



ROTHESAY COUNCIL

OPEN SESSION

Monday, August 13, 2012

MINUTES



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

TOWN MANAGER JOHN JARVIE
TOWN CLERK MARY JANE BANKS
DIRECTOR OF OPERATIONS (DO) BRETT McLEAN
DIRECTOR OF PARKS AND RECREATION CHARLES JENSEN
TREASURER SUSAN JOHNSON
ADMINISTRATIVE ASSISTANT DEBBIE LONG

ABSENT: COUNCILLOR MIRIAM WELLS

Mayor Bishop called the regular session to order at 8:00 p.m.

1. APPROVAL OF MINUTES Regular Meeting – July 9, 2012 Special Meeting – July 30, 2012

MOVED by Counc. Gallagher Jette and seconded by Counc. Alexander the minutes dated 9 July 2012 be adopted as circulated.

CARRIED.

MOVED by Counc. McGuire and seconded by Counc. MacDonald the minutes dated 30 July 2012 be adopted as circulated.

CARRIED.

2. APPROVAL OF AGENDA

MOVED by Counc. Lewis and seconded by Counc. Alexander the agenda be approved as circulated.

CARRIED.

3. OPENING REMARKS OF COUNCIL

Mayor Bishop noted he attended the first meeting of the Regional Services Commission for Region 9 in Saint John with representatives from Quispamsis, Saint John, Grand Bay-Westfield, and representatives from the Local Service Districts. Mayor Bishop stated he will keep Council updated and advised the Deputy Mayor is the alternate should the Mayor be unable to attend.

Counc. Alexander stated that he would like to acknowledge that Ms. Bev Farnham, a Grade one teacher at Rothesay Elementary School, has been given the “Centennial Award” which is a great honour.

4.1 Rothesay Elementary School Playground Proposal Amanda Fowlie

Ms. Amanda Fowlie appeared before Council and gave a brief presentation with respect to the Rothesay Elementary Community Park. She indicated the Park focuses on the community and in talking to residents, they are very excited about the project. Ms. Fowler noted that research has proven that a natural playground setting has been beneficial in increasing higher literacy rates, less A.D.H.D., less bullying and an increase in creative play.

ROTHESAY COUNCIL

Open Session

Meeting Minutes

-2-

13 August 2012

Ms. Fowlie indicated the current playground was installed in 1976 and has not been updated. Council was informed there are existing drainage issues and significant rainfalls make the playground unusable, and water pools right up to the school. Ms. Fowlie indicated that the first phase of the Project will be to address the drainage issues.

Ms. Fowlie indicated that Mr. Larry Stewart, of BDA Landscaping has been contracted for the Project and a visual overview of the proposed project was given. It was noted the proposal will include a natural play area, park like setting, and trails to be incorporated. The cost of the project is estimated to be \$626,000.00 and it is hoped this figure can be lowered by volunteer hours and donations. It was further noted grant money can be accessed for Phase 2 and 3 of the project and Ms. Fowlie indicated the current request is for assistance with Phase 1 of the Project.

Mayor Bishop thanked Ms. Fowlie for her presentation.

MOVED by Counc. Gallagher Jette and seconded by Counc. MacDonald to bring Agenda Item 9.1.1 forward on the Agenda.

CARRIED.

Mayor Bishop noted a presentation had been given to the previous Council and was referred to the Finance Committee. He noted the Finance Committee advised there were no funds remaining for 2012 and it was recommended the group re-submit their request for consideration in the 2013 budget. Ms. Fowlie indicated that discussions have been held with Mr. Hugh J. Flemming, MLA for Rothesay, who was present in the gallery, and he has been very supportive of the project.

MOVED by Counc. MacDonald and seconded by Counc. Gallagher Jette the request for funding for the Rothesay Elementary School playground be referred to the Parks and Recreation Committee for review and comment.

CARRIED.

Mr. Majid Debly of Debly Enterprises requested Mr. Stephen's presentation be heard first.

4.3 Oakville Acres/145-147 Hampton Road David Stephen, Jenkei Holdings Ltd.

Mr. Stephen submitted two sets of documents that included documents from the Town website and a drawing of a typical development for a property of this size.

