



# ROTHESAY COUNCIL

OPEN SESSION  
Monday, March 8, 2010  
**MINUTES**



**PRESENT:** MAYOR WILLIAM J. BISHOP  
DEPUTY MAYOR BLAIR MacDONALD  
COUNCILLOR SCOTT COCHRANE  
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:** COUNCILLOR PAT GALLAGHER JETTE  
COUNCILLOR TERRY KILFOIL

## **PUBLIC HEARING**

### **Zoning By-law Amendment (No. 2-02-37)**

Scribner Crescent

#### **Documentation**

11 February 2010  
3 March 2010  
15 February 2010  
2 March 2010

1<sup>st</sup> Section 68 advertisement  
2<sup>nd</sup> Section 68 Advertisement  
Staff Report

Planning Advisory Committee recommendation  
By-law 2-02-37

DRAFT

#### **Presentation:**

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

**Pat Shea, Jr.**

#### **Comments received:**

4 March 2010

Dave Brookins

Mayor Bishop called the Public Hearing to order at 8:00 p.m. and gave instructions to those in attendance. DDS Drescher gave a brief presentation and outlined the legislative process. The proposal is to create two lots and construct a semi-detached unit for two residences. The entire area is designated Mixed Residential in the Municipal Plan but a Zoning By-law amendment is required.

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 in opposition to the proposal.

**MOVED** by Counc. Young and seconded by Counc. Mullett the Public Hearing be adjourned.

**CARRIED.**

The Public Hearing adjourned at 8:05 p.m.

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Mayor Bishop called the Open Session of Council to order at 8:06 p.m.

1. **APPROVAL OF MINUTES** Regular Meeting – 8 February 2010  
**MOVED** by Counc. Shea and seconded by Counc. Mullett the minutes of 8 February 2010 be approved as circulated.

**CARRIED.**

2. **APPROVAL OF AGENDA**  
**MOVED** by Counc. Young and seconded by Counc. Cochrane Item 9.1 Business Arising from the Public Hearing, be brought forward on the agenda.

**CARRIED.**

**MOVED** by Counc. Shea and seconded by Counc. Young the agenda be approved as amended.

**CARRIED.**

3. **OPENING REMARKS OF COUNCIL**

Mayor Bishop advised he attended the press conference in Lorneville earlier in the day about the Atlantic Gateway funding and the announcement of the tender award to start work on the six lane highway between Rothesay and Saint John that will include upgrades to the Campbell Drive/Airport Arterial intersection.

Mayor Bishop applauded the Renforth Ice Fishing Association for removing the shacks and cleaning up the debris prior to the heavy rains a few weeks ago. He personally thanked the president of the association last week.

Mayor Bishop advised he received a call today from a resident concerned about the deer and coyote population. The resident advised this is the first time she has seen coyotes in groups of two or three. He commented that people in the Kennebecasis Valley continue to feed the deer and the coyotes are following the herd. Mayor Bishop noted the Department of Natural Resources is aware of the situation but does not want to trap the coyotes because this approach also captures cats and dogs. They hope the deer herds will return to the woods with the better weather.

4. **DELEGATIONS**

N/A

9. **NEW BUSINESS**

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

- **By-law 2-02-37** **Scribner Crescent (Zoning By-law amendment)**

2 March 2010

Memorandum from Planning Advisory Committee

**MOVED** by Counc. Young and seconded by Counc. Cochrane 1<sup>st</sup> Reading, by Title, be given By-law 2-02-27, "A By-law to Amend the Zoning By-law".

**CARRIED.**

The Clerk read By-law 2-02-37 by title.

**MOVED** by Counc. Young and seconded by Counc. Cochrane 2<sup>nd</sup> Reading, by Title, be given By-law 2-02-27, "A By-law to Amend the Zoning By-law".

**CARRIED.**

The Clerk read By-law 2-02-37 by title.

5. **CORRESPONDENCE - FOR ACTION**

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N/A

### 6. CORRESPONDENCE - FOR INFORMATION

6.1 5 February 2010 Letter to Premier Graham RE: Rothesay Issues.

**MOVED** by Counc. Shea and seconded by Counc. Young the letter to Premier Graham RE: Rothesay issues be received/filed.

