

OPEN SESSION Monday, April 8, 2013 **MINUTES**



PRESENT: MAYOR WILLIAM J. BISHOP

DEPUTY MAYOR NANCY GRANT COUNCILLOR MATT ALEXANDER COUNCILLOR PAT GALLAGHER JETTE

COUNCILLOR PETER LEWIS

COUNCILLOR BLAIR MacDONALD COUNCILLOR BILL McGUIRE COUNCILLOR MIRIAM WELLS

TOWN MANAGER JOHN JARVIE TOWN CLERK MARY JANE BANKS

DIRECTOR OF OPERATIONS (DO) BRETT McLEAN DIRECTOR OF PARKS/REC (DPR) CHARLES JENSEN

DIRECTOR OF PLANNING/DEVELOPMENT (DPDS) BRIAN WHITE

TREASURER SUSAN JOHNSON

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

1. APPROVAL OF MINUTES Regular meeting 11 March 2013

MOVED by Counc. Alexander and seconded by Counc. Lewis the minutes of 11 March 2013 be adopted as circulated.

CARRIED.

Business Arising from Minutes

n/a

2. APPROVAL OF AGENDA

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

CARRIED.

3. OPENING REMARKS OF COUNCIL

Counc. McGuire commended Gary Gower and his group associated with the Fishermen's Association at the Renforth Wharf for their efforts in removing debris from the fishing village prior to the ice melt. He noted the group plans to arrange meetings with the responsible government department, with a view to better results next year on monitoring and policing the shacks. Counc. McGuire advised he and his fellow councillors have offered to support the group in their initiative to work with the provincial department.

4. **DELEGATIONS**

4.1 NBPower

(see Item 6.1)

Sherry Thomson Lynn Arsenault

Ms. Sherry Thomson, Vice President, Customer Service, Distribution and Transmission was in attendance on behalf of NBPower, along with two other representatives. She noted the invitation had been extended by Rothesay Council to provide further information with respect to the communications protocol followed by NBPower during major storm events and power outages. She noted the following: NBPower monitors weather events and follows a storm restoration process; 2200 incidents across the province from the significant storm event at the end of January (43% in the Kennebecasis Valley area); improvements have been made in both inbound/outbound communication through the website, use of media and the customer interaction centre. Ms. Thomson advised Council the de-brief following this major event identified the following: have a presence at the qplex; better methods to get the message out

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to customers; a business customer advisor to be in contact with Mayor/Council and EMO to provide additional information and updated online notification by customers to NBPower to report outages.

Mayor Bishop thanked Ms. Thomson for appearing before Council and asked Council if there were any questions. Councs. Alexander and MacDonald raised the following: power outage lasted 56 hours and this was a significant event but the method of online notification is not effective during an outage; NBPower meter reader in the area was not aware of the outage; need better connection with communities; elderly unable to leave their homes; need improved communications; some residents experienced burst pipes and food loss; accuracy of information being provided as to when power will be restored.

Ms. Thomson noted seeking opportunities to listen to customers and seek better ways to communicate with customers. NBPower is aware of the need for people to be able to make plans for extended power outages. She advised the estimated restoration times are provided by the line workers.

Mayor Bishop thanked Ms. Thomson and her colleagues again for appearing before Council and advised Rothesay is more than willing to assist NBPower in improving communications.

4.2 KV Girls Softball Association Kelly Lynch (presentation)

Kelly Lynch appeared on behalf of the KV Girls Softball Association and began with a video presentation about the Association. Ms. Lynch advised Council of the following: enrollment increase of 131% in 2011 and additional 77% in 2012; the association supports the Long Term Player Development Model from Softball Canada; a list of programs provided by the association for players ranging in age from 4 to 18+; recipient of numerous awards; overwhelming community support from local businesses and successful hosts of 5 star championship tournaments in 2011 and 2012. Ms. Lynch noted a successful program is dependent on passionate volunteer coaches, girls to participate and fields to play on. She noted there is not a suitable field in Rothesay for softball and of the nine fields in the Valley, six are dedicated only to boys' and men's programs. Ms. Lynch introduced the Board members who accompanied her, along with two players from the Rep team who had not played baseball until last year.

The request from the Association is for space for the girls to play. There was a brief discussion with respect to the difference in fields for boys' and girls' teams, dependent on age and possible locations for a new field in Rothesay, including on the Villa Madonna property. Ms. Lynch clarified that an existing field, converted to a girls' field would benefit the association. particularly the field in Renforth, with some fencing and structure added. She noted Rothesay was not asked last year for field time and although field time was requested from Quispamsis, none was given. The association had 10 time slots last year and with increased programming and membership, this year would require at least 15 time slots. It was noted that membership fees are \$65 for the season and \$95 for fast pitch. Mayor Bishop thanked Ms. Lynch for her presentation and advised the request would be looked into further.

MOVED by Counc. Alexander and seconded by Counc. Lewis the request for field time from the KV Girls Softball Association be referred to the Director of Parks and Recreation.

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4.3 Cameron Road (see Item 9.1)

Drew Schedler

Mr. Drew Schedler appeared before Council to express his concerns with respect to safety and security issues on Cameron Road. He thanked Council for the addition of street lighting at Rose Lane and Aragona Court. He noted the following: Cameron Road was not designed to support the current traffic levels as a result of through traffic on Scichilone Street to West Beach Estates; possibility of additional development in the area; roadway is too narrow; posted speed limit is not being obeyed; high volume traffic between 7:30-8:30 am and 3:30-5:30 pm and the need for a sidewalk, which could be included in the 2014 capital plan. Mayor Bishop thanked Mr. Schedler for his presentation and advised the matter would be addressed later in the agenda. He advised the request would likely be referred to the Public Works and Infrastructure Committee where it would be reviewed; Mr. Schedler would be contacted if additional information was required, and a recommendation would be made by the Committee to Council.

5. CORRESPONDENCE FOR ACTION

5.1 25 March 2013 Letter from Kennebecasis Regional Deer Committee RE: survey.

MOVED by Counc. Alexander and seconded by Deputy Mayor Grant Council endorses the use of the proposed public opinion survey, in partnership with Hampton and Quispamsis.

ON THE QUESTION:

Counc. Alexander advised he had submitted some recommendations to be included on the survey. Mayor Bishop noted they had been reviewed by the Committee and it was decided to keep the survey relatively simple. It was noted the survey link will be posted on each of the Town's websites once the three Councils have approved it and advertising will be done to promote it as well.

CARRIED.

5.2 2 April 2013 Letter from resident RE: Green Road.

MOVED by Counc. Gallagher Jette and seconded by Counc. MacDonald the letter dated 2 April 2013 with respect to drainage on Green Road be referred to the Public Works and Infrastructure Committee.

CARRIED.

6. CORRESPONDENCE - FOR INFORMATION

6.1 14 March 2013 Letter to NBPower RE: Public Information in Case of Outages.

MOVED by Counc. Lewis and seconded by Deputy Mayor Grant the letter to NBPower RE: Public Information in Case of Outages dated 14 March 2013 be received/filed.

ON THE QUESTION:

Counc. MacDonald noted there is still an issue with elderly residents. It was noted information with respect to backup generators will be forthcoming from staff and the Sentinel Alert system is in place to notify residents of potential emergencies. Town Manager Jarvie noted the Town's method of notification is electronic as well and the Sentinel system requires the individual to subscribe and this program could be more actively promoted. It was undertaken in partnership with eight other area municipalities and each municipality can send its own messages to residents. He further noted the Town does not necessarily know either when power outages occur within the community and if people are in need of assistance. There was a brief discussion with respect to dealing with residents who may need assistance

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and who is responsible. It was noted the Town's emergency measures plan is implemented when Council makes a decision there is a state of local emergency in the community.

CARRIED.

6.2 14 March 2013 Letter and supporting documentation from the Rothesay Community Park Planning Committee (Rothesay Elementary School).

MOVED by Counc. Alexander and seconded by Counc. Wells the Letter and supporting documentation from the Rothesay Community Park Planning Committee (Rothesay Elementary School) dated 14 March 2013 be tabled.

CARRIED.

6.3 25 March 2013 Letter to Joint Board of Fire Commissioners RE: First Response Function.

