



**ROTHESAY**  
COUNCIL MEETING  
Rothesay Town Hall  
**Monday, September 12, 2016**  
7:00 p.m.



**PRESENT:** MAYOR NANCY GRANT  
DEPUTY MAYOR MATT ALEXANDER  
COUNCILLOR GRANT BRENAN  
COUNCILLOR PETER J. LEWIS  
COUNCILLOR TIFFANY MACKAY FRENCH  
COUNCILLOR BILL McGUIRE  
COUNCILLOR DON SHEA  
COUNCILLOR MIRIAM WELLS

TOWN MANAGER JOHN JARVIE  
TOWN CLERK MARY JANE BANKS  
DIRECTOR OF OPERATIONS (DO) BRETT McLEAN  
DIRECTOR OF PLANNING/DEVELOPMENT (DPDS) BRIAN WHITE  
DIRECTOR OF REC/PARKS (DRP) CHARLES JENSEN  
TREASURER DOUG MacDONALD  
ADMINISTRATIVE ASSISTANT LIZ POMEROY

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

**1. APPROVAL OF AGENDA**

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

Item 9.8	Bank Commitment Letter
Item 9.9	Clean Water and Wastewater Fund Application: Treatment Plant Detail Design
Item 9.10	Regional Facilities Commission
Item 9.11	Recommendation from Emergency Measures Committee

**CARRIED.**

**2. APPROVAL OF MINUTES**

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**MOVED** by Deputy Mayor Alexander and seconded by Counc. Shea the minutes of 8 August 2016 be adopted as circulated.

**CARRIED.**

➤ **Business Arising from Minutes**  
N/A

**3. OPENING REMARKS OF COUNCIL**

**PRESENTATION:** Through the Lens Photo Contest winner  
Mayor Grant advised there will be a public hearing held September 14, 2016 at 7:00 p.m. at Rothesay High School regarding 7 Hillcrest Drive – Rezoning from R1A to R4 to consider a 65-unit condominium development proposal.

Mayor Grant announced Christie Cadger as the winner of the 2016 Through the Lens Photo Contest. She presented Ms. Cadger with a certificate and thanked her on behalf of the Town for a beautiful photograph.

**3.1 Declaration of Conflict of Interest**

Deputy Mayor Alexander declared a conflict of interest under Item 8.4 104 Hampton Road – By-law/Development Agreement.

**4. DELEGATIONS**

**4.1 Imperial Theatre** Lee Bolton, Executive Director (see item 9.1)

Mayor Grant welcomed the representatives from Imperial Theatre. Mr. Gary Caines, President and Board Chair, thanked Council and introduced Lee Bolton - Executive Director, Nancy Riven - Secretary, and Lisa Gribbons - Rothesay representative, also in attendance. Mr. Caines noted the following: Imperial Theatre's mission is to *Enrich, Engage, and Inspire*; the theatre is housed in a historic century old building in need of repairs; the theatre offers a range of programs and inspires the next generation; 14% of the theatre's subscriber base is from Rothesay; and 70% of patrons and donors are from Rothesay. Ms. Bolton commented on the following: community connection with the theatre; the past heroic effort by the community to save the building; the theatre as an employer; improvement of mental and physical health, and literacy through the performing arts; rental venue, presentation series, and community engagement; the theatre was in public use 167 days last year; annual attendance of over 50,000; operating revenue is made up of rentals, ticket sales, and services (50%), Greater Saint John Regional Facilities Commission (30%), and the remainder through the federal and provincial governments, foundations, and fundraising (20%); the Imperial Theatre is not owned by the city of Saint John; there is a lack of ongoing support for capital needs; major repairs are needed for the building; the type of brick required is no longer manufactured so the brick must be specially ordered; the completion date for the repairs is expected to be the end of the year; 2/3 of the funding has been acquired; and \$850,000 is still needed. Ms. Bolton noted Rothesay contributed \$40,000 during the past capital campaign and the theatre is requesting similar support for this project. She added the Imperial Theatre has reached out to other neighbouring municipalities and will present to the remainder in the near future.

