



# ROTHESAY COUNCIL

OPEN SESSION  
Monday, March 12, 2012  
MINUTES



PRESENT: MAYOR WILLIAM J. BISHOP  
DEPUTY MAYOR BLAIR MacDONALD  
COUNCILLOR SCOTT COCHRANE  
COUNCILLOR PAT GALLAGHER JETTE (arrived at 8:15 pm)  
COUNCILLOR NORMA MULLETT  
COUNCILLOR DON SHEA  
COUNCILLOR TOM YOUNG

ABSENT: COUNCILLOR TERRY KILFOIL

TOWN MANAGER JOHN JARVIE  
TOWN CLERK MARY JANE BANKS  
DIRECTOR OF OPERATIONS BRETT McLEAN  
DIRECTOR OF DEVELOPMENT SERVICES (DDS) GAY DRESCHER

## **PUBLIC HEARING**

24 February 2012

2 March 2012

9 March 2012

10 February 2012

2 February 2012

DRAFT

**Appearances:**

**Comments:**

## **Animal Control By-law 1-12**

1<sup>st</sup> advertisement KVStyle

2<sup>nd</sup> advertisement KVStyle

Memorandum from Town Manager Jarvie (2<sup>nd</sup> Reading)

Memorandum from Town Manager Jarvie (1<sup>st</sup> Reading/Hearing)

Memorandum from DDS Drescher (Hearing)

Animal Control By-law 1-12

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

8 March 2012

Email from J. Hickman

Mayor Bishop called the Public Hearing to order and gave instructions to those in attendance, noting the hearing was duly advertised. DDS Drescher gave a presentation to Council and noted the following: authority to enact the By-law is under Section 96(1) of the Municipalities Act, By-law 4-98 has been generally effective but the Town has been unsuccessful in court cases under the By-law, proposed changes relate mainly to licensing, dangerous dogs and the authority to enter into agreements. DDS Drescher advised the proposal is to remove licensing fees and through a public education program offer online registration and the creation of a database of pictures of licensed animals. She noted the Town had entered into informal agreements in the past on the advice of legal counsel with respect to dangerous dogs and this By-law will formalize the process. The By-law provides a definition of a dangerous dog and outlines the procedure to be followed when dealing with same. DDS Drescher concluded that pet owners are responsible for the health and well-being of their pets and the proposed changes are to encourage that and to ensure all pets in Rothesay are licensed.

The following points were raised by Council: definition of reptile vs. exotic animals, consistency in the reference to the Clerk and his/her designate, inclusion of cats under the fee schedule for licensing, section 45 refers to seven (7) days where section 41 refers to five (5) days and the request that Section 45(a) be removed. DDS Drescher advised the comments were noted and a revised copy of the By-law would be provided at the next meeting. Council. Gallagher Jette arrived at the meeting. 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

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Mayor Bishop called the meeting to order at 8:17 p.m.

### **1. APPROVAL OF MINUTES Regular Meeting – February 13, 2012**

**MOVED** by Counc. Young and seconded by Counc. Gallagher Jette the minutes of 13 February 2012 be approved as circulated.

**CARRIED.**

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

n/a

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

**MOVED** by Counc. Shea and seconded by Deputy Mayor MacDonald the agenda be approved as circulated.

**CARRIED.**

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

n/a

### **4. DELEGATIONS**

n/a

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

5.1 25 February 2012 Email from Don Moore RE: crosswalk at River Road.

**MOVED** by Counc. Gallagher Jette and seconded by Counc. Mullett the email from D. Moore RE: crosswalk at River Road dated 25 February 2012 be referred to the Public Works and Infrastructure Committee.

**CARRIED.**

5.2 5 March 2012 Email from WWF-Canada RE: participation in Earth Hour.

**MOVED** by Counc. Cochrane and seconded by Counc. Mullett Council endorse participation in Earth Hour on March 31, 2012.