MOVED by Counc. Gallagher Jette and seconded by Deputy Mayor Grant the letter to the Joint Board of Fire Commissioners RE: First Response Function dated 25 March 2013 be received/filed.

ON THE QUESTION:

Counc. MacDonald noted the Fire Board is a separate corporation and both Councils had decided a few years ago to make a policy decision to re-start the medical first response function. The Board will undertake further investigation and is questioning if Rothesay Council is considering reversing this decision, based on the extent of the inquiry. Mayor Bishop advised Council is seeking further information with respect to expenses and methodology, rather than reconsidering its policy decision. Counc. MacDonald suggested in the past Council had been advised its only authority was with respect to the fire budget and the Board is responsible for the governance of the department, and the direct invitation to Chief Ireland to speak to both Councils is making the governance unclear. Mayor Bishop reiterated Council is interested in the provision of necessary services and related costs, and would be interested in learning the Board's position on the medical first response function.

Counc. Gallagher Jette requested clarification on Council's position with respect to the medical first response function. Mayor Bishop advised Council has made a policy decision to support the provision of the service at the present time but additional information is being requested. She also requested clarification as to whether the Chief is still requested to appear before Council to answer questions on the medical first response function. Counc. Gallagher Jette noted it is unclear whether the Council members on the Board are appointed to act as agents of Council or to act independently. Mayor Bishop noted Council is still interested in hearing from Chief Ireland and its position has not changed with respect to the medical first response function at the present time. Town Manager Jarvie suggested the responsibilities of council appointees to various boards may be a topic to be discussed at the strategic planning session.

Deputy Mayor Grant commented the questions had to be asked so Council is informed before making decision on services. She noted fire costs are escalating across all municipalities and further study needs to be done. Counc. MacDonald noted the Board minutes indicate further research and review will be done at the Board level.

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6.4 2 April 2013 Letter from resident RE: general comments.

MOVED by Counc. Gallagher Jette and seconded by Deputy Mayor Grant the letter from a Rothesay resident RE: general comments dated 2 April 2013 be received/filed and staff send a response.

CARRIED.

7. REPORTS

7.1 28 February 2013 Kennebecasis Valley Fire Department Inc. unaudited Financial

Statements

13 February 2013 Kennebecasis Valley Fire Department Board meeting minutes

Jan/Feb 2013 Response Summary Report

MOVED by Counc. Gallagher Jette and seconded by Counc. Alexander the Kennebecasis Valley Fire Department Inc. unaudited Financial Statements dated 28 February 2013, Kennebecasis Valley Fire Department Board meeting minutes dated 13 February 2013 and the January/February 2013 Response Summary Report be received/filed.

ON THE QUESTION:

Counc. Alexander raised a few questions with respect to long term disability (LTD) and sick time allocated in overtime costs, and holiday relief costs. Counc. MacDonald noted the overtime costs are to cover LTD and sick leave, and holiday relief is not covered by volunteers. Counc. McGuire questioned the high cost for LTD in comparison to budgeted amounts and Counc. MacDonald advised two additional members were on LTD following the completion of the budget. Counc. Gallagher Jette advised the Board reviews staffing on a monthly basis and there are contractual requirements to be met. Counc. MacDonald indicated the Board is reviewing the issue and considering the establishment of a Personnel Committee, along with reviewing hiring practices. Clarification was provided on the new volunteer firefighter rotation in that volunteers are now on call and the response rate has significantly increased. Counc. Alexander requested additional information on the cost for the new truck that is approximately \$20,000 more expensive than that being recommended later in the agenda. Counc. Gallagher Jette advised the additional costs are related to specific technical requirements for a fire response vehicle.

CARRIED.

7.2 28 February 2013 Rothesay unaudited General Fund Financial Statements **MOVED** by Counc. MacDonald and seconded by Counc. Gallagher Jette the Rothesay unaudited General Fund Financial Statements dated 28 February 2013 be received/filed.

ON THE QUESTION:

It was noted the Balance statements are now in the new reporting standards format and the Income statement is in the old reporting standard format.

CARRIED.

28 February 2013 Rothesay unaudited Utility Financial Statements **MOVED** by Counc. MacDonald and seconded by Counc. Wells the Rothesay unaudited Utility Financial Statements dated 28 February 2013 be received/filed.