Counc. Shea inquired as to what would happen if the remaining funds are not raised. Ms. Bolton advised the theatre would then borrow the money. Counc. Shea questioned what was included in the administration expenses. Ms. Bolton noted the \$350,000 included project management costs such as fundraising, communications, and other administrative costs. Mayor Grant thanked the Imperial Theatre representatives for both the presentation and providing a positive service to the community. She noted the item would be dealt with later on the agenda.

**5. CORRESPONDENCE FOR ACTION**

5.1 25 August 2016 Letter from Quispamsis resident RE: Fundraising Request for Muscular Dystrophy

**MOVED** by Deputy Mayor Alexander and seconded by Counc. Wells the letter from Quispamsis resident RE: Fundraising Request for Muscular Dystrophy dated 25 August 2016 be referred to the Finance Committee.

ON THE QUESTION:

Mayor Grant noted the request is for \$600.

**CARRIED.**

**6. CORRESPONDENCE - FOR INFORMATION**

6.1 28 July 2016 Letter from Sisters of Charity of the Immaculate Conception RE: Well Wishes

**MOVED** by Counc. McGuire and seconded by Counc. Wells the letter from Sisters of Charity of the

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Immaculate Conception RE: Well Wishes dated 28 July 2016 be received/filed.

**CARRIED.**

6.2 2 August 2016 Letter from Deborah Apps, President & CEO of Trans Canada Trail RE: Globe and Mail Supplement & 2015-2016 Annual Report – *Gaining Ground (Full report available at Town Hall)*

**MOVED** by Counc. Wells and seconded by Deputy Mayor Alexander the letter from Deborah Apps, President & CEO of Trans Canada Trail RE: Globe and Mail Supplement & 2015-2016 Annual Report – *Gaining Ground (Full report available at Town Hall)* dated 2 August 2016 be received/filed.

**CARRIED.**

6.3 15 August 2016 Letter from resident RE: Deer Cull

**MOVED** by Counc. Wells and seconded by Counc. McGuire the letter from resident RE: Deer Cull dated 15 August 2016 be referred to the Deer Committee.

### ON THE QUESTION:

Mayor Grant suggested, after receiving a similar call from a resident, Council invite residents to submit their comments in writing to be referred to the Deer Committee.

**CARRIED.**

6.4 18 August 2016 Letter from the town of Quispamsis to Minister Doucet RE: Deer Management Program 2016

**MOVED** by Counc. Wells and seconded by Counc. Lewis the letter from the town of Quispamsis to Minister Doucet RE: Deer Management Program 2016 dated 18 August 2016 be received/filed.

**CARRIED.**

6.5 19 August 2016 Letter from Big Brothers Big Sisters Saint John RE: Big Brothers Big Sisters Month (September 2016)

**MOVED** by Deputy Mayor Alexander and seconded by Counc. Brenan the letter from Big Brothers/Big Sisters Saint John RE: Big Brothers Big Sisters Month (September 2016) dated 19 August 2016 be received/filed.

### ON THE QUESTION:

It was noted the item will be addressed on the Town's social media and a response sent notifying the organization of Council's standard practice to not pass resolutions.

**CARRIED.**

## 7. REPORTS

7.0 **September 2016** **Report from Closed Session**

7.1 Update Fundy Regional Service Commission (FRSC)

Mayor Grant advised there was no meeting in August and the July minutes have not been approved.

7.2 18 May 2016 Kennebecasis Public Library Board Meeting Minutes  
May 2016 KPL Librarians Report

30 April 2016 KPL Comparative Income Statement

April 2016 KPL Building Maintenance Report

16 June 2016 Kennebecasis Public Library Board Meeting Minutes

June 2016 KPL Librarians Report

31 May 2016 KPL Comparative Income Statement

**MOVED** by Counc. Shea and seconded by Counc. Wells the Kennebecasis Public Library Board

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Meeting Minutes dated 18 May 2016, the KPL Librarians Report dated May 2016, the KPL Income Statement dated 30 April 2016, the KPL Building Maintenance Report dated April 2016, the Kennebecasis Public Library Board Meeting Minutes dated 16 June 2016, the KPL Librarians Report dated June 2016, and the KPL Comparative Income Statement dated 31 May 2016 be received/filed.