Mr. Stephen read to Council a letter giving an overview of discussions regarding the Diversion Pipe as it affects his property. Mr. Stephen informed Council copies of letters, applications, drawings, grading plans, etc. that he has indicated in his letter were submitted tonight. Counc. Lewis asked if Mr. Stephen had been requested to provide the documentation prior to the meeting. Mr. Stephen advised the request had been made but he had not been able to compile the information prior to the meeting. Counc. Lewis suggested the matter be brought forward at the next meeting following a review of the information provided.

Mr. Stephen thanked Council for the opportunity to make his presentation.

Counc. Gallagher Jette noted it was difficult to review the matter and ask questions without the documentation to review prior to the meeting and asked Mr. Stephen to clarify his request.

Mr. Stephen stated his request was that the Diversion Pipe not be installed through his property and that the development of the property not be delayed further.

ROTHESAY COUNCIL

Open Session
Meeting Minutes

-3-

13 August 2012

4.2 Oakville Acres

**Majid Debly, Debly Resources and Debly Enterprises
Rick Turner, Hughes Survey & Consultants
Rod Gillis, Q.C.**

Mr. Majid Debly, Debly Enterprises, stated he would like to speak to Council and have Mr. Rick Turner of Hughes Survey & Consultants make a presentation on his behalf and Mr. Rod Gillis, Q.C. do a brief summary at the end.

Mr. Debly stated he has 60 acres of land adjacent to Oakville Acres and Sierra Avenue that he would like to develop, some of which is considered a wetland. Mr. Debly stated he had been contacted by Margaret Ann Blaney, former MLA for Rothesay, to help solve the flooding problem in Oakville Acres. Mr. Debly stated a meeting was held over a year ago to discuss easements and other options. Mr. Debly stated Mayor Bishop, Andrew Giberson, Chief Engineer for Debly Enterprises and Mr. Rick Turner were in attendance along with residents from Oakville Acres. Mayor Bishop noted that there was not enough information to satisfy Council in order to make a decision. No apparent solution was made at that time to solve the flooding problem and that Mr. Debly was adamant about the Town not dumping storm water onto his property. Mayor Bishop stated that he is willing to meet with Mr. Debly and his representatives any time to discuss options.

Mr. Debly noted he has been trying for years to development the land and because a portion of it is considered a wetland he has not been able to do so. Mr. Debly stated that Brunswick Engineering had been engaged to work with Hughes Survey to put together two options that he believes could alleviate the flooding in Oakville Acres. Mr. Debly stated that the Town of Quispamsis has issues with the existing design study also. Mr. Debly stated he wants to cooperate with the Town and is willing to meet with the Town Engineer and CBCL.

Mr. Debly turned the meeting over to Mr. Rick Turner to make a presentation.

Mr. Turner distributed copies to Council Members of two plans and gave a brief summary. Mr. Turner noted the first plan has a large diversion pipe dispersing water into the wetland portion of Mr. Debly's property. The second option is to develop a series of 2 – 3 detention ponds on Mr. Debly's property.

Mr. Turner turned the meeting over to Mr. R. Gillis for a brief summary

Mr. Gillis stated Mr. Debly is looking for guidance and that the two options – diversion pipe into the wetland or a series of detention ponds. There is the cost to consider and Mr. Debly is prepared to do engineering studies.

Mr. Gillis noted Mr. Debly wants to develop the land with a portion being zoned for high density housing and in the process solve the flooding issues in Oakville Acres. He concluded Mr. Debly is requesting some direction from Council as to how to move forward.

Mayor Bishop thanked Mr. Debly, Mr. Turner and Mr. Gillis for their presentation.

ROTHESAY COUNCIL

Open Session
Meeting Minutes

-4-

13 August 2012

5. CORRESPONDENCE FOR ACTION

- 5.1 Various Correspondence between Rothesay and Renforth Boat Club RE: lease renewal.
- 5.1.1 10 August 2012 Memorandum from Town Manager Jarvie RE: Renforth Boat Club lease.

MOVED by Counc. Alexander and seconded by Counc. Lewis to extend the Boat Club lease for another five year period and advise the Club that it expects that the majority (50% plus one) of the active members are Rothesay residents at the time of the next renewal when it would intend to amend the lease.

CARRIED.

6. CORRESPONDENCE - FOR INFORMATION

- 6.1 10 July 2012 Letter from Hon. Rob Moore RE: Community Infrastructure Improvement Fund (CIIF).

MOVED by Counc. Gallagher Jette and seconded by Counc. McGuire the letter from Hon. Rob Moore RE: Community Infrastructure Improvement Fund (CIIF) be received/filed.

CARRIED.

- 6.2 16 July 2012 Letter to Mayor Norton and Common Council RE: Regional Growth Strategy.

MOVED by Counc. Gallagher Jette and seconded by Counc. MacDonald the letter to Mayor Norton and Common Council RE: Regional Growth Strategy be received/filed.

CARRIED.

- 6.3 18 July 2012 Letter (copy) from Quispamsis to Kennebecasis Valley Fire Department RE: Board appointments.

MOVED by Counc. Gallagher Jette and seconded by Counc. Alexander the letter (copy) from Quispamsis to Kennebecasis Valley Fire Department RE: Board appointments be received/filed.

CARRIED.

- 6.4 23 July 2012 Letter from M. Brennan, Administrator - Kennebecasis Valley Fire Department Inc. RE: New Collective Agreement IAFF Local #3591.

MOVED by Counc. Gallagher Jette and seconded by Counc. Lewis the letter from M. Brennan, Administrator - Kennebecasis Valley Fire Department Inc. RE: New Collective Agreement IAFF Local #3591 be received/filed.

CARRIED.

- 6.5 25 July 2012 Letter from B. Williamson, Diversified Office Services Ltd. RE: congratulatory note and business information.

MOVED by Counc. MacDonald and seconded by Counc. Alexander the letter from B. Williamson, Diversified Office Services Ltd. RE: congratulatory note and business information be received/filed.

ON THE QUESTION:

It was noted Government Services has a Purchasing List which the Town has access to in order to receive better prices. It was suggested that a note be sent to Mr. Williamson when the Town is considering the purchasing of new office equipment.

CARRIED.

ROTHESAY COUNCIL

Open Session

Meeting Minutes

-5-

13 August 2012

6.6 27 July 2012 Letter (copy) from Quispamsis to Minister Fitch (Environment and Local Government) RE: Regional Service Commissions Boundary Review.

Counc. Gallagher Jette noted a letter from Rothesay should also be sent to Minister Fitch (Environment and Local Government) RE: Regional Service Commissions Boundary expressing opposition to Hampton being included in Region 8 instead of Region 9. Mayor Bishop stated that Hampton residents have the largest ridership on the Comex within the Region and also use the Regional facilities.

MOVED by Counc. MacDonald and seconded by Counc. McGuire that a letter be sent to Minister Fitch (Environment and Local Government) RE: Regional Service Commissions Boundary Review, expressing the opinion that Hampton should be included in Region 9.

CARRIED.

7. REPORTS

7.0 August 2012 **Report from Closed Session**

7.1 13 June 2012 Kennebecasis Public Library Board meeting minutes

MOVED by Deputy Mayor Grant and seconded by Counc. Gallagher Jette the Kennebecasis Public Library Board meeting minutes dated 13 June 2012 be received/filed.

CARRIED.

7.2 30 June 2012 Unaudited Draft Rothesay General Fund Financial Statements

MOVED by Counc. MacDonald and seconded by Counc. Alexander the Rothesay unaudited General Fund Financial Statements dated 30 June 2012 be received/filed.

CARRIED.

30 June 2012 Unaudited Draft Rothesay Utility Financial Statements

MOVED by Counc. MacDonald and seconded by Counc. Lewis the Rothesay unaudited Utility Financial Statements dated 30 June 2012 be received/filed.

CARRIED.

7.3 10 July 2012 Draft Parks and Recreation Committee meeting minutes

MOVED by Counc. McGuire and seconded by Counc. Alexander the draft Parks and Recreation Committee meeting minutes date 10 July 2012 be received/filed.

CARRIED.

7.4 18 July 2012 Draft Public Works and Infrastructure Committee meeting minutes

MOVED by Counc. Alexander and seconded by Counc. McGuire the draft Public Works and Infrastructure Committee meeting minutes dated 18 July 2012 be received/filed.

CARRIED.

➤ Pedestrian crosswalk Dobbin Street/Hampton Road

MOVED by Counc. Alexander and seconded by Counc. MacDonald Council deny Mr. Walsh's request to have a lighted pedestrian crosswalk installed at the intersection of Dobbin Street and the Hampton Road.

CARRIED.

