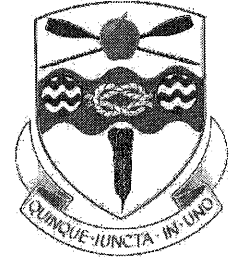


# ROTHESAY COUNCIL

OPEN SESSION  
Monday, July 14, 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

ABSENT: TREASURER SUSAN JOHNSON

**PUBLIC PRESENTATION**                      **140-142 Hampton Road PID# 30248686**  
**Municipal Plan Amendment**

**Documentation**

2 July 2008

26 March 2008

**Appearances:**

Section 25 advertisement

Staff Report with attachments

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

**David Wallace (on behalf of applicant)**

Mayor Bishop called the Public Presentation to order at 8:00 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 to increase parking for the Sobeys property and create two residential lots on Chapel Road, through an arrangement with the Buckley family for the property situate 134 Hampton Road, adjacent to the Sobeys property.

Mr. David Wallace, Manager Real Estate Planning, Crombie Property Holdings Ltd., appeared on behalf of the applicant. He gave a brief presentation outlining the intent to consolidate the Sobeys and Buckley properties and create two residential lots along Chapel Road. He further noted the second entrance will be relocated further south on Hampton Road. Counc. Cochrane and Deputy Mayor MacDonald raised concerns about traffic and the location of the entrance closer to Parkdale Avenue. Mr. Wallace further noted the extension of Chapel Road would occur in accordance with the Subdivision By-law and there may be a need for a retaining wall. It was suggested a traffic study may be necessary and Mr. Wallace noted the site plan was preliminary and would likely change as the project continued.

Mayor Bishop thanked Mr. Wallace for his presentation. Mayor Bishop advised those in attendance comments would be received by the Town Clerk until Wednesday, August 13, 2008.

**MOVED** by Counc. Young and seconded by Counc. Kilfoil the presentation be adjourned.

**CARRIED.**

The presentation adjourned at 8:10 p.m.

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Mayor Bishop called the meeting to order at 8:10 p.m.

1. **APPROVAL OF MINUTES** Regular Meeting – 10 June 2008  
**MOVED** by Counc. Young and seconded by Counc. Shea the minutes of 10 June 2008 be approved as circulated.

**CARRIED.**

### 1.1 Business Arising from Minutes

*Item 6.2* Mayor Bishop noted meetings had been held with Department of Transportation staff and Town staff and a report should be forthcoming.

2. **APPROVAL OF AGENDA**  
**MOVED** by Counc. Cochrane and seconded by Counc. Mullett the agenda be approved as circulated.

**CARRIED.**

### 3. OPENING REMARKS OF COUNCIL

Mayor Bishop advised Council of the following:

- a presentation had been made by Rothesay to the Select Committee on Tax Review.
- he attended the graduation ceremonies for Rothesay High School and Rothesay-Netherwood School.
- a meeting had been held with Energy Minister Jack Keir to update area councils on the “energy hub”.
- The Rona MS Bike Tour raised over \$150,000.
- the Rothesay Craft Fair was held over the weekend.
- Canada Day celebrations on the Common were well-attended.
- compliments have been received from numerous residents with respect to the municipal green spaces and gardens throughout Town.

### 4. DELEGATIONS

#### 4.1 Water Charges

**Stephen Marr, KV Auto/All-Star Recreation**

Mr. Stephen Marr appeared before Council and gave a brief presentation with respect to the development agreement and utility charges. He outlined the fees and charges that had been paid and the outstanding amount of \$5196.70 for the water storage facility. Mr. Marr advised the agreement had been signed in order to retain the Polaris dealer agreement. He further noted the building does not have a sprinkler system and therefore would not need the use of the water storage facility. Mr. Marr indicated two registered letters had been received from the Town advising the water service would be disconnected if the outstanding amount was not paid.