**CARRIED.**

6.2 15 February 2010 Letter from Counc. Shea to Mayor Bishop RE: Kennebecasis Public Library.

**MOVED** by Counc. Young and seconded by Deputy Mayor MacDonald the letter from Counc. Shea to Mayor Bishop RE: Kennebecasis Public Library be received/filed.

**CARRIED.**

6.3 26 February 2010 Letter from Kidney Foundation RE: Door-to-Door Campaign.  
4 March 2010 Letter to Kidney Foundation RE: Door-to-Door Campaign.

**MOVED** by Counc. Shea and seconded by Deputy Mayor MacDonald the correspondence RE: Kidney Foundation Door-to-Door Campaign be received/filed.

**CARRIED.**

### 7. REPORTS

7.0 **March 2010 Report from Closed Session**

N/A

7.1 2009 Kennebecasis Valley Fire Department - Yearly Response Report

January 2010 Kennebecasis Valley Fire Department – Monthly Response Report

**MOVED** by Counc. Young and seconded by Counc. Mullett the 2009 Kennebecasis Valley Fire Department Yearly Response Report and January 2010 Kennebecasis Valley Fire Department Monthly Response Report be received/filed.

**CARRIED.**

7.2 2009 Fundy Library Region Annual Report

13 January 2010 Kennebecasis Public Library Board Meeting Minutes

**MOVED** by Counc. Cochrane and seconded by Counc. Young the 2009 Fundy Library Region Annual Report and 13 January 2010 Kennebecasis Public Library Board Meeting Minutes be received/filed.

**CARRIED.**

7.3 22 January 2010 Sesquicentennial Committee Meeting Minutes

5 February 2010 Sesquicentennial Committee Meeting Minutes

19 February 2010 Draft Sesquicentennial Committee Meeting Minutes

**MOVED** by Counc. Young and seconded by Counc. Shea the Sesquicentennial Committee meeting minutes dated 22 January 2010, 5 February 2010 and 19 February 2010 be received/filed.

#### ON THE QUESTION:

Counc. Cochrane requested a schedule of confirmed events be provided. Deputy Mayor MacDonald noted the Premier was advised he would receive a formal invitation to attend some of the events. Mayor Bishop advised the Lieutenant-Governor will be attending an event at St. Paul's Church to celebrate its 150<sup>th</sup> anniversary as well.

**CARRIED.**

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- 7.4 17 February 2010 Draft Public Works and Infrastructure Committee Meeting Minutes

**MOVED** by Counc. Mullett and seconded by Counc. Shea the draft Public Works and Infrastructure Committee meeting minutes dated February 17, 2010 be received/filed.

**CARRIED.**

- 7.5 17 February 2010 Draft Heritage Preservation Review Board Meeting Minutes

**MOVED** by Counc. Young and seconded by Deputy Mayor MacDonald the draft Heritage Preservation Review Board meeting minutes dated February 17, 2010 be received/filed.

**CARRIED.**

➤ Heritage Area Expansion

2 March 2010 Memorandum from DDS Drescher

DDS Drescher noted the Board will be making a presentation to Council at the April Council meeting.

- 7.6 February 2010 Monthly Building Permit Report

**MOVED** by Counc. Shea and seconded by Counc. Mullett the February 2010 Monthly Building Permit Report be received/filed.

**CARRIED.**

- 7.7 1 March 2010 Memorandum from Treasurer Johnson RE: Financial Statements

**MOVED** by Counc. Young and seconded by Counc. Shea the memorandum from Treasurer Johnson RE: Financial Statements be received/filed.

**CARRIED.**

- 7.8 3 March 2010 Memorandum from Treasurer Johnson RE: Symphony New Brunswick Funding Request

5 October 2009 Letter from Symphony New Brunswick Foundation

**MOVED** by Counc. Young and seconded by Counc. Mullett Council approve a donation of \$2,000 to Symphony New Brunswick for 2010 operations.

**CARRIED.**

- 7.9 1 March 2010 Draft Planning Advisory Committee Meeting Minutes

**MOVED** by Counc. Young and seconded by Counc. Cochrane the draft Planning Advisory Committee meeting minutes dated March 1, 2010 be received/filed.

**CARRIED.**

➤ Zoning By-law Amendment (see Item 9.1)

**Dealt with above.**

- 7.10 3 March 2010 Operations Report

**MOVED** by Counc. Cochrane and seconded by Counc. Mullett the Operations Report dated March 3, 2010 be received/filed.

ON THE QUESTION:

It was noted the amount of \$680,000 mentioned on page 3 of the report is a provisional contingency sum to allow for possible adjustments and the amount is included in the overall budget figure.

DO Hatcher advised there are two options to extend the waterline to the McGuire Centre. The first is to extend from the railroad underpass near Meadow Drive to the Centre at a cost of approximately \$316,400. The second option is to continue the loop through and back up to the Rothesay Road, at a cost of approximately \$583,000. He

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noted there may be a loss of about 5% of the original estimate to the McGuire Centre wherein \$14,000 would be expended on a design that may not be used. DO Hatcher advised the public tendering process will be started and will be the final deciding factor.

Clarification was provided on the land for the water storage tank. Town Manager Jarvie advised the final parcel has to be surveyed and the transfer documents registered.

Deputy Mayor MacDonald requested clarification on the delay to access the properties since the Town has 10 of 12 properties. It was noted there are only certain things that can be done on the land as a result of expropriation. DO Hatcher advised an Open House has tentatively been scheduled for March 15, 2010 at the Town Hall to review the project with property owners. He advised the Dunedin Road portion up to Horton Road will be difficult to complete and the proposed plans are currently under review by the Fire and Police departments.

**CARRIED.**

➤ Equipment Tender No. 2010-03EQ (2009/2010 new ½ ton 4x4)

**MOVED** by Counc. Cochrane and seconded by Counc. Young Council award Tender 2010-03EQ to the low tenderer, Dobson Chrysler Dodge Jeep for the total tender price of \$30,015.06, inclusive of HST.

**CARRIED.**

➤ General Equipment Purchase (New sewer inspection and locate system)

**MOVED** by Counc. Cochrane and seconded by Counc. Young Council award the General Equipment Purchase – Vivax system from Joe Johnson Equipment Ltd. for the quoted price of \$13,289.65, inclusive of HST.

### ON THE QUESTION:

It was noted the EMCO quotation did not include the Vivax vLocPro locator (\$2343.34) or the Camera skid with light (\$732.24).

**CARRIED.**

➤ Sanitary sewer replacement – Dunedin Road

**MOVED** by Counc. Cochrane and seconded by Deputy Mayor MacDonald Council authorize the replacement of the remaining sanitary on Dunedin at an estimated cost of \$140,000 under RFP 2009-002WS; Water Line Hillside Development Area.

**CARRIED.**

➤ Curb and gutter work – Dunedin Road

**MOVED** by Counc. Cochrane and seconded by Counc. Young Council authorize the installation of curb and gutter work on Dunedin to proceed in 2010 at an estimated cost of \$125,000, under RFP 2009-002WS; Water Line Hillside Development Area.

**CARRIED.**

## 8. UNFINISHED BUSINESS

### 8.1 23 Marr Road (High density residential proposal)

- By-law 2-02-36, “A By-law to Amend the Zoning By-law”  
3 March 2010 Memorandum from Town Clerk Banks

**No action required.**

### 8.2 Unsightly Premises By-law

3 March 2010 Memorandum from Town Clerk Banks

**MOVED** by Counc. Young and seconded by Deputy Mayor MacDonald the memorandum RE: Unsightly Premises By-law be received/filed.

**CARRIED.**

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9. **NEW BUSINESS**

**9.1 BUSINESS ARISING FROM PUBLIC HEARING**

- **By-law 2-02-37      Scribner Crescent (Zoning By-law amendment)**  
2 March 2010      Memorandum from Planning Advisory Committee

**Dealt with above.**

10. **NEXT MEETING**

The next regular meeting of Council will be Monday, April 12, 2010.

11. **ADJOURNMENT**

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

**CARRIED.**

The meeting adjourned at 8:43 p.m.

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MAYOR

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CLERK