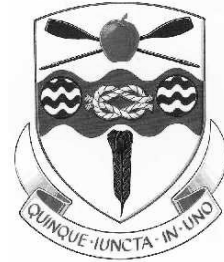




# ROTHESAY COUNCIL

OPEN SESSION  
Monday, March 11, 2013  
MINUTES



PRESENT: MAYOR WILLIAM J. BISHOP  
DEPUTY MAYOR NANCY GRANT  
COUNCILLOR MATT ALEXANDER  
COUNCILLOR PAT GALLAGHER JETTE  
COUNCILLOR PETER LEWIS  
COUNCILLOR BLAIR MacDONALD  
COUNCILLOR BILL McGUIRE

TOWN MANAGER JOHN JARVIE  
TOWN CLERK MARY JANE BANKS  
DIRECTOR OF OPERATIONS (DO) BRETT McLEAN  
DIRECTOR OF PARKS/REC (DPR) CHARLES JENSEN  
DIRECTOR OF PLANNING/DEVELOPMENT (DPDS) BRIAN WHITE  
TREASURER SUSAN JOHNSON

ABSENT: COUNCILLOR MIRIAM WELLS

Mayor Bishop called the Open Session to order at 7:05 p.m.

<b>1. APPROVAL OF MINUTES</b>	Regular meeting	11 February 2013
	Special meeting	26 February 2013

**MOVED** by Counc. Gallagher Jette and seconded by Counc. McGuire the minutes of 11 February 2013 be adopted as circulated.

**CARRIED.**

**MOVED** by Counc. Gallagher Jette and seconded by Counc. MacDonald the minutes of 26 February 2013 be adopted as circulated.

**CARRIED.**

## Business Arising from Minutes

n/a

## 2. APPROVAL OF AGENDA

**MOVED** by Deputy Mayor Grant and seconded by Counc. Alexander the agenda be approved as circulated with the following additions:

<i>Item 7.0</i>	<i>City Water Agreement</i>
<i>Item 8.4</i>	<i>27 February 2013 Letter from K. Coyle RE: signage</i>

**CARRIED.**

## 3. OPENING REMARKS OF COUNCIL

n/a

## 4. DELEGATIONS

4.1 NB Organ and Tissue Donation and Awareness (*see Item 9.1*)  
Green Light Porch Campaign Betty-Anne Waugh, RN

Betty-Ann Waugh, RN appeared before Council and gave a brief presentation with respect to the Green Porch Light campaign. Brochures were distributed to Council and staff. Ms. Waugh noted the Green Light Porch Campaign will be the week of April 21 – 28, 2013. She gave some general examples of local donors and recipients and read from a letter written by a recipient. Ms. Waugh noted the support of Rothesay last year and requested the same for 2013. Counc. Alexander noted family members have donated organs and younger people have also taken an interest in this program. Ms. Waugh talked about the living donor program and noted people can donate kidneys, partial liver and lungs as well. Mayor Bishop

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thanked Ms. Waugh for her presentation and advised the Town would light the Town Hall green again this year as well as other possible locations.

### 5. CORRESPONDENCE FOR ACTION

n/a

### 6. CORRESPONDENCE - FOR INFORMATION

6.1 15 January 2013 Letter from Town of Hampton to Minister Flemming RE: Request

*(Rec'd 19 Feb 2013)* for Tick Drag – Deer Issue.

**MOVED** by Counc. Alexander and seconded by Counc. McGuire the letter from the Town of Hampton to Minister Flemming RE: Request for Tick Drag – Deer Issue dated 15 January 2013 (received 19 February 2013) be received/filed.

#### ON THE QUESTION:

Mayor Bishop noted he would be attending a regional Deer Committee meeting on Wednesday.

**CARRIED.**

6.2 15 February 2013 Letter to 640558 NB Inc. RE: Municipal Water Connection Charge.

**MOVED** by Counc. MacDonald and seconded by Deputy Mayor Grant the letter to 640558 NB Inc. RE: Municipal Water Connection Charge dated 15 February 2013 be received/filed.