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7.2.1 3 April 2013 Recommendations from Finance Committee

MOVED by Counc. MacDonald and seconded by Counc. Wells Council approve donation amounts to the following organizations:

Request From:	Date	Amount Recommended
Symphony NB	January 4, 2013	\$ 1,000
Saint John Theatre Company	January 15, 2013	500
Canadian Cancer Society	March 13, 2013	500
World Women's Curling Championship	March 13, 2013	1,821

CARRIED.

MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant Council deny the following funding requests:

Request From:	Date	Amount Requested
Saint John Community Foundation	October 12, 2012	\$ 1,000
Touchstone Community School	November 26, 2012	7,500

CARRIED

7.3 19 March 2013 Draft Parks and Recreation Committee meeting minutes **MOVED** by Counc. McGuire and seconded by Counc. Wells the draft Parks and Recreation Committee meeting minutes dated 19 March 2013 be received/filed.

ON THE QUESTION:

It was noted the Glenn Group will be hosting the public meeting on Wednesday evening at Rothesay Park Middle School to discuss the Rothesay Common. The session is an opportunity for the public to discuss what they would like to see happen with the Common.

CARRIED.

7.4 28 March 2013 Draft Public Works and Infrastructure Committee meeting minutes

MOVED by Counc. Alexander and seconded by Counc. Wells the draft Public Works and Infrastructure Committee meeting minutes dated 28 March 2013 be received/filed.

CARRIED.

7.5 March 2013 Building Permits Summary Report

MOVED by Counc. Wells and seconded by Deputy Mayor Grant the March 2013 Building Permits Summary Report be received/filed.

CARRIED.

7.6 2 April 2013 Draft Planning Advisory Committee meeting minutes **MOVED** by Counc. Lewis and seconded by Counc. Wells the draft Planning Advisory Committee meeting minutes dated 2 April 2013 be received/filed.

ON THE QUESTION:

Counc. MacDonald suggested staff review the language in the polling letters that are sent to residents as they are somewhat unclear in their content. Counc. Wells advised Council of the lengthy discussion with respect to a second proposed dwelling at 10 Church Avenue, noting there were several residents in attendance.

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Counc. Alexander declared a conflict of interest and left the meeting room at 8:45 p.m.

➤ Hutson Street/French Village Road

MOVED by Deputy Mayor Grant and seconded by Counc. Wells Council rescinds the motion dated September 12, 2012 authorizing the Mayor and Clerk to enter into the Development Agreement for the development of a six lot subdivision, to be known as Deep Creek Subdivision Phase 6, on a portion of the lands identified as PID# 30154694.

CARRIED.

MOVED by Deputy Mayor Grant and seconded by Counc. Wells Council rescinds the motion dated September 12, 2012 assenting to the public road to be known as the extension of Hutson Street for the development of a six lot subdivision on the portion of lands identified as PID# 30154694.

CARRIED.

MOVED by Deputy Mayor Grant and seconded by Counc. Wells Council authorizes the Mayor and Clerk to enter into the Development Agreement, as amended, for the development of an eight lot subdivision, to be known as Deep Creek Subdivision Phase 6, on a portion of the lands identified as PID# 30154694.

ON THE QUESTION:

It was noted the *Community Planning Act* restricts the amount of land for public purposes so an amendment to the development agreement is required, to read as follows

1.1 The Town agrees to accept 4.17 hectares as land for public purposes. Furthermore, the Developer agrees and understands that they shall not be entitled to any claim and or future consideration of credit for land for public purposes for that area of all land identified as REGULATED WETLAND on Dwg. No. T-00492.

CARRIED.

MOVED by Deputy Mayor Grant and seconded by Counc. McGuire Council assents to the public road to be known as the extension of Hutson Street for the development of an eight lot subdivision on the portion of the lands identified as PID# 30154694.

CARRIED.

MOVED by Deputy Mayor Grant and seconded by Counc. MacDonald Council accepts 4.17 hectares of land for public purposes for the development of an eight lot subdivision on the portion of the lands identified as PID# 30154694.

CARRIED.

Counc. Alexander returned to the meeting room at 8:45 p.m.

