



ROTHESAY COUNCIL

OPEN SESSION

Monday, December 8, 2008

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 OPERATIONS (DO) SCOTT HATCHER
DIRECTOR OF DEVELOPMENT SERVICES (DDS) GAY DRESCHER
TREASURER SUSAN JOHNSON
FINANCIAL OFFICER ELLEN STEEVES

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

1. **APPROVAL OF MINUTES** Regular Meeting – 17 November 2008
MOVED by Counc. Shea and seconded by Counc. Kilfoil the minutes of 17 November 2008 be approved as circulated.

CARRIED.

1.1 Business Arising from Minutes

N/A

2. **APPROVAL OF AGENDA**
MOVED by Counc. Kilfoil and seconded by Counc. Cochrane the agenda be approved as circulated with the following additions:

<i>Item 7.4.1</i>	<i>5 December 2008</i>	<i>Letter from Kennebecasis Valley Fire Department RE: revised budget</i>
<i>Item 9.2</i>	<i>8 December 2008</i>	<i>Memorandum from E.K. Steeves RE: External budget approvals</i>

CARRIED.

3. **OPENING REMARKS OF COUNCIL**

Mayor Bishop advised the Mayor's New Year's Day Levee will be held January 1, 2009 from 11 a.m. to 1 p.m., and will be followed by the New Year's Day Skate from 1 p.m. to 3 p.m.. Mayor Bishop noted the Town does not send Christmas cards and suggested Council consider a donation.

MOVED by Counc. Gallagher Jette and seconded by Counc. Shea Council make a donation in the amount of \$200.00 to the Kennebecasis Valley Food Bank or to a needy family.

CARRIED.

5. **CORRESPONDENCE - FOR ACTION**

N/A

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6. CORRESPONDENCE - FOR INFORMATION

- 6.1 17 November 2008 Letter from Minister Schryer RE: dates for Dialogue Sessions “Bringing the Pieces Together”.

MOVED by Counc. Mullett and seconded by Counc. Shea the letter from Minister Schryer RE: dates for Dialogue Sessions “Bringing the Pieces Together” be received/filed.

CARRIED.

- 6.2 18 November 2008 Letter from Dr. Garland RE: rink proposal.
Various dates Correspondence received RE: Darling rink proposal (previously distributed).

MOVED by Counc. Kilfoil and seconded by Counc. Shea the various correspondence related to the Darling ice rinks proposal be received/filed.

CARRIED.

- 6.3 19 November 2008 Letter from J. Furlong, CEO Vancouver 2010 Olympic Torch Relay.

MOVED by Counc. Shea and seconded by Counc. Kilfoil the letter from J. Furlong, CEO Vancouver 2010 Olympic Torch Relay be received/filed.

CARRIED.

- 6.4 21 November 2008 Letter to Quispamsis RE: Q-plex funding request.

MOVED by Counc. Cochrane and seconded by Counc. Gallagher Jette the letter to Quispamsis RE: Qplex funding request be received/filed.

CARRIED.

- 6.5 3 December 2008 Letter from Randy Robinson NBEMO RE: training session.

MOVED by Counc. Shea and seconded by Counc. Mullett the letter from Randy Robinson NBEMO RE: training session be received/filed.

CARRIED.

- 6.6 28 November 2008 News Release from PNB RE: Tax base increases.

MOVED by Counc. Shea and seconded by Counc. Kilfoil the news release from PNB RE: tax base increases be received/filed.

CARRIED.

- 6.7 3 December 2008 News Release from PNB RE: unconditional grant legislative amendment.

MOVED by Counc. Mullett and seconded by Counc. Shea the news release from PNB RE: unconditional grant legislative amendment be received/filed.

CARRIED.

7. REPORTS

- 7.0 **December 2008 Report from Closed Session**
N/A

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- 7.1 11 September 2008 Fundy Region Solid Waste Commission Board Meeting Minutes
9 October 2008 Fundy Region Solid Waste Commission Board Meeting Minutes
MOVED by Counc. Gallagher Jette and seconded by Deputy Mayor MacDonald the Fundy Region Solid Waste Commission Board Meeting Minutes dated 11 September 2008 and 9 October 2008 be received/filed.

CARRIED.

- 7.2 22 October 2008 Rothesay Regional Joint Board of Police Commissioners Meeting Minutes
31 October 2008 RRJBPC Financial Statements
MOVED by Counc. Shea and seconded by Deputy Mayor MacDonald the Rothesay Regional Joint Board of Police Commissioners Meeting Minutes dated 22 October 2008 and the Financial Statements dated 31 October 2008 be received/filed.

CARRIED.

- 7.3 31 October 2008 Unaudited Utility Fund Financial Statements
MOVED by Counc. Cochrane and seconded by Counc. Kilfoil the Unaudited Utility Fund Financial Statements be received/filed.

CARRIED.

31 October 2008 Unaudited General Fund Financial Statements
MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald the Unaudited General Fund Financial Statements be received/filed.

CARRIED.

- 7.4 31 October 2008 Kennebecasis Valley Fire Department Inc. Unaudited Financial Statements
MOVED by Counc. Kilfoil and seconded by Counc. Shea the Kennebecasis Valley Fire Department Inc. Unaudited Financial Statements dated 31 October 2008 and the Kennebecasis Valley Fire Department Monthly Response Report dated October 2008 be received/filed.

CARRIED.

- 7.4.1 5 December 2008 Amended 2009 Budget – Kennebecasis Valley Fire Department
MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald the Amended 2009 Budget – Kennebecasis Valley Fire Department be received/filed.

ON THE QUESTION:

It was noted the total decrease in rental income totals about \$16,500 and Rothesay's share is approximately \$7500. Counc. Cochrane noted the Administrator will be appealing the decision by NBEMS to discontinue renting the space.

CARRIED.

- 7.5 19 November 2008 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 19 November 2008 be received/filed.

CARRIED.

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➤ Hampton Road – speed limit

MOVED by Counc. Mullett and seconded by Counc. Cochrane Council write a letter to the Minister of Transportation requesting the speed limit on Hampton Road be posted at 40km in the school zones.

CARRIED.

25 November 2008 Draft Public Works and Infrastructure Committee Meeting Minutes

MOVED by Counc. Mullett and seconded by Counc. Kilfoil the draft Public Works and Infrastructure Meeting Minutes dated 25 November 2008 be received/filed.

CARRIED.

7.6 25 November 2008 Draft Water and Sewer Committee Meeting Minutes

MOVED by Counc. Kilfoil and seconded by Counc. Mullett the draft Water and Sewer Committee Meeting Minutes dated 25 November 2008 be received/filed.

CARRIED.

➤ 2009 Capital Plan

To be dealt with under Item 9.2

7.7 25 November 2008 Rothesay Living Museum Meeting Minutes

MOVED by Counc. Pat Gallagher Jette and seconded by Counc. Kilfoil the Rothesay Living Museum Meeting Minutes be received/filed.

CARRIED.

➤ 26 November 2008 Rothesay History Book

MOVED by Counc. Shea and seconded by Counc. Gallagher Jette Council support in principle the publication of an updated “History of Rothesay” book.

CARRIED.

7.8 November 2008 Monthly Building Permit Report

MOVED by Counc. Shea and seconded by Counc. Young the November Monthly Building Permit Report be received/filed.

CARRIED.

7.9 1 December 2008 Draft Planning Advisory Committee Meeting Minutes

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald the draft Planning Advisory Committee Meeting Minutes dated 1 December 2008 be received/filed.

ON THE QUESTION:

DDS Drescher advised Council there is a tracking system in place for one year permits and there is no provision in the *Community Planning Act* for an extension.

CARRIED.

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➤ 6 Scribner Crescent – Development Agreement

MOVED by Council. Cochrane and seconded by Council. Young Council authorize the Mayor and Clerk to enter into the development agreement, as amended, in accordance with Section 101 of the *Community Planning Act* for a 15 unit apartment building to be established at 6 Scribner Crescent, identified as PID# 00065029.

ON THE QUESTION:

Council. Shea asked if the building will be wheelchair accessible, noting there are no accessible buildings available in the community. DDS Drescher advised there is no requirement in the By-law or the National Building Code for an elevator. Town Manager Jarvie advised staff could generate a report on the feasibility of revising the By-law.

CARRIED.

7.10 3 December 2008 Operations Report

MOVED by Council. Mullett and seconded by Council. Shea the December Operations Report be received/filed.

CARRIED.

8. **UNFINISHED BUSINESS**

8.1 By-law 2-04 Procedural By-law and Grants/Donations Policy

4 December 2008 Memorandum from Town Clerk Banks

MOVED by Council. Shea and seconded by Deputy Mayor MacDonald the memorandum from Town Clerk Banks RE: Procedural By-law and Grants/Donations Policy be received/filed.

CARRIED.

8.2 By-law 4-98 A2 Animal Control By-law (amendment)

MOVED by Council. Shea and seconded by Council. Kilfoil 1st Reading, by Title, be given By-law 4-98 A2, “ A By-law to Amend By-law 4-98, A By-law of the town of Rothesay Respecting Animal Control”.

CARRIED.

The Clerk read By-law 4-9 A2 by title.

MOVED by Council. Cochrane and seconded by Council. Shea 2nd Reading, by Title, be given By-law 4-98 A2, “ A By-law to Amend By-law 4-98, A By-law of the town of Rothesay Respecting Animal Control”.

CARRIED.

The Clerk read By-law 4-9 A2 by title.

8.3 Call for Expressions of Interest ice surfaces

4 December 2008 Memorandum from Town Manager Jarvie

MOVED by Council. Young and seconded by Council. Shea Council authorize the Call for Expressions of Interest, as presented.

ON THE QUESTION:

There was discussion with respect to the format and criteria. Town Manager Jarvie advised there is no commitment on behalf of Council in issuing the Call for Expressions of Interest and the Darlings would be asked to resubmit.

CARRIED.

9. **NEW BUSINESS**
RECREATION

9.1 Consultant Study – Terms of Reference

3 December 2008 Letter from Deputy Mayor MacDonald

MOVED by Deputy Mayor MacDonald and seconded by Counc. Gallagher Jette the Town Manager, in conjunction with the Recreation Committee, draw up terms of reference to engage external consultants for the purpose of reviewing the overall recreation needs for the town of Rothesay and presenting a master plan to Council, setting out the needs and the required facilities to meet these needs along with the estimated costs and timelines, with the cost of the study to be provided for in the 2009 Operating Budget.

ON THE QUESTION:

Deputy Mayor MacDonald advised he saw the need for an independent objective review of community needs and major investments should not be undertaken without an external review. It was noted anticipated costs would be in the area of \$50,000 to \$70,000. Town Manager Jarvie advised other municipalities had followed this approach and the cost depends on the terms of reference. He further noted the information is inherently available but needs to be searched out.

Deputy Mayor MacDonald indicated there has been a low turnout at the public meetings held to date and a consultant would be able to delve into the wants and needs and obtain external opinions from key interest groups. Counc. Shea concurred and spoke in support of the motion. Counc. Cochrane advised he would prefer to see the Recreation Committee start their review and then the Town consider engaging a consultant following that. Counc. Gallagher Jette spoke in favour of the motion and suggested the need for objectivity, noting sometimes the quieter and smaller organizations are not heard.

CARRIED.

FINANCE

9.2 2009 Rothesay Budgets

4 December 2008 Memorandum from Town Manager Jarvie

Town Manager Jarvie gave a presentation to Council on the 2009 Rothesay budget. He noted a new procedure has been introduced this year and Council can choose to accept the budget as presented, including the reserve motions that will follow under Item 9.3 or a subsequent meeting can be held. Town Manager Jarvie advised questions would be entertained throughout the presentation.

Utility Operating and Capital Budgets

- Total revenue \$2,157,102
- 2% growth increase in water sales to \$651,000
- 12% increase in sewer fees, including an increase of \$25.00 on annual fee
- largest increases in purification/treatment and purchased water
- Utility Capital Budget totals \$3,650,000 including approximately \$3,000,000 for extension of water line to Kennebecasis Park
- \$75,000 is preliminary design work for water/wastewater treatment plant

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General Capital and Operating Budgets

- General Capital Budget totals \$3,254,000
- Major projects include Oakville Acres storm sewer work at approximately \$600,000
- General Operating Budget totals \$13,610,000
- overall property tax assessments up 12.25%
- Unconditional grant unchanged at \$417,721 or 3% of General Fund Revenue
- tax rate includes garbage collection, approximately 5.7 cents on the tax rate
- Recommendation of Finance Committee is to reduce the tax rate by 2 cents to \$1.23

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald BE IT RESOLVED that the 2009 Utility Fund Capital Budget be approved at \$3,650,000, as presented.

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald BE IT RESOLVED that the sewer service charge in schedule "B" of by-law 6-04 be \$250.00 per equivalent user unit.

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald BE IT RESOLVED that the meter reading fee in schedule "E" of by-law 7-04 be \$75.00 per each meter reading request.

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald BE IT 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 \$ 2,157,102, and total expenditures of \$ 2,157,102 .

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald BE IT RESOLVED that the 2009 General Fund Capital Budget be approved at \$3,254,211, as presented.

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald BE IT RESOLVED that the sum of \$13,610,000 be the total budget of Rothesay, that the sum of \$11,831,833 be the Warrant of Rothesay for the ensuing year, and that the tax rate for Rothesay be \$1.2300. 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.

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MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald BE IT RESOLVED that the following 2009 budgets be accepted as presented:

Regional Facilities Commission
Fundy Region Solid Waste Commission
Kennebecasis Valley Fire Department Inc., as amended
Rothesay Regional Joint Board of Police Commissioners
Telecommunications Centre
Rothesay Living Museum
Kennebecasis Crime Stoppers
Greater Saint John Economic Development Agency Inc.
Heritage Preservation Review Board
Kennebecasis Public Library

CARRIED.

9.3 Reserve Motions (2008)

➤ Utility Fund Reserve Motions

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald BE IT RESOLVED that \$ 150,000.00 be transferred **from** the Utility Capital Reserve Fund **to** the Utility Capital Fund for the Water Treatment Plant upgrade and other projects.

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald BE IT RESOLVED that \$ 145,750.00 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 BE IT RESOLVED that \$ 3,550.00 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 BE IT RESOLVED that gas tax funding in the amount of \$186,583.00 be transferred to the Utility Capital Reserve Fund for the year 2008 to be used in future years.

ON THE QUESTION:

It was noted the total amount received for 2008 under the GTF was not fully used and can be rolled over but will likely be used in 2009.

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald BE IT RESOLVED that Council authorizes the expensing of Utility Capital Expenditures through the Utility Operating Fund for 2008 up to \$300,000.00.

CARRIED.

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➤ **General Fund Reserve Motions**

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald BE IT RESOLVED that the sum of \$282,294.45 in Gas Tax Funding be allocated against the Storm Sewer 082816 Allan/Jones/Sierra project.

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald BE IT RESOLVED that the sum of \$187,425.77 be transferred from the General Capital Reserve Fund to the General Capital Fund to cover the costs of the following purchases:

Hewitt Rentals Inc.	\$	12,928.60
Trimline	\$	55.85
Dell inv 213252	\$	2,328.50
Dell inv 167542	\$	6,131.26
Dell inv 70901	\$	4,664.64
Dell inv 80171	\$	1,300.10
Patriot	\$	21,411.87
1/2 Ton Trucks	\$	62,714.06
Projects – Misc. 2008	\$	50,890.89
Additional Traffic Lights	\$	25,000.00

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 2008. (\$7,275.00 from District 6).

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald BE IT RESOLVED that the sum of \$571,649.44 be transferred from the General Operating Fund to the General Capital Reserve Fund for the year 2008, 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	\$	381,649.44

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 \$2,300,000.00.

CARRIED.

MOVED by Deputy Mayor MacDonald and seconded by Counc. Shea BE IT RESOLVED that \$125,000 be transferred from the General Capital Reserve to the General Capital Fund to cover the cost of land purchase.

CARRIED.

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ADMINISTRATIVE SERVICES

9.4 2009 Committee Appointments

4 December 2008 Memorandum from Town Clerk Banks with attachment

MOVED by Counc. Gallagher Jette and seconded by Counc. Young Council ratify the 2009 Committee Appointment List, as amended, as attached hereto and forming a part of these minutes.

CARRIED.

9.5 ComeX passenger fare increase

27 November 2008 Correspondence from J. McNair, Gorman Nason

MOVED by Counc. Young and seconded by Counc. Mullett the correspondence from J. McNair, Gorman Nason RE: ComeX passenger fare increase be received/filed.

ON THE QUESTION:

It was noted the proposal is a fare increase of \$0.25.

CARRIED.

DEVELOPMENT SERVICES

9.6 Service New Brunswick BizPal online service

25 November 2008 Memorandum from DDS Drescher with attachments

MOVED by Counc. Shea and seconded by Counc. Kilfoil the Mayor and Clerk enter into the agreement to allow Rothesay to participate in the BizPal program which is being led by Service New Brunswick subject to periodic reviews by staff.

CARRIED.

10. **NEXT MEETING**

The next regular meeting of Council will be held on Monday, January 12, 2009.

11. **ADJOURNMENT**

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

CARRIED.

The meeting adjourned at 9:25 p.m.

MAYOR

CLERK