**CARRIED.**

6.3 18 February 2013 Letter of thanks from Dr. Marrie, Dean, Faculty of Medicine RE: Dalhousie Medicine New Brunswick (DMNB).

**MOVED** by Deputy Mayor Grant and seconded by Counc. Lewis the letter of thanks from Dr. Marrie, Dean, Faculty of Medicine RE: Dalhousie Medicine New Brunswick (DMNB) dated 18 February 2013 be received/filed.

**CARRIED.**

6.3.1 22 February 2013 Letter of thanks from L. Irving, Chair Medical Research Campaign (DMNB) RE: fundraising campaign.

**MOVED** by Counc. McGuire and seconded by Deputy Mayor Grant the letter of thanks from L. Irving, Chair Medical Research Campaign (DMNB) RE: fundraising campaign dated 22 February 2013 be received/filed.

**CARRIED.**

6.4 22 February 2013 Letter of support to J. Logan, Special Events Coordinator, RE: Saint John Dragon Boat Festival.

**MOVED** by Counc. Lewis and seconded by Counc. MacDonald the letter of support to J. Logan, Special Events Coordinator, RE: Saint John Dragon Boat Festival dated 22 February 2013 be received/filed.

**CARRIED.**

6.5 7 March 2013 Letter to Electoral Boundaries and Representation Committee RE: electoral boundaries.

**MOVED** by Counc. MacDonald and seconded by Counc. McGuire the letter to Electoral Boundaries and Representation Committee RE: electoral boundaries dated 7 March 2013 be received/filed.

**CARRIED.**

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### 7. REPORTS

#### 7.0 March 2013

#### Report from Closed Session

➤ *Water Agreement – Saint John (meeting addendum)*

**MOVED** by Counc. Gallagher Jette and seconded by Counc. Alexander Council authorize the execution of the agreement as presented, with the City of Saint John to supersede the 1996 water supply agreement and allow the City to spill water in Rothesay.

**CARRIED.**

- 7.1 12 December 2012 Kennebecasis Valley Fire Department Inc. Board meeting minutes  
2012 Response Summary Reports (Type, By Community, 5 Year comparison)

**MOVED** by Counc. Gallagher Jette and seconded by Counc. Alexander the Kennebecasis Valley Fire Department Inc. Board meeting minutes dated 12 December 2012 and 2012 Year end Response Summary Reports be received/filed.

#### ON THE QUESTION:

It was noted the Board currently meets every two months, with a minimum of six meetings a year but members have requested this be reviewed with the intent to meet more often. Counc. Alexander noted the meeting duration was from 6:20 to 6:33 pm. Counc. Gallagher Jette noted the meetings are typically at least 2 hours and she would advise the Recording Secretary the minutes should be amended. There was a brief discussion with respect to the Medical First Response Function and whether the Chief should be invited to appear before Council. Counc. Gallagher Jette commented that Quispamsis Council met with the Chief and further suggested he meet with Rothesay Council as well. Counc. Alexander advised he had questions in response to the Chief's report on the Medical First Response Function. It was noted this matter will be dealt with later in the agenda.

**CARRIED.**

- 7.2 16 January 2013 Draft Public Works and Infrastructure Committee meeting minutes

**MOVED** by Counc. Alexander and seconded by Counc. Lewis the draft Public Works and Infrastructure Committee meeting minutes dated 16 January 2013 be received/filed.

**CARRIED.**

- 20 February 2013 Draft Public Works and Infrastructure Committee meeting minutes

**MOVED** by Counc. Alexander and seconded by Counc. Lewis the draft Public Works and Infrastructure Committee meeting minutes dated 20 February 2013 be received/filed.

**CARRIED.**

- 7.3 23 January 2013 Rothesay Regional Joint Board of Police Commissioners (RRJBPC) meeting minutes  
February 2013 Email polls - results  
31 December 2013 RRJBPC draft Financial Statements

**MOVED** by Counc. McGuire and seconded by Counc. Alexander the Rothesay Regional Joint Board of Police Commissioners (RRJBPC) meeting minutes dated 23 January 2013, email polls – results (February 2013) and draft Financial Statements dated 31 December 2012 be received/filed.

**CARRIED.**

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7.4 12 February 2013 Draft Water and Sewer Committee meeting minutes  
**MOVED** by Counc. Alexander and seconded by Counc. McGuire the draft Water and Sewer Committee meeting minutes dated 12 February 2013 be received/filed.

### **ON THE QUESTION:**

It was noted there has been discussion with respect to a payment plan for connection fees over two or three years for individuals or developers who may wish to pay up front and collect it as the lots are sold.

**CARRIED.**

7.5 31 January 2013 True Growth 2.0 Mayors' Governance Task Force Report  
**MOVED** by Counc. MacDonald and seconded by Counc. Alexander the True Growth 2.0 Mayors' Governance Task Force Report dated 31 January 2013 be received/filed.

### **ON THE QUESTION:**

Mayor Bishop advised work is proceeding with the True Growth initiative and committee members are being sought. The official launch date for the True Growth strategy will be set for late spring. Counc. Gallagher Jette requested further clarification on what True Growth means and what is involved as a recent newspaper article was not helpful. Mayor Bishop advised it is a follow-up of the report from the Committee chaired by Deputy Mayor Rinehart (Saint John) in response to the loss of funding for economic development from ACOA and the province. The initiative involves restructuring Enterprise Saint John to be more aggressive and more pointed in responding to developers and businesses wishing to establish or expand in Saint John and also to actively seek new businesses. Mayor Bishop noted Enterprise Saint John will be restructured and it is anticipated the organization will become a more potent force in the area than it has been in the past. Counc. MacDonald noted the Kennebecasis Valley Chamber of Commerce is not included as a member of the Economic Development Partners Committee. Mayor Bishop offered to bring that forward to the committee.

**CARRIED.**

7.6 19 February 2013 Draft Parks and Recreation Committee meeting minutes  
**MOVED** by Counc. McGuire and seconded by Counc. Alexander the draft Parks and Recreation Committee meeting minutes dated 19 February 2013 be received/filed.

### **ON THE QUESTION:**

Clarification was provided with respect to the location of the proposed playground on Starkey Avenue. Counc. MacDonald requested the status of the multi-purpose recreation facility. Town Manager Jarvie advised there is still additional information to be received, particularly related to property tax and further consultation with the MLA and MP. He suggested a special meeting could likely be held in the next month or so to deal specifically with the topic

**CARRIED.**

7.7 25 February 2013 Draft Planning Advisory Committee meeting minutes  
**MOVED** by Counc. Lewis and seconded by Counc. MacDonald the draft Planning Advisory Committee meeting minutes dated 25 February 2013 be received/filed.

**CARRIED.**

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7.8 26 February 2013 Draft Emergency Measures Committee meeting minutes  
**MOVED** by Counc. Lewis and seconded by Deputy Mayor Grant the draft Emergency Measures Committee meeting minutes dated 26 February 2013 be received/filed.

### ON THE QUESTION:

Mayor Bishop noted he would follow up on the status of regional EMO services, advising this is one of the mandates for the Regional Service Commission. The Commission will be meeting on Thursday. Counc. Lewis advised staff will be researching the use of backup generators for Town-operated facilities and further advised Station 1 (KVFD) is hardwired for generator power.

**CARRIED.**

#### ➤ Letter/request to NBPower

**MOVED** by Counc. McGuire and seconded by Counc. Lewis Council authorize the Mayor to send the letter RE: Public Information in Case of Outages, to Sherry Thomson, Vice President, Customer Service, Distribution and Transmission.

**CARRIED.**

7.9 February 2013 Monthly Building Permit Summary Report  
**MOVED** by Counc. MacDonald and seconded by Counc. Alexander the February 2013 Monthly Building Permit Summary Report be received/filed.

**CARRIED.**

7.10 2 March 2013 PSAB 2012 Financial Statements memorandum from Treasurer Johnson  
**MOVED** by Counc. MacDonald and seconded by Counc. Lewis the PSAB 2012 Financial statements memorandum from Treasurer Johnson dated 2 March 2013 be received/filed.

**CARRIED.**

## 8. UNFINISHED BUSINESS

### 8.1 By-law 2-12 Road Closure – Pine Street

7 March 2103 Memorandum from Town Manager Jarvie  
Draft By-law 2-12

#### 8.1.1 *Supplementary documentation as previously provided*

**MOVED** by Counc. Lewis and seconded by Counc. MacDonald By-law 2-12, “A By-law Respecting the Stopping Up and Closing Permanently of Pine Street” and related documentation be removed from the table.

**CARRIED.**

**MOVED** by Counc. MacDonald and seconded by Deputy Mayor Grant By-law 2-12, “A By-law Respecting the Stopping Up and Closing Permanently of Pine Street” be read in its entirety.

### ON THE QUESTION:

Counc. McGuire questioned if the property on Master Drive would be subdivided in the future. Town Manager Jarvie advised it would require an application to rezone the property and possibly an amendment to the Municipal Plan. He noted a rezoning would likely not be approved due to its proximity to the Works garage, which is a busy, light industrial use property. Counc. Alexander noted the original subdivision plan is almost 100 years old and the property has never been used as a roadway.

**CARRIED.**

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The Clerk read By-law 2-12 in its entirety.

**MOVED** by Counc. MacDonald and seconded by Deputy Mayor Grant By-law 2-12, "A By-law Respecting the Stopping Up and Closing Permanently of Pine Street" be given 3<sup>rd</sup> Reading by Title and Enactment.

**CARRIED.**

The Clerk read By-law 2-12 by title.

### 8.2 Kennebecasis Valley Fire Department Inc. First Response Function

- |                  |   |
|------------------|---|
| 14 February 2013 | Letter from Board of Fire Commissioners, Kennebecasis Valley Fire Department Inc. (KVFD) RE: First Response Function. |
| 13 February 2013 | Report from Chief Ireland to Board of Fire Commissioners (KVFD) RE: First Response Function.                          |
| 8 February 2013  | Letter from Quispamsis to Board of Fire Commissioners (KVFD) RE: First Response Function.                             |
| 19 December 2012 | Request to Board of Fire Commissioners (KVFD) RE: First Response Function.  |

**MOVED** by Counc. Alexander and seconded by Counc. Lewis the matter be brought forward for discussion.

**CARRIED.**

Counc. Alexander noted he had additional questions based on the response received from Chief Ireland with respect to the Medical First Response Function; particularly related to: the tone of the report; what is meant by an "intensive" review; justification for the need beyond two paramedics; the need for four firefighters to respond to ensure safety of the equipment but if additional staff are hired, only two firefighters would be needed. Counc. Alexander indicated he was not satisfied with the report and believed the costs are higher than actually indicated in the report. He suggested the questions be given to the Board and the Chief be prepared to answer them should he be invited to appear before Rothesay Council. Mayor Bishop suggested an invitation be extended to Chief Ireland to attend a meeting with Council. Deputy Mayor Grant noted she thought the answers were superficial and also questioned the cost allocations, noting there was no cost included for labour. She also raised the following: who minds the station when the firefighters are out on a call; costs associated with annual training and when it takes place; what happened during the hiatus of responding to medical calls; what are other options for staff levels to respond and what are the outcomes in other jurisdictions with no medical first response function. Deputy Mayor Grant suggested Quispamsis supported the position of the Board that further research and review be undertaken.

**MOVED** by Deputy Mayor Grant and seconded by Counc. Alexander Rothesay Council supports the Fire Board's position that further research and review should be done and this research should be done outside the department.

