



ROTHESAY COUNCIL

OPEN SESSION

Monday, December 12, 2011

MINUTES



PRESENT: MAYOR WILLIAM J. BISHOP
DEPUTY MAYOR BLAIR MacDONALD
COUNCILLOR SCOTT COCHRANE
COUNCILLOR PAT GALLAGHER JETTE
COUNCILLOR TERRY KILFOIL
COUNCILLOR NORMA MULLETT
COUNCILLOR DON SHEA

TOWN MANAGER JOHN JARVIE
TOWN CLERK MARY JANE BANKS
DIRECTOR OF DEVELOPMENT SERVICES (DDS) GAY DRESCHER
DIRECTOR OF OPERATIONS (DO) BRETT McLEAN
DIRECTOR OF RECREATION SERVICES CHARLES JENSEN
TREASURER SUSAN JOHNSON
FINANCIAL OFFICER ELLEN STEEVES

ABSENT: COUNCILLOR TOM YOUNG

Mayor Bishop called the meeting to order at 8:05 p.m.

1. APPROVAL OF MINUTES Regular Meeting – November 14, 2011

Business Arising

1.1 Remuneration By-law - Item 7.0

2 December 2011 Memorandum from Town Clerk Banks

MOVED by Counc. Gallagher Jette and seconded by Counc. Kilfoil the Council minutes be adopted as circulated.

Amending motion:

MOVED by Counc. Gallagher Jette and seconded by Counc. Shea the motion under Item 7.0 in the minutes of 14 November 2011 be amended to read, in part, as follows:

MOVED by Counc. Young and seconded by Counc. Mullett the remuneration for Rothesay Council, in accordance with By-law 1-06, "Remuneration By-law", be set as follows for ~~May 14, 2012 to May 9, 2016~~
June 1, 2012 to May 31, 2016.....

Amending motion CARRIED.

Main Motion CARRIED.

2. APPROVAL OF AGENDA

MOVED by Counc. Gallagher Jette and seconded by Deputy Mayor MacDonald the agenda be approved as circulated.

CARRIED.

3. OPENING REMARKS OF COUNCIL

Mayor Bishop noted the following: the Mayor's Levee will be held from 12 noon until 2:00 p.m. on New Year's Day, followed by the New Year's Day Skate from 2:00 p.m. until 4:00 p.m. He also noted the Christmas Tree Drop-Off will be one day only at various locations throughout Rothesay.

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4. DELEGATIONS

- 4.1 Cherry Brook Zoo Lynda Collrin, BSc, MSc Director Zoo Development/Primatologist
(See Item 9.1) Alice O'Neill, Chairperson

Ms. O'Neill and Ms. Collrin appeared before Council and gave a presentation with respect to the Cherry Brook Zoo. Ms. O'Neill made the following comments: strong volunteer base with over 4900 hours, Cherry Brook Zoo was the first in Atlantic Canada to receive accreditation from CAZA (1991), summer 2012 will go through the accreditation process again, regional communities have given support in the past, budget has been reduced by 20% and a new strategic plan will be developed. Ms. Collrin made the following comments: growth includes expansions of programs and services which requires new buildings, additional businesses have been introduced to increase revenues, the focus is conservation, research and education, collaboration with international commissions, breeding program needs to be enhanced and the Zoo is one of the top ten attractions in the region and the province.

Deputy Mayor MacDonald asked about attendance figures. Ms. Collrin indicated there was a reduction of about 10,000 in 2010 mainly because of bad weather. On questioning, she noted a presentation had been made to the City of Saint John but they had not been advised yet whether funding would be provided. Counc. Cochrane questioned how the deficit would be addressed. Ms. Collrin advised a corporate sponsor had recently come onboard and the new strategic plan will focus on obtaining corporate support.

Mayor Bishop thanked Ms. O'Neill and Ms. Collrin for their presentation.

5. CORRESPONDENCE FOR ACTION

- 5.1 8 December 2011 Memorandum from Town Manager Jarvie RE: affordable housing support request.