### ON THE QUESTION:

Counc. Shea noted the following: Quispamsis Deputy Mayor O'Hara has been replaced by Counc. Loughery; October is Public Library month; New Brunswick Libraries is in partnership with Kings Landing, show your library pass to receive free access to Kings Landing; and the library is in good shape financially. Mayor Grant noted she was pleased to see more students hired as one-on-one tutors as last summer there were not enough students to handle the demand. Counc. Shea advised there were nine students working this summer.

**CARRIED.**

7.3 31 July 2016 Draft unaudited Rothesay General Fund Financial Statements  
**MOVED** by Counc. Brenan and seconded by Counc. Shea the Draft unaudited Rothesay General Fund Financial Statements dated 31 July 2016 be received/filed.

**CARRIED.**

31 July 2016 Draft unaudited Rothesay Utility Fund Financial Statements  
**MOVED** by Counc. Brenan and seconded by Counc. Shea the Draft unaudited Rothesay Utility Fund Financial Statements dated 31 July 2016 be received/filed.

**CARRIED.**

25 August 2016 Draft Finance Committee Meeting Minutes  
**MOVED** by Counc. Brenan and seconded by Counc. Shea the Draft Finance Committee Meeting Minutes dated 25 August 2016 be received/filed.

**CARRIED.**

➤ Server Purchase

30 August 2016 Memorandum from Treasurer MacDonald  
**MOVED** by Counc. Wells and seconded by Counc. Lewis Council ratify the purchase of two "PowerEdge T630 Server" packages under a sole source arrangement with Dell Canada Inc. in the aggregate amount of \$51,586.00 plus HST.

**CARRIED.**

➤ Donations Report

30 August 2016 Memorandum from Treasurer MacDonald  
**MOVED** by Counc. Wells and seconded by Counc. Brenan the Memorandum from Treasurer MacDonald dated 30 August 2016 be received/filed.

### ON THE QUESTION:

It was noted the donations are within the overall budgeted amount. Counc. Wells inquired as to the status of the funds set aside for Syrian families. Counc. Brenan advised no requests were received.

**CARRIED.**

7.4 17 August 2016 Draft Public Works and Infrastructure Committee Meeting Minutes  
**MOVED** by Deputy Mayor Alexander and seconded by Counc. Wells the Draft Public Works and Infrastructure Committee Meeting Minutes dated 17 August 2016 be received/filed.

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### ON THE QUESTION:

Deputy Mayor Alexander advised it was a lengthy agenda and not all items were discussed. The remaining items were deferred to the September meeting, which will begin earlier in order to allow enough time for discussion. In response to Council. Brennan's inquiry, Deputy Mayor Alexander advised Mr. Butler left the meeting and the discussion continued later during the meeting. Council. Shea inquired if Mr. Butler had agreed to the Committee's recommendation. DO McLean advised he notified Mr. Butler of the recommendation after the meeting and Mr. Butler seemed amenable to the recommendation. Clarification was requested regarding the purpose of the survey. DO McLean advised the topographical survey will be used to determine the path water takes to exit the property; and whether or not the work completed by the Town created a barrier which traps water on the property. In response to Council. Shea's inquiry, DO McLean advised the cost for the survey is expected to be approximately \$2,500-\$3000.

Clarification was requested regarding the location of the streetlights on Highland Avenue. It was noted they are located at the end of each property's driveway. Council. Shea inquired as to why a reminder was needed. It was noted Highland Avenue residents, through transfer of homeownership, may be unaware of the covenant. As the streetlights provide the only lighting on the street, it has become a safety concern if the streetlights are not maintained.

**CARRIED.**

#### ➤ Active Transportation/Bike Lanes

**MOVED** by Deputy Mayor Alexander and seconded by Council. Wells:

- A. A report be created detailing possible resolutions to Mr. Gillis' requests; and
- B. Further that Council send a detailed response to Mr. Gillis regarding possible resolutions for his requests based on recommendations from the above noted report.

### ON THE QUESTION:

Council. McGuire advised he disagrees with Mr. Gillis' statement regarding a lack of response from the Town to his requests. He noted Mr. Gillis had been in contact with Council. Wells and had presented his comments at both the Council and Committee level on multiple occasions.

