited too long to act.

This does not have to happen in New Brunswick. We can make changes now to protect social programs and the economy. If we do not take action today, much more difficult decisions will have to be taken in the future which could mean irreparable harm to New Brunswick's social safety net.

The Strategic Program Review is about more than just balancing the budget. It is about making choices that will allow us to have a sustainable budget into the future that will enable us to make investments in health, education and other social services that New Brunswickers expect and deserve.

We know the status quo is not sustainable and changes need to be made for New Brunswick to thrive again. It is time to build a smarter government— a responsive government that is focused on the needs of New Brunswickers now and into the future.

Our government is committed to making these decisions, but we want New Brunswickers to participate in making them together. We all have a role to play in making the decisions necessary to get New Brunswick back on its feet financially and living within our means. The Strategic Program Review process will end when decisions are announced as part of the next provincial budget. While the review will be over, we will continuously focus on process improvements to ensure taxpayers' dollars are spent wisely.

I thank those New Brunswickers who took the time to participate in the Strategic Program Review process so far, whether in person, online or by other means. I would also like to thank the members of the Advisory Committee and government employees for their work on this project since January.



Victor Boudreau

Engagement process

The choices presented in this report are drawn from ideas brought forward by New Brunswickers from across the province.

The Strategic Program Review was launched on January 13, 2015, and included a variety of engagement opportunities for New Brunswickers:

- ♦ 14 public dialogue sessions were held across the province in January and February;
- ♦ five regional stakeholder sessions were held;
- ♦ community groups hosted their own sessions using the guide produced to assist in holding a complementary public engagement session; and
- ♦ New Brunswickers also had the opportunity to provide input online, by email and by mail.

More than 1,200 people attended our public dialogue sessions; more than 100 representatives of stakeholder groups attended our meetings; more than 9,000 ideas were submitted online, by email or mail; and 28 groups hosted complementary sessions. All of the input received from this first phase was summarized in the [What Was Said Report](#) that was released on March 26, 2015.

The Strategic Program Review Forum was part of Phase II, which also included budget review meetings hosted by departments.

Sixty-seven attendees participated in the Strategic Program Review Forum, including members of the general public, non-profit groups representing various community interests such as youth, low income New Brunswickers, seniors, and persons with a disability. There were also representatives from organized labour, the education system, regional health authorities, the academic sector, municipal government and business.

The forum consisted of guest speakers from inside and outside of the province, small group discussion sessions and a deliberation of the larger group to build upon and refine the ideas from the small group discussions. Videos from the forum are available on www.gnb.ca/SPR.

Input from New Brunswick youth has also been an important part of the Strategic Program Review. 21 inc. engaged its members and alumni in English and French dialogue sessions based on the format used for the public dialogue sessions. The Department of Education and Early Childhood Development, in collaboration with the Strategic Program Review Secretariat, initiated processes in both the anglophone and the francophone sectors to seek input from students related to the Strategic Program Review. Approximately 550 high school students participated in this process.

Throughout the Strategic Program Review consultation process, New Brunswickers made it very clear that they want us to first focus on eliminating waste and redundancy in government.

A review of spending and ideas brought forward through the consultation process has identified areas where we can better focus programs and services, streamline operations and transform the way we do business to achieve better results and meet the needs of New Brunswickers.

The ideas brought forward by departments, stakeholders and New Brunswickers through the Strategic Program Review process have been examined to ensure we are making evidence-based decisions. Each proposal has been given a fiscal impact analysis, an economic impact analysis, a gender-based analysis and a broader analysis for other possible public policy impacts.

More information about the Strategic Program Review process is available at www.gnb.ca/SPR.

The current situation

It is not news that New Brunswick is facing fiscal and demographic challenges. The deficit at the end of the 2013–2014 fiscal year was \$498.7 million. The deficit currently stands at \$453 million for the second quarter of 2015–2016. New Brunswick has not been in surplus position since 2007. Our debt has increased significantly over the past decade, as has the cost of servicing that debt. Credit agencies have issued warnings. We currently spend \$685 million per year to service our debt.

To put that in perspective, we are now spending more on servicing the debt than we are investing in post-secondary education. The combined budgets of Environment and Local Government, Energy,

Agriculture, Aquaculture and Fisheries, Tourism, Public Safety and Justice do not add up to what we spend annually on interest for our debt.

We need to change how we do things now so that we can provide New Brunswickers the services and programs they need and allow us to continue to invest in health care and education and things that will lift people out of poverty.

