



ROTHESAY COUNCIL

OPEN SESSION
Monday, August 8, 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
COUNCILLOR TOM YOUNG

TOWN MANAGER JOHN JARVIE
TOWN CLERK MARY JANE BANKS
DIRECTOR OF DEVELOPMENT SERVICES (DDS) GAY DRESCHER
DIRECTOR OF RECREATION SERVICES CHARLES JENSEN

PUBLIC HEARING By-law 2-10-11 14 Rosedale Avenue PID# 30269062
Documentation

14 July 2011 1st Section 68 advertisement
3 August 2011 2nd Section 68 Advertisement
27 July 2011 Staff Report
3 August 2011 Recommendation from Planning Advisory Committee/Town Clerk
DRAFT By-law 2-10-11

Appearances: G. Drescher, Development Officer, Director of Development Services
Pat Shea

Objections: Daryl and Irene Sutton, 10 Rosedale Avenue

PUBLIC HEARING By-law 2-10-12 20 Rosedale Avenue PID# 30266088
Documentation

14 July 2011 1st Section 68 advertisement (as above)
3 August 2011 2nd Section 68 Advertisement (as above)
27 July 2011 Staff Report (as above)
3 August 2011 Recommendation from Planning Advisory Committee/Town Clerk
DRAFT By-law 2-10-12

Appearances: G. Drescher, Development Officer, Director of Development Services
Pat Shea

Objections: Daryl and Irene Sutton, 10 Rosedale Avenue (as above)

Mayor Bishop called the Public Hearing to order at 7:30 p.m. and gave instructions to those in attendance, noting the legislative process and advising the hearing was duly advertised. He indicated if there were no objections, the hearings would be held concurrently.

Counc. Shea declared a conflict of interest and left the meeting room.

DDS Drescher gave a brief presentation outlining the proposal to rezone 14 and 20 Rosedale Avenue, identified as PID#s 30269062 and 30266088, respectfully, from single family residential to two family to allow for construction of semi-detached dwellings. She noted the

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Mayor Bishop called three times for those wishing to speak in opposition to the proposal. Mrs. Irene Sutton 10 Rosedale Avenue and Mr. John Chambers 6 Rosedale Avenue, spoke in opposition. The following comments were made: concern about possible road widening as 10 Rosedale Avenue uses the front area of their lot for vehicle parking, will the development use well water or Town water, varying road widths along Rosedale Avenue, the new exit from Cochrane's parking area is creating traffic issues, the need for a streetlight and the location of railway ties at the intersection of Rosedale Avenue and Robinson Road is creating some sight issues and drainage issues. Mayor Bishop noted there are no plans to widen Rosedale Avenue.

Mr. Shea noted road widening would be under the Town's responsibility and further noted JPI Enterprises spent \$60,000 to widen the upper end of Rosedale Avenue and install storm and sanitary sewer. He further noted the properties are currently approved for single family development and the proposal is for two buildings with smaller footprints than an average single family home, and clients are normally single family or retired couples typically with one vehicle. Mr. Shea advised the NBPower lines will be underground, the lots will be nicely landscaped and they will be on private wells as Town water is not available in the area.

MOVED by Counc. Young and seconded by Counc. Kilfoil the Public Hearing be adjourned.

CARRIED.

The Public Hearing adjourned at 7:50 p.m.

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6. CORRESPONDENCE - FOR INFORMATION

6.1 21 July 2011 Letter from Quispamsis to Kennebecasis Valley Fire Department Inc. RE: Purchases of Goods and Services.

MOVED by Counc. Kilfoil and seconded by Counc. Young the letter dated 21 July 2011 from Quispamsis to Kennebecasis Valley Fire Department Inc. RE: Purchases of Goods and Services be received/filed.

ON THE QUESTION:

Counc. Cochrane noted the first paragraph makes reference to the Administration Agreement as between the Kennebecasis Valley Fire Department and Quispamsis and inquired whether Rothesay has an interest in that agreement. Mayor Bishop noted Rothesay is a party to the Regional Agreement and must give its approval for any changes. Town Clerk Banks advised the request to Rothesay from the Fire Department had been forwarded to the Finance Committee for a recommendation.

CARRIED.

7. REPORTS

7.0 **August 2011 Report from Closed Session**

N/A

7.1 30 June 2011 Draft Unaudited Rothesay Utility Financial Statements
30 June 2011 Draft Unaudited Rothesay General Fund Financial Statements

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald the draft unaudited Rothesay Utility Financial Statements dated 30 June 2011 be received/filed.

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald the draft unaudited Rothesay General Fund Financial Statements dated 30 June 2011 be received/filed.

CARRIED.

7.2 19 July 2011 Draft Parks and Recreation Committee Meeting Minutes

MOVED by Counc. Shea and seconded by Deputy Mayor MacDonald the draft Parks and Recreation Committee Meeting minutes dated 19 July 2011 be received/filed.

ON THE QUESTION:

It was clarified the Town owns the parking lot area and access in the KPark Marina. Town Manager Jarvie advised the floating docks had been put in by the residents. He further advised he would inquire as to whether the KPark Homeowners Association has insurance.

CARRIED.

7.3 20 July 2011 Draft Public Works and Infrastructure Committee Meeting Minutes

MOVED by Counc. Mullett and seconded by Counc. Shea the draft Public Works and Infrastructure Committee Meeting minutes dated 20 July 2011 be received/filed.

ON THE QUESTION:

Clarification was provided that a speed bump may prove more effective than a Children Playing

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7.5 2 August 2011 Draft Planning Advisory Committee Meeting Minutes

MOVED by Counc. Young and seconded by Counc. Shea the draft Planning Advisory Committee Meeting minutes dated 2 August 2011 be received/filed.

CARRIED.

➤ 169 French Village Road Rehabilitation Plan

See Item 8.2

➤ 14 and 20 Rosedale Avenue

See Item 9.1

8. OLD BUSINESS

8.1 By-law 2-10-04

3 August 2011

DRAFT

147 Hampton Road

Memorandum from Town Clerk Banks

By-law 2-10-04

No action required.

8.2 By-law 2-10-08

2 August 2011

DRAFT

169 French Village Road Rezoning

Memorandum from Town Clerk Banks

By-law 2-10-08

MOVED by Counc. Young and seconded by Counc. Kilfoil Council give Reading in its Entirety, to By-law 2-10-08, "A By-law to amend the Zoning By-law".

CARRIED.

The Clerk read By-law 2-10-08 in its entirety.

MOVED by Counc. Young and seconded by Counc. Kilfoil Council give 3rd Reading by Title and Enactment, to By-law 2-10-08, "A By-law to amend the Zoning By-law".

CARRIED.

The Clerk read By-law 2-10-08 by title.

8.3 By-laws 2-10-09 and 2-10-10

3 August 2011

DRAFT

DRAFT

8 Marr Road and 92 Hampton Road

Memorandum from Town Clerk Banks

By-law 2-10-09

By-law 2-10-10

MOVED by Counc. Young and seconded by Counc. Cochrane 2nd Reading by Title of By-law 2-10-09, "A By-law to Amend the Zoning By-law" be tabled.

CARRIED.

MOVED by Counc. Young and seconded by Counc. Cochrane 2nd Reading by Title of By-law 2-10-10, "A By-law to Amend the Zoning By-law" be tabled.

CARRIED.

Counc. Shea declared a conflict of interest and left the meeting room.

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9. NEW BUSINESS

BUSINESS ARISING FROM PUBLIC HEARINGS (see Public Hearing documentation)

9.1 By-law 2-10-11 14 Rosedale Avenue

3 August 2011 Memorandum from Planning Advisory Committee/Town Clerk
DRAFT By-law 2-10-11

MOVED by Council. Kilfoil and seconded by Council. Young Council give 1st Reading by Title, to By-law 2-10-11, "A By-law to Amend the Zoning By-law".

CARRIED.

The Clerk read By-law 2-10-11 by title.

MOVED by Council. Kilfoil and seconded by Council. Young Council give 2nd Reading by Title, to By-law 2-10-11, "A By-law to Amend the Zoning By-law".

CARRIED.

The Clerk read By-law 2-10-11 by title.

By-law 2-10-12 20 Rosedale Avenue

3 August 2011 Memorandum from Planning Advisory Committee/Town Clerk
DRAFT By-law 2-10-12

MOVED by Council. Cochrane and seconded by Council. Young Council give 1st Reading by Title, to By-law 2-10-12, "A By-law to Amend the Zoning By-law".

CARRIED.

The Clerk read By-law 2-10-12 by title.

MOVED by Council. Cochrane and seconded by Council. Young Council give 2nd Reading by Title, to By-law 2-10-12, "A By-law to Amend the Zoning By-law".

CARRIED.

The Clerk read By-law 2-10-12 by title.

Council. Shea returned to the meeting room.

DEVELOPMENT SERVICES

9.2 Security Release 83 Hampton Road

4 August 2011 Memorandum from Town Manager Jarvie
29 July 2011 Letter from Tony Bamford

There was a lengthy discussion with respect to the property situate 83 Hampton Road. It is unclear whether the property is connected to the Town water system and there is concern with a cross-connection and possible contamination. It was noted the building does not need to be sprinklered if smaller units and fire walls are used in construction. The property owner paid the connection fees and advised the property is connected but does not draw from the Town water system, indicating the valve has never been opened. DDS Drescher noted the intent of the agreement is the developer is obliged to connect but it does not say "shall" connect. She advised she did not view the actual connection but the information she has indicates the property is connected. There was discussion with respect to the current By-law requirements and whether the \$5000 warranty is for the roadwork or connection to/use of Town water. It was further noted no meter has been installed. Mr. Bamford advised the Provincial plumbing

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MOVED by Deputy Mayor MacDonald and seconded by Council. Cochrane the request for the security release for 83 Hampton Road be tabled pending receipt of certification from the Provincial plumbing inspector and confirmation as to whether the property is connected to the Town water system.

CARRIED.

MOVED by Council. Gallagher Jette and seconded by Council. Mullett Council direct the preparation of a By-law requiring all commercial users to connect to and use the Town water system where it is available.

CARRIED.

9.3 Development in Rothesay

3 August 2011 Letter from Deputy Mayor MacDonald

MOVED by Deputy Mayor MacDonald and seconded by Council. Kilfoil the letter from Deputy Mayor MacDonald dated 3 August 2011 RE: Development in Rothesay be received/filed.

ON THE QUESTION:

Deputy Mayor MacDonald referenced two recent projects that had been turned down by Council and suggested there is a disconnect between Council and the Planning Advisory Committee. He suggested both are dealing with factual matters and the session planned for September should provide the opportunity to discuss issues and reach some mutual understanding.

CARRIED.

PARKS AND RECREATION

9.4 Renforth Playground Equipment/Safety Surface and Arthur Miller Fields Planting

2 August 2011 Memorandum from C. Jensen, Director of Recreation and Parks

3 August 2011 Letter from D. Glenn, Glenn Group RE: Roth-Rec-2011-1

3 August 2011 Letter from D. Glenn, Glenn Group RE: Roth-Rec-2011-2

2 August 2011 Letter from D. Glenn, Glenn Group RE: A.M. Fields landscaping
Project Budgets

MOVED by Council. Kilfoil and seconded by Council. Shea Council award the tender to the low bidder John Flood & Sons (1961) Ltd. for \$44,666 including HST, for site preparation and concrete work, and reflecting a post-tender addendum to delete the supply and installation of the playground equipment for the Renforth Playground project.

CARRIED.

MOVED by Council. Young and seconded by Council. Kilfoil Council award the installation of the playground equipment to Kan-Go-Roo Playgrounds Ltd. for \$28,248 including HST, the low bidder for this item, for the Renforth Playground project.

CARRIED.

MOVED by Council. Shea and seconded by Council. Mullett Council award the installation of the playground safety surfacing (fully accessible) to Playtech Surfacing for \$52,200 including HST, reflecting a post-tender addendum to reflect the defined area required for the surfacing for the Renforth Playground project.

CARRIED.

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ON THE QUESTION:

There was some discussion with respect to the cost, the best time to do the work and whether it could be done by Town staff. Director of Recreation Services Jensen advised the Fall is the best time to complete the work that will involve sodding, some tree planting and removal and some additional fill. He noted six companies were contacted and he spoke with all of them but only one submitted a response. Town Manager Jarvie advised the Parks Department is short-staffed and while they do complete some tree planting, this is a more concentrated project.

CARRIED.

9.5 Trail Development

3 August 2011 Letter from Deputy Mayor MacDonald

It was noted the area was previously classified as wetlands and the Department of Environment has advised the previous rules apply. Town Manager Jarvie noted the restoration costs to meet the previous requirements total approximately \$125,000. He further noted the tank is about to be filled and the line has been completed.

MOVED by Deputy Mayor MacDonald and seconded by Counc. Shea a letter be sent to Minister Blaney setting out the issues as outlined and requesting her assistance with ensuring the service road can be completed from Dunedin Road to the Golf Course as it is from the Golf Course to Grove Avenue AND FURTHER that a request be made to the Department of Environment that the entire pipeline be subject to the current rules and therefore not subject to the wetland remediation guidelines.

CARRIED.

OPERATIONS

9.6 Rothesay 2011 Storm Sewer Projects

4 August 2011 Memorandum from Town Manager Jarvie

2 August 2011 Letter from D. B. Colpitts, P.Eng., Hatch Mott MacDonald to
Town Manager Jarvie

Town Manager Jarvie advised there were corrections to be made to the last column in his memorandum and the first three items should read: \$43,077.25, \$33,373.00 and \$114,931.00. He noted the total of \$524,715.61 does not change and while it includes taxes, it does not include engineering costs.

MOVED Deputy Mayor MacDonald and seconded by Counc. Shea Council award the tender for storm sewer improvements to Sanford and Sons in an amount of \$524,715.61 including HST.

CARRIED.

10. NEXT MEETING

The next regular meeting of Council will be held on Monday, September 12, 2011.

11. ADJOURNMENT

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

CARRIED.

The meeting adjourned at 8:50 p.m.