**NAY vote recorded from: Council. McGuire.**

**CARRIED.**

#### ➤ Ryan Drive

**MOVED** by Deputy Mayor Alexander and seconded by Council. Wells Council authorize a detailed topographic survey be completed for the property of 11 Ryan Drive.

### ON THE QUESTION:

Council. Brennan requested clarification regarding the adjusters report. It was noted the purpose of the adjusters report was to document the damage that occurred on the property, not to determine the cause of the problem. Council. Brennan expressed concern suggesting it is unlikely the topographical survey will depict the exact elevations that existed six years ago. DO McLean advised the homeowner indicated no changes were made to the land that might affect the elevations. DO McLean gave a brief explanation of the process to complete the survey. Council. McGuire inquired if a mutually agreed upon company will complete the survey. DO McLean advised if Council approves the survey he will follow-up with the resident and propose the idea. Council. Shea suggested since the issue had been discussed for quite some time with no resolution, a third party mediator may be the best course of action. There was an inquiry regarding if the Town was committed to acting on the findings of the survey. Town Manager Jarvie advised residents that feel they've been wronged by the Town typically pursue remediation through their insurance company or a legal course of action. Council. Shea noted not all residents have the resources to

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pursue legal action; sometimes issues can be resolved through mediation.

**CARRIED.**

➤ Highland Avenue

**MOVED** by Deputy Mayor Alexander and seconded by Counc. McGuire Council authorize an information notice, regarding homeowner's responsibility for street lighting, be sent to all the residents of Highland Avenue.

**ON THE QUESTION:**

Mayor Grant inquired if a similar notice could be sent to the residents of Hastings Cove. Deputy Mayor Alexander advised the Committee discussed other areas in Town in a similar situation and will start with Highland Avenue and proceed from there.

**CARRIED.**

7.5 17 August 2016 Draft Utilities Committee Meeting Minutes

**MOVED** by Deputy Mayor Alexander and seconded by Counc. Shea the Draft Utilities Committee Meeting Minutes dated 17 August 2016 be received/filed.

**ON THE QUESTION:**

Counc. Shea inquired if the recommendation from the Department of Environment to either decommission or install well houses was mandatory and anticipated before the trail was constructed. Counc. Alexander advised the recommendation is mandatory. There was a brief discussion on the process of decommissioning wells, and the installation of well houses. DO McLean added there is a cost that depends on the depth of the wells. He will investigate further and report back. Town Manager Jarvie noted this procedure would be completed for any well in any location and was not a result of the trail project. Counc. McGuire noted the wells are not part of the trail but located on a road nearby with a blocked access point.

Counc. Shea requested clarification, noting from his recollection the washrooms in the East Riverside-Kingshurst pumping station had not yet been approved. DO McLean advised the tender is set to go out on Friday September 16, 2016 and will have both options. He added there is no change to the building size; and the design for the plumbing will allow for the installation of the washrooms should they be approved. If the washrooms are not approved, no changes are required.

**CARRIED.**

➤ Grove Avenue (receive/file)

**MOVED** by Counc. McGuire and seconded by Deputy Mayor Alexander the letters from resident RE: Water Bill for Grove Avenue dated 12 May 2016 and 15 August 2016 be received/filed.

**ON THE QUESTION:**

DO McLean advised both he and Treasurer MacDonald followed up with the resident and there seemed to be no evidence to support any changes in the water usage. He added the matter will return to the next Utilities Committee meeting.

**CARRIED.**

7.6 17 August 2016 Draft Heritage Preservation Review Board Meeting Minutes

**MOVED** by Counc. Mackay French and seconded by Counc. Lewis the Draft Heritage Preservation Review Board Meeting Minutes dated 17 August 2016 be received/filed.

**CARRIED.**

7.7 6 September 2016 Draft Planning Advisory Committee Meeting Minutes

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**MOVED** by Counc. Shea and seconded by Counc. Lewis the Draft Planning Advisory Committee Meeting Minutes dated 6 September 2016 be received/filed.

### ON THE QUESTION:

Counc. Shea advised there was only one agenda item that was tabled for the next meeting. He encouraged all to attend the public hearing on Wednesday, September 14, 2016 at 7:00 p.m. at Rothesay High School.

**CARRIED.**

7.8 August 2016 Monthly Building Permit Report

**MOVED** by Counc. Wells and seconded by Deputy Mayor Alexander the Monthly Building Permit Report dated August 2016 be received/filed.