The following comments were made: certain areas have certain services that property owners are required to pay for; there is a signed development agreement that includes the fee for the water storage facility that staff would provide with a report.

**MOVED** by Counc. Gallagher Jette and seconded by Counc. Shea staff prepare a report for Council for the next meeting, and no action be taken in the meantime.

**NAY vote recorded from Counc. Young.**

**CARRIED.**

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### 5. CORRESPONDENCE - FOR ACTION

- 5.1 23 June 2008 Email from Don Moore RE: Gondola Point Road crosswalks .  
**MOVED** by Counc. Kilfoil and seconded by Counc. Gallagher Jette the email from Don Moore RE: Gondola Point crosswalks be forwarded to the Public Works and Infrastructure Committee.

**CARRIED.**

### 6. CORRESPONDENCE - FOR INFORMATION

- 6.1 9 June 2008 Letter from MP Peter Julian RE: Polybrominated diphenyl ethers (PBDE) ban.

**MOVED** by Counc. Young and seconded by Counc. Mullett the letter from MP Peter Julian RE: Polybrominated diphenyl ethers (PBDE) ban be received/filed.

**CARRIED.**

- 6.2 11 June 2008 Response to D. Hudson RE: Recreation Projects.  
**MOVED** by Counc. Cochrane and seconded by Counc. Kilfoil the letter to D. Hudson RE: Recreation projects be received/filed.

**CARRIED.**

- 6.3 16 June 2008 Letter from NB Climate Change Public Education and Outreach Hub.

**MOVED** by Counc. Gallagher Jette and seconded by Counc. Mullett the letter from NB Climate Change Public Education and Outreach Hub be received/filed.

**CARRIED.**

- 6.4 17 June 2008 Letter to Quispamsis Council RE: Kennebecasis Public Library.  
**MOVED** by Counc. Young and seconded by Counc. Gallagher Jette the letter to Quispamsis Council RE: Kennebecasis Public Library be received/filed.

**CARRIED.**

- 6.5 19 June 2008 Letter to Jean Guy Finn, Commissioner on Local Governance (without report).

**MOVED** by Counc. Young and seconded by Counc. Gallagher Jette the letter to Jean Guy Finn, Commissioner on Local Governance (without report) be received/filed.

**CARRIED.**

### 7. REPORTS

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

- 7.1 6 February 2008 Kennebecasis Valley Fire Department Board Meeting Minutes  
**MOVED** by Counc. Kilfoil and seconded by Counc. Shea the 6 February 2008 Kennebecasis Valley Fire Department Board Meeting Minutes be received/filed.

**CARRIED.**

- 26 March 2008 Kennebecasis Valley Fire Department Board Meeting Minutes  
**MOVED** by Counc. Kilfoil and seconded by Counc. Mullett the 26 March 2008 Kennebecasis Valley Fire Department Board Meeting Minutes be received/filed.

