



ROTHESAY COUNCIL

OPEN SESSION

Monday, January 14, 2008

MINUTES



PRESENT: MAYOR WILLIAM J. BISHOP
DEPUTY MAYOR WILLIAM ARTISS
COUNCILLOR PAUL BARRY
COUNCILLOR SCOTT COCHRANE
COUNCILLOR PAT GALLAGHER JETTE
COUNCILLOR TERRY KILFOIL
COUNCILLOR NORMA MULLETT
COUNCILLOR TOM YOUNG

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

ABSENT: TOWN CLERK MARY JANE BANKS

Mayor Bishop called the regular meeting to order at 8:00 p.m.

1. **APPROVAL OF MINUTES** Regular Meeting – 10 December 2007
Special Meeting – 20 December 2007
Special Meeting – 31 December 2007

MOVED by Counc. Gallagher Jette and seconded by Counc. Barry the minutes of 10 December 2007 be approved as circulated.

CARRIED.

MOVED by Deputy Mayor Artiss and seconded by Counc. Young the minutes of 20 December 2007 be approved as circulated.

CARRIED.

MOVED by Counc. Cochrane and seconded by Counc. Kilfoil the minutes of 31 December 2007 be approved as circulated.

CARRIED.

2. **APPROVAL OF AGENDA**

MOVED by Counc. Gallagher Jette and seconded by Deputy Mayor Artiss the agenda be approved as circulated with the following additions:

- 7.01 Kennebecasis Valley Fire Department – Capital Funding
- 7.02 Amalgamation/Merger

CARRIED.

3. **OPENING REMARKS OF COUNCIL**

Mayor Bishop, on behalf of Council, expressed concern and care for the 7 young men and 1 devoted teacher who lost their lives in a tragic accident in Bathurst this past weekend. Mayor Bishop noted that a letter expressing condolences will be sent to the Mayor of Bathurst.

ROTHESAY COUNCIL

Open Session
Meeting Minutes

-2-

14 January 2008

4. DELEGATIONS

N/A

5. CORRESPONDENCE - FOR ACTION

N/A

6. CORRESPONDENCE - FOR INFORMATION

6.1 17 December 2007 Letter to Kennebecasis Valley Fire Department Board of Commissioners RE: Capital Funding.

MOVED by Counc. Young and seconded by Counc. Kilfoil the letter to Kennebecasis Valley Fire Department Board of Commissioners RE: Capital Funding be received /filed.

CARRIED.

6.2 Undated Invitation from Rothesay Heritage Preservation Review Board to Speaker Series February 7, 2008.

MOVED by Counc. Mullett and seconded by Counc. Young the invitation from the Rothesay Heritage Preservation Review Board to the Speaker Series by received/filed.

CARRIED.

6.3 January 8, 2008 Notice from Chief and Municipal Electoral Officer RE: key dates for impending municipal election (May 12, 2008).

MOVED by Counc.. Young and seconded by Counc. Kilfoil the Notice from Chief and Municipal Electoral Officer RE: key dates for impending municipal election (May 12, 2008) be received/filed.

CARRIED.

7. REPORTS

7.01 January 14, 2008 Kennebecasis Valley Fire Department – Capital Funding

Mayor Bishop advised that both Rothesay and Quispamsis have been working for sometime on a couple of outstanding issues regarding the Fire Department. Mayor Bishop advised that Counc. Cochrane met with the Quispamsis Town Manager Mike Brennan to discuss the issues and three recommendations were developed. Mayor Bishop requested Counc. Cochrane give a brief overview of the issues and recommendations.

MOVED by Counc. Cochrane and seconded by Counc. Kilfoil the recommendations presented to Council regarding the Kennebecasis Valley Fire Department – Capital Funding be accepted as presented.

CARRIED.

7.02 January 14, 2008 Amalgamation /Merger

Mayor Bishop stated there has been quite a bit of discussion recently regarding the issue of Rothesay and Quispamsis amalgamating which he believes has been sparked by the need for more ice time in the Valley. Mayor Bishop noted that a number of people have indicated that this may be a good thing and others have stated there may be a number of issues that would have to be resolved.

Counc. Gallagher Jette stated she has a number of concerns and noted it is a complex process and more information is required. She also noted that this may not be the appropriate time as there are only three months remaining in this Council's term and she would consider making the motion to refer it to the new Council.