### ON THE QUESTION:

Deputy Mayor Alexander requested clarification regarding the 15 Dayspring Lane permit. DPDS White advised the permit is for a renovation not a new build.

**CARRIED.**

7.9 8 September 2016 Capital Projects Summary

**MOVED** by Counc. Lewis and seconded by Deputy Mayor Alexander the Capital Projects Summary dated 8 September 2016 be received/filed.

### ON THE QUESTION:

Counc. Shea inquired as to the Rothesay Common additions. Town Manager Jarvie advised some safety concerns have been raised regarding the flooding process for the ice surface. He noted the budget allows for adjustments to be made. Counc. Wells requested an update on Rothesay Road. DO McLean noted there have been minor unexpected disruptions but the project is on schedule and going well. The expected completion date remains the end of October, if all work continues without any unforeseen delays. DO McLean gave a brief explanation of the work still to be completed. Counc. Lewis inquired as to the purpose of the steel cage on the side of the road roughly halfway through the construction area. DO McLean advised it is for the installation of an air release valve for the pressurized sewer system. He added they are underground structures and are not expected to release any odours. Counc. Lewis inquired if any progress had been made with regard to connecting the Wells trail by crossing the highway near the Bicentennial baseball field. DO McLean advised it is still being discussed; a highway usage permit agreement must be obtained and conditions adhered to. He noted the Province indicated there would be no fee for the permit; however there is an insurance requirement.

**CARRIED.**

## 8. UNFINISHED BUSINESS

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

*No action at this time*

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Deputy Mayor Alexander left the meeting.

### 8.4 104 Hampton Road – By-law/Development Agreement

6 September 2016 Memorandum from Town Clerk Banks with attachments

**MOVED** by Counc. Shea and seconded by Counc. Lewis Council give reading in its entirety, to By-law 2-10-26, “A By-law to Amend the Zoning By-law”.

#### ON THE QUESTION:

Counc. Wells inquired if any changes were made to the design to reflect the concerns of residents. DPDS White advised no changes were forwarded to staff. Counc. Wells noted she is not against the proposal, however resident concerns should be taken into consideration. Counc. McGuire noted the existing Central Commercial zoning for the property allows a building to be constructed of a similar size (11m) to the second building of Mr. Taylor’s proposal. Counc. Lewis advised constructing a flat roof is costly and may not be feasible for the developer. There was a brief discussion on elevations and the height of the proposed second building. Counc. Wells noted the residents adjacent to the property were likely not expecting construction of a building of such height to impede their view when purchasing their properties. DPDS White advised views are not protected by any By-law. Counc. Wells inquired if any screening mechanisms are included in the development agreement to afford some privacy to the adjacent homeowner. DPDS White advised because of the grade on the properties and the height of the adjacent property, a screening mechanism would have to be quite large, roughly 40 feet tall.

**NAY vote recorded from: Counc. Wells.**

**CARRIED.**

The Clerk read By-law 2-10-26, “A By-law to Amend the Zoning By-law” in its entirety.

**MOVED** by Counc. Lewis and seconded by Counc. McGuire Council give 3<sup>rd</sup> Reading, by Title and Enactment, to By-law 2-10-26, “A By-law to Amend the Zoning By-law”.

**CARRIED.**

The Clerk read By-law 2-10-26, “A By-law to Amend the Zoning By-law” by title.

**MOVED** by Counc. McGuire and seconded by Counc. Mackay French Council authorize the Mayor and Clerk to enter into a Development Agreement, as amended, with Mr. Brett Taylor to allow for the development of two apartment buildings containing not more than 35 units on lands located at 104 Hampton Road (PID 30246979).

**CARRIED.**

Deputy Mayor Alexander returned to the meeting.

## 9. NEW BUSINESS

### BUSINESS ARISING FROM DELEGATIONS

#### 9.1 Imperial Theatre (see item 4.1)

7 September 2016 Letter from Lee Bolton, Executive Director of the Imperial Theatre  
RE: Request for support with attachment

**MOVED** by Counc. Shea and seconded by Counc. McGuire the letter from Lee Bolton, Executive Director of the Imperial Theatre RE: Request for support with attachment dated 7 September 2016 be referred to the Finance Committee.