**CARRIED.**

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- 30 April 2008           Kennebecasis Valley Fire Department Unaudited Financial Statements  
**MOVED** by Counc. Cochrane and seconded by Counc. Gallagher Jette the 30 April 2008 Kennebecasis Valley Fire Department Unaudited Financial Statements be received/filed.  
**CARRIED.**
- May 2008                Kennebecasis Valley Fire Department Monthly Response Report  
RECEIVED FOR INFORMATION.
- 7.2    9 April 2008           Kennebecasis Public Library Board Meeting Minutes  
**MOVED** by Counc. Mullett and seconded by Counc. Kilfoil the 9 April 2008 Kennebecasis Public Library Board Meeting Minutes be received/filed.  
**CARRIED.**
- 7.3    23 April 2008        Rothesay Regional Joint Board of Police Commissioners (RRJBPC) Meeting Minutes  
**MOVED** by Counc. Shea and seconded by Counc. Mullett the 23 April 2008 Rothesay Regional Joint Board of Police Commissioners (RRJBPC) Meeting Minutes be received/filed.  
**CARRIED.**
- 30 April 2008           RRJBPC Unaudited Financial Statements  
**MOVED** by Counc. Shea and seconded by Counc. Mullett the 30 April 2008 RRJBPC Unaudited Financial Statements be received/filed.  
**CARRIED.**
- 28 May 2008            RRJBPC Meeting Minutes  
**MOVED** by Counc. Shea and seconded by Counc. Gallagher Jette the 28 May 2008 Rothesay Regional Joint Board of Police Commissioners (RRJBPC) Meeting Minutes be received/filed.  
**CARRIED.**
- 31 May 2008            RRJBPC Unaudited Financial Statements  
**MOVED** by Counc. Shea and seconded by Deputy Mayor MacDonald the 31 May 2008 RRJBPC Unaudited Financial Statements be received/filed.  
**CARRIED.**
- 7.4    31 May 2008            Unaudited General Fund Financial Statements  
**MOVED** by Counc. Cochrane and seconded by Deputy Mayor MacDonald the 31 May 2008 Unaudited General Fund Financial Statements be received/filed.  
**CARRIED.**
- 31 May 2008            Unaudited Utility Fund Financial Statements  
**MOVED** by Counc. Cochrane and seconded by Counc. Young the 31 May 2008 Unaudited Utility Fund Financial Statements be received/filed.  
**CARRIED.**
- 7.5    June 2008              Monthly Building Permit Report  
**MOVED** by Counc. Shea and seconded by Counc. Mullett the June Monthly Building Permit Report be received/filed.  
**CARRIED.**

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- 7.6 19 June 2008 Draft Public Works and Infrastructure Committee Meeting Minutes

**MOVED** by Counc. Mullett and seconded by Cochrane the 19 June 2008 draft Public Works and Infrastructure Committee Meeting minutes be received/filed.

ON THE QUESTION:

Traffic issues on Rothesay Park Road were raised and it was noted a report will be forthcoming to Council.

**CARRIED.**

- 7.7 25 June 2008 Draft Heritage Preservation Review Board Meeting Minutes  
**MOVED** by Counc. Young and seconded by Deputy Mayor MacDonald the 25 June 2008 draft Heritage Preservation Review Board Meeting Minutes be received/filed.

**CARRIED.**

- 7.8 26 June 2008 Draft Finance Committee Meeting Minutes

➤ Proposed 2008-2009 Arena Fees

**MOVED** by Counc. Cochrane and seconded by Deputy Mayor MacDonald Council approve the new rates as presented to supercede the 2008-2009 Budget fees.

ON THE QUESTION:

It was noted there is no subsidy for Rothesay residents as the old format is being used to calculate the fees, which do not represent full recovery rates.

**CARRIED.**

➤ Rothesay Presentation – Select Committee on Tax Review

RECEIVED FOR INFORMATION.

**MOVED** by Counc. Cochrane and seconded by Counc. Kilfoil the 26 June 2008 draft Finance Committee Meeting Minutes be received/filed.

**CARRIED.**

- 7.9 7 July 2008 Draft Planning Advisory Committee Meeting Minutes

**MOVED** by Counc. Young and seconded by Counc. Cochrane the draft Planning Advisory Committee Meeting Minutes be received/filed.

**CARRIED.**

➤ Public Hearing - Text amendment – Rothesay Zoning By-law

**MOVED** by Counc. Young and seconded by Counc. Cochrane Council schedule a Public Hearing, in accordance with the *Community Planning Act*, for By-law 2-02-29, for **Monday, August 11, 2008 commencing at 8:00 p.m.** to give consideration to a text amendment for the Zoning By-law to permit daycare centres to be a primary use in the Institutional Minor Zone, subject to a development agreement.