Deputy Mayor Artiss indicated he understood some people may think amalgamation

ROTHESAY COUNCIL

Open Session
Meeting Minutes

-3-

14 January 2008

would be good but he did not share this opinion. He made the following points:

- Boundary issues with the Town of Quispamsis would be resolved but not with the City of Saint John.
- Increase in services such as bilingual translation of minutes of meetings, by-laws, etc. would have to be provided
- Transportation system would have to be provided which is expensive
- Taxes will be increased as Quispamsis does not provide Garbage collection
- Quispamsis spends considerable amount of money on Recreation which would require more money to upgrade Rothesay Recreation Programs.
- Expansion of the non-residential tax rate would be limited
- Future potential costs related to upgrading infrastructure and development in Quispamsis
- Competition is good as it may influence the tax rate

Counc. Cochrane indicated he agreed with Counc. Gallagher Jette's comments and indicated there is not enough time to do the work necessary to make an informed decision.

Counc. Kilfoil noted there are a number of residents in Rothesay who are happy with the status quo and felt there was an obligation to keep things the same.

Counc. Young indicated there was no sense in referring to the next Council as felt it was a waste of time.

Counc. Mullett stated she agreed with Counc. Gallagher Jette and Deputy Mayor Artiiss and noted the implications are wide spread and would not take place over night.

Counc. Barry agreed there was no time to do anything new.

MOVED by Counc. Gallagher Jette and seconded by Counc. Barry to refer the issue of amalgamation to the incoming Council.

NAY vote recorded from Counc. Young.

CARRIED.

7.1 Sept 07 – Jan 08 Rothesay Recreation Department Quarterly Report
MOVED by Counc. Barry and seconded by Deputy Mayor Artiss the Rothesay Recreation Department Quarterly Report be received/filed.
CARRIED.

7.2 26 September 2007 Kennebecasis Valley Fire Department Board Meeting Minutes
31 October 2007 Kennebecasis Valley Fire Department Financial Statements
December 2007 Kennebecasis Valley Fire Department Monthly Response Report
2007 Kennebecasis Valley Fire Department Year End Summary Report

MOVED by Counc. Young and seconded by Counc. Kilfoil the Kennebecasis Valley Fire Department Board Meeting Minutes, the Kennebecasis Valley Fire Department

ROTHESAY COUNCIL

Open Session

Meeting Minutes

-4-

14 January 2008

Financial Statements, the Kennebecasis Valley Fire Department Monthly Response Report, and the Kennebecasis Valley Fire Department Year End Summary (2007) be received/filed.

CARRIED.

- 7.3 **10 October 2007 Kennebecasis Public Library Board Meeting Minutes**
MOVED by Counc. Mullett and seconded by Counc. Gallagher Jette the Kennebecasis Public Library Board Meeting Minutes be received/filed.

CARRIED.

- 7.4 **30 November 2007 Unaudited General Fund Financial Statements**
MOVED by Counc. Cochrane and seconded by Deputy Mayor Artiss the unaudited General Fund Financial Statements be received/filed.

CARRIED.

30 November 2007 Unaudited Utility Fund Financial Statements
MOVED by Counc. Cochrane and seconded by Counc. Kilfoil the unaudited Utility Fund Financial Statements be received/filed.

CARRIED.

- 7.5 **December 2007 Monthly Building Permit Report**
MOVED by Counc. Young and seconded by Counc. Kilfoil the Monthly Building Permit Report be received/filed.

CARRIED.

- 7.6 **5 December 2007 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.

➤ **Draft 2008 Transportation Budget**

It was noted the 2008 Transportation Budget was previously submitted to the Finance Committee.

MOVED by Counc. Mullett and seconded by Deputy Mayor Artiss to receive/filed.

CARRIED.

➤ **Extension of Winter Maintenance Contract**

MOVED by Counc. Mullett and seconded by Counc. Kilfoil to exercise the option to extend the current agreement with Renforth Construction Ltd. for Winter Maintenance Services, Bid Number 2004-06RD, in the amount of \$444,000.00, inclusive of HST for the two (2) year extension.

CARRIED.

- 7.7 **8 January 2008 Draft Planning Advisory Committee Meeting Minutes**
MOVED by Counc. Young and seconded by Deputy Mayor Artiss the Draft Minutes of the Planning Advisory Committee be received/filed.

➤ **38 Marr Road (See Item 8.1)**

➤ **Donlyn/Millennium Drive – Shannex Proposal – Public Hearing**

Counc. Barry declared a Conflict of Interest and left the room.

MOVED by Counc. Young and seconded by Counc. Gallagher Jette to schedule the Public Hearings with respect to Municipal Plan By-law 1-02-7 and the Zoning By-law 2-

ROTHESAY COUNCIL

Open Session
Meeting Minutes

-5-

14 January 2008

02-27, with respect to the proposed development for the property situate generally at the corner of Donlyn Drive and Millennium Drive, identified as a portion of PID#00065227 for Monday, February 11, 2008, commencing at 8:00 p.m. in accordance with the Community Planning Act, RSNB (1973) Chapter C-12 and amendments thereto, to be held at Rothesay Town Hall.

CARRIED.

Counc. Barry returned to the room.

➤ **Municipal Plan By-law – Public Hearing**

Town Manager Jarvie indicated the Draft Zoning By-law is not ready to be included in a Public Hearing. Town Manager Jarvie noted DDS Drescher has developed a novel approach to design along Millennium Drive and which will require the application of design standards before development can proceed. Town Manager Jarvie further noted there are two options that are available:

1. Approve the Municipal Plan before the Election and have the new Council approve the revised Zoning By-Law.
2. Defer the approval of the Municipal Plan until after election.

Town Manager Jarvie cautioned that if the Municipal Plan was approved by the present Council, the new Council would be setting the mechanisms to implement the policy.

MOVED by Counc. Young and seconded by Deputy Mayor Artiss to schedule a Public Hearing for Monday, February 18, 2007, Commencing at 7:00 p.m., in accordance with the Community Planning Act, RSNB (1973) Chapter c-12 and amendments thereto, to be held at St. Paul's Church Hall, 4 Church Avenue, Rothesay, NB.

NAY VOTES recorded from **Counc. Cochrane, Counc. Gallagher Jette, Counc. Barry, Counc. Kilfoil, Counc. Young, Counc. Mullett, and Deputy Mayor Artiss.**

MOTION DEFEATED.

7.8 9 January 2008 Operations Report

MOVED by Deputy Mayor Artiss and seconded by Counc. Gallagher Jette the 9 January 2008 Operations Report be received/filed.

ON THE QUESTION:

DO Hatcher indicated Water Tests for Kennebecasis Park were completed in October with some improvement noted in the results. DO Hatcher indicated that further Water Test results for Kennebecasis Park will be presented at the February Council Meeting.

CARRIED.

8. UNFINISHED BUSINESS

8.1 BY-LAWS – 38 Marr Road (Stepping Stones)

9 January 2008	IOM from Town Clerk Banks
	Draft By-law 1-02-6 – Municipal Plan By-law amendment
	Draft By-law 2-02-26 – Zoning By-law amendment
8 January 2008	IOM from Planning Advisory Committee

ROTHESAY COUNCIL

Open Session
Meeting Minutes

-6-

14 January 2008

14 December 2007 Staff Report from DDS Drescher with attached Development Agreement

MOVED by Deputy Mayor Artiss and seconded by Counc. Young Reading in its Entirety be given By-law 1-02-6, “ A By-law to Amend the Municipal Plan By-law”.

CARRIED.

The Assistant Clerk read By-law 1-02-6 in its entirety.

MOVED by Counc. Cochrane and seconded by Counc. Young 3rd Reading by Title and Enactment be given By-law 1-02-6, “ A By-law to Amend the Municipal Plan By-law”.

The Assistant Clerk read By-law 1-02-6 by title.

MOVED by Deputy Mayor Artiss and seconded by Counc. Young Reading in its Entirety be given By-law 2-02-26, “ A By-law to Amend the Zoning By-Law”.

The Assistant Clerk read By-law 2-02-26 in its entirety.

MOVED by Counc. Cochrane and seconded by Counc. Young 3rd Reading by Title and Enactment be given By-law 2-02-26, “ A By-law to Amend the Zoning By-Law”.

The Assistant Clerk read By-law 2-02-26, by title.

MOVED Counc. Young and seconded by Counc. Gallagher Jette to authorize the Mayor and Clerk to enter into the Development Agreement for the property situate 38 Marr Road, identified as PID#000648321.

CARRIED.

9. NEW BUSINESS

9.1 DEVELOPMENT SERVICES

9.1.1 Bridlewood Estates – Security Release

7 January 2008 IOM from DDS Drescher

MOVED by Deputy Mayor Artiss and seconded by Counc Young that Council release \$85,000.00 of the security holdback issued by RBC Global Services on August 11, 2005, irrevocable Standby Letter of Credit No. P329354H09344 in the amount of \$100,000.00 to Haldor (1972) Ltd. provided to the Town in conjunction with Bridlewood Estates and that a replacement letter of credit in the amount of \$15,000.00 be provided to the Town.

CARRIED.

9.2 FINANCE

9.2.2 Rothesay Capital Budget

MOVED by Deputy Mayor Artiss and seconded by Counc. Kilfoil to table this matter for the next meeting.

CARRIED.

10. NEXT MEETING

The next regular meeting of Council will be Monday, February 11, 2008.

11. ADJOURNMENT

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

CARRIED.

ROTHESAY COUNCIL

Open Session
Meeting Minutes

-7-

14 January 2008

The meeting adjourned at 8:45 p.m.

MAYOR

CLERK