**CARRIED.**

5.3 6 March 2012 Email from D. Laskey, Chipman, NB RE: Exploration and extraction of Natural Gas with attached resolution from Village of Doaktown.

5.3.1 8 November 2011 Memorandum from DDS Drescher RE: Shale Gas Exploration.

**MOVED** by Counc. Young and seconded by Counc. Shea the correspondence from D. Laskey and memorandum from G. Drescher RE: shale gas exploration, dated 6 March 2012 and 8 November 2012 respectively, be received/filed.

**CARRIED.**

5.4 7 March 2012 Email from C. Keller RE: World Autism Day.

**MOVED** by Counc. Gallagher Jette and seconded by Counc. Cochrane Council support in principle, the request from C. Keller RE: World Autism Day dated 7 March 2012.

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### 6. CORRESPONDENCE - FOR INFORMATION

6.1 9 February 2012 Letter from J. Logan, St. Joseph's Hospital Foundation RE: Saint John Dragon Boat Festival.

6.1.1 21 February 2012 Letter to J. Logan, St. Joseph's Hospital Foundation RE: Saint John Dragon Boat Festival.

**MOVED** by Counc. Cochrane and seconded by Counc. Young the correspondence RE: Saint John Dragon Boat Festival 2012 be received/filed.

**CARRIED.**

6.2 15 February 2012 Copy of letter from Minister Trevors (Public Safety) to C. LeBlanc RE: reappointment to Rothesay Regional Joint Board of Police Commissioners.

**MOVED** by Counc. Young and seconded by Counc. Mullett the letter (copy) from Minister Trevors (Public Safety) to C. LeBlanc RE: reappointment to Rothesay Regional Joint Board of Police Commissioners dated 15 February 2012 be received/filed.

#### ON THE QUESTION:

Counc. Cochrane requested clarification on the limit on the term of appointment for the provincial representative. Counc. Shea will follow up on the request.

**CARRIED.**

6.3 21 February 2012 Letter to B. Waugh, RE: Green Porch Light Community Challenge support.

**MOVED** by Counc. Shea and seconded by Deputy Mayor MacDonald the letter to B. Waugh, RE: Green Porch Light Community Challenge support dated 21 February 2012 be received/filed.

**CARRIED.**

6.4 21 February 2012 Letter to Enterprise Saint John RE: 2012 Municipal Funding.

**MOVED** by Counc. Shea and seconded by Counc. Young the letter Enterprise Saint John RE: 2012 Municipal Funding dated 21 February 2012 be received/filed.

**CARRIED.**

6.5 21 February 2012 Letter to Don Shaw RE: congratulatory message.

**MOVED** by Counc. Shea and seconded by Counc. Mullett the letter to Don Shaw RE: congratulatory message dated 21 February 2012 be received/filed.

**CARRIED.**

6.6 27 February 2012 Memorandum from Town Clerk Banks RE: KV Crimestoppers presentation.

6.6.1 21 February 2012 Letter to KV Crimestoppers RE: presentation to Council.

6.6.2 14 February 2012 Letter from KV Crimestoppers RE: funding request/presentation.

**MOVED** by Counc. Young and seconded by Counc. Shea the correspondence and memorandum RE: KV Crimestoppers presentation to Council be received/filed.

**CARRIED.**

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### 7. REPORTS

7.0 March 2012 Report from Closed Session  
n/a

7.1 11 January 2012 Kennebecasis Public Library meeting minutes  
**MOVED** by Counc. Mullett and seconded by Counc. Shea the Kennebecasis Public Library meeting minutes dated 11 January 2012 be received/filed.

**CARRIED.**

7.2 25 January 2012 Rothesay Regional Joint Board of Police Commissioners meeting minutes  
31 December 2011 Rothesay Regional Joint Board of Police Commissioners pre-audit Financial Statements

**MOVED** by Counc. Shea and seconded by Counc. Mullett the Rothesay Regional Joint Board of Police Commissioners meeting minutes dated 25 January 2012 and the Rothesay Regional Joint Board of Police Commissioners pre-audit Financial Statements dated 31 December 2011 be received/filed.