More information about our current situation can be found by visiting following links:

- ◆ [2015–2016 Budget](#)
- ◆ [Economic Outlook](#)
- ◆ [Economic and Social Indicators](#)

Previously announced choices

Our government is committed to returning balance to our finances. We began addressing the fiscal situation on our first day in government and have made some difficult choices over the past year. Difficult choices continue to be necessary. These decisions will provide us the strong foundation we need to invest in the future.

We understand that some of the choices may not always be popular, but they are necessary if we are going to move the economy forward and make New Brunswick the best province to raise a family.

Prior to the commencement of Strategic Program Review and within the 2015–2016 budget, government took steps to decrease the cost of administration, eliminate waste and redundancy within government, and implement process improvements to help ensure taxpayers' dollars were being spent wisely. Early actions focused on finding savings internally first.

Some of the actions already taken include:

- ◆ Premier Brian Gallant naming the smallest cabinet in 50 years;
- ◆ continuing to freeze MLA salaries for the eighth consecutive year;
- ◆ reducing the number of deputy ministers (the most senior rank in the bureaucracy) by nearly one-third;
- ◆ Premier Gallant taking a 15% pay cut;
- ◆ Ministers taking a 10% pay cut;
- ◆ freezing 2014–2015 funding levels for officers of the legislative assembly;
- ◆ centralizing some government services, including communications, inspections and enforcement; and
- ◆ continuing to implement the Lean Six Sigma process to eliminate waste and improve processes within government.

Choices

The choices contained in this report provide an estimated savings or revenue amount that would be achieved once fully implemented. Savings or new revenue will not always be seen immediately because some of these options will take time to implement. Some require legislative or regulatory changes; some will require negotiations; some will have an impact on employees; and some may require an initial investment in technology or infrastructure.

Not all choices contained within this report will be implemented, but the status quo is not an option. The challenge is to find the correct balance between revenue and spending measures to address the current fiscal situation while also recognizing the need to grow the provincial economy.

As decisions are made, we will follow the principles established at the outset of the Strategic Program Review. We will ensure that all regions of the province have appropriate levels of service. We will try to ensure that decisions align with our priorities, and we will also ensure coordination across government so decisions in one department are not at cross-purposes with decisions in others. We will also conduct a gender-based analysis of each decision.

Choices: Savings

Finding savings does not need to mean a reduction of services. There are opportunities to find efficiencies and modernize processes that improve services while delivering those services at a reduced cost. Savings can also be found through cost-recovery initiatives, cost-avoidance or finding alternate ways to deliver services.

Inter-jurisdictional cooperation

New Brunswick, Nova Scotia, Prince Edward Island and Newfoundland and Labrador work closely on a number of initiatives, but our close proximity and the common demographic challenges facing all of the Atlantic Provinces mean that there are undeveloped opportunities to realize savings through economies of scale.

These opportunities could include working with the other Atlantic Provinces on achieving cost savings; improving public services; reducing and harmonizing red tape; and enhancing labour market skills, energy security and development, and international trade. There may also be further opportunities for collaboration in the health sector and procurement.

Additional savings could be achieved by actively pursuing opportunities for cooperation on a bilateral basis with other provinces and the eastern United States.

Estimated savings: \$1 – \$2 million

Administrative efficiencies

An in-depth review of government spending has identified a variety of areas to eliminate waste and redundancy and find administrative efficiencies.

This includes:

- ◆ rationalizing and optimizing items such as subscriptions, memberships, computers, telephones, printing, vehicles and travel;
- ◆ limiting government employees' ability to carry-over vacation days to prevent employees from banking excessive time, which could result in replacement or payout costs; and
- ◆ streamlining and optimizing procurement processes.

As we move forward, government would continue to employ process improvement techniques to continuously find efficiencies within government.

Estimated savings: \$10 – \$15 million

Reshaping the civil service

As with many large organizations, the civil service is complex with departments, divisions, branches and units. Within departments there can be deputy ministers, associate deputy ministers, assistant deputy ministers, executive directors, senior directors, managing directors, directors and managers and some of these management levels may only have one or two direct reports.

This can lead to silos and ineffective use of human resources. Each management position adds to the complexity of an organization from decision making to communications within the organization.

There are a number of opportunities to reshape the civil service and find savings. This includes attrition, reclassifying positions, combining positions, eliminating unneeded and vacant positions. In addition to these activities, there is opportunity to find savings within the civil service by rationalizing the layers of management and right-sizing management.

By undertaking organizational effectiveness exercises to remove redundancy, the New Brunswick Civil Service could be reshaped to simplify management levels and to be more innovative and flexible, allowing it to more easily adjust to the needs of New Brunswickers.