MOVED by Counc. Gallagher Jette and seconded by Counc. Mullett Council provide a letter of support, in principle, for the Quispamsis Lions proposed affordable housing project.

CARRIED.

- 5.1.1 21 November 2011 Letter from Quispamsis Lions RE: support for affordable housing.
MOVED by Counc. Shea and seconded by Counc. Kilfoil the letter from Quispamsis Lions RE: support for affordable housing dated 21 November 2011 be received/filed.

CARRIED.

6. CORRESPONDENCE - FOR INFORMATION

- 6.1 22 November 2011 Letter of resignation from Judy Heron (Kennebecasis Public Library Board).

MOVED by Counc. Mullett and seconded by Counc. Shea the letter of resignation from Judy Heron (Kennebecasis Public Library) dated 22 November 2011 be received/filed and a letter of thanks be sent.

CARRIED.

- 6.2 25 November 2011 Letter from Local Government Minister Fitch RE: Local Governance Initiative.

MOVED by Counc. Cochrane and seconded by Counc. Kilfoil the letter from Minister Fitch RE: Local Governance Initiative dated 25 November 2011 be received/filed.

CARRIED.

- 6.3 25 November 2011 Email from I. McCready RE: recreation facilities.

MOVED by Counc. Mullett and seconded by Counc. Shea the email from I. McCready RE: recreation facilities dated 25 November 2011 be received/filed.

CARRIED.

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6.4 25 November 2011 Revised Kennebecasis Valley Fire Department Inc. 2012 Budget (forwarded to Finance Committee upon receipt).

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald the Revised Kennebecasis Valley Fire Department Inc. 2012 Budget be forwarded to the Finance Committee.
CARRIED.

6.5 28 November 2011 Rothesay Living Museum 2012 Budget Request (forwarded to Finance Committee upon receipt).

MOVED by Counc. Cochrane and seconded by Counc. Mullett the Rothesay Living Museum 2012 Budget Request dated 28 November 2011 be received/filed.

CARRIED.

6.6 November 2011 News Release – The Town Hall Challenge.

MOVED by Deputy Mayor MacDonald and seconded by Counc. Kilfoil the November 2011 News Release RE: The Town Hall Challenge be received/filed.

ON THE QUESTION:

Mayor Bishop noted the news release had been sent to local media representatives.

CARRIED.

6.7 5 December 2011 Letter from Rothesay Town Clerk to Board of Fire Commissioners, Kennebecasis Valley Fire Department.

MOVED by Counc. Shea and seconded by Deputy Mayor MacDonald the letter from Rothesay Town Clerk to Board of Fire Commissioners, Kennebecasis Valley Fire Department dated 5 December 2011 be received/filed.

CARRIED.

7.1 July 2011 Kennebecasis Valley Fire Department Response Summary Report

MOVED by Counc. Mullett and seconded by Counc. Kilfoil the July 2011 Kennebecasis Valley Fire Department Response Summary Report be received/filed.

ON THE QUESTION:

Mayor Bishop noted the Fire Department had been asked to resume sending the Response Summary Reports to Council.

CARRIED.

6.8 7 December 2011 Email from D. Moore RE: thank you for crosswalk on Gondola Point Road.

MOVED by Counc. Kilfoil and seconded by Counc. Shea the email from D. Moore RE: thank you for the crosswalk on Gondola Point Road dated 7 December 2011 be received/filed.

CARRIED.

7. REPORTS

7.0 December 2011 **Report from Closed Session**

N/A

7.1 July 2011 Kennebecasis Valley Fire Department Response Summary Report
Dealt with above.

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7.2 19 October 2011 Rothesay Regional Joint Board of Police Commissioners Meeting Minutes
31 October 2011 Rothesay Regional Joint Board of Police Commissioners Financial Statements
19 October 2011 Rothesay Regional Joint Board of Police Commissioners Policy
MOVED by Counc. Shea and seconded by Counc. Mullett the Rothesay Regional Joint Board of Police Commissioners Meeting Minutes dated 19 October 2011, the Rothesay Regional Joint Board of Police Commissioners Financial Statements dated 31 October 2011 and the Rothesay Regional Joint Board of Police Commissioners Policy dated 19 October 2011 be received/filed.

