



ROTHESAY COUNCIL

OPEN SESSION

Monday, February 9, 2009

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

PUBLIC PRESENTATION

**Municipal Plan Amendment – Rothesay Estates
PID #s 00243683 (portion), 30239784, 30239776, 30239792**

Documentation

28 January 2009

16 December 2008

Appearances:

Section 25 advertisement

Staff Report with attachments

**G. Drescher, Development Officer, Director of
Development Services**

Scott Darling, North Star Holdings

Mayor Bishop called the Public Presentation to order at 8:05 p.m. and gave instructions to those in attendance.

DDS Drescher gave a brief presentation, noting the legislative process to be followed for the application. The proposal is for a town house style development for the properties situate generally off Isaac Street, identified as PID#s 00243683 (portion), 30239784, 30239776, 30239792, located in Rothesay Estates subdivision. It will consist of six buildings, each containing four units. The current designation is low density residential.

Mr. Darling advised the development will contain homes similar to that on Casey Crescent in Forest Hills and the design will be two-bedroom, one level, with a garage and walk-out basement. He indicated there is a great demand for this type of housing and the price point will be under \$200,000.

Counc. Shea enquired if the area residents had been contacted and was advised the developer had not approached them.

Mayor Bishop thanked Mr. Darling for his presentation and advised those in attendance comments would be received by the Clerk's office until Wednesday, March 11, 2009 at 4:00 p.m.

MOVED by Counc. Young and seconded by Counc. Gallagher Jette the Public Presentation be adjourned.

CARRIED.

The Public Presentation adjourned at 8:13 p.m.

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Mayor Bishop called the Regular Session of Council to order at 8:14 p.m.

1. **APPROVAL OF MINUTES** Regular Meeting – 12 January 2009
MOVED by Counc. Shea and seconded by Counc. Kilfoil the minutes of 12 January 2009 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. Young the agenda be approved as circulated with the following additions:

Item 5.1 5 February 2009 Letter from St. Joseph's Hospital Foundation RE: 2009 Dragon Boat Festival

Item 6.3 6 February 2009 Letter from Lieutenant-Governor RE: Order of New Brunswick

CARRIED.

3. **OPENING REMARKS OF COUNCIL**

Mayor Bishop noted the Saint John Sea Dogs held an outdoor practice in Rothesay on February 2, 2009 on the outdoor rink at Master Drive. He also noted Heritage Day is February 16th and the New Brunswick Museum is offering free admission for the month of February.

4. **DELEGATIONS**

N/A

5. **CORRESPONDENCE - FOR ACTION**

- 5.1 5 February 2009 Letter from St. Joseph's Hospital Foundation RE: 2009 Dragon Boat Festival.

MOVED by Counc. Kilfoil and seconded by Counc. Shea Rothesay partner with St. Joseph's Hospital Foundation to host and sponsor the 2009 Saint John Dragon Boat Festival, to be held on August 29, 2009 at the Renforth Wharf.

CARRIED.

6. **CORRESPONDENCE - FOR INFORMATION**

- 6.1 12 January 2009 Letter to Mayor Ivan Court RE: Kennebecasis Park water line.

MOVED by Counc. Gallagher Jette and seconded by Counc. Cochrane the letter to Mayor Ivan Court RE: Kennebecasis Park water line be received/filed.

ON THE QUESTION:

Town Manager Jarvie advised no written response had been received but he had been advised verbally the correspondence had been referred to the City Manager's office.

CARRIED.

- 6.2 3 February 2009 Petition against ice rink proposal in Rothesay Estates Subdivision (A. Raeburn).

MOVED by Counc. Young and seconded by Counc. Gallagher Jette the petition against ice rink proposal in Rothesay Estates Subdivision (A. Raeburn) be received/filed.

CARRIED.

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- 6.3 6 February 2009 Letter from Lieutenant-Governor H. Chiasson RE: Order of New Brunswick.

MOVED by Counc. Gallagher Jette and seconded by Counc. Young the letter from Lieutenant-Governor H. Chiasson RE: Order of New Brunswick be received/filed.

ON THE QUESTION:

Mayor Bishop advised he had application forms available and the deadline for submissions is 29 April 2009.

CARRIED.

7. REPORTS

- 7.0 February 2009 Report from Closed Session
N/A

- 7.1 5 November 2008 Kennebecasis Public Library Board Meeting Minutes
MOVED by Counc. Mullett and seconded by Counc. Shea the Kennebecasis Public Library Board Meeting Minutes be received/filed.

CARRIED.

- 7.2 26 November 2008 Rothesay Regional Joint Board of Police Commissioners Meeting Minutes

MOVED by Counc. Shea and seconded by Counc. Kilfoil the Rothesay Regional Joint Board of Police Commissioners Meeting Minutes be received/filed.

ON THE QUESTION:

Council was advised Bill Artiss has been appointed Chairman until the end of his term in July.

CARRIED.

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

ON THE QUESTION:

Counc. Cochrane noted there will be a few minor adjustments before the statements go to the auditors. He indicated the Utility Fund had a deficit balance of approximately \$67,000 and referred to the variance list.

CARRIED.

- 31 December 2008 Unaudited General Fund Financial Statements

MOVED by Counc. Cochrane and seconded by Counc. Shea the Unaudited General Fund Financial Statements be received/filed.

ON THE QUESTION:

Counc. Cochrane noted there will be a few minor adjustments before the statements go to the auditors. He indicated the General Fund had a deficit balance of approximately \$120,000 and referred to the variance list, which required a minor change with respect to Arena Expenses. Counc. Cochrane clarified the design costs were an expense of the organization and were being written off. He further noted the architect indicated possibly as much as 25% of the design was not site-specific and could be recovered. Deputy Mayor MacDonald indicated the asset was purchased out of revenue in 2007 and

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will be written off in the calendar year 2008.

CARRIED.

- 7.4 December 2008 Kennebecasis Valley Fire Department Monthly Response Report
MOVED by Counc. Shea and seconded by Counc. Gallagher Jette the Kennebecasis Valley Fire Department Monthly Response Report be received/filed.

ON THE QUESTION:

It was noted the Fire Department had taken possession of the new pumper.

CARRIED.

- 7.5 January 2009 Monthly Building Permit Report
MOVED by Counc. Gallagher Jette and seconded by Counc. Mullett the Monthly Building Permit Report be received/filed.

CARRIED.

- 7.6 6 January 2009 Parks and Recreation Committee Meeting Minutes
MOVED by Counc. Shea and seconded by Deputy Mayor MacDonald the Parks and Recreation Committee Meeting Minutes (6 January 2009) be received/filed.

CARRIED.

3 February 2009 Draft Parks and Recreation Committee Meeting Minutes
MOVED by Counc. Shea and seconded by Counc. Cochrane the draft Parks and Recreation Committee Meeting Minutes (3 February 2009) be received/filed.

CARRIED.

- 48 Hampton Road Lease Agreement
29 January 2009 Letter from Fundy Soccer Association
MOVED by Counc. Shea and seconded by Deputy Mayor MacDonald Council enter into the one year lease agreement with Fundy Soccer Association for the building situate 48 Hampton Road, with the following amendments:
- Section 3.01 – change in the date
 - Section 1.02 – clearer definition of the “leased premises”

ON THE QUESTION:

Council was advised the previous tenants had vacated the building.

CARRIED.

- Ice Surface Proposals
4 February 2009 Memorandum from Town Manager Jarvie
MOVED by Counc. Shea and seconded by Counc. Gallagher Jette Council defer a decision on a new ice surface until the adoption of the Recreation Master Plan.

ON THE QUESTION:

Council was advised this would likely be in August or September. It was noted there were five packages received which contained a total of eleven proposals.

CARRIED.

MOVED by Counc. Shea and seconded by Counc. Cochrane Council direct that concept plans for renovating the existing Rothesay Arena be prepared, pending the extension of the existing lease, up to a cost of \$50,000.

ON THE QUESTION:

There was a lengthy discussion with respect to the possible impact renovations may have

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if the existing arena is twinned; the recognition that renovations are much needed; associated costs and possible funding options; existence of preliminary plans that were drawn up at the time of discussions with the Legion to rent space and the issue of spending additional money.

MOVED by Counc. Gallagher Jette the matter of concept plans for renovations to the existing Rothesay Arena be tabled pending receipt of more information.

NAY vote recorded from Counc. Kilfoil.

CARRIED.

- 7.7 21 January 2009 Draft Heritage Preservation Review Board Meeting Minutes
MOVED by Counc. Young and seconded by Counc. Shea the draft Heritage Preservation Review Board Meeting Minutes be received/filed.

ON THE QUESTION:

Mayor Bishop voiced concerns with respect to the condition of the Dexter property and the associated legal costs paid by the Town. Counc. Young advised there is a process to be followed and the applicants have chosen not to follow the rules and regulations. Counc. Cochrane advised he would be bringing forward a motion to change the Heritage area as outlined in the By-law.

CARRIED.

- 7.8 21 January 2009 Draft Public Works and Infrastructure Committee Meeting Minutes
MOVED by Counc. Mullett and seconded by Counc. Gallagher Jette the draft Public Works and Infrastructure Committee Meeting Minutes be received/filed.

CARRIED.

- 7.9 4 February 2009 Memorandum from DDS Drescher (Planning Advisory Committee)

RECEIVED FOR INFORMATION. It was noted the Planning Advisory Committee will be meeting on Monday, February 23, 2009 and not on March 2, 2009.

- 7.10 4 February 2009 Operations Report
MOVED by Counc. Gallagher Jette and seconded by Counc. Mullett the Operations Report be received/filed.

CARRIED.

- Tender Award 2009-01EQ (2008/2009 ¾ ton 4x2 service truck)

MOVED by Counc. Cochrane and seconded by Counc. Shea Tender 2009-01EQ be awarded to the low tenderer, Downey Ford Lincoln Sales Ltd. for the tender price of \$26,953.42 inclusive of HST and further the Director of Operations be authorized to spend an additional \$1250.00 for a box liner, communication radio and decals to bring the vehicle into the Town fleet.

CARRIED.

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➤ Tender Award 2009-02EQ (2008/2009 ½ ton 4x4 extended cab service truck)
MOVED by Counc. Cochrane and seconded by Counc. Kilfoil Tender 2009-02EQ be awarded to the low tenderer, Downey Ford Lincoln Sales Ltd. for the tender price of \$30,498.41 inclusive of HST and further the Director of Operations be authorized to spend an additional \$1250.00 for a box liner, communication radio and decals to bring the vehicle into the Town fleet.

CARRIED.

8. **UNFINISHED BUSINESS**

8.1 Donation Requests

5 February 2009 Memorandum from Town Manager Jarvie with attachments

MOVED by Counc. Gallagher Jette and seconded by Counc. Shea Council agree to \$10,000 per year for years 2009 to 2012 (4) to the Imperial Theatre for a capital campaign.

ON THE QUESTION:

Counc. Gallagher Jette advised she supported the initiative but did not want to extend the term beyond the mandate of this Council.

CARRIED.

MOVED by Counc. Young and seconded by Counc. Gallagher Jette Council approve a grant of \$2,500 for years 2009 to 2011 (3) to the Saint John Theatre Company.

CARRIED.

8.2 Procedural By-law revisions

5 February 2009 Memorandum from Town Manager Jarvie with attachments

MOVED by Counc. Cochrane and seconded by Counc. Gallagher Jette Council review the proposed revisions to the Committee aspects of the Procedural By-law as circulated and provide any additional comments to the Clerk.

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald Council request the Finance Committee to develop a policy for managing and controlling the expenditure function.

CARRIED.

9. **NEW BUSINESS**

9.1 Local Improvement Levy

5 February 2009 Memorandum from Town Clerk Banks

MOVED by Counc. Cochrane and seconded by Counc. Kilfoil 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 2009 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.

10. **NEXT MEETING**

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The next regular meeting of Council will be Monday, March 9, 2009 at 8:00 p.m.

11. **ADJOURNMENT**

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

CARRIED.

The meeting adjourned at 9:10 p.m.

MAYOR

CLERK