Estimated savings: \$20 – \$45 million

Consolidate customer contact centres

Government operates more than 40 different contact centres with varying levels of cost and service provisions. Each operates independently, has a different approach to call handling, and there are technological differences from centre to centre. There is also a lack of formal documentation and training materials across the centres.

There is a tremendous amount of experience represented on the various teams and these employees are passionate about their ability to serve New Brunswickers.

By consolidating these centres, we could achieve financial savings, invest in technology and improve services by establishing service level agreements that consistently meet customer needs, promote stability, respect privacy considerations and the *Official Languages Act*. This would provide a more consistent approach and service time when New Brunswickers are contacting government.

Employees working in the new consolidated centres would receive better training including the ability to be cross-trained and would have a wider knowledge of government programs and services.

Through consolidation, government could enhance service delivery of programs, increase overall quality of service and expand hours of service.

Estimated savings: \$3 – \$5 million

Consolidate non-medical laboratory services

Currently, non-medical laboratory services exist under two different governance models, six different mandates and six separate management teams.

In 2014–2015, a total of \$13.6 million was expensed for laboratory services in these organizations, which include over 13 lab service areas with various sub-labs. There is significant duplication and variation across the various lab services, creating overlap, waste and unnecessary costs in such areas as the services provided, client base, administration, fees, operational processes, service agreements, procurements, accreditations, equipment and facilities.

Through consolidation, government could optimize services by ensuring they are in line with core services, find efficiencies, and remove duplication all while establishing consistent client service levels, increasing operating capacity, and respecting public health, safety and regulatory requirement.

Estimated savings: \$1.5 – \$3 million

Reducing visitor information centres

Government currently operates seven provincial visitor information centres throughout the province and a tourism communications centre that answers the toll-free line and responds to electronic requests for information. An additional 59 information centres are operated by municipalities and regions across the province.

Attracting visitors to New Brunswick is extremely important; however these centres are used by fewer than 10% of travellers, with more and more people looking to online resources for information. We need to find more effective ways to provide advice and information to visitors and potential visitors.

One proposal would see the closure of three visitor information centres beginning in the 2016 tourism season. The proposed centres are located at exit points, not entry points, and therefore do not result in increased visitation to the province.

Estimated savings: \$200,000 – \$300,000

Review of legislative officers

New Brunswick currently has eight legislative officers. The federal government and the other provinces each have no more than eight legislative officers. The provinces of Quebec, Nova Scotia, Prince Edward Island and Newfoundland and Labrador all have four or five legislative officers. If several of the offices were combined, government could realize savings either to reduce the deficit or to reinvest in the offices.

Estimated savings: \$400,000 – \$700,000

Education (kindergarten to Grade 12)

Education is a priority. It is essential that students receive the best education possible to succeed as they join the workforce. But that does not mean there are not tough decisions to be made in the education sector. We need to examine our education

system and the services we are providing within it. Savings found within the education sector would be re-invested to best help our students achieve.

Increase class size

Nearly a decade ago, class size was reduced by four students per class. This was subsequently ratified in the teachers' collective agreement. This decision has cost government approximately \$50 million per school year.

The restrictions on class size have resulted in a vast variation in class sizes and while there is a maximum, there is no minimum; the number of students in a classroom can vary from five to as many as 29 in some cases.

There is an opportunity to reduce the variations by returning to former class size limits and increasing the maximum class size by four students.

Changes to class size would see a reduction in the number of classroom teachers required across the province and free up more resources to be spent in the classroom.

Estimated savings: \$50 – \$70 million

Reduce teachers to reflect decline in student enrolment

New Brunswick's student population has been on a steady decline since the introduction of kindergarten in 1991. We now have 30% fewer students than we did 23 years ago. Despite this, the number of educators in the school system has not declined in the same fashion. We had more than 7,600 FTE educators across the province in 2013–2014, an 11% decrease since 1991.

Over the last three years, we have had, on average, 1,224 fewer students each year. We need to ensure that we are fiscally responsible while providing high quality education in New Brunswick.

There is an opportunity to align the number of teachers with yearly student enrolment numbers. It is proposed that, for each 20 students who leave our system, there would be one FTE reduction. This initiative would be managed through attrition.

Estimated savings: \$10 – \$12 million

Reducing the number of education assistants

With the declining student population, there is an opportunity to readjust the funding formula for education assistants. This would bring the number of positions more in line with the student population and classroom needs and would be sustainable for the future.

Estimated savings: \$3 – \$6 million

Privatize custodial services

To reduce cost expenditures within the education system, there is an opportunity to privatize custodial services.

Currently, the majority of custodial services are performed at schools by employees of the school district. However, there are contracted custodial services being performed at 15 schools. Costs at these 15 schools are 22% lower than in other schools.

If this option is chosen, any outsourcing arrangement would include service standards to ensure the health and safety of students are protected through appropriate cleanliness standards.

Prior to any outsourcing, situations and potential suppliers would be evaluated for cost and for capacity to ensure an acceptable level of safety and security.

There may also be the opportunity to mitigate job losses if the approved service provider rehires custodians currently employed by districts.

Estimated savings: \$5 – \$7 million

Post-secondary education

Government is committed to moving New Brunswick forward, which includes developing a framework for post-secondary education that supports the success of students and ensures that post-secondary education is sustainable in the long-term.

While a priority, this does not mean that efficiencies and savings cannot be found and re-invested into the system to support students in their education pursuits and to ensure our post-secondary institutions are graduating students prepared to join the New Brunswick workforce. It is vital that our post-secondary education system achieves and supports social and economic development, financial stability and accountability.

Government provides direct and indirect funding to public universities and colleges through various programs and agreements. Provincial operating funding to the four main public universities and two colleges in 2014–2015 was \$310 million, or 61% of their budgeted operating revenue.

A number of measures regarding the modernization of funding formulas, governance and administration are being proposed to help reform post-secondary education to ensure its long-term sustainability. Any savings found through these measures will be re-invested into the system. These include:

- ◆ *Performance-based funding for universities* — Government can have a more defined role in managing costs system-wide by fostering a well-developed post-secondary education system that identifies the outcomes to be met, such as: better graduation rates, having graduates aligned to provincial priorities, limiting duplication, and then having corresponding remuneration for institutional performance.
- ◆ *New funding formula for universities* — A new performance-based funding formula for universities would allow government to manage the post-secondary education system by providing the funding framework within which the universities operate. A model that focuses on performance outcomes would deliver value and accountability, while allowing institutions to manage their operations.
- ◆ *New governance legislation* — A revised governance model for universities would ensure a more effective link between government and the universities. This would operationalize the policies set by government, while being sensitive to the needs and constraints of the institutions.

Estimated savings: \$15 – \$45 million

Reforming local governance

A strong local governance structure can be a key contributor to improving the provincial fiscal situation, supporting economic and population growth while offering a high quality of life for residents.

Over the years, there have been many reports addressing the need for local governance reform in New Brunswick. In the report *Building Stronger Local Governments and Regions*, Jean-Guy Finn identified the minimum viability criteria for communities as a population of 4,000 people or a property assessment base of at least \$200 million. Today, only 54% of

New Brunswick's population currently lives in a community that meets the viability test of 4,000 population and a \$200-million tax base.

Other recommendations from these reports include reducing the number of local government entities; providing the current unincorporated areas (local service districts) with formally elected representation and decision-making authority; better balancing of the property taxation system; improving cost-sharing among communities; and modernizing local government legislation.

Local government stakeholders have also been vocal about the need for fundamental change in our local government system. During the public consultations held as part of the Strategic Program Review, the local governance structure was often raised as an issue – in particular, the inequity in the property tax system, both between municipalities and local service districts and between types of property within local service districts. The significant financial pressures facing smaller communities and the potential benefits of full municipalization were also raised as issues. At the same time, government has heard the concerns of many New Brunswickers, particularly in rural areas, apprehensive about forced amalgamations of areas that may not have a clear community of interest.

Reforming local governance would consist of a number of initiatives aimed at creating viable communities, including modernizing legislation to give municipalities powers to promote development and become hubs of job creation; establishing fair taxation for local and regional roads in local service districts to support better planning; increasing provincial revenues; and improving the voluntary community restructuring approach.

While opportunities exist to find efficiencies, savings and work more collaboratively together, reforming local governance is a complex initiative and would need to be done in cooperation with local governance stakeholders.

Estimated savings: \$25 – \$30 million

Motor vehicle registration process improvements

Opportunities exist to make the motor vehicle registration process more efficient and convenient for New Brunswickers while being more cost-effective to deliver.

Currently, vehicle owners receive a mailed reminder regarding their registration renewal. The annual cost of mailing these reminders is \$500,000. Vehicle owners also have the ability to sign-up for an email reminder; approximately 150,000 vehicle owners receive an email reminder. However, even when registered for email reminders, vehicle owners continue to receive a mail reminder.

Savings can be found by allowing vehicle owners who have registered for email reminders to opt-out of receiving mail reminders. This is unlike the previous elimination of the mail-out registration renewal reminders in years past. The changes would not be imposed on vehicle owners. Rather, they would be able to make the choice on which reminder option they would prefer to receive.

Another process improvement that could lead to more convenience for New Brunswick drivers is for multi-year vehicle renewals. Currently, vehicle owners must renew their registration on a yearly basis. Government is exploring the option of allowing New Brunswickers to renew every two years with potentially even longer renewal periods.

Estimated savings: \$200,000 – \$500,000

Outsourcing highway maintenance

Government currently delivers a full suite of transportation-related programs, many of which are delivered by the private sector in other jurisdictions at lower costs and/or improved levels of services.

The Department of Transportation and Infrastructure plans, designs, operates and maintains an extensive network of 18,785 km of highway connected by 3,212 bridges and 10 ferry crossings.

The vast majority of winter and summer maintenance activities are undertaken by government employees, as well as the vast majority of signage, line striping and lighting maintenance activities. Government has three long-term Public-Private Partnership (P3) highway contracts where maintenance is outsourced.

Routine maintenance of the highway network accounts for an annual expenditure of \$110 million.

Based on the experiences of other jurisdictions, there is an opportunity to achieve a savings of 10% to 20% through the outsourcing of routine maintenance activities. If all routine maintenance activities were outsourced, a significant percentage of the vehicle fleet would no longer be required; this would result in a reduction of the capital budget associated with vehicle maintenance and replacement. This additional saving is estimated to be between \$6 million and \$8 million.

If this option is implemented, service levels would be clearly stipulated in any contracts. These levels could be equivalent to current service levels or could be higher than current levels. New Brunswickers would not see service levels decline.

Estimated savings: \$11 – \$22 million

Reforming transportation and infrastructure

While the mandate of the Department of Transportation and Infrastructure has expanded over the years, the services and processes within the department have not necessarily adapted to the organization; rather, they were simply added to the department. This has led to inefficiencies, duplication and, in some cases, out-dated and non-standardized practices.

Significant savings could be found by reforming and modernizing the department to remove inefficiencies and duplication; standardize processes such as procurement and tendering; develop a central supply chain; outsource some services; reduce positions; and implement process improvements.

Estimated savings: \$10 – \$14 million

Managing government buildings more effectively

Government owns and maintains various properties across the province. Some of these house provincial government offices, municipal government offices and private sector or non-profit offices. Some of these properties have been deemed surplus.

Part of the maintenance of these properties includes ensuring that they are being used to their full capacity

and that they meet the needs of the tenants. This may require renovations and relocation of office space.

When a building no longer meets the needs of government, it is deemed surplus and is put up for sale providing an opportunity for individuals, businesses, organization or developers to purchase. Selling these properties not only generates revenue for the province but reduces expenses associated with the maintenance and servicing of these buildings. Refurbishment of these properties can also provide many benefits to the community, including revitalization of the area and job creation.

There is an opportunity for savings and revenue by actively examining how these properties are used; identifying and selling surplus property; and consolidating and moving provincial government offices to ensure the best use of government-owned space.

Estimated savings: \$1.5 – \$3 million

Transforming our health-care system

The New Brunswick health-care system has 22 hospitals, not including speciality and mental health facilities, which provide a variety of services from family medicine to complex surgeries. We also have the highest number of acute-care hospital beds per capita of any province in Canada.

With the health-care system structured the way it is now in New Brunswick, we spend more per capita for health care than other jurisdictions; however, we do not have better health outcomes.

Opportunity exists to redesign our health-care system to have better health outcomes in the province; to find savings in efficiencies, duplication and building maintenance; and to redirect resources to where they will make the greatest difference.

For many years, health policy experts and leaders have discussed the need to redesign the way we use hospitals in New Brunswick.

The proposals include closing many rural hospitals either altogether or converting them into community health centres. They also include a realignment of services in the major urban hospitals. They include decreasing the number of access points to specialized health services by moving to single centres of excellence at one location in the province.

For instance, New Brunswick could move to six full-service emergency rooms located in such a way that 90% of New Brunswickers are within one hour's drive of an emergency room. Other sites that remain would provide New Brunswickers with access to community care 12 or 16 hours per day.

Many specialized services would be treated like the New Brunswick heart centre in Saint John. There would be a single, high-quality access point for a particular service. While this would mean that some New Brunswickers would have to travel farther for particular services, they would receive a higher quality of care at a lower cost to taxpayers.

Estimated savings: \$50 – \$80 million

Optimize hospital laboratories and medical imaging

There is an opportunity to transform hospital laboratory services and medical imaging to improve quality of care and realize efficiencies.

The Department of Health has been working actively with the regional health authorities to make advance initiatives for medical imaging and laboratory services in an effort to transform these services to both improve quality of care/services and realize efficiencies. Optimizing hospital laboratories would see the creation of a single laboratory system for the

province. There would be few changes to where New Brunswickers currently go for specimen collection.

Optimizing medical imaging would improve the use of existing resources to full productivity and meet provincial averages. There would be a shift in the service delivery models with decommissioning of equipment as well as business process changes to improve exam appropriateness.

Estimated savings: \$20 – \$23 million

Pension Plans: school bus drivers, school custodians and nursing homes

A variety of government pension plans, including those for MLAs, nurses and civil servants have been converted to a shared risk model over the past few years. However, the pension plans for school bus drivers, school custodians and nursing home employees have not yet been converted to a shared risk model.

Transitioning these plans to a shared-risk model and bringing them in line with other government pension plans would help ensure their long-term sustainability and reduce costs and future risks for the province.

Estimated savings: \$7.5 – \$9 million

Choices: Revenues

Through the Strategic Program Review process, many people have proposed raising taxes as a potential solution to government's fiscal challenges. However, it is important to note that tax increases represent a withdrawal of money from the New Brunswick economy and can contribute to a slowdown in economic growth. In general, increases in consumption taxes are considered less damaging to the economy than increases in income taxes.

The tax measures presented in this report include estimates prior to any economic impact, which will vary depending on the combination of revenue and spending options chosen.

Once the province returns to fiscal balance, there may be an opportunity to decrease some tax rates as part of rebalancing the tax system, which would help promote economic growth.

Monetizing naming privileges

An opportunity exists to generate new revenue by allowing companies and/or individuals to purchase the rights to name government-owned assets such as buildings, parks and bridges.

This practice is not uncommon. National and local examples include: the Rogers Centre (Toronto), the B.C. Parks Program and Scotiabank Park North Complex (Fredericton). It is also actively used by universities and hospitals to recognize contributions.

New Brunswick examples under this initiative could include naming new or renovated buildings, wings of buildings, parts of trails or highways and program sponsorships. Part of this initiative could also include allowing advertising on or around certain assets such as ferries, roadways and government common areas (e.g., lobbies).

The objective would be to help cover the capital costs of building and/or maintaining the assets and program delivery. A policy would be established to oversee the selection and screening of partners, timeframes, value and the type and content of sponsors' names and messages.

Estimated revenue: \$1 – \$2 million

Monetizing data registries

The provincial government delivers registry services to the general public, business community and other government organizations through a number of different registries including: Real Property Registry, Motor Vehicle Registry, Personal Property Registry and Corporate Registry.

In the past 20 years, many provinces have pursued partnerships with private-sector organizations for the management of these registries. Some of the provinces that have pursued these arrangements realized financial benefits through a lump sum payment and annual royalties from the service provider. Additional savings could be found in the future as it would be the service provider's responsibility to invest in technology and upgrade the registries.

Ontario, Manitoba and Saskatchewan have already entered into alternative service delivery partnerships for the registration of some of their data registries. Ontario has recently resigned a 20-year agreement with its service provider. There is an opportunity to pursue arrangements similar to these other

provinces. Before undertaking such an initiative, it would be critical to ensure the continued protection of New Brunswickers' personal information.

Estimated revenue: \$8 – \$10 million

Monetization of NB Liquor

Government has been exploring multiple options to maximize the return to taxpayers from NB Liquor. These options could include the partial sale of the business, the sale of a minority stake in the business, or making strategic changes to how NB Liquor operates to increase revenues.

Estimated revenue: \$15 – \$20 million

Monetizing parks and attractions

Originally, provincially owned land and public attractions were established to preserve and protect public assets and were operated under a cost-recovery model. Now, many of the ski hills, golf courses, heritage attractions, parks and other recreational properties are not financially viable because the expense of running these operations surpasses the revenue generated. Government's ability to absorb these losses has been greatly diminished as more investments have been made in health, education and social services.

Efficiencies could be gained by providing opportunities to the private sector to acquire, lease and/or operate these attractions. These opportunities could lead to one-time cash payments, reduced costs and increased revenue.

Estimated revenue: \$3 – \$5 million

Targeting the illegal trade of tobacco

Government loses millions of dollars a year in revenue due to the illegal sale of contraband tobacco products and smuggling of tobacco from other jurisdictions. That is why government is proposing to establish a dedicated enforcement unit to actively identify and investigate individuals involved in illegal activities; to primarily disrupt and dismantle smuggling networks; and to recover the tax losses linked to the trade of contraband tobacco.

Additional revenues could also be found by increasing the fines associated with the illegal trade of tobacco.

