



ROTHESAY COUNCIL

OPEN SESSION

Monday, February 10, 2014

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 REC/PARKS (DRP) CHARLES JENSEN
DIRECTOR OF PLANNING/DEVELOPMENT (DPDS) BRIAN WHITE

PUBLIC HEARING Hillcrest Gardens Amending Agreement Eriskay Drive (PID# 30279137)

Documentation

16 January 2014 1st Section 68 advertisement
5 February 2014 2nd Section 68 Advertisement
28 January 2014 Staff Report
DRAFT Amending Development Agreement

7 February 2014 Recommendation from Planning Advisory Committee

Appearances: **B. White, MCIP, RPP Director of Planning/Development Services**
Pat Shea Jr., 619699 NB Inc

Comments: None received

Mayor Bishop called the public hearing to order at 7:00 p.m. and gave instructions to those in attendance. He noted the hearing had been duly advertised and Director of Planning and Development Services (DPDS) Brian White would give a presentation on the proposed amending agreement for Hillcrest Gardens

DPDS White advised of the following: the amendment is to remove the trustee lands from the subdivision and the adjacent lot will increase in size. He noted the density will not increase and outlined the current infrastructure in place in the subdivision (water, storm and sanitary sewer piping). There was a brief discussion with respect to drainage and changes in provincial wetlands policy. Mr. Shea advised the original proposed development was for condominium ownership and the ownership of the trustee lands was not clear. He indicated the change in the provincial wetlands policy allows for the removal of the pond and the trustee land. Mr. Shea advised there would be no increase or decrease in downstream stormwater and the pond was not intended to provide any retention capability. DPDS White advised the By-law does not require a net-zero discharge for residential development. He also noted the agreement requirements are related to maximum density and lot size, the size of the proposed houses is determined by the zone. DO McLean confirmed the stormwater can be managed within the existing infrastructure and the pond was for aesthetic purposes. He advised the storm sewer discharges to an open channel in a Town easement under Highland Avenue.

Mayor Bishop called three times for those wishing to speak in favour of the proposal. Mayor Bishop called three times for those wishing to speak against the proposal.

MOVED by Counc. Alexander and seconded by Counc. Wells the public hearing be adjourned.

CARRIED.

The public hearing adjourned at 7:15 p.m.

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1. APPROVAL OF MINUTES

Regular meeting 13 January 2014

MOVED by Counc. McGuire and seconded by Counc. Wells the minutes of 13 January 2014 be adopted as circulated.

CARRIED.

Business Arising from Minutes

n/a

2. APPROVAL OF AGENDA

MOVED by Counc. Wells and seconded by Counc. Alexander the agenda be approved as circulated with the following change:

Item 9.1 be brought forward as Item 3.1

CARRIED.

Mayor Bishop advised Mr. Good had requested to be heard regarding a property dispute and the request would be dealt with by a vote of Council.

MOVED by Counc. MacDonald and seconded by Counc. McGuire Mr. Good be advised of the decision of Council in Closed Session; more specifically that he not be heard in this Open Session.

ON THE QUESTION:

Counc. Gallagher Jette noted she would support the motion as a way to resolve the issue as much as possible but this evening is not a proper forum. Mayor Bishop advised a small committee of Council, along with senior staff, would meet with both property owners in an attempt to resolve this matter in the near future. Mr. Good advised he would be away for a week.

CARRIED.

3. OPENING REMARKS OF COUNCIL

Counc. Alexander noted Rothesay High School student, Isaac MacLellan received the prestigious \$78,000 Sobeys scholarship, the second Rothesay High School student in two years to be awarded this scholarship.

Item 9.1 brought forward

Business Arising from Public Hearing

9.1 Hillcrest Gardens Amending Agreement

7 February 2014 Recommendation from Planning Advisory Committee
DRAFT Amending agreement

MOVED by Counc. Wells and seconded by Deputy Mayor Grant Council authorize the Mayor and Clerk to enter into a second amending agreement with 619699 N.B. Inc. for the removal of trustee lands from the subdivision referred to as Hillcrest Gardens on lands off Eriskay Drive (PID# 30279137).