CARRIED.

7.3 31 October 2011 Unaudited Rothesay General Fund Financial Statements
MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald the unaudited Rothesay General Fund Financial Statements be received/filed.

CARRIED.

31 October 2011 Unaudited Rothesay Utility Financial Statements
MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald the unaudited Rothesay Utility Statements be received/filed.

CARRIED.

7.4 8 November 2011 Parks and Recreation Committee Meeting Minutes
MOVED by Counc. Shea and seconded by Deputy Mayor MacDonald the Parks and Recreation Committee Meeting Minutes dated 8 November 2011 be received/filed.

ON THE QUESTION:

Clarification was requested with respect to the capital project amounts and it was noted the correct amounts are in the proposed Rothesay Budget.

CARRIED.

7.5 16 November 2011 Draft Public Works and Infrastructure Committee Meeting Minutes
➤ Draft 2012 Operating and Capital Budgets
MOVED by Counc. Mullett and seconded by Counc. Cochrane the draft Public Works and Infrastructure Committee Meeting Minutes dated 16 November 2011 and Draft 2012 Operating and Capital Budgets be received/filed.

CARRIED.

7.6 18 November 2011 Finance Committee Meeting Minutes
23 November 2011 Finance Committee Meeting Minutes
30 November 2011 Finance Committee Meeting Minutes
6 December 2011 Draft Finance Committee Meeting Minutes
MOVED by Counc. Cochrane and seconded by Counc. Gallagher Jette the Finance Committee Meeting Minutes dated 18 November 2011, 23 November 2011, 30 November 2011 and the draft Finance Committee Meeting Minutes dated 6 December 2011 be received/filed.

CARRIED.

7.7 November 2011 Monthly Building Permit Report
MOVED by Counc. Cochrane and seconded by Counc. Gallagher Jette the November 2011 Monthly Building Permit Report be received/filed.

CARRIED.

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7.8 5 December 2011 Draft Planning Advisory Committee Meeting Minutes
MOVED by Counc. Cochrane and seconded by Counc. Shea the draft Planning Advisory Committee Meeting Minutes dated 5 December 2011 be received/filed.

CARRIED.

➤ Hillcrest Gardens – Clermont Lane/Robertson Drive Amending Development Agreement
MOVED by Counc. Cochrane and seconded by Counc. Kilfoil Council schedule a Public Hearing for Monday, February 13, 2012 at 7:00 p.m., in accordance with the Community Planning Act, RSNB (1973) Chapter C-12 and amendments thereto, to give consideration to an amending Development Agreement for the development of Hillcrest Gardens, situate generally off Robertson Drive and Clermont Lane, identified as PID# 302749137.

ON THE QUESTION:

Clarification was requested with respect to the motion as the Planning Advisory Committee recommended against scheduling a public hearing. Town Clerk Banks advised, as noted in the memorandum, Council can accept the recommendation of the Committee and deny the request or choose to set a public hearing. From a procedural point of view, all motions should be in the affirmative and should Council wish, it can vote against it and defeat the motion. Counc. Cochrane advised the Planning Advisory Committee recommended against setting a hearing but should Council decide to do so, it also recommended against authorizing the amending development agreement. Counc. Mullett questioned if it was a totally different proposal.

DDS Drescher advised the original development was for semi-detached and four unit housing under condominium ownership, on one large lot. The amendment is to change to individual units on individual lots. She further advised the amendment will reduce the number of units from 22 to 19. It was noted the Municipal Plan amendment and Zoning By-law amendment were already approved. The change in the proposal requires an amendment to the agreement, which must be considered after a public hearing is held.

CARRIED.

7.9 8 December 2011 Nominating Committee Report
MOVED by Deputy Mayor MacDonald and seconded by Counc. Cochrane the Committee Appointments (2012) be approved as presented, with the following comments: Angus Bonnycastle has agreed to a further term on the Rothesay Heritage Preservation Review Board, with the term to be identified, and one additional appointment is required to the Heritage Board and the Parks and Recreation Committee.