#### ON THE QUESTION:

Counc. Wells noted the Imperial Theatre draws many residents to Rothesay, and she hopes the Town



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will give serious consideration to the request. Counc. McGuire inquired if, as in the past, the Town could supply a large donation in smaller increments over a period of time. It was noted the Finance Committee will discuss the matter.

**CARRIED.**

### ADMINISTRATION

#### 9.2 Ernst Young Audit Report

8 September 2016 Letter from Ernst Young with Internal Controls Review Final Report  
**MOVED** by Counc. Brenan and seconded by Counc. Shea the Internal Controls Review Final Report (September 2016) be received/filed.

#### ON THE QUESTION:

Counc. Brenan gave a brief summary of the report. He noted management intends to act on the ten recommendations, and will report quarterly on the progress. Comments will also be included in the year-end audited financial statements to report improvements made. Counc. McGuire noted he was pleased with the results of the review and staff's response. Counc. Brenan clarified the internal controls review was not intended to 'dig for dirt' but to be used as a mechanism to improve operations within the Town. In response to Counc. Shea's inquiry, it was noted the report was posted to the website as part of the Council agenda package. Deputy Mayor Alexander noted the review was a positive exercise, and suggested a review be completed every four years before each new Council assumes office.

**CARRIED.**

### FINANCE

#### 9.3 Application for Financing (Almon Lane/Peters Lane Project)

30 August 2016 Memorandum from Treasurer MacDonald  
**MOVED** by Deputy Mayor Alexander and seconded by Counc. Wells **RESOLVED THAT** the Clerk and/or Treasurer and/or Mayor be authorized to issue and sell to the New Brunswick Municipal Finance Corporation a Municipality of Rothesai debenture in the principal amount of \$850,000.00 on such terms and conditions as are recommended by the New Brunswick Finance Corporation, and be it resolved that the Municipality of Rothesai agree to issue post-dated cheques payable to the New Brunswick Municipal Finance Corporation as and when they are requested in payment of principal and interest charges on the above debenture.

#### ON THE QUESTION:

Treasurer MacDonald advised the debenture is for the work on Almon Lane and Peters Lane. He added the Town will pay the contractors with borrowed funds and the province will then issue a debenture which the Town will repay over a period of time, in this case thirty years. It was noted the deadline is September 27, 2016 in order to receive the funds in December. There was a brief discussion on the interest rate, noting the previous debenture's interest rate was 3% over thirty years. A similar rate is expected but not guaranteed. The interest rate is determined by the Province.

**CARRIED.**

### OPERATIONS

#### 9.4 Rothesai Wastewater Collection System Upgrades: Supply of Submersible Pumps

1 September 2016 Report prepared by DO McLean  
**MOVED** by Counc. Wells and seconded by Counc. Mackay French the proposal submitted by Xylem Canada Company in the amount of \$457,662.13 for the supply of the pumps for each station (KPark, Renforth, East Riverside, Tennis Court, Fairvale), be accepted and further that the Mayor and Council authorize the Director of Operations to issue a purchase order in that regard.

#### ON THE QUESTION:

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Counc. Brenan inquired as to how many pumps are included. DO McLean responded fifteen pumps of varying sizes and power. He added the pumps are included in the overall budgeted amount for Phase 1 of the project, and the cost for the pumps is under budget.

**CARRIED.**

### 9.5 Refurbishment of Production Well C6 – Carpenter Pond Wellfield

7 September 2016 Report prepared by DO McLean

**MOVED** by Counc. Wells and seconded by Counc. McGuire the proposal submitted by Groupe Puitbec in the amount of \$194,350.00 for the Refurbishment of Production Well C6 – Carpenter Pond Wellfield be accepted and further that the Mayor and Town Clerk be authorized to execute the appropriate documentation in that regard.