CARRIED.

Counc. Lewis declared a conflict of interest and left the meeting room at 7:20 p.m.

4. DELEGATIONS

4.1 KV Fire Fighters' Association (KVFFA) Vice President, Matthew McQuade

Matthew McQuade, Vice President KVFFA, appeared before Council and gave a presentation with respect to the Association's operations and current status. He gave a summary with respect

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to the following: Association history, background, 2013 review of department activities; firefighter costs; recruitment and retention of volunteers; department restructuring and the impact of elimination of the volunteer program. Mr. McQuade highlighted NPA Standards 1710 and 1720, the Volunteer Bill of Rights, and cost trends for the Kennebecasis Valley Fire Department and comparative costs of a fully career department vs. a composite force. He noted there are currently only two departments in the Atlantic provinces that are fully career departments.

There was a lengthy discussion following the presentation. Questions were asked with respect to the following: operation and policy changes of the volunteer firefighter program; associated costs; increasing costs of the Fire Department; reduced responses from volunteers to incidents (statistics); NFPA standards; composite vs. fully career department; presentation to the Fire Board; the Volunteer Bill of Rights; response level of volunteer firefighters to fire events and the factors to be considered; and the change to dispatch protocol in 2011 and lack of training for volunteers since that time.

Mr. McQuade advised of the following: there is a concern with respect to costs however they will likely increase with a fully career department; currently a volunteer costs 2% of a career firefighter; the Association is proud of its partnership with the paid firefighters and their ability to meet NFPA 1720 standards; the Association is discussing the possibility of presenting to the Fire Board; costs for a fully career department should be obtained from Chief Ireland; volunteers who have joined since 2011 have not been provided any training; current role of volunteers is to respond to chimney fires and structure fires only, where past involvement would have also included fire alarm activations, requests for assistance; medical calls and motor vehicle accidents; the Volunteer Bill of Rights is not mandatory and the Chief has not indicated any interest in pursuing it; and he outlined the factors and procedure involved for volunteers responding to eligible incidents.

Mr. McQuade was thanked for his presentation and it was suggested the Association make a request to make a presentation to the Fire Board. Counc. MacDonald noted the next Board meeting has been deferred until March.

5. CORRESPONDENCE FOR ACTION

5.1 10 January 2014 Letter from Kennebecasis Crimestoppers RE: 2014 Budget
5.1.1 5 February 2014 Memorandum RE: funding request from Kennebecasis CrimeStoppers
MOVED by Deputy Mayor Grant and seconded by Counc. MacDonald Council approve a grant of \$2,800 to Kennebecasis CrimeStoppers from the 2014 operating budget.

CARRIED.

Counc. Lewis returned to the meeting at 7:50 p.m.

5.2 28 January 2014 Email from Counc. Lewis RE: rail safety
MOVED by Deputy Mayor Grant and seconded by Counc. McGuire the email from Counc. Lewis RE: rail safety dated 28 January 2014 be referred to staff.

ON THE QUESTION:

Counc. Lewis expressed his concerns with respect to the condition of the railway system infrastructure through the Town and suggested an independent review might be necessary. He advised he noticed the trains have been travelling at a slower speed in the last few weeks. Deputy Mayor Grant noted she had similar concerns and agreed it should be referred to staff as her ad hoc committee has no budget.

CARRIED.

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5.3 3 February 2014 Email request via Deputy Mayor Grant RE: Donlyn Drive sidewalk **MOVED** by Deputy Mayor Grant and seconded by Counc. Wells the email request via Deputy Mayor Grant RE: Donlyn Drive sidewalk dated 3 February 2014 be referred to the Public Works and Infrastructure Committee.

CARRIED.

5.4 4 February 2014 Letter from Kennebecasis Regional Deer Committee RE: tick drag
5.4.1 5 February 2014 Letter from Quispamsis to Minister Flemming RE: tick drag request **MOVED** by Counc. MacDonald and seconded by Counc. Wells Rothesay Council send a letter of support for a tick drag in the region to Minister Flemming.

ON THE QUESTION:

Counc. Alexander noted deer management is not a municipal issue and it should be clarified that responsibility lies with the province.

CARRIED.

6. CORRESPONDENCE - FOR INFORMATION

6.1 11 January 2014 Email from resident RE: power outages **MOVED** by Counc. MacDonald and seconded by Counc. Alexander Council invite Mr. Thomas, President NB Power, to attend before Council to provide information to the Town with respect to past power outages and to discuss future plans to address power outages.

ON THE QUESTION:

It was noted residents enjoy the foliage on their properties and the tree trimming program by NB Power is not well-received. Counc. Lewis noted that falling tree limbs on one property can negatively affect other properties in their neighbourhood and the Town should fully support NBPower.

CARRIED.

6.2 11 January 2014 Letter from resident RE: action on Kennebecasis Park entrance **MOVED** by Deputy Mayor Grant and seconded by Counc. Lewis the letter from resident RE: action on Kennebecasis Park entrance dated 11 January 2014 be received/filed.

CARRIED.

6.3. 20 January 2014 Letter to Premier Alward RE: natural gas exploration **MOVED** by Counc. MacDonald and seconded by Counc. Lewis the letter to Premier Alward RE: natural gas exploration dated 20 January 2014 be received/filed.

CARRIED.

6.4 22 January 2014 Letter from City of Saint John RE: Council appointment to Ad hoc Rail Committee **MOVED** by Counc. Wells and seconded by Counc. Lewis the letter from City of Saint John RE: Council appointment to Ad hoc Rail Committee dated 22 January 2014 be received/filed.

ON THE QUESTION:

Deputy Mayor Grant requested an acknowledgement letter be sent to the City.

CARRIED.

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6.5 3 February 2014 Budget approval letter from Quispamsis to Kennebecasis Valley Fire Department Inc

MOVED by Counc. Gallagher Jette and seconded by Counc. MacDonald the Budget approval letter from Quispamsis to Kennebecasis Valley Fire Department Inc dated 3 February 2014 be received/filed.

CARRIED.

6.5.1 3 February 2014 Budget approval letter from Quispamsis to Rothesay Regional Joint Board of Police Commissioners

MOVED by Counc. MacDonald and seconded by Counc. Alexander the Budget approval letter from Quispamsis to Rothesay Regional Joint Board of Police Commissioners dated 3 February 2014 be received/filed.

CARRIED.

6.5.2 3 February 2014 Budget approval letter from Quispamsis to Kennebecasis Public Library

MOVED by Deputy Mayor Grant and seconded by Counc. Wells the budget approval letter from Quispamsis to Kennebecasis Park Library dated 3 February 2014 be received/filed.

CARRIED.

6.6 5 February 20134 Letter from New Brunswick Medical Education Trust RE: thanks for past support

MOVED by Counc. Gallagher Jette and seconded by Counc. Lewis the letter from New Brunswick Medical Education Trust RE: thanks for past support dated 5 February 2014 be received/filed.

CARRIED.

6.7 6 February 2014 Memorandum from Town Clerk Banks RE: Saint John Airport presentation

MOVED by Counc. MacDonald and seconded by Counc. McGuire the memorandum from Town Clerk Banks RE: Saint John Airport presentation dated 6 February 2014 be received/filed.

CARRIED.

7. REPORTS

7.0 February 2014 Report from Closed Session

➤ Regional Policing Agreement

MOVED by Counc. McGuire and seconded by Counc. Lewis Council authorize an extension of the Police Agreement until March 31, 2014.

CARRIED.

MOVED by Counc. McGuire and seconded by Counc. Alexander that Rothesay Council agree to the name change of the Police Department with the funding formula to include:

- road kilometres, and
- annually estimated population using census, and building permits, as recommended by the Quispamsis committee,

with population to be re-adjusted at the next census, with overpayment corrections.

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ON THE QUESTION:

Counc. McGuire advised the position of Rothesay representatives at the meeting with Quispamsis representatives was tax assessments not be used as part of the formula. He commented there are larger issues associated with the name change of the department.

CARRIED.

- 7.1 31 December 2013 Draft Unaudited Rothesay Utility Financial Statements
31 December 2013 Draft Unaudited Rothesay General Fund Financial Statements

MOVED by Counc. MacDonald and seconded by Counc. Wells the draft Unaudited Rothesay Utility Statements dated 31 December 2013 be received/filed.

ON THE QUESTION:

It was noted the statements are in draft form and there are year-end adjustments to be made.

CARRIED.

MOVED by Counc. MacDonald and seconded by Counc. Lewis the unaudited Rothesay General Fund Financial Statements be received/filed.

ON THE QUESTION:

It was noted the statements are in draft form and there are year-end adjustments to be made.

CARRIED.

- 7.2 22 October 2013 Fundy Regional Service Commission Board meeting minutes
21 November 2013 Fundy Regional Service Commission Board meeting minutes
11 December 2013 Fundy Regional Service Commission Board meeting minutes

MOVED by Counc. Alexander and seconded by Counc. McGuire the Fundy Regional Service Commission Board meeting minutes dated 22 October 2013, 21 November 2013 and 11 December 2013 be received/filed.

ON THE QUESTION:

Counc. Alexander requested clarification on Mayor Norton's comments on page 5 of the October 22, 2013 minutes with respect to cost savings for all residents. Mayor Bishop noted Mayor Norton's approach is to gain more collaboration across all communities. Counc. MacDonald noted the recent shale gas exploration motion was passed unanimously at the Commission, but the community of Quispamsis does not support shale gas exploration, which can lead to future concerns with respect to Commission decisions not being in line with the opinion of the individual municipal councils. He also noted there was a list compiled of services provided in common across the municipalities. Town Manager Jarvie advised the information has been provided to the Executive Director and Mayor Bishop advised he would obtain a copy once it has been completed.

CARRIED.

- 7.3 27 November 2013 Rothesay Regional Joint Board of Police Commissioners meeting minutes

MOVED by Counc. Alexander and seconded by Counc. McGuire the Rothesay Regional Joint Board of Police Commissioners meeting minutes dated 27 November 2013 and draft Financial statements dated 30 November 2013 be received/filed.

ON THE QUESTION:

Counc. Alexander noted elections had been held and Counc. McGuire is now the Board Chair.

CARRIED.

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7.4 15 January 2014 Draft Public Works and Infrastructure Committee meeting minutes **MOVED** by Counc. Alexander and seconded by Counc. Lewis the draft Public Works and Infrastructure meeting minutes dated 15 January 2014 be received/filed.

ON THE QUESTION:

Counc. Alexander advised the Fundy Region Solid Waste Diversion Committee held a series of open houses and the information should be compiled soon, with a recommendation by the end of June to the Fundy Regional Service Commission.

CARRIED.

➤ Additions to Traffic By-law

There was a lengthy discussion with respect to the no parking restrictions being proposed on various streets. Counc. Wells expressed concern with respect to the limitations being proposed as it will create hardship for residents. DO McLean advised the recommendation is a result of parking causing restrictions for two-way traffic flow, particularly on Maiden Lane. The streets included were specific recommendations based on incidents and information from Rothesay Regional Police. Counc. Wells suggested permitting parking on one side only. DO McLean advised the current width of Maiden Lane at 6.4 metres barely accommodates two vehicles travelling. Counc. Wells questioned the use of curbs on various lanes which restricts the travel width as well. Counc. MacDonald questioned parking on both sides on Church Avenue. Mayor Bishop advised the Fire Department has been consulted and indicated that although it is restrictive, they are able to traverse Church Avenue. DO McLean advised the current By-law states that no one can park in a way to impede the flow of two-way traffic. Deputy Mayor Grant commented on the potential impact for Shadow Lawn as well. Counc. Wells noted she understands the logic but it will negatively impact some residents. Counc. Alexander advised the Committee would discuss it further but noted parking on the side of the road damages Town infrastructure and there are liability issues as well. He suggested the Town is promoting Active Transportation and walking a few more blocks from a parked vehicle has its benefits. Town Manager Jarvie advised the Traffic By-law will be presented to Council in March or April for review and approval. Counc. MacDonald suggested perhaps a public hearing should be held. Town Manager Jarvie advised that can be done and the By-law also has to be reviewed by the Registrar of Motor Vehicles before final approval. He indicated Council could possibly review it and indicate agreement prior to it being sent to the Registrar. Counc. Wells agreed a public hearing should be held.