**CARRIED.**

7.3 16 February 2012 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 16 February 2012 be received/filed.

#### ON THE QUESTION:

It was noted the curbside recycling project is still under review and will likely be before Council at the April meeting.

**CARRIED.**

- Alternative Methods of Traffic Calming
  - 8 March 2012 Memorandum from Town Manager Jarvie
  - 2 March 2012 Memorandum from Public Works and Infrastructure Committee
  - 13 February 2012 Memorandum from DO McLean

**MOVED** by Counc. Mullett and seconded by Counc. Cochrane Council adopt the following policy in principle and direct staff to identify the appropriate instrument for establishing and conveying this policy to the public: *Where feasible, Council will consider the use of raised medians and minor narrowing of roadways as acceptable traffic calming measures.*

#### ON THE QUESTION:

There was a brief discussion with respect to the following: necking, or narrowing portions of the street vs. the entire street, and that raised medians are centre dividers and not speed bumps. It was noted speed bumps tend to cause damage to roads and vehicles, generate noise and require extra signage and impede snowplowing. DO McLean advised there is the possibility of implementing narrowing on existing streets but there will be associated costs. He noted requests for current streets would be analyzed on a street by street basis and associated costs would be dependent on current nature of the street, length, existing right-of-way and other factors.

**CARRIED.**

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7.5 February 2012 Monthly Building Permit Report

**MOVED** by Counc. Gallagher Jette and seconded by Counc. Young the February 2012 Monthly Building Permit Report be received/filed.

**CARRIED.**

7.6 5 March 2012 Draft Planning Advisory Committee meeting minutes

**MOVED** by Counc. Young and seconded by Counc. Gallagher Jette the draft Planning Advisory Committee meeting minutes dated 5 March 2012 be received/filed.

**CARRIED.**

➤ Hillcrest Gardens (See Item 8.1)

Counc. Gallagher Jette left the meeting room.

## 8. OLD BUSINESS

### 8.1 Amending Development Agreement

#### Hillcrest Gardens – Clermont Lane/Robertson Drive PID #30279137

9 March 2012 Memorandum from Town Manager Jarvie

5 March 2012 Memorandum from DDS Drescher

Amending Development Agreement (revised)

6 March 2012 Recommendation from Planning Advisory Committee/Town Clerk

**MOVED** by Counc. Cochrane and seconded by Counc. Young the Amending Development Agreement for Hillcrest Gardens – Clermont Lane/Robinson Drive be removed from the table.

**CARRIED.**

**MOVED** by Counc. Young and seconded by Counc. Cochrane Council approve the Amending Development Agreement as revised for the development of a 19 lot subdivision to be known as Hillcrest Gardens, situated generally between Clermont Lane and Robertson Drive.

**CARRIED.**

**MOVED** by Counc. Young and seconded by Counc. Mullett Council authorise the Mayor and Clerk to enter into the Amending Development Agreement for the development of a 19 lot subdivision to be known as Hillcrest Gardens, situated generally between Clermont Lane and Robertson Drive.

**CARRIED.**

**MOVED** by Counc. Young and seconded by Counc. Cochrane Council assent to the plan showing the location of the public street, as shown on the Tentative Plan, Hillcrest Gardens Subdivision, Dwg. T-0389-2012-rev1a, dated 24 January 2012, in accordance with the *Community Planning Act*, section 56, RSNB (1973) Chapter C-12 and amendments thereto; AND FURTHER THAT Council accept the name of the public street as “Edgemont Lane”.

**CARRIED.**

### 8.2 By-law 1-11 A By-law to Manage Town-owned Lands

9 March 2012 Memorandum from Town Manager Jarvie

9 March 2012 Memorandum from DDS Drescher

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8 March 2012 Memorandum from Town Manager Jarvie  
7 March 2012 Memorandum from DO McLean

**MOVED** by Counc. Cochrane and seconded by Counc. Shea Council receive the memorandum from the Director of Operations for information and await the results of the traffic study and the active transportation plan.