CARRIED.

8. OLD BUSINESS

N/A

9. NEW BUSINESS

BUSINESS ARISING FROM DELEGATIONS

9.1 Cherry Brook Zoo Powerpoint Presentation

1 December 2011 Letter and revised Budget from Cherry Brook Zoo.

MOVED by Deputy Mayor MacDonald and seconded by Counc. Cochrane the presentation and correspondence from the Cherry Brook Zoo be received/filed.

ON THE QUESTION:

It was noted the request will be dealt with under the Proposed Budget (Item 9.4).

CARRIED.

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DEVELOPMENT SERVICES

9.2 Cobalt Properties – Hampton/Marr Road agreement (right turn lane)

8 December 2011 Memorandum from DDS Drescher

Draft Agreement

MOVED by Counc. Shea and seconded by Counc. Gallagher Jette Council authorize the Mayor and Clerk to enter into the revised agreement with Cobalt Properties Ltd.

ON THE QUESTION:

A revised agreement was presented prior to the meeting for Council approval, representing the same intent but with more specific wording, at the request of the developer.

CARRIED.

RECREATION SERVICES

9.3 Architectural Services – Contract Award

8 December 2011 Memorandum from Town Manager Jarvie

MOVED by Counc. Shea and seconded by Counc. Kilfoil Council award a contract for architectural services to exp Services Inc. for the conceptual design of a multipurpose recreation project with a budget not to exceed \$75,000 including net HST, and funding to come from the allocation in the 2012 Capital budget.

ON THE QUESTION:

Clarification was requested with respect to what services will be provided. It was noted this will be a multi-phase project and the initial phase is to provide a conceptual design for the entire project. It was suggested it is possible to prepare a schematic plan and then re-tender for the next phase. The second phase of the project will be the arena renovation and the third phase will be the fieldhouse project. Town Manager Jarvie advised the recommendation was based on the analysis of four senior staff members. Counc. Shea advised the Parks and Recreation Committee reviewed the initial Request for Proposals, but not the submissions. He did not see the need to delay the project by waiting for another month for the Committee to review the submissions.

CARRIED.

FINANCE

9.4 2012 Rothesay Budget Presentation

- General Fund Capital and Operating Budgets
7 December 2011 Memorandum from E. K. Steeves

- Utility Fund Capital and Operating Budget 2012
5 December 2011 Memorandum from Susan Johnson, Treasurer

- General Fund Motions 2011
5 December 2011 Memorandum from E. K. Steeves, Financial Officer

- Water and Sewer Fund Reserve Motions 2011
5 December 2011 Memorandum from Susan Johnson, Treasurer

Treasurer Johnson gave a brief presentation with respect to the Utility Capital and Operating Budgets, along with the General Capital and Operating Budgets. The Utility Capital Budget totals \$1.265 million and the total Operating Budget is \$2,433,131. Sewer rates will increase to \$285 and water rates will remain the same. The total General Fund Capital Budget will be \$8.9 million and the Operating Budget will be \$15,900,000.

Mayor Bishop noted the Town has managed its finances well, particularly with an increase in fire and police budgets, along with the comEX transit services. He noted the debt-service cost is 6.5% and the proposed tax rate will remain at \$1.1900.

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MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald **Resolved** that the Utility Fund 2012 Capital Budget of \$1,265,000 be approved.

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald **Resolved** that pursuant to paragraph 189(4) of the Municipalities Act, the total budget for the Water and Sewerage Utility for the ensuing year would consist of total revenues of \$2,433,131 and total expenditures of \$2,433,131.

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald **Resolved** that the sewer service charge in schedule "B" of by-law 6-04 be \$285.00 per equivalent user unit.

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald **RESOLVED** that the General Fund 2012 Capital Budget of \$8,923,000 be approved.

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald **RESOLVED** that the sum of \$15,900,000 be the total operating budget of the Municipality, that the sum of \$13,886,175 be the Warrant of the Municipality for the ensuing year, and that the tax rate for the municipality be \$1.1900. The Council orders and directs the levying by the Minister of Local Government of said amount on real property liable to taxation under the *Assessment Act* within the Municipality of Rothesay.

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald **RESOLVED** that the following 2012 total budgets and requests be approved as submitted:

Regional Facilities Commission \$2,323,949

Fundy Region Solid Waste Commission \$8,575,833

Greater Saint John Economic Development Agency, Incorporated \$668,512

Kennebecasis Public Library \$ 120,446

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald **RESOLVED** that the following 2012 total budgets be approved as follows:

Kennebecasis Valley Fire Department Inc. Operating: \$3,854,499

Capital: \$351,122, providing the funding is adjusted for assessments, based on a 10 year debenture payment using the same allocation method as the Quint.

Rothesay Regional Joint Board of Police Commissioners \$5,107,018

Rothesay Living Museum \$4,000

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald **RESOLVED** that the following 2012 funding requests be approved as follows:

Comex: \$72,500

Cherry Brook Zoo – one time contribution of \$5,000

Dalhousie Medical - \$5,000 a year for five years.

NB Medical Education Trust – to establish a \$10,000 a year scholarship for a Rothesay resident, or next a Kennebecasis Valley Resident, or lastly a Greater Saint John Area resident, with need being a primary factor.

CARRIED.

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MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald **Resolved** that \$80,000.00 be transferred **from** the Utility Operating Fund **to** the Utility Capital Reserve Fund for water and sewer connection fees.

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald **Resolved** that \$3,670.00 be transferred **from** the Utility Operating Fund **to** the Utility Capital Reserve Fund for Rothesay's contribution to the Sewage Outfall Reserve.

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald **Resolved** that \$9,816.00 received **from** Quispamsis for Sewage Outfall be transferred **to** the Utility Capital Reserve.

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald **Resolved** that Council authorizes the expensing of Utility Capital Expenditures through the Utility Operating Fund for 2011 up to \$500,000.00.

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald **Resolved** that \$210,000 be transferred **from** the General Capital Reserve Fund (Gas Tax) **to** the Utility Capital Fund to cover project costs.

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald **BE IT RESOLVED THAT** the sum of **\$449,772.69** be transferred from the General Capital Reserve Fund to the General Capital Fund to cover the costs of the Capital Equipment purchases.

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald **BE IT RESOLVED THAT** the sum of **\$10,000.00** be transferred from the General Operating Fund to the Capital Reserve Fund (Town Hall) for the year 2011. (\$7,275.00 from District 6).

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald **BE IT RESOLVED THAT** Gas Tax Funding in the amount of \$1,808,712.00, for the years 2010 and 2011, be transferred to the General Capital Reserve.

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald **BE IT RESOLVED THAT** the sum of **\$630,000** be transferred from the General Capital Reserve Fund (Gas Tax) to the General Capital Fund to cover the costs of the Capital Works projects.

CARRIED.

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MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald BE IT RESOLVED THAT the sum of **\$290,000.00** be transferred from the General Operating Fund to the General Capital Reserve Fund for the year 2011, as per the departments' budgets.

Transportation	\$	125,000.00
Fire Fighting Equip.	\$	25,000.00
Computer Equip.	\$	20,000.00
Recreation Equip.	\$	20,000.00
Transfer - Finance	\$	100,000.00

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald BE IT RESOLVED THAT the cost of \$1,189,750.58 for the Scott Avenue buildings be expensed from Capital through Operating.

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald BE IT RESOLVED THAT Council authorizes the expensing of General Capital Projects through the General Operating Fund up to \$3,500,000.00.

CARRIED.

10. NEXT MEETING

The next regular meeting of Council will be held on Monday, January 9, 2012.

11. ADJOURNMENT

MOVED by Counc. Kilfoil and seconded by Counc. Mullett the meeting be adjourned.

CARRIED.

The meeting adjourned at 9:30 p.m.

MAYOR

CLERK