### ON THE QUESTION:

Counc. MacDonald commented that four firefighters respond to medical calls in case a fire call is received during the medical first response call. Four firefighters are required to answer fire calls. He further noted with additional staffing, four would remain at the station and two firefighters could respond to a medical call. Counc. Alexander noted if a firefighter is required to assist the ambulance crew, there is one less firefighter to respond to a fire call. Counc. MacDonald noted there are several questions that require further information. Counc. Gallagher Jette requested the concerns from Deputy Mayor Grant and Counc. Alexander be addressed in writing to the Board. Counc. MacDonald also commented on the

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recent RFP issued by the Fire Department with respect to a new station and its location. He requested clarification on Council's position with respect to concerns about the new station and the Five Year plan so the Board representatives from Rothesay have Council's support on those issues. Mayor Bishop advised the Fire Board Administrator spoke with him about the siting of a proposed new station and a third party was engaged to determine a property location best suited for the new location, in an effort to prevent the issues that arose with site location selection prior to the construction of Station 1.

**CARRIED.**

### 8.3 Common Upgrade Project

8 March 2013                      Memorandum from Town Manager Jarvie

**MOVED** by Counc. Alexander and seconded by Counc. McGuire the Glenn Group proposal for Rothesay Common Design and Consulting Services (Technical Proposal: R-2013-001) be accepted at a cost of \$179,520 HST included.

#### ON THE QUESTION:

Deputy Mayor Grant requested clarification on the background of the Glenn Group. Town Manager Jarvie advised the four proponents who submitted proposals provide engineering, architectural and landscaping services. Selection was based on a scoring system. Counc. McGuire noted the cost was lower than expected. Counc. MacDonald asked if the Glenn Group had the lowest price. Town Manager Jarvie noted cost was only one factor of the analysis. The lowest proposal was \$156,377 and in this case, the request for proposals were analyzed based on a detailed comparison and while the Glenn Group proposal included more hours, the hourly rate is lower. Counc. MacDonald referred to the comment in the memorandum that there are areas requiring confirmation and clarification. Town Manager Jarvie noted additional information had been obtained from the Glenn Group and the answers are satisfactory and will be reviewed by the Committee. Counc. McGuire noted the Glenn Group also has actual experience in installing artificial ice outside.

**CARRIED.**

#### 8.3.1 Private Member's Bill (Rothesay Common)

7 March 2013                      Memorandum from Town Manager Jarvie

Town Manager Jarvie advised the draft bill has been reviewed by Service New Brunswick and the Attorney General's office and is ready to be sent for translation.

**MOVED** by Counc. MacDonald and seconded by Counc. McGuire Council endorse the English wording of the Private Member's Bill as presented, to remove the restriction on buildings on the Rothesay Common and authorize its submission with any changes required by the Attorney General's office.

**CARRIED.**

### 8.4 Rothesay Sign By-law 3-10 (Proposed Amendments)

8 February 2013                      Report from DPDS White

27 February 2013                      Letter from K. Coyle RE: signage (meeting addendum)

**MOVED** by Counc. McGuire and seconded by Counc. Alexander the matter be removed from the table.

**CARRIED.**

DPDS White noted the report was prepared for the Town Manager in response to questions raised by Counc. Lewis to clarify questions surrounding community signage and commercial signage. DPDS White noted there are two primary issues at present: signage is being requested to be placed in the road right-of-way which becomes a traffic safety issue and the

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second is there is no authority in the By-law to issue community billboard permits. DPDS White advised community groups are directed to the Town Electronic Boards (TEBs). There was a lengthy discussion with respect to the following: location and approval for community signage; the issue is related to the placement of signage on property owned by the applicant; concerns about signage at the Rothesay Arena for community events and the ineffectiveness of the Town Electronic Board (TEB); maintaining current size for sandwich boards; recognition of concerns with managing billboard signage; management of signage at Rothesay High School and the Rothesay Arena; discretionary decisions need to be made that may not be in accordance with the By-law and a review of prohibition of logoed vehicles in the Town and allow possibly (new) unlicensed vehicles for promotions.