It is estimated that a 1% interruption in the illicit tobacco trade would increase taxes collected by government by \$1 million annually. A dedicated enforcement strategy is expected to see a greater interruption, which would result in additional annual taxes.

Estimated revenue: \$2 – \$4.5 million

Increase tobacco tax

Tobacco taxes are imposed to discourage smoking and help pay for the additional costs smoking imposes on our health-care system. New Brunswick has the lowest tobacco tax in Atlantic Canada and the third-lowest in the country; only Quebec and Ontario are currently lower.

New Brunswick's tobacco tax is 6.52 cents/cigarette lower than in Nova Scotia and 4.10 cents/cigarette higher than in Quebec. It should be noted that, since New Brunswick also applies the Harmonized Sales Tax (HST), (Quebec does not apply the QST), Quebec's taxes on tobacco products are significantly lower.

To raise additional revenue, consideration could be given to increasing the tobacco tax.

With a tobacco tax rate increase, more New Brunswickers may buy their tobacco products in Quebec or Maine. It would also be anticipated that purchases by Nova Scotia consumers in New Brunswick would decrease as the rate differential with Nova Scotia would be reduced.

Any tobacco tax increase could result in increased prevalence of contraband tobacco.

Increasing the tax rate could have a considerable impact on revenues. For example, the estimated revenue for an increase in the tobacco tax by two cents/cigarette or gram to 21 cents is \$7 million. If government increased the tax rate by 6.52 cents/cigarette or gram to match the rate applied in Nova Scotia, the estimated revenue could be as high as \$25 million.

Estimated revenue: \$7 – \$25 million

Increase the HST

Along with our neighbouring provinces, New Brunswick harmonizes its sales tax with the federal Goods and Services Tax (GST) and applies tax to the same goods and services as the GST.

New Brunswick currently has the lowest HST rate compared to its neighbouring provinces. The table below outlines the provincial sales tax components and total HST rates for New Brunswick and neighbouring provinces effective January 1, 2016.

	NB	NL	PE	NS	QC
Provincial rate	8%	10%	9%	10%	9.975%
Combined HST rate	13%	15%	14%	15%	14.975%

The HST accounts for approximately 29% of total tax revenue in New Brunswick and 14% of total revenues. For 2015–2016, it is estimated that HST revenues will total \$1.18 billion.

Increasing the HST by 2% would result in an increase in revenue of nearly \$300 million.

To help mitigate the impact of an HST rate increase on low- to-middle-income New Brunswickers, a new HST tax credit could be created.

Estimated revenue: \$175 – \$295 million

Increase the corporate income tax

In 2013–2014, New Brunswick increased the general corporate income tax rate from 10% to the current rate of 12%.

For 2015–2016, the general corporate income tax accounts for an estimated \$258 million, or approximately 6.4% of total tax revenue in New Brunswick and 3.1% of total revenues.

To raise additional revenue, there is an opportunity to increase the general corporate income tax rate from 12% to 13% or 14%.

With a general corporate income tax rate of 14%, New Brunswick would match Newfoundland and Labrador, still be lower than Nova Scotia and Prince Edward Island, but be higher than all other provinces.

Estimated revenue: \$12 – \$25 million

Recovering highway maintenance costs

Maintaining New Brunswick's highway system is a large expense for government. While there are measures such as gasoline and diesel taxes that help fund this maintenance, there are opportunities to recover more of these costs by increasing these taxes or implementing tolls.

Highway tolls

Tolls can provide an ongoing revenue source, which is not tied to the annual government budgetary process. The revenues collected can be dedicated to finance maintenance and rehabilitation of our transportation infrastructure.

A variety of possibilities were examined as part of Strategic Program Review, including electronic toll collection versus manned collection booths, locations and number of collection points.

Through the Strategic Program Review process, some New Brunswickers suggested that tolls should only be added to provincial border points or that we should only charge vehicles with out-of-province licence plates. However, traffic volume at the borders is too low to make tolls profitable, and the majority of traffic on the highway system consists of New Brunswick vehicles. For instance, the busiest stretch of highway is Route 1 between Saint John and Rothesay, made up almost entirely of commuter traffic. Various tolling options were considered. It is estimated that, to raise approximately \$60 million in revenue, we could situate eight electronic tolling facilities around the province in high-traffic areas. Under this scenario, a round-trip by car from Edmundston to Moncton would cost the driver \$24, and a round-trip from Edmundston to Moncton for a truck would be \$96.