#### ON THE QUESTION:

Counc. McGuire noted at first look it did not seem as if a tender existed. DO McLean advised the following: a tender was issued on the New Brunswick Opportunities Network (NBON); the report was written in proposal format; only one bid was received; he followed-up with other firms to inquire as to why bids were not submitted; and it was determined while the other firms had the adequate resources they could not meet the proposed schedule. Counc. ~~Grant~~ <sup>BILWAN</sup> inquired if the refurbishment of Well C6 is expected to provide sufficient production once re-drilled. DO McLean gave a brief description of the existing well compared to the future refurbished well. He noted production from the well is expected to increase significantly. Counc. Brenan expressed concern noting the expenses for well development are expected to be well over budget. It was noted the \$42,988.00 will not be added but is included in the approximate \$70,000 total spent to date. DO McLean advised as there is a regulated amount allowed to be withdrawn from the Carpenter's Pond well field, the purpose for water exploration was to determine an additional source of water to draw from so as not to increase existing daily withdrawal amounts from the Carpenter's Pond well field. He noted the Carpenter's Pond well field has the capability to provide more water, however approval to increase the regulated daily withdrawal amount is required. After many discussions, the Department of Environment is open to the suggestion and granted the Town permission to explore increasing the regulated limit provided the Town can prove the increase is sustainable.

**CARRIED.**

### 9.6 T-2016-015: Backhoe/Loader

7 September 2016 Report prepared by DO McLean

**MOVED** by Deputy Mayor Alexander and seconded by Counc. McGuire Council:

1. Accept the (sole) compliant bid for Tender T-2016-015: Backhoe/Loader, which was accompanied by the proper bid security deposit; and
2. Return the non-compliant bids for Tender T-2016-015: Backhoe/Loader, which were not accompanied by a bid security deposit, to the submitting bidder without further consideration.

#### ON THE QUESTION:

Counc. McGuire expressed concern inquiring as to why the four non-compliant bidders did not send in their deposits. DO McLean advised the following: the tender was issued publicly and all bidders, with the exception of the one compliant bidder, attended the tender opening; an instructional announcement was given during the tender opening; the instructions were posted in an advertisement for the tender on the NBON website; and the non-compliant bidders indicated no mention of the required deposit was included in the tender attachment. To open the attachment the bidders must first click on the advertisement with the deposit instructions. It was noted the Town has never wavered in the past from requiring bid securities. Counc. Lewis inquired as to the length of time for a deposit to be returned to bidders. It was noted deposits are typically returned after Council awards the tender and a contract has been signed, usually 61 days. It was noted the deposits of non-compliant bidders are returned once the

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bidder is deemed non-compliant.

**CARRIED.**

### **9.7 Engineering Design and Construction Management Services – 2017 Asphalt, Microseal and Oakville Lane Drainage Improvements**

7 September 2016 Report prepared by DO McLean

**MOVED** by Counc. McGuire and seconded by Counc. Mackay French the proposal submitted by CBCL Limited in the amount of \$145,360.00 for the 2017 Asphalt Resurfacing, Microseal Placement and Oakville Lane Drainage Improvements project be accepted and further that the Mayor and Town Clerk be authorized to execute the appropriate documentation in that regard.

#### **ON THE QUESTION:**

Counc. Lewis inquired if the list of streets had been discussed by the Public Works and Infrastructure Committee. Town Manager Jarvie advised because of the lengthy agenda at the last meeting the Committee was unable to discuss the item. It was noted the tender is for the design only. Counc. McGuire inquired as to why Allan Avenue was not included. DO McLean advised because of the extensive work required, the high cost, and the requirement that the base must be rebuilt, it is recommended the road be rebuilt entirely at the end of its life span. It was noted the cost of the engineering is included in the budget, and depending on the results changes may be made to the list of streets.

### **9.8 Bank Commitment Letter**

6 September 2016 Report prepared by Treasurer MacDonald

**MOVED** by Counc. Brenan and seconded by Counc. Mackay French the Mayor and Clerk be authorized to sign the Scotiabank Commitment Letter dated August 22, 2016 authorizing credit facilities.

#### **ON THE QUESTION:**

Treasurer MacDonald advised this is a standard annual process with the Bank of Nova Scotia. He added the only change is the increase in borrowing limit for the General Fund from \$2.5 million dollars to \$5 million dollars. This is to accommodate funding for capital projects such as the Wastewater Treatment Plant Upgrade. He further noted the Town has one account, the General Fund, and the Utilities Fund borrows from this account.

**CARRIED.**

**MOVED** by Counc. Brenan and seconded by Counc. Shea the General Fund of the town of Rothesay be authorized to borrow up to \$617,400 by way of line of credit to fund general operations pending collection of tax and other revenues.

**CARRIED.**

**MOVED** by Counc. Brenan and seconded by Deputy Mayor Alexander the Utilities Fund of the town of Rothesay be authorized to borrow up to \$1,216,565 by way of line of credit to fund utilities operating expenses pending collection of utility charges.

**CARRIED.**

**MOVED** by Counc. Brenan and seconded by Counc. McGuire the General Fund of the town of Rothesay be authorized to borrow up to \$5,000,000 by way of line of credit to fund capital expenditures as authorized by the MCBB and/or bridge proceeds of debenture issues through the MCBB.

**CARRIED.**

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**MOVED** by Counc. Brennan and seconded by Deputy Mayor Alexander the General Fund of the town of Rothesay be authorized to borrow up to \$50,000 by way of a Scotia VISA Business card.

**CARRIED.**

### **9.9 Clean Wastewater and Wastewater Fund Application: Treatment Plant Detailed Design**

12 September 2016 Report prepared by DO McLean

**MOVED** by Deputy Mayor Alexander and seconded by Counc. McGuire Council authorize the Director of Operations to submit a funding application to the Clean Water and Wastewater Fund for a tri-level funded project in the amount of \$1,199,909.00 (including the eligible HST rebate) to complete detailed design drawings for the construction of a Wastewater Treatment Facility in Rothesay.

#### **ON THE QUESTION:**

Town Manager Jarvie advised the application deadline is the end of the week. He added the cost is within the budgeted amount and no money will be spent until Phase II. The funds are anticipated to be available in 2018.

**CARRIED.**

### **9.10 Regional Facilities Commission**

12 September 2016 Memorandum from Treasurer MacDonald

**MOVED** by Counc. McGuire and seconded by Counc. Lewis the Memorandum from Treasurer MacDonald dated 12 September 2016 be received for information.

#### **ON THE QUESTION:**

Counc. Brennan noted Rothesay's contribution only increased an approximate \$7,000 as a result of a previous deficit. There was a brief discussion on the status of the Aquatic Centre.

**CARRIED.**

### **9.11 EMO Recommendation**

12 September 2016 Memorandum from Town Manager Jarvie

**MOVED** by Counc. Lewis and seconded by Counc. McGuire a letter be written to the Fundy Regional Service Commission requesting that the Commission explore waterside rescue capability in the Region with a view to seeking improvements in capacity.

#### **ON THE QUESTION:**

Counc. Lewis advised the Committee discussed: the need for waterside rescue should a neighborhood become isolated in an emergency; a hovercraft, shared by Rothesay and neighboring communities, as an inexpensive solution; and the best avenue to introduce the matter. He added as this is a shared regional concern, a letter should be sent to the Fundy Regional Service Commission for discussion. Mayor Grant noted she was pleased to see this matter being discussed. She added the Ad Hoc Rail Committee previously recommended a helicopter be explored as a rescue method. DPDS White noted it is the mandate of Ambulance New Brunswick and the Coast Guard, not the Town. It was suggested the Kennebecasis Valley Fire Department may be in possession of a hovercraft. Concern was expressed regarding reliability of the vehicle. Counc. Mackay French advised Trauma New Brunswick deals with medical emergencies throughout the province. She inquired if they had been contacted with regard to the topic of waterside rescue. DPDS White advised he was unaware of the organization and would review.

## **10. NEXT MEETING**

The next meetings are scheduled as follows:

Public Hearing – 7 Hillcrest Drive **Wednesday, September 14, 2016 7:00 p.m.**

Regular Meeting


**Rothesay High School  
Tuesday, October 11, 2016**

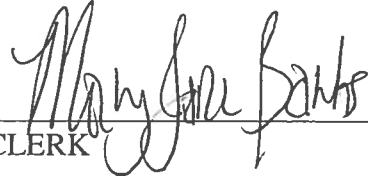
**11. ADJOURNMENT**

**MOVED** by Counc. McGuire and seconded by Counc. Brenan the meeting be adjourned.

**CARRIED.**

The meeting adjourned at 9:01 p.m.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CLERK