**CARRIED.**

### 9. NEW BUSINESS

#### BUSINESS ARISING FROM PUBLIC HEARING

##### 9.1 Animal Control By-law 1-12 (*Refer to Public Hearing documentation*)

9 March 2012 Memorandum from Town Manager Jarvie (2<sup>nd</sup> Reading)  
DRAFT Animal Control By-law 1-12

**MOVED** by Counc. Young and seconded by Counc. Shea Second Reading by Title be given By-law 1-12, "A By-law of the town of Rothesay Respecting Animal Control".

**CARRIED.**

The Clerk read By-law 1-12 by title.

Counc. Gallagher Jette returned to the meeting room.

#### FINANCE

##### 9.2 Approval to Borrow

24 February 2012 Memorandum from Town Manager Jarvie  
23 February 2012 Memorandum from Treasurer Johnson

**MOVED** by Counc. Cochrane and seconded by Deputy Mayor MacDonald Resolved that the Clerk and/or Treasurer and/or Mayor be authorized to issue and sell to the New Brunswick Municipal Finance Corporation a Municipality of Rothesay debenture in the principal amount of **\$1,714,000** on such terms and conditions as are recommended by the New Brunswick Municipal Finance Corporation, and be it resolved that the Municipality of Rothesay agree to issue post-dated cheques payable to the New Brunswick Municipal Finance Corporation as and when they are requested in payment of principal and interest charges on the above debenture.

**CARRIED.**

#### ADMINISTRATION

9.3 7 March 2012 Memorandum from Town Manager Jarvie  
7 March 2012 Memorandum from Town Clerk Banks  
DRAFT Paperless Council meetings Policy

**MOVED** by Counc. Shea and seconded by Counc. Cochrane Council adopt the Paperless Council meetings policy.

#### ON THE QUESTION:

There was a brief discussion with respect to travel outside the local coverage area. It was suggested a memo be prepared to advise Council members on the procedure to ensure there are no additional data charges.

**CARRIED.**

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**OPERATIONS**

**9.4 Cossey Lane Partial Security Release**

- 9 March 2012 Memorandum from Town Manager Jarvie
- 7 March 2012 Memorandum from DO McLean

**MOVED** by Counc. Young and seconded by Counc. Shea Council authorize the release of \$14,200 of the original security deposit and retain the balance of \$5,800 as security to ensure the satisfactory completion of the chip seal surface and remaining items on Cossey Lane in 2012.

**CARRIED.**

**9.5 Engagement of Engineers for 2012 Capital Projects**

- 9 March 2012 Memorandum from Town Manager John Jarvie
- 7 March 2012 Memorandum from DO McLean (Traffic Study)
- 8 March 2012 Memorandum from DO McLean (Asphalt/Chipseal)
- 8 March 2012 Memorandum from DO McLean (Sidewalk improvements)

**MOVED** by Counc. Shea and seconded by Counc. Mullett Council authorize the Mayor and Clerk to execute the agreements for engineering services as follows:

	<u>PROJECT TITLE</u>	<u>FIRM</u>	<u>AMOUNT</u>
1	2012 ROTHESAY TRAFFIC STUDY	exp Services Inc.	\$75,000.00
	Engineering Design and Construction		
2	Management Services – ASPHALT & CHIP SEAL - 2012	CBCL	\$29,549.61
	Engineering Design and Construction		
3	Management Services – SIDEWALK IMPROVEMENTS - 2012	CBCL	\$54,037.41

**CARRIED.**

**10. NEXT MEETING**

The next regular meeting of Council will be TUESDAY, April 10, 2012.

**11. ADJOURNMENT**

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

**CARRIED.**

The meeting adjourned at 9:00 p.m.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK