



# ROTHESAY COUNCIL

OPEN SESSION  
Monday, January 10, 2011  
MINUTES



PRESENT: MAYOR WILLIAM J. BISHOP  
DEPUTY MAYOR BLAIR MacDONALD  
COUNCILLOR SCOTT COCHRANE  
COUNCILLOR TERRY KILFOIL  
COUNCILLOR NORMA MULLETT  
COUNCILLOR DON SHEA  
COUNCILLOR TOM YOUNG  
COUNCILLOR PAT GALLAGHER JETTE

TOWN MANAGER JOHN JARVIE  
DIRECTOR OF OPERATIONS (DO) SCOTT HATCHER  
DIRECTOR OF DEVELOPMENT SERVICES (DDS) GAY DRESCHER  
ADMINISTRATIVE ASSISTANT DEBBIE LONG

ABSENT: TOWN CLERK MARY JANE BANKS

## **PUBLIC HEARINGS**      **Amending Development Agreement** **82 Marr Road (ambulance bay) PID#** **30209167**

### **Documentation**

16 December 2010	1 <sup>st</sup> Section 68 advertisement
5 January 2011	2 <sup>nd</sup> Section 68 Advertisement
8 December 2010	Recommendation from Planning Advisory Committee
2 November 2010	Staff Report
DRAFT	Amending Development Agreement

Appearances: G. Drescher, Development Officer, Director of Development Services  
Stephen Marr, Applicant's Representative

Objections: None received

Mayor Bishop called the Public Hearing to order at 8:10 p.m. and gave instructions to those in attendance. He noted the hearings had been duly advertised and the Planning Advisory Committee had given its recommendation.

DDS Drescher gave a brief presentation noting the aerial photo indicates the subject property is located across from the Shell Station and was known as All-Star Recreation and the actual unit is closer to the NB Power side. DDS Drescher further noted the Ambulance Station had previously been located in Quispamsis but does not meet the Ambulance NB approved response times given its distance from the Highway. The ambulance is currently situated in the parking lot of the Fire Station between calls.

The Mayor called three times for those wishing to speak in opposition.

The Mayor called three times for those wishing to speak in favour.

**MOVED** by Counc. Young and seconded by Deputy Mayor MacDonald the Public Hearing be adjourned.

**CARRIED.**

The Public Hearing adjourned at 8:15 p.m.

## **ROTHESAY COUNCIL**

Open Session  
Meeting Minutes

-2-

10 January 2011

Mayor Bishop called the open Session to Council to order at 8:16 p.m.

### **1. APPROVAL OF MINUTES**

**MOVED** by Counc. Shea and seconded by Counc. Kilfoil the minutes of 13 December 2010 and 21 December 2010 be approved as circulated.

**CARRIED.**

#### **1.1 Business Arising from Minutes**

N/A

### **2. APPROVAL OF AGENDA**

Mayor Bishop requested that Agenda Item 9.1 Amending Development Agreement 82 Marr Road be moved to Agenda Item 5.1.

**MOVED** by Counc. Shea and seconded by Counc. Kilfoil the agenda be approved with the Agenda Item 9.1 be moved to Agenda Item 5.1.

**CARRIED.**

### **3. OPENING REMARKS OF COUNCIL**

Mayor Bishop noted it was a very successful Mayor's Levee on New Year's Day with a very good turn out, giving residents a chance to interact with staff and Council.

### **4. DELEGATIONS**

N/A

### **5. CORRESPONDENCE FOR ACTION**

#### **BUSINESS ARISING FROM PUBLIC HEARING**

##### **5.1 Amending Development Agreement 82 Marr Road**

**MOVED** by Counc. Cochrane and seconded by Counc. Young to amend the Development Agreement for the property situation 82 Marr Road, identified as PID# 30209167 to allow a portion of the exiting building to be used as an ambulance station.

#### **ON THE QUESTION:**

Deputy Mayor MacDonald inquired if this is the property where there are outstanding obligations with the existing Developer's Agreement. Town Manager Jarvie noted the issue relates to the requirement to share in the cost for the infrastructure that provides fire protection. It was noted this building does not have a sprinkler system and the owners do not feel they should be required to pay the full amount that had been agreed upon in the signed Developer's Agreement. Town Manager Jarvie further noted that an adjustment has been made but not to the satisfaction of the owner so the matter is being addressed legally.

A brief discussion followed regarding the amount owed, length of time the issue has been outstanding, etc.. Counc. Shea noted there are two separate issues being discussed and felt that the Ambulance should be brought back to Rothesay.

Nay vote recorded by Counc. Young and Deputy Mayor MacDonald.

**CARRIED.**

## ROTHESAY COUNCIL

Open Session  
Meeting Minutes

-3-

10 January 2011

### 6. CORRESPONDENCE - FOR INFORMATION

6.1 8 December 2010 Letter from P. Steele RE: curbing in Rothesay.

**MOVED** by Counc. Gallagher-Jette and seconded by Counc. Shea the letter from P. Steele RE: curbing in Rothesay dated 8 December 2010 be received/filed.

**CARRIED.**

6.2 10 December 2010 Letter from Regional Development Corporation RE: Notice of Extension ISF Agreement.

**MOVED** by Counc. Gallagher-Jette and seconded by Counc. Mullett that the Letter from Regional Development Corporation RE: Notice of Extension ISF Agreement dated 10 December 2010 be received/filed.

### ON THE QUESTION:

Counc. Cochrane questioned if all the information had been forwarded as the deadline for submissions is January 10, 2011. It was noted there are two deadlines for submissions, the first being January 10, 2011 and the second deadline is January 21, 2011 which pertains to the Hillside Water Project that has not been completed.

**CARRIED.**

6.3 14 December 2010 Letter from Quispamsis RE: Joint Committee.

**MOVED** by Counc. Young and seconded by Counc. Kilfoil the Letter from Quispamsis RE: Joint Committee dated 14 December 14, 2010 be received/filed.

**CARRIED.**

6.4 23 December 2010 Letter to Hilton Saint John/SJ Trade and Convention Center RE: capital funding sources.

**MOVED** by Counc. Young and seconded by Deputy Mayor Macdonald the Letter to Hilton Saint John/SJ Trade and Convention Center RE: capital funding sources dated 23 December 2010 be received/filed.

**CARRIED.**

6.5 23 December 2010 Letter to President Campbell, UNB RE: funding request.

**MOVED** by Counc. Kilfoil and seconded by Counc. Shea the Letter to President Campbell, UNB RE: funding request dated 23 December 2010 be received/filed.

**CARRIED.**

### 7. REPORTS

7.0 **December 2010 Report from Closed Session**

N/A

7.1 27 October 2010 Kennebecasis Valley Fire Department Board Meeting Minutes

**MOVED** by Counc. Kilfoil and seconded by Counc. Shea the Kennebecasis Valley Fire Department Board Meeting Minutes dated 27 October 2010 be received/filed.

**CARRIED.**

10 December 2010 Kennebecasis Valley Fire Department Unaudited Financial Statements

**MOVED** by Counc. Cochrane and seconded by Counc. T. Kilfoil the Kennebecasis Valley Fire Department Unaudited Financial Statements for 10 months ended 31 October 2010 be received/filed.

**CARRIED.**

10 December 2010 Kennebecasis Valley Fire Department Revised 2011 Budget

**MOVED** by Counc. Kilfoil and seconded by Counc. Cocharne the Kennebecasis Valley Fire Department Revised 2011 Budget be received/filed.

**CARRIED.**

## **ROTHESAY COUNCIL**

Open Session  
Meeting Minutes

-4-

10 January 2011

7.2 30 November 2010 Unaudited Rothesay General Fund Financial Statements  
**MOVED** by Counc.Cochrane and seconded by Deputy Mayor MacDonald the Unaudited Rothesay General Fund Financial Statements be received/filed.

**CARRIED.**

30 November 2010 Unaudited Rothesay Utility Fund Financial Statements  
**MOVED** by Counc. Cochrane and seconded by Deputy Mayor Macdonald the Unaudited Rothesay Utility Fund Financial Statements be received/filed.

**CARRIED.**

7.3 December 2010 Building Permit Report  
**MOVED** by Counc. Gallagher-Jette and seconded by Counc. Shea the December 2010 Building Permit Report be received/filed.

**CARRIED.**

7.4 4 January 2011 Operations Report  
**MOVED** by Counc. Shea and seconded by Counc. Kilfoil the Operations Report dated 4 January 2011 be received/filed.

### **ON THE QUESTION:**

It was noted the Oakville Acres, Clear Water Sewer Project has been completed except for the landscaping, which has been suspended until weather is conducive to complete the work.

Deputy Mayor MacDonald questioned where the original volume of water of 110,000 cubic meters would end up if the detention pond was capable of only receiving 50,000 cubic meters. DO Hatcher noted the excess water would be diverted to a diversion channel specifically designed to accommodate the difference in the anticipated and design flows as well as overland flows expected in a storm of less than 1 in 100 year. It was further noted there is not enough land to accommodate the 110,000 cubic meter pond and there is no option of placing the pond in another location.

A brief discussion regarding the Water Course and Wetland Alteration application, time frame for Department of Environment approval, costs associated with project being done in phases, design improvements of the lift station located in Quispamsis.

**MOVED** by Deputy Mayor MacDonald and seconded by Counc. Shea to have a full report on the scope of the Oakville Acres Project in regards to environmental information, land acquisition, financing and timing.

### **ON THE QUESTION:**

It was noted that land acquisition is moving slowly and the application for Water Course and Wetland Alteration application has been submitted and the Department of Environment is requesting further information.

Mayor Bishop will contact the MLA, who is also the Minister of the Department of Environment, for her support for this project and also request this project be considered a priority for 2011.

There was further discussion on the need to keep Council informed on the status of the project. Staff will continue to provide a monthly update.

**MOVED** by Counc. Shea and seconded by Deputy Mayor MacDonald to recind the previous motion.

**CARRIED.**

## ROTHESAY COUNCIL

Open Session  
Meeting Minutes

-5-

10 January 2011

DO Hatcher noted the proposed change to Tender Contract 1 – Water Line Hillside Development Area, which deletes the install of the Arc Culvert. It was further noted a temporary bridge structure will be installed for equipment use and it is contemplated on leaving the structure in place after completion of the contract as it would be more cost effective than removing it.

- Contract for Engineering Services 2009-002WS Water Line Hillside Development Area

**MOVED** by Coun. Mullet and seconded by Council. Kilfoil to approve the request for an extra \$40, 272.23 plus HST for Contract Engineering Services 2009-00WS, Water Line Hillside Development Area.

**CARRIED.**

- 8. **OLD BUSINESS**
- 9. **NEW BUSINESS**

- 9.1 Amending Development Agreement 82 Marr Road

Dealt with under Agenda Item 5.1

- 9.2 Cultural Capital of Canada  
22 December 2010 Memorandum from DDS Drescher

**MOVED** by Council. Young and seconded by Council. Mullet to that Council authorize staff to pursue the application for the Cultural Capital Canada designation in 2012 and return the application to Council for consideration on February 14, 2011 prior to submission.

**CARRIED.**

### FINANCE

- 9.3 **Extension for Infrastructure Projects** (see Item 6. 2)

**MOVED** by Council. Cochrane and seconded by Council. D. Shea to Request an extension for Infrastructure Projects under Canada's Economic Action Plan.

WHEREAS the federal and provincial/territorial (where appropriate) governments will make a one-time extension of the deadline for funding of projects under the Infrastructure Stimulus Fund and the Building Canada Fund – Communities Top-Up from March 31, 2011 to October 31, 2011;

AND WHEREAS all funding from the Government of Canada and the Province/Territory (where appropriate) will cease after October 31, 2011;

AND WHEREAS the *Municipality of Rothesay* has asked the provincial government for an extension to federal and Province/Territory (where appropriate) funding to October 31, 2011 for the following project:

Project number	Project title	Total eligible cost	Federal contribution
23022	Rothesay Municipal Water System Expansion	\$7,886,263	\$1,500,000

**ROTHESAY COUNCIL**

Open Session  
Meeting Minutes

-6-

10 January 2011

**THEREFORE BE IT RESOLVED THAT the Municipality of Rothesay attests that it will continue to contribute its share of the required funding for the aforementioned projects;**

**AND BE IT FURTHER RESOLVED THAT actual claims for all eligible costs incurred by March 31, 2011, for the aforementioned projects must be and will be submitted no later than April 30, 2011 to the Province/Territory;**

**AND BE IT FURTHER RESOLVED THAT the Municipality of Rothesay will ensure that the project will be completed.**

**CARRIED.**

**10. NEXT MEETING**

The next regular meeting of Council will be held on Monday, February 14, 2011.

**CARRIED.**

**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

\_\_\_\_\_  
ASSISTANT CLERK