Town Manager Jarvie advised the By-law requires an amendment to make it clear that community groups can apply for signage on property they do not own (e.g. the Car Club at the Rothesay Arena). DPDS White gave a summary of the recommended policy direction as outlined in his memorandum of 8 February 2013, noting the recommendations would also be reviewed by the Planning Advisory Committee for input and comment. Counc. Lewis requested additional research be done with respect to logoed vehicles in the Town. Counc. MacDonald commented that discretionary decisions about logoed vehicles may lead to other issues with other forms of signage. Counc. Lewis requested the TEB at the Rothesay Arena be reviewed and it be rotated to be perpendicular to Hampton Road for improved visibility. Counc. Alexander requested further clarification on the list of exempted signs under the existing By-law: signage on gas pumps, pop machines, telephone booths, etc.; real estate signs; inflatable toys used on the Common typically advertise the company; and existing logoed vehicles in the Town. Deputy Mayor Grant suggested the last amendment to the Sign By-law became more restrictive and excluded signage for community events.

**MOVED** by Deputy Mayor Grant and seconded by Counc. Lewis Council directs staff to initiate an amendment process for Sign By-law 3-10; looking particularly at community groups/events and logoed vehicles.

### ON THE QUESTION:

It was noted the location of the TEB at the Rothesay Arena has been reviewed with a view to turning it perpendicular to Hampton Road and installing an additional electronic side. Town Manager Jarvie noted this was not included in the budget but it could be done in the spring. He advised a recommendation will be provided at the next meeting and the estimated cost is in the \$10,000 range. Counc. MacDonald raised the concern about the effectiveness of the TEBs as noted in the report from DPDS White.

**CARRIED.**

Counc. Gallagher Jette left the meeting room at 8:40 p.m.

### TABLED AGENDA ITEMS

#### **8.5 Fieldhouse Project** (*tabled December 2012*)

4 December 2012	Memorandum from Town Manager Jarvie
5 December 2012	Letter from Counc. MacDonald

**No action required.**



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### **8.6 RES Playground funding request** (*tabled January 2013*)

10 January 2013

Memorandum from Town Manager Jarvie

8 November 2012

Memorandum from Parks and Recreation Committee

**No action required.**

### **8.7 Kennebecasis Park Emergency Access** (*tabled January 2013*)

8 January 2013

Memorandum from DO McLean

**MOVED** by Deputy Mayor Grant and seconded by Counc. McGuire the matter be removed from the table.

**CARRIED.**

There was a brief discussion with respect to the use of the existing walkway as an access road through the back of the property which could be connected to Kennebecasis Park. It was noted its proximity to the train track may not resolve the access issue if there is a train derailment. Town Manager Jarvie advised the road would need to be upgraded to accommodate vehicles and it could be discussed with the Bishop. Counc. Alexander indicated the alignment may be an issue.

**MOVED** by Counc. MacDonald and Counc. Lewis the matter be tabled.

**CARRIED.**

### **8.8 Gondola Point Road waterline** (*tabled February 2013*)

8 February 2013

Memorandum from Town Manager Jarvie

5 February 2013 (*date stamp*)

Letter from A. Malcolm Properties Ltd.

**No action required.**

## **9. NEW BUSINESS**

### **BUSINESS ARISING FROM DELEGATIONS**

9.1 12 February 2013 Letter from NB Organ Donation Program RE: Green Light Porch Campaign.

Received for information.

### **ADMINISTRATION**

#### **9.2 Community Video Network**

7 March 2013

Memorandum from Town Manager Jarvie

**MOVED** by Counc. Alexander and seconded by Deputy Mayor Grant Council endorses Rothesay's participation in the Community Video Network in 2013 and authorizes the execution of the agreement.

**CARRIED.**

### **RECREATION**

#### **9.3 Quotation Call R2013-02 Small Compact Tractor**

26 February 2013 Memorandum from DPR Jensen

**MOVED** by Counc. McGuire and seconded by Counc. Lewis Council award Quotation R2013-02 Small Compact Tractor to Hall Brothers Enterprises Ltd. for the total quoted price of \$23,240.14 inclusive of HST.