➤ Pedestrian crosswalk College Hill Road/Rothesay Road

MOVED by Counc. Alexander and seconded by Deputy Mayor Grant that a request be submitted to the Department of Transportation for a painted crosswalk at the location of College Hill Road and Rothesay Road.

CARRIED.

ROTHESAY COUNCIL

Open Session
Meeting Minutes

-6-

13 August 2012

- Traffic study Marr Road/Hampton Road

MOVED by Counc. Alexander and seconded by Deputy Mayor Grant that a Traffic Study be conducted at the intersection of Marr Road and Hampton Road.

ON THE QUESTION:

DO McLean noted the timing of the traffic lights needs to be reviewed and also traffic counts need to be included in the study that is currently being conducted. It was noted the original project at the Irving property included a review of the right-hand turn lane, not the entire intersection.

CARRIED.

7.5 30 July 2012 Building Permit Summary Report

MOVED by Counc. Gallagher Jette and seconded by Counc. MacDonald the July 2012 Monthly Building Permit Summary Report be received/filed.

CARRIED.

7.6 7 August 2012 Draft Planning Advisory Committee meeting minutes

MOVED by Counc. Lewis and seconded by Counc. Gallagher Jette the draft Planning Advisory Committee meeting minutes of 7 August 2012 be received/filed.

CARRIED.

- 23 Marr Road Zoning By-law amendments

To be dealt with under Item 8.3

- 20 Gibbon Road Municipal Plan and Zoning By-law amendment

To be dealt with under Item 8.4

8. UNFINISHED BUSINESS

8.1 By-law 1-11 A By-law to Manage Town-owned Lands

DRAFT By-law 1-11 (amended)

MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant By-law 1-11 be tabled until a review of the fee schedule is conducted.

CARRIED.

8.2 Town Hall Roof Tender

9 August 2012 Memorandum from Town Manager Jarvie

18 June 2012 Memorandum from Recreation Facilities Coordinator Kincade

MOVED by Counc. Alexander and seconded by Counc. Lewis the matter be removed from the table.

CARRIED.

MOVED by Counc. Alexander and seconded by Counc. Lewis Council award the contract for the replacement of the asphalt roofing on the Town Hall to Dowd Home Improvements Limited in the amount of \$33,300.00 plus HST (\$37,620.00).

ON THE QUESTION:

Town Manager Jarvie noted the original report was prepared by Ron Roberts before he retired.

CARRIED.

ROTHESAY COUNCIL

Open Session

Meeting Minutes

-7-

13 August 2012

- 8.3 23 Marr Road** Zoning By-law amendments
8 August 2012 Memorandum from Planning Advisory Committee/Town Clerk
DRAFT By-law 2-10-15 (tabled)
DRAFT By-law 2-10-16 (enactment)
DRAFT Development Agreement
24 July 2012 Staff Report to Planning Advisory Committee

By-law 2-10-15 was tabled and no action is required at this time.

MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant 2nd Reading by Title be given to By-law 2-10-16, "A By-law to Amend the Zoning By-law".

ON THE QUESTION:

It was noted an issue was raised at the July Council meeting regarding affordable housing and it was noted A. E. McKay Builders have invested a lot of money on this development and instead of going back, the project should move forward. Town Clerk Banks read the 25 July 2012 letter received from A. E. McKay Builders affirming the type of project proposed for this site.

CARRIED.

The Clerk read By-law 2-10-16 by title.

MOVED by Counc. McGuire and seconded by Counc. Lewis Reading in its Entirety be given to By-law 2-10-16, "A By-law to Amend the Zoning By-law".

CARRIED.

The Clerk read By-law 2-10-16 in its entirety.

MOVED by Counc. Lewis and seconded by Counc. McGuire 3rd reading by Title be given to By-law 2-10-16, "A By-law to Amend the Zoning By-law".

CARRIED.

MOVED by Counc. Alexander and seconded by Counc. McGuire Council authorize the Mayor and Clerk to enter into a Development Agreement for the development of a portion of the property identified as PID#30243232 into an 18 lot subdivision of smaller lots, subject to the rezoning of the property from Central Commercial to R3.

CARRIED.

MOVED by Counc. Lewis and seconded by Counc. McGuire that assent be given to the location of the public streets as shown on the tentative subdivision plan prepared by Kierstead Quigley and Roberts Ltd., dated May 16, 2012 for the proposed development of a portion of PID# 30243232 into an 18 lot subdivision of smaller lots.