7.5 20 January 2014 Draft Emergency Measures Committee meeting minutes **MOVED** by Counc. Lewis and seconded by Counc. Alexander the draft Emergency Measures Committee meeting minutes dated 20 January 2014 be received/filed.

ON THE QUESTION:

Counc. Lewis asked if a joint meeting date had been set yet. Town Manager Jarvie advised arrangements were still being made. Deputy Mayor Grant commented the Rail Safety Committee has emergency planning as one of its mandates and the intent is not to overlap with the Emergency Measures Committee but rather to look at individual areas that would be impacted by a train derailment. She advised Counc. Lewis would be invited to attend the Rail Safety Committee meetings. There was a brief discussion with respect to train-related correspondence. Town Clerk Banks advised a file is being created that will be available for review at the Town office.

CARRIED.

➤ McGuire Centre generator
See Item 9.4

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7.6 21 January 2014 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 21 January 2014 be received/filed.

ON THE QUESTION:

Counc. McGuire advised there will be further information to be provided to Council with respect to the rink house in Kennebecasis Park. Mayor Bishop noted staff have begun the process to apply for a grant for an Ecco Garden that could be built in the East Riverside-Kingshurst Park area. Counc. Lewis expressed concern over the decision not to improve docking facilities for the Renforth Wharf. Counc. Wells advised the Committee discussed it at length and determined the primary activity at the Wharf is for swimming rather than being more boater-friendly. Counc. Alexander questioned the locations of dog waste dispensers and their use on streets rather than trail areas. Counc. Wells noted she has received requests for additional dispensers to make it easier for people when the garbage cans are removed for the winter.

CARRIED.

➤ Renforth Wharf

MOVED by Counc. Wells and seconded by Counc. McGuire that the Renforth Wharf Dock will not add rubber bumpers or wrap the wharf with a floating dock, it will remain as is.

ON THE QUESTION:

Counc. MacDonald asked if a portion of the wharf could be done. DRP Jensen indicated there are options being considered, including a docking area from the shore. DRP Jensen advised a cost of about \$30,000 was given a few years ago to wrap part of the wharf.

NAY vote recorded from Counc. Lewis.

CARRIED.

7.7 January 2014 Monthly Building Permit Summary Report

MOVED by Counc. Gallagher Jette and seconded by Deputy Mayor Grant the January Building Permit Summary Report be received/filed.

CARRIED.

7.8 3 February 2014 Draft Planning Advisory Committee meeting minutes

MOVED by Counc. Wells and seconded by Counc. Lewis the draft Planning Advisory Committee meeting minutes dated 3 February 2014 be received/filed.

CARRIED.

➤ Hillcrest Gardens Amending Agreement

Dealt with above

➤ 20 Gibbon Road Public Hearing (rezoning)

MOVED by Counc. Wells and seconded by Counc. Lewis Council schedule a Public Hearing, in accordance with the *Community Planning Act*, RSNB (1973) chapter C-12 and amendments thereto, for **Monday, April 14, 2014 at 7:00 p.m.**, to consider the rezoning of lands located at 20 Gibbon Road (PIDs 00238956, 30124440, 30181036) from the Single Family (R1b) zone and Two Family Residential Zone (R2) to the Single Family Residential – Small Lot Zone (R1e) to allow for a revised development scheme of 8 single family homes.

ON THE QUESTION:

Counc. Alexander expressed a concern with respect to Council initially approving a development and a subsequent property owner then requesting another revision to the development. He

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questioned whether restrictive timelines can be tied to proposals in that it cannot be changed for a certain length of time. It was noted the initial proposal for this property was challenging and time consuming. Counc. MacDonald expressed similar concerns. Counc. Wells noted the Planning Advisory Committee raised these concerns to the developer’s representative at its meeting, particularly concerns raised by residents that were addressed and agreed to by the previous developer. It was noted the Town is not in a position to require action by the developer unless it is contained in the development agreement.

CARRIED.

8. UNFINISHED BUSINESS

8.1 Sunday Shopping By-law 9-04

5 February 2014 Memorandum from Town Manager Jarvie

MOVED by Counc. Wells and seconded by Deputy Mayor Grant Council schedule a Public Hearing for **Monday, March 10, 2014 at 7:00 p.m.**, to give consideration to an amendment to By-law 9-04, “Sunday Shopping” to remove the limitation of hours of operation (12 noon – 5 pm) on the weekly day of rest.

CARRIED.

8.2 Common Covenant

5 February 2014 Memorandum from Town Manager Jarvie
Common Covenant

MOVED by Counc. Wells and seconded by Deputy Mayor Grant approve the Private Member’s Bill as presented, for presentation to the public and submission to the Legislature.

CARRIED.

TABLED AGENDA ITEMS *(no action recommended at this time)*

8.3 Traffic By-law 3-03 *(tabled August 2013)*

8 August 2013 Memorandum from DO McLean

8.4 47 Clark Road amending development agreement

5 November 2013 Memorandum/Staff Report
DRAFT Amending agreement

9. NEW BUSINESS

Business Arising from Public Hearing

9.1 Hillcrest Gardens Amending Agreement

7 February 2014 Recommendation from Planning Advisory Committee
DRAFT Amending agreement

Dealt with above.

Finance

9.2 Local Improvement Levy

5 February 2014 Memorandum from Town Clerk Banks

MOVED by Counc. Wells and seconded by Counc. MacDonald Whereas projects were undertaken as local improvements in accordance with the pertinent By-laws, Rothesay Council hereby directs that a special warrant be issued for the sum set out in the local improvement assessment roll for 2014 and further directs the Clerk to cause such special assessments to be collected in accordance with By-law 3-00.

Local Improvement By-law #	Amount to be collected
By-law 4-00	\$59,268.53

CARRIED.

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Recreation/Facilities

9.3 Contract No. 2012-12-Parks Turf Letter of Credit Partial Release

30 January 2014 Memorandum from DRP Jensen

17 January 2014 Letter from Weed Man

MOVED by Counc. MacDonald and seconded by Counc. McGuire the value of the Weed Man letter of credit for **Contract No.: 2012-12-ParksTurf** be reduced by 25% to \$78,054.11; this new amount will be equal to 50% of the value of the remaining three years of the contract.

CARRIED.

9.4 Quotation Award - Generator (McGuire Centre)

5 February 2014 Memorandum from Town Manager Jarvie

MOVED by Counc. McGuire and seconded by Counc. Lewis Council award the project to the provider of the low quote, Al Morehouse, for the amount of \$ \$32,200 plus HST.

ON THE QUESTION:

There was a lengthy discussion with respect to the location of the generator and its use. The diesel generator will be mobile and stored at the Works Garage. There are additional challenges associated with a permanent installation at the McGuire Centre. It was noted work is ongoing with respect to generators for the Town Hall and Works garage. Town Manager Jarvie advised an estimate from a consultant to analyze requirements for both locations has been received and the cost was higher than anticipated so further negotiation is needed. It was noted borrowing may be required to cover the cost of the purchase.

CARRIED.

Operations

9.5 Engineering Consultants Engagement 2014 Capital Program (General Fund)

4 February 2014 Memorandum from DO McLean

MOVED by Counc. MacDonald and seconded by Counc. Alexander Council authorize staff to:

1. conduct negotiations for engineering design and construction management services with the proposed consultants; and
2. engage the specified consultant if an agreement for services is reached within specified budget limits.

ON THE QUESTION:

DO McLean advised this relates to a number of smaller projects identified as part of the Traffic Study done by exp. French Village Road required additional work on further investigation and had to be completed in phases. It was noted projects will likely be completed earlier this year. DO McLean noted this process is a little different in that he is seeking approval to negotiate and engage the consultants if negotiations are successful. Counc. Wells requested clarification on the process. DO McLean advised he believed the process is competitive and the Town will benefit, and the costs are in line with the amounts paid for the first phases.

CARRIED.

9.6 Engineering Consultants Engagement 2014/15 Capital Programs (asphalt/microseal)

4 February 2014 Memorandum from DO McLean

MOVED by Counc. Alexander and seconded by Counc. MacDonald Council authorize staff to issue a public proposal call for the provision of engineering design and construction management services for the approved 2014 and proposed 2015 asphalt resurfacing and microseal placement projects.

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ON THE QUESTION:

DO McLean noted the proposed design plan is for two years and Council could then go for a two year tender to take advantage of tender pricing, or have the option to tender each year. Town Manager Jarvie advised staff will be moving in this direction so the engineering can be completed in year one and construction completed in year two to take advantage of early tender periods and to assist in more accurate budgeting. Counc. Lewis requested clarification on the micro-sealing project. DO McLean advised the streets for micro-sealing have not been selected as yet but will be based on condition. He also advised micro-seal would not be done on streets that have significant deterioration. Counc. McGuire requested further information on the French Village Road project. DO McLean advised the initial plan was \$250,000 for micro-seal over five years for all the side streets and to complete French Village Road in one year. He noted French Village Road required complete reconstruction and set back the plan for two years. Counc. McGuire suggested the money be re-allocated to side streets in the subdivision rather than French Village Road. He suggested the Public Works Committee do an onsite review of the side streets prior to considering priorities.

CARRIED.

Administration

9.7 Nominating Committee Report

4 February 2014 Memorandum from Town Clerk Banks RE: Ad hoc Rail Safety Committee

MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant Council amend the Committee mandate to allow for a maximum of 13 residents and further approve the appointment of the following residents to the ad hoc Rail Committee:

- Bill Artiss
- Dr. Christine Davies
- Jane Barry
- John Oxley
- John Wheatley
- Peter Jolly
- Jim Crosby
- David Creber
- Innis McCready
- Will MacEachern
- Hank Scarth
- Gary Gower
- Allen Rosevear

ON THE QUESTION:

There was a brief discussion with respect to the size of the committee. Deputy Mayor Grant advised there was a great deal of interest expressed in this committee, with a lot of expertise. She noted the committee has been divided into three working groups, based on the three mandates identified. Concern was expressed with respect to changing the mandate under the Procedural By-law. Town Clerk Banks clarified that the ad hoc committee is created under the authority of the Procedural By-law and Council approved the mandate and membership for the committee at the November Council meeting. The request before Council is to increase the membership from a maximum of eight to a maximum of thirteen members.

CARRIED.

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10. NEXT MEETING

The next regular meeting will be held on Monday, March 10, 2014 following a public hearing.

Counc. Gallagher Jette requested a report back with respect to Right to Information and Protection of Privacy legislation including the processes in place and the role of the head of the public body. It was noted the Clerk was appointed as the head by Council, following enactment of the legislation. Town Manager Jarvie advised a session could be arranged to provide Council with a review of the legislation.

11. ADJOURNMENT

MOVED by Counc. Gallagher Jette and seconded by Counc. Wells Council reconvene in Closed Session.

CARRIED.

The meeting adjourned at 9:15 p.m.

MAYOR

CLERK