**CARRIED.**

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### **OPERATIONS**

#### **9.4 Equipment Supply Tender 2013-EQ01: Tandem Roller**

4 March 2013 Memorandum from DO McLean

**MOVED** by Counc. MacDonald and seconded by Counc. Lewis the Equipment Supply Tender 2013-EQ01: Tandem Roller, be awarded to the recommended tenderer, Atlantic CAT, at the tendered price of \$42,297.03 including HST (plus extended warranty in the amount of \$1,850.00); and further that the Director of Operations be authorized to issue a purchase order for the tendered amount.

**CARRIED.**

#### **9.5 Equipment Supply Tender W-2013-05: Service vehicle (Utility Department)**

4 March 2013 Memorandum from DO McLean

**MOVED** by Counc. MacDonald and seconded by Counc. McGuire the Equipment Supply Tender W-2013-05: Service vehicle, be awarded to the sole tenderer, Dobson Chrysler, at the tendered price of \$33,423.14 (plus extended warranty in the amount of \$1,243.00) including HST; and further that the Director of Operations be authorized to issue a purchase order for the tendered amount.

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

DO McLean noted the initial budget was for a ¾ ton vehicle and it was determined a ½ ton vehicle would meet the requirements of the Utility department staff.

**CARRIED.**

#### **9.6 Contract W-2013-4: Water Storage Reservoir Demolition**

5 March 2013 Memorandum from DO McLean

**MOVED** by Counc. Lewis and seconded by Counc. Alexander Contract W-2013-04: Water Storage Reservoir Demolition be awarded to the low tenderer, C.N.F. Mallet Ltee. at the tendered price of \$99,880.70 (including HST), as calculated based on estimated quantities; and further that the Mayor and Town Clerk be authorized to execute the necessary contract documents.

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

Counc. McGuire requested clarification on the potential selection of a contractor the Town may have had issues with in the past. Town Manager Jarvie advised if there needs to be a material reason to not select the low tender. He advised there is more flexibility in the selection of a Request for Proposals submissions but there is ample case law with respect to tenders. Counc. Alexander noted the low price from C.N.F. Mallet Ltee. DO McLean advised they are in the area for another project.

**CARRIED.**

Counc. Gallagher Jette returned to the meeting room at 8:45 p.m.

#### **9.7 Equipment Supply: Tandem Plow Truck Rigging**

6 March 2013 Memorandum from DO McLean

**MOVED** by Counc. MacDonald and seconded by Counc. McGuire the required plow rigging be purchased from Parts for Trucks Inc. at the quoted price of \$82,350.31 including HST; and further that the Director of Operations be authorized to issue a purchase order for the quoted amount.

**CARRIED.**

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**9.8 Water Treatment Plant Upgrade: Design/ Construction Management Engagement**

6 March 2013 Memorandum from DO McLean

**MOVED** by Deputy Mayor Grant and seconded by Counc. MacDonald Council authorizes the engagement of CBCL Limited Consulting Engineers to provide engineering services for the Rothesay Water Treatment Plant Upgrade project at an upset price of \$193,569, including HST.

**ON THE QUESTION:**

There was a discussion with respect to the method of engagement for consulting services on the project. DO McLean advised the engagement could be done by RFP rather than through a tender process. He noted this is a carry-over project from 2012 that was authorized by Council in February 2012 to directly engage CBCL for this project. DO McLean further noted CBCL has a long history with the Town's water treatment system and he would not be seeking any other direct engagement projects this year. Negotiations were undertaken with CBCL that resulted in a reduction from an original costs of \$221,000 and DO McLean advised approximately \$70,000 of the fee is for inspections during the project as the system will remain operational. Counc. MacDonald noted under provincial legislation engineering services are exempt from the tendering process. Counc. Alexander requested clarification on the process and associated costs, particularly related to ongoing onsite inspection during the project. He also commented that the Town should consider obtaining preferred rates rather than standard rates based on the scope of the projects.

**CARRIED.**

**10. NEXT MEETING**

The next regular meeting of Council will be Monday, April 8, 2013 at 7:00 p.m.

**11. ADJOURNMENT**

**MOVED** by Counc. Gallagher Jette and seconded by Counc. Lewis the meeting be adjourned.

**CARRIED.**

The meeting adjourned at 8:50 p.m.

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MAYOR

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CLERK