CARRIED.

MOVED by Deputy Mayor Grant and seconded by Counc. Alexander to approve the street names as proposed, more specifically Victoria Crescent and Prince Albert Court, subject to confirmation with NBE-9-11 that there is no conflict.

CARRIED.

MOVED by Counc. McGuire and seconded by Counc. Alexander to accept cash in lieu of land for public purposes equivalent to \$16,902 for 18 lots and an additional amount calculated in accordance with the By-law for Lot 19, for the proposed development of a portion of PID# 30243232 into an 18 lot subdivision for smaller lots and Lot 19.

CARRIED.

ROTHESAY COUNCIL

Open Session

Meeting Minutes

-8-

13 August 2012

- 8.4 20 Gibbon Road** Municipal Plan and Zoning By-law amendment
10 August 2012 Memorandum from Planning Advisory Committee/Town Clerk
Various dates Resident comments
DRAFT By-law 1-10-02
DRAFT By-law 2-10-17
30 July 2012 Staff Report to Planning Advisory Committee

MOVED by Counc. Gallagher Jette and seconded by Counc. McGuire to schedule a Public Hearing for Monday, September 10, 2012 at 7:30 p.m., in the Common Room, Rothesay Town Hall, in accordance with the *Community Planning Act*, R.S.N.B. (1973) Chapter C-12 and amendments thereto, to give consideration to By-law 1-10-02 to re-designate the properties described as PID#s 00238873, 00238956, 30085500, 30124440 and 30181036 situate generally off Gibbon Road, from Low Density Residential to Moderate Density Residential to allow for a proposed moderate density housing development of 12 semidetached units.

CARRIED.

MOVED by Counc. Alexander and seconded by Deputy Mayor Grant to schedule a Public Hearing for Monday, September 10, 2012 immediately following a Public Hearing (Commencing at 7:30 p.m.) in the Common Room, Rothesay Town Hall, in accordance with the *Community Planning Act*, R.S.N.B.(1973) Chapter C-12 and amendments thereto, to give consideration to By-law 2-10-17 to rezone the properties described as PID#s 00238873, 00238956, 30085500, 30124440 and 30181036 situate generally off Gibbon Road, from Single Family Residential-Standard Zone (R1B) to Two Family Residential Zone (R2) to allow for a proposed moderate density housing development of 12 semidetached units.

CARRIED.

NEW BUSINESS

9.1 BUSINESS ARISING FROM DELEGATIONS

9.1.1 Rothesay Elementary School Playground proposal

- 13 August 2012 Presentation and budget proposal
10 August 2012 Memorandum from Town Manager Jarvie

Dealt with following Item 4.1

9.1.2 Oakville Acres Debly Resources Ltd.

- 8 August 2012 Letter from Debly Resources Ltd.
26 July 2012 Letter to Debly Resources Ltd.
23 July 2012 Letter from Debly Resources Ltd.

MOVED by Counc. Gallagher Jette and seconded by Counc. MacDonald Council direct Town Manager Jarvie and Town Engineer McLean to meet with Mr. Debly regarding the proposal and report back to Council at the next meeting.

CARRIED.

9.1.3 Oakville Acres/145-147 Hampton Road Jenkei Holdings Ltd.

- 8 August 2012 Letter from Jenkei Holdings Ltd.

Council indicated that Mr. Stephen's presentation has to be reviewed by Council and staff to address the issues outlined in the letter.

Town Clerk Banks advised the presentation and documents will be available in the Clerk's office for review and a copy of Mr. Stephen's letter and drawing will be given to Council.

MOVED by Counc. MacDonald and seconded by Counc. Alexander the presentation made by Mr. Stephen be distributed to council and his letter be responded to by Staff.

CARRIED.

ROTHESAY COUNCIL

Open Session

Meeting Minutes

-9-

13 August 2012

9.2 COUNCIL

9.2.1 Council requests

9 August 2012 Memorandum from Town Manager Jarvie

MOVED by Counc. Alexander and seconded by Counc. Lewis that as a general procedure councillor requests be referred to staff for a report at the next Council meeting and those items of an urgent nature be flagged accordingly.

CARRIED.

9.2.2 CN Railway vegetation

11 July 2012 Email from Councillor Lewis

Counc. Lewis questioned if CN Rail could be contacted to attain permission to have the high bushes along the road, especially along the Renforth Wharf area, trimmed back. It was noted CN owns approximately sixty feet on each side of the rail bed.

MOVED by Council Lewis and seconded by Counc. McGuire the Town Engineer review options to remove the overgrown vegetation along the CN rail bed.

CARRIED.

9.2.3 Pre-register cheque run

29 July 2012 Email from Councillor Lewis

Counc. Lewis withdrew his request.

9.2.4 Monthly Council motion report

2 August 2012 Email/letter from Councillor MacDonald

Counc. MacDonald requested the Town Clerk provide on a monthly basis a list of all motions and the status of same. Town Clerk Banks requested a meeting with Counc. MacDonald on clarification of this request as to the specific detail being requested.

MOVED by Counc. MacDonald and seconded by Counc. Gallagher Jette the Town Clerk provide a report monthly on the status of all council motions requiring follow-up and that motions be carried forward in the report until the matter is resolved.

CARRIED.

9.3 OPERATIONS

9.3.1 Security Releases

9 August 2012 Memorandum from Town Manager Jarvie

26 July 2012 Memorandum from DO McLean RE: Brittain Lane

26 July 2012 Memorandum from DO McLean RE: Chapel Hill Estates

MOVED by Counc. MacDonald and seconded by Counc. Alexander to authorize release of the remaining \$10,400 security deposit for Brittain Lane.

CARRIED.

MOVED by Counc. MacDonald and seconded by Counc. Alexander to release the Standby Letter of Credit held as security for the completion of Chapel Hill Estates – Phase 4.

CARRIED.

9.3.2 Tender Award 2012-668-01 Wheeled Excavator

9 August 2012 Memorandum from Town Manager Jarvie

1 August 2012 Memorandum from DO McLean

MOVED by Counc. McGuire and seconded by Deputy Mayor Grant the Equipment Supply Tender 2012-0668-01: Latest Model Rubber Wheeled Excavator, be awarded to the low tenderer, Alpha Equipment at the tendered price of \$212,311.16 (including HST), and further that the Director of Operations be authorized to issue a purchase order for the tendered amount.

CARRIED.

ROTHESAY COUNCIL

Open Session

Meeting Minutes

-10-

13 August 2012

9.4 ADMINISTRATIVE SERVICES

9.4.1 Audio/Recording Equipment – Council Chambers

10 August 2012 Memorandum from Town Manager Jarvie

31 July 2012 Memorandum from Town Clerk Banks

Town Manager Jarvie noted it was important that all Council members be able to hear discussions during Council meetings. It was noted the official record of all council meetings are the Council meeting minutes, once approved by Council, and the minutes are prepared in accordance with the Municipalities Act, RSNB (1973) Chapter M-22.

It was further noted according to Joanna Aiton, Archivist with the Province of New Brunswick, audio recordings would be considered “working papers” and would be destroyed typically two months following the meeting. It was further noted the ICT Co-ordinator has contacted a company with experience in audio systems for both municipalities and conference centres. This company has conducted a site visit.

A brief discussion followed. The Town Clerk noted the estimated cost is above the \$25,000 threshold and will require a public tender which will take time to prepare.

MOVED by Counc. Lewis and seconded by Counc. Alexander that the installation of audio/recording equipment for Council meetings be installed as soon as possible.

CARRIED.

9.4.2 Kennebecasis Valley Fire Department Strategic Plan

10 August 2012 Memorandum from Town Manager Jarvie

Concerns were raised with respect to the following: the ratification date of the collective agreement, suggesting it should have been delayed until after the new Councils were in office, expansion or construction of new Fire Station in Quispamsis will include a medical examination room and the high percentage (53%) of medical response calls. Counc. MacDonald noted future governance options will be discussed at the 29 August 2012 Fire Board meeting. He suggested independent bodies have a high duty of care to report to the respective Councils which has not typically been undertaken in the past.

MOVED by Counc. Alexander and seconded by Deputy Mayor Grant Council hold a meeting with Quispamsis Council to discuss growth in the Fire Department budget represented in the proposed 5 year Strategic Plan.

CARRIED.

9.4.3 Right to Information and Protection of Privacy Legislation

8 August 2012 Memorandum from Town Manager Jarvie

8 August 2012 Memorandum from Town Clerk Banks w/attachments

MOVED by Deputy Mayor Grant and seconded by Counc. Alexander the town of Rothesay hereby designates the Town Clerk to serve as the “head” of the public body, that being the town of Rothesay, pursuant to the *Right to Information and Protection of Privacy Act* (“Act”) of the province of New Brunswick.

CARRIED.

MOVED by Counc. Alexander and seconded by Counc. MacDonald Council acknowledges that the Town Clerk, as “head”, may delegate in writing a duty or power of the “head” under the Act to a member of the municipal staff, except the power to delegate, and can impose terms and conditions as considered appropriate and as prescribed under the Act.

CARRIED.

ROTHESAY COUNCIL

Open Session

Meeting Minutes

-11-

13 August 2012

9.5 RECREATION AND FACILITIES

9.5.1 Rothesay Multi-purpose Recreation Facility (sent previously)

8 August 2012 Memorandum from Town Manager

2 August 2012 Memorandum from DO McLean (Scott Avenue)

DRAFT exp Report

MOVED by Counc. Alexander and Counc. Gallagher Jette Council authorize discussions with the MP and MLA regarding the Multi-purpose Recreation Facility.

ON THE QUESTION:

Deputy Mayor Grant noted there is a downside to advertising for tenants if the option to demolish one or both buildings is pursued.

CARRIED.

MOVED by Deputy Mayor Grant and seconded by Counc. Alexander Council authorize a request for proposals for consultant services for a business plan for options #1 and #2 as set out in the *exp* report.

CARRIED.

MOVED by Deputy Mayor Grant and seconded by Counc. Alexander to authorize the rental of the apartment buildings on Scott Avenue pending a decision of Council on the timing and nature of the recreation project.

ON THE QUESTION:

There was a brief discussion with respect to the current occupancy levels and tenants have been advised of the month-to-month rental and are kept updated on the status of the project.

CARRIED.

9.5.2 Community Infrastructure Improvement Fund application

9 August 2012 Memorandum from Town Manager Jarvie

1 August 2012 Memorandum from Director Jensen, Recreation and Parks

MOVED by Deputy Mayor Grant and seconded by Counc. McGuire Council endorse the grant applications to the Community Infrastructure Improvement Fund for the Arthur Miller Fields Soccer Complex Accessible washrooms project and the Renforth Park Revitalization project.

ON THE QUESTION:

Counc. MacDonald noted he does not support the expenditure of \$250,000.00 for renovations to the existing building at the Arthur Miller Fields, noting Fundy Soccer only pays \$500.00 and the request for financial assistance for the Rothesay Elementary playground renovations could include washroom facilities.

NAY votes recorded for Counc. Mac Donald and Counc. Gallagher Jette.

CARRIED.

9.6 FINANCE

9.6.1 Capital Budget – Resurfacing Roads in Wells

9 August 2012 Memorandum from Town Manager Jarvie

1 August 2012 Capital Project Update from DO McLean

7 August 2012 Memorandum from DO McLean RE: chipseal streets

7 August 2012 Memorandum from Treasurer Johnson RE: budget
Information session

MOVED by Counc. MacDonald and seconded by Counc. Alexander to schedule a meeting on September 17, 2012 to begin planning the budget for 2013.

CARRIED.

ROTHESAY COUNCIL

Open Session

Meeting Minutes

-12-

13 August 2012

MOVED by Counc. Alexander and seconded by Counc. Lewis to authorize a micro-surfacing trial on Chatwin Street to be funded from the contingency allowance in contract 2012 – RG 03 including periodic reassessments by Dillon Consulting.

ON THE QUESTION:

DO McLean noted there had been issues with a section of road in Saint John that had been micro-surfaced but two other streets have since been micro-surfaced with no issues. It was further noted the Department of Transportation has micro-surfaced Nevers Road in Fredericton without any issues.

CARRIED.

MOVED by Counc. Gallagher Jette and seconded by Counc. MacDonald to receive/file the 2012 Capital Projects update for information.

CARRIED.

10. NEXT MEETING

The next regular meeting of Council will be held Monday, September 10, 2012. The Province of New Brunswick Municipal Orientation Session will be held on Saturday, September 8, 2012.

11. ADJOURNMENT

The meeting adjourned at 10:45p.m.

MAYOR

CLERK