➤ 20 Gibbon Road

MOVED by Deputy Mayor Grant and seconded by Counc. Wells Council schedule a Public Hearing for **Monday**, **May 13**, **2013 at 7:00 p.m**., in accordance with the *Community Planning Act*, R.S.N.B. (1973) Chapter c-12 and amendments thereto, to consider the rezoning of lands located at 20 Gibbon Road, (PID#s 00238956, 30124440 and 30181036) from Single Family Residential (R1B) to Two Family Residential (R2).

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7.7 31 December 2012 Fundy Region Solid Waste Commission Audited Financial Statements

MOVED by Counc. Gallagher Jette and seconded by Counc. Alexander the Fundy Region Solid Waste Commission Audited Financial Statements dated 31 December 2012 be received/filed.

ON THE QUESTION:

It was noted the Solid Waste Commission now falls under the responsibility of the Fundy Regional Service Commission. Counc. MacDonald asked if minutes of the Commission meetings were available. Deputy Mayor Grant and Counc. Alexander asked for clarification on administrative costs and the approval to operate. It was noted the administration breakdown is part of the statements and the approval to operate will be renewed in 2015. Mayor Bishop commented the tonnage is down, likely because of the economic slump and there may need to be an increase in fees next year.

CARRIED.

8. UNFINISHED BUSINESS

8.1 Gondola Point Road waterline (*REMOVE FROM TABLE*)

8 February 2013 Memorandum from Town Manager Jarvie 5 February 2013 (*date stamp*) Letter from A. Malcolm Properties Ltd.

MOVED by Counc. Alexander and seconded by Counc. Wells the matter of the Gondola Point Road waterline extension be removed from the table.

CARRIED.

MOVED by Counc. Alexander and seconded by Deputy Mayor Grant Council authorize the inclusion of a waterline extension on Gondola Point Road from civic number 147 to the boundary between civic numbers 177 and 181 in the Town's 2013 capital budget on the general terms set out in the signed letters dated 3 April 2013 from L.T.S. Investments Inc. and A. Malcolm Properties Ltd.

CARRIED.

TABLED AGENDA ITEMS (no action recommended at this time)

8.2 Fieldhouse Project (tabled December 2012)

4 December 2012 Memorandum from Town Manager Jarvie

5 December 2012 Letter from Counc. MacDonald

No action required.

8.3 RES Playground funding request (tabled January 2013)

10 January 2013 Memorandum from Town Manager Jarvie

8 November 2012 Memorandum from Parks and Recreation Committee

No action required.

8.4 Kennebecasis Park Emergency Access (tabled January 2013)

8 January 2013 Memorandum from DO McLean

No action required.

There was a discussion with respect to emergency access for Kennebecasis Park. Town Manager Jarvie advised there is no obvious solution, particularly if the Bishop is not interested in another road access at the present time. Counc. Lewis noted the increase in train traffic is a greater concern now and Counc. MacDonald noted recent derailments involving oil tankers. Town Manager noted an option may be to build the road up should the

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area flood again in the spring freshet. Counc. Wells noted there are other areas in the community that could be affected by a train derailment as well and suggested EMO review this issue. Town Manager Jarvie indicated there are possible solutions for other areas.

Mayor Bishop noted the regional emergency measures committee has not met in some time and emergency measures planning is now a responsibility of the Regional Services Commission.

MOVED by Deputy Mayor Grant and seconded by Counc. Lewis Rothesay Council communicate with the Fundy Regional Service Commission with regards to the matter of emergency access to various areas in the community in the event of emergency situations, particularly for train derailments.

CARRIED.

9. NEW BUSINESS

BUSINESS ARISING FROM DELEGATIONS

9.1 12 March 2013 Correspondence from Drew Schedler

MOVED by Counc. Alexander and seconded by Counc. MacDonald the correspondence from Drew Schedler dated 12 March 2013 and attached documentation RE: Cameron Road be referred to the Public Works and Infrastructure Committee.

CARRIED.

DEVELOPMENT SERVICES

9.2 Apple Orchard Subdivision – land for public purposes

4 April 2013 Memorandum from DPDS White

14 March 2013 Letter from A.E. McKay Builders RE: land for public purposes

MOVED by Counc. Alexander and seconded by Counc. Lewis Council directs staff to advise Mr. McKay the opportunity to determine the cash in lieu amount has closed, and as a consequence deny his request for a refund from Rothesay in the amount of \$7,994.00 being the amount equal to the difference between the 2009 Appraised Value and the 2012 value calculated from the Subdivision By-law.

CARRIED.

RECREATION

9.3 **Renforth Park Revitalization**

2 April 2013 Memorandum from DPS Jensen

MOVED by Counc. Wells and seconded by Counc. McGuire Council awards the tender for Contract No: R2013-Renforth Park Revitalization to Terraex Inc at the tendered price of \$280,240.00 HST included.

CARRIED.

OPERATIONS

9.4 Rothesay Street Reconstruction – Engineering Design/Construction Management Services

2 April 2013 Memorandum from DO McLean

MOVED by Counc. MacDonald and seconded by Counc. Wells the proposal from Crandall Engineering for T-2013-07: Rothesay Street Reconstruction – Various Streets be accepted and that the Mayor and Town Clerk be authorized to execute the appropriate documentation in that regard.

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ON THE QUESTION:

Counc. MacDonald requested additional detail with respect to the criteria used in terms of pricing and technical scoring. DO McLean advised this was a request for proposals rather than a tender call and of the seven submissions received, median cost was \$217,000 and Crandall Engineering was \$197,000. He noted they were not the lowest in terms of pricing but were the highest in technical scoring. Counc. MacDonald requested a copy of the general criteria used to assess the submissions be provided to Council. Counc. Lewis commented on the possible phased construction of French Village Road. DO McLean noted there is approximately \$300,000 budgeted for French Village Road and depending on the required work, it may need to be over more than one season or at an added cost next year. Counc. Gallagher Jette asked how the invitation list for requests for proposals is determined. DO McLean advised tender calls are generally advertised on the NB Opportunities Network (NBON) and in this case the request for proposals was also advertised publicly on the NBON website.

CARREID.

9.5 TD Green Streets – Educational Tree Arboretum Funding

3 April 2013 Memorandum from DO McLean

MOVED by Counc. Wells and seconded by Counc. Alexander Council accept the grant from TD Green Streets – Friends of the Environment in the amount of \$15,000 for the establishment of an Educational Arboretum.

ON THE QUESTION:

DO McLean advised the opportunity to apply for the grant had a very narrow window and the application was made prior to seeking Council approval for matching funding. An approval by TD Green Streets did not bind Council to accept the funding. He further noted consultation had been done with the Director of Parks and Recreation and the project was seen as an opportunity to enhance the Rothesay trails system.

CARRIED.

MOVED by Counc. Alexander and seconded by Counc. Wells Council approve an expenditure in an amount not to exceed \$35,000 for the establishment of an arboretum in the Rothesay watershed with funds to come from the grant and the operations reserve if not otherwise available due to under-expenditure of budgeted items.

ON THE QUESTION:

DO McLean advised the arboretum would be a collection of about 60 native "Acadian Forest" trees on about one acre of land in the watershed. Counc. Alexander commented this is a beneficial program, noting O'Dell Park in Fredericton has one and it will be great to have one in Rothesay.

CARRIED.

9.6 Equipment Supply Tender W-2013-05

2 April 2013 Memorandum from DO McLean

MOVED by Counc. MacDonald and seconded by Counc. Wells the Town purchase the Parks Department service vehicle and 1 additional vehicle and 1 additional vehicle (to be funded from the current surplus in the 2013 Works Capital Equipment Budget), under Equipment Supply Tender W-2013-05: Service Vehicle, from the sole tenderer, Dobson Chrysler, at the tendered price of \$33,423.14 (plus extended warranty in the amount of \$1,243.00) including HST, and further that the Director of Operations be authorized to issue a purchase order for this amount.

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CARRIED.

10. NEXT MEETING

The next regular meeting of Council will be held on Monday, May 13, 2013 immediately following a Public Hearing.

11. ADJOURNMENT

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

		CARRIED
The meeting adjourned at 9:15 p.m.		
MAYOR	CLERK	