Implementation of tolls would likely result in increased traffic on secondary roads, which would increase the deterioration of these routes. Highway maintenance budgets would need to be adjusted accordingly to compensate for this. A capital investment would also be required to build tolling stations. Government would likely need to increase commercial vehicle enforcement to ensure commercial vehicles do not avoid tolls by using alternate routes, which would increase the rate of deterioration on these routes.

In addition, a regular commuter could incur significant annual costs from the introduction of tolls. Higher costs for travel may also make it more challenging for sports teams, buses and emergency vehicles. The higher cost of freight movement may be shifted to consumers. Given that New Brunswick is the most export-intensive province in Canada, the economic impacts of implementing highway tolls could be significant.

Estimated revenue with eight provincial tolling locations: \$60 million

Increase the diesel tax

The diesel tax is applied to transportation fuel to help finance the cost of roads and is considered by many to be a road-user charge.

The diesel tax in New Brunswick was last increased on April 1, 2015, putting the current rate at 21.5 cents/litre.

With that increase, New Brunswick has the highest diesel tax in Canada, with Prince Edward Island and Quebec having the next-highest rates at 20.2 cents/litre.

For 2015–2016, gasoline and motive fuel taxes account for an estimated \$270 million, or approximately 6.7% of total tax revenue in New Brunswick and 3.3% of total revenues.

While the majority of diesel users are large commercial vehicles, some cars and light vehicles also use diesel fuel and would be subject to the higher rate if the rate is increased.

Additional highway maintenance costs could be recovered by increasing the diesel tax rate by 10 cents/litre to 31.5 cents/litre.

With this increase, New Brunswick would continue to have the highest diesel tax rate of all of the provinces and would be 11.3 cents/litre higher than the two provinces with the next highest rates (Prince Edward Island and Quebec) and it would be 16.1 cents/litre higher than Nova Scotia.

Estimated revenue: \$40 – \$45 million

Increase the Real Property Transfer Tax

The real property transfer tax is a one-time payment on the purchase of a property when the deed is registered.

The current real property tax in New Brunswick is 0.5% of the sale price or assessed value of the property, whichever is higher.

Although, the real property transfer tax rate was last increased June 1, 2012 from 0.25% to 0.5%, New Brunswick currently has one of the lowest real property transfer taxes of all the provinces.

For 2015–2016, the real property transfer tax accounts for an estimated \$12 million, or approximately 0.3% of total tax revenue in New Brunswick and 0.1% of total revenues.

An increase in the real property transfer tax could yield additional revenue for the province.

For example, based on the average New Brunswick home price of \$164,000 (Canadian Real Estate Association) a rate increase of 0.25% (from 0.5% to 0.75%) would represent an additional tax of \$410 on the purchase. While an increase of half a percentage point (0.5% to 1%) would represent an additional \$820 on the purchase.

Estimated revenue: \$4 – \$10 million

Increase Insurance Premium Tax

New Brunswick's Insurance Premium Tax is applied at a rate of 2% to life, accident and sickness; and at a rate of 3% to any other contract of insurance though this excludes marine insurance.

For 2015–2016, the insurance premium tax accounts for an estimated \$54 million, or approximately 1.3% of total tax revenue in New Brunswick and 0.6% of total revenues.

Increasing the insurance premium tax by one percentage point for life, accident and sickness (from 2% to 3%) and for any other contract of insurance (OTL) (from 3% to 4%) would raise additional revenue for the province.

An insurance premium tax of 3% applied to life, accident and sickness insurance would mean that only Alberta, British Columbia and Ontario would have lower insurance premium taxes applied to these forms of insurance. Newfoundland and Labrador and Prince Edward Island would have a higher insurance premium tax than New Brunswick.

An insurance premium tax of 4% applied to OTL insurance would mean that New Brunswick would have the same rate as Newfoundland and Labrador, Nova Scotia and Saskatchewan. Only British Columbia's premium tax applied to property and automobile insurance would be higher, at 4.4%.

The insurance premium tax is levied on insurance companies, not individuals. However, it can be anticipated that insurance companies may pass any increase of the insurance premium tax onto the policyholder in the form of higher premiums or benefit changes.

There are some types of life insurance contracts that are bought in advance and in which the premium does not change over the term of the contract. In these cases, new policy holders may bear the full increase of the insurance premium tax while existing policyholders may not.

Estimated revenue: \$15 – \$20 million

We look forward to making the choices facing us with all New Brunswickers, and thank the thousands of residents who have actively participated in this important process.

Although we face many challenges we will overcome these challenges by making the right choices to make New Brunswick the best place to live, work and play. These choices will allow us to invest in New Brunswick's priorities of creating jobs, improving health care and delivering a world class education system. These choices will move New Brunswick forward.