**CARRIED.**

➤ Public Hearing - 259 Gondola Point Road

**MOVED** by Counc. Young and seconded by Counc. Cochrane Council schedule a Public Hearing, in accordance with the *Community Planning Act*, for By-law 2-02-30, for **Monday, August 11, 2008 commencing at 8:00 p.m.** to give consideration to rezoning the property situate 259 Gondola Point Road, identified as PID# 00098467 to Institutional Minor.

**CARRIED.**

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- 7.10 8 July 2008 Operations Report  
**MOVED** by Counc. Young and seconded by Counc. Mullett the 8 July 2008 Operations Report be received/filed.

**CARRIED.**

➤ Fax poll ratification – Project 082815 – Rothesay Chip Seal Resurfacing  
**MOVED** by Counc. Mullett and seconded by Counc. Young Council ratify its facsimile poll award of this tender to the low tenderer Northern Construction Inc. for the tender price of \$250,860.00, inclusive of HST, contingent on reducing the contingency amount to \$5,000.

**CARRIED.**

➤ Water Treatment Plant Upgrade – compensation credit and warranty extension  
**MOVED** by Counc. Cochrane and seconded by Counc. Shea Council accept the 304 L SS compensation credit and warranty extension pursuant to the July 04, 2008 letter.

### ON THE QUESTION:

DO Hatcher advised the Town did not receive the grade of steel that was ordered but it should not impact the durability. A warranty extension was granted in any event.

**CARRIED.**

## 8. UNFINISHED BUSINESS

N/A

## 9. NEW BUSINESS

### 9.1 Kennebecasis Park Emergency Plan

7 July 2008 Memorandum from Counc. Shea

**MOVED** by Counc. Shea and seconded by Counc. Gallagher Jette the Town initiate discussions with relevant parties towards the realization of an emergency plan and/or alternative action that will ensure the safety of residents in the event access to Kennebecasis Park is curtailed by either a train derailment and/or some other impasse.

### ON THE QUESTION:

It was noted there are cross-jurisdictional issues with respect to the entrance area to Kennebecasis Park and there is no plan in place should evacuation or emergency access be required. It was suggested perhaps the Bishop be contacted with respect to access through the Villa Madonna property.

**NAY vote recorded from Counc. Kilfoil.**

**CARRIED.**

### 9.2 Utilities Connection – 169 Hampton Road

8 July 2008 Memorandum from DO Hatcher

DO Hatcher advised the site in question is isolated and the main issue is grade differences.

**MOVED** by Counc. Kilfoil and seconded by Counc. Young Council authorize approval of connection for each application to connect to the Rothesay Municipal Systems and both connections be subject to the standard application fees, connection fees, By-law rates for service and constructed in a standard that meets the Director of Operations' approval and the Rothesay Specifications for Developers.

**CARRIED.**

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**9.3 Enterprise Saint John – Letters Patent and By-laws**

10 July 2008 Memorandum from Town Manager Jarvie  
Letter from Enterprise Saint John

**MOVED** by Counc. Gallagher Jette and seconded by Counc. Young Council approve the changes in the Letters Patent and By-laws of the Greater Saint John Development Agency Incorporated proposed in the June 27<sup>th</sup> letter from the Chair.

**CARRIED.**

**9.4 Municipal Capital Borrowing Board Application – Renforth Wharf**

8 July 2008 Memorandum from Treasurer Johnson

It was noted the project is proceeding well and the sheet piling should be done by the end of the week. The existing deck will be reduced to rubble and then it will be filled with gravel until next year.

**MOVED** by Counc. Cochrane and seconded by Counc. Kilfoil BE IT RESOLVED THAT the municipality of Rothesay submit to the Municipal Capital Borrowing Board an application for authorization to borrow for a capital expense for the following term and amount:

| Purpose                          | Amount      | Term     |
|----------------------------------|-------------|----------|
| Recreation and Cultural Services | \$1,100,000 | 15 years |

**CARRIED.**

**10. NEXT MEETING**

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

**11. ADJOURNMENT**

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

**CARRIED.**

The meeting adjourned at 9:00 p.m.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK