



ROTHESAY COUNCIL

OPEN SESSION
Monday, March 9, 2009
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

Mayor Bishop called the Regular Session of Council to order at 8:00 p.m.

1. **APPROVAL OF MINUTES** Regular Meeting – 9 February 2009
MOVED by Counc. Shea and seconded by Counc. Mullett the minutes of 9 February 2009 be approved as circulated.

CARRIED.

1.1 Business Arising from Minutes

N/A

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

CARRIED.

3. **OPENING REMARKS OF COUNCIL**

➤ **The Big Rothesay Read**

Mayor Bishop advised the title of the book for The Big Rothesay Read will be announced on Wednesday, March 10 at 10:00 a.m. at Rothesay High School. The goal of the initiative is to have students and adults all reading the same book and generating discussion throughout the Town in the promotion of literacy.

Mayor Bishop advised Council he received the following correspondence:

- 24 February 2009 Letter of thanks from the Imperial Theatre for the donation from Rothesay to the Capital Campaign
- 27 February 2009 Letter of thanks from the Saint John Theatre Company for the donation from Rothesay to *Setting the Stage* campaign
- Undated Note of thanks from the Kennebecasis Public Library for the donation from Rothesay for the "Adopt a Magazine" campaign
- Undated A letter from M.A.D.D. highlighting the work of the organization

Counc. Shea advised Council he has received compliments from residents on the snow-clearing efforts of the Town and thanked staff for their hard work. He also noted he participated in the successful tri-municipal Winter Fest in February and congratulated staff on the joint effort between Rothesay, Quispamsis and Saint John.

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4. DELEGATIONS

4.1 A Kidz Dream Daycare Meredith Tonge (See Item 5.2)

Ms. Meredith Tonge gave a brief presentation to Council. She advised she had gone through the rezoning process for the property at 259 Gondola Point Road and provided a \$4000 security deposit for landscaping that she understood would be returned in two months. She indicated she was advised in January it would not be returned until the landscaping was done.

Counc. Young noted the Town deals with a number of developers and the practice is to hold the deposit until the work is completed. The security is normally in the form of a letter of credit. Ms. Tonge advised she could not obtain a letter of credit from the bank as a first year business. Town Manager Jarvie advised it is normal practice to hold the security until the work is done. Ms. Tonge suggested the work required would not cost \$4000 to complete. Deputy Mayor MacDonald asked if a cost estimate had been provided with the plan and Ms. Tonge advised one had not been provided. Counc. Cochrane noted Section 12 of the development agreement referred to the security required and Ms. Tonge had signed the agreement.

Mayor Bishop thanked Ms. Tonge for her presentation.

5. CORRESPONDENCE - FOR ACTION

- 5.1 15 February 2009 Email from SJ Track Club RE: Master Recreation Plan.
MOVED by Counc. Shea and seconded by Counc. Young the email from the SJ Track Club RE: Master Recreation Plan be referred to the Parks and Recreation Committee.

CARRIED.

- 5.2 16 February 2009 Letter from M. Tonge, A Kidz Dream Daycare RE: Security Deposit.

- 5.2.1 6 March 2009 Memorandum from Town Manager Jarvie RE: deposit.
MOVED by Counc. Young and seconded by Counc. Cochrane staff follow the normal procedure and hold the security deposit until the work is done.

ON THE QUESTION:

Counc. Shea noted if staff deviate from the normal practice it will set a precedent.

CARRIED.

- 5.3 18 February 2009 Letter from S. Willis RE: Telecom tower.
MOVED by Counc. Young and seconded by Counc. Cochrane the letter from S. Willis RE: Telecom tower be received/filed.

ON THE QUESTION:

It was noted polling is done on properties within 100 metres and the closest property in this instance was 157 metres. Deputy Mayor MacDonald suggested the Town website also be used to give notice. Town Manager Jarvie noted this matter was a CRTC matter and was dealt with in a different manner. The applicant placed an advertisement that was approved by staff and they were contacted by two people. He noted guidelines are in place and if staff begin writing letters it is difficult to determine to whom and where to draw the boundary.

CARRIED.

- 5.4 23 February 2009 Email from V. Moseley RE: Central Midget Hockey League

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Playoff Host Committee funding request.

MOVED by Counc. Cochrane the email from V. Moseley RE: Central Midget Hockey League Playoff Host Committee funding request be referred to the Finance Committee.

Counc. Young noted the tournament is being held March 26. Mayor Bishop advised the next Finance Committee meeting has not been scheduled, indicating he recognized Counc. Young's point and it is a Council decision.

Motion lost due to lack of a seconder.

MOVED by Deputy Mayor MacDonald and seconded by Counc. Young Council grant the request of \$3000 to the Central Midget Hockey League Playoff Host Committee.

ON THE QUESTION:

Counc. Cochrane advised he would be voting against the motion, noting the Town currently subsidizes KV Minor Hockey and Council has not donated to these types of events in the past. Mayor Bishop noted the same request had been made of Quispamsis and the City of Saint John and Quispamsis turned it down. Counc. Shea indicated there was no policy for direction. Deputy Mayor MacDonald commented on the economic spin-off of a tournament with 600 participants.

YEA votes recorded from Deputy Mayor MacDonald and Counc. Young.

NAY votes recorded from Councils. Cochrane, Mullett and Shea.

DEFEATED.

- 5.5 25 February 2009 Letter from P. Croisier, Rothesay School of Highland Dance RE: funding request.

MOVED by Counc. Young and seconded by Counc. Shea the letter from P. Croisier, Rothesay School of Highland Dance RE: funding request be forwarded to the Finance Committee.

CARRIED.

- 5.6 27 February 2009 Letter from Fundy Regional Science Fair RE: Funding Request.

MOVED by Deputy Mayor MacDonald and seconded by Counc. Mullett the letter from Fundy Regional Science Fair RE: Funding Request be forwarded to the Finance Committee.

CARRIED.

6. CORRESPONDENCE - FOR INFORMATION

- 6.1 5 January 2009 Email from Barb Dupere RE: 67 Kingshurst Lane right-of-way.

MOVED by Counc. Young and seconded by Counc. Shea the email from Barb Dupere RE: 67 Kingshurst Lane right-of-way be received/filed.

ON THE QUESTION:

Mayor Bishop noted the item will be dealt with under Item 7.7 and a verbal request had been received from the applicant for the matter to be tabled.

CARRIED.

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- 6.2 15 February 2009 Email from Laurie Gale RE: Municipal Plan.
MOVED by Counc. Young and seconded by Deputy Mayor MacDonald the email from Laurie Gale RE: Municipal Plan be received/filed.

ON THE QUESTION:

Mayor Bishop noted the public will have the opportunity to speak at the public hearing during the review process.

CARRIED.

- 6.3 3 March 2009 Letter from Counc. Cochrane RE: Heritage By-law amendment.
MOVED by Deputy Mayor MacDonald and seconded by Counc. Mullett the letter from Counc. Cochrane RE: Heritage By-law amendment be received/filed.

CARRIED.

- 6.4 21 February 2009 Letter from Harbour Station RE: 2008 Highlights.
MOVED by Counc. Shea and seconded by Counc. Mullett the letter from Harbour Station RE: 2008 Highlights be received/filed.

ON THE QUESTION:

Deputy Mayor MacDonald noted the Regional Facilities Commission will be reviewing the facilities in May or June of this year.

CARRIED.

7. REPORTS

- 7.0 **March 2009** Report from Closed Session
N/A

- 7.1 13 November 2008 Fundy Region Solid Waste Commission Board Meeting Minutes
11 December 2008 Fundy Region Solid Waste Commission Board Meeting Minutes
15 January 2009 Fundy Region Solid Waste Commission Board Meeting Minutes
MOVED by Counc. Shea and seconded by Counc. Mullett the Fundy Region Solid Waste Commission Board meeting minutes dated 13 November 2008, 11 December 2008 and 15 January 2009 be received/filed.

ON THE QUESTION:

Counc. Cochrane questioned why the minutes were not received sooner. It was suggested he follow up with Counc. Gallagher Jette, the Rothesay representative on the Board.

CARRIED.

- 7.2 3 December 2008 Kennebecasis Valley Fire Department Inc. Board Meeting Minutes
January 2009 Kennebecasis Valley Fire Department Monthly Response Report
MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald the Kennebecasis Valley Fire Department Inc. Board meeting minutes dated 3 December 2008 and the January 2009 Monthly Response Report be received/filed.

CARRIED.

- 7.3 14 January 2009 Kennebecasis Public Library Board Meeting Minutes
MOVED by Counc. Mullett and seconded by Counc. Shea the Kennebecasis Public Library Board meeting minutes dated 14 January 2009 be received/filed.

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CARRIED.

- 7.4 28 January 2009 Rothesay Regional Joint Board of Police Commissioners Meeting Minutes
31 December 2008 Preaudit Rothesay Regional Joint Board of Police Commissioners Financial Statements

MOVED by Counc. Shea and seconded by Deputy Mayor MacDonald the Rothesay Regional Joint Board of Police Commissioners meeting minutes dated 28 January 2009 and the 31 December 2008 preaudit Financial Statements be received/filed.

CARRIED.

- 7.5 9 February 2009 Finance Committee Meeting Minutes
25 February 2009 Draft Finance Committee Meeting Minutes
MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald the Finance Committee meeting minutes dated 9 February 2009 and the draft minutes of 25 February 2009 be received/filed.

ON THE QUESTION:

Deputy Mayor MacDonald noted the arena design costs total of approximately \$540,000 presented at the last meeting was incorrect. He noted the final amount presented to the Finance Committee was \$612,193.81.

CARRIED.

➤ Key Industries Funding

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald Council deny the funding request from Key Industries.

CARRIED.

- 7.6 10 February 2009 Draft Rothesay Living Museum Meeting Minutes
MOVED by Deputy Mayor MacDonald and seconded by Counc. Mullett the draft Rothesay Living Museum meeting minutes dated 10 February 2009 be received/filed.

CARRIED.

➤ Rothesay History Book – Fax poll ratification

5 March 2009 Memorandum from Town Clerk Banks with attachments

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald Council accept the joint proposal to write a history book of Rothesay, as presented by Ms. Jude Carson and Ms. Gretchen Kelbaugh.

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald Council approve an estimated budget not to exceed \$18,000, including \$10,000 writing fee, over two years, with funds to come from the Operational Reserve Fund.

CARRIED.

- 7.7 23 February 2009 Draft Planning Advisory Committee Meeting Minutes
MOVED by Deputy Mayor MacDonald and seconded by Counc. Shea the draft Planning Advisory Committee Meeting Minutes dated 23 February 2009 be received/filed.

CARRIED.

➤ 67 Kingshurst Lane (3)

MOVED by Counc. Young and seconded by Deputy Mayor MacDonald the subdivision and development agreement for 67 Kingshurst Lane and related motions be tabled at the request of the applicant until the next Council meeting.

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CARRIED.

➤ 154 Hampton Road (2)

MOVED by Counc. Young and seconded by Counc. Cochrane Council accept a portion of the subject property identified as PID# 30107916 being of dimensions 5m by 45m parallel to Holland Drive to allow for the widening of Holland Drive to accommodate an increase in commercial traffic to the subject property.

ON THE QUESTION:

Deputy Mayor MacDonald noted the staff reports were not included as had been previously requested. DDS Drescher indicated the staff reports are provided to the Committee and a recommendation comes to Council from the Committee. Counc. Young noted the same process is followed by other Committees of Council where the recommendations come to Council without the background documentation. DDS Drescher noted the memorandum indicated a clerical error in the staff report with respect to this application. Deputy Mayor MacDonald requested staff recommendations to committees be forwarded to Council.

CARRIED.

MOVED by Counc. Young and seconded by Deputy Mayor MacDonald Council authorize the Mayor and Clerk to enter into the Development Agreement with the Developer of 154 Hampton Road, identified as PID# 30107916 for upgrading Holland Drive to Town Standards.

CARRIED.

➤ Cosse Lane/MacLeod Subdivision (3)

MOVED by Counc. Young and seconded by Counc. Cochrane Council assent to the public street to be an extension of Cosse Lane associated with the MacLeod Subdivision, identified as PID# 00229617.

CARRIED.

MOVED by Counc. Young and seconded by Counc. Cochrane Council accept \$2250 as cash in lieu of land for public purposes for the development of Phase 1 of the MacLeod Subdivision, identified as PID # 00229617.

CARRIED.

MOVED by Counc. Young and seconded by Counc. Cochrane Council authorize the Mayor and Clerk to enter into the Development Agreement for the development of Phase 1 of the MacLeod Subdivision, identified as PID# 00229617 subject to:

- the Department of Health approvals for septic systems be provided, and
- a water supply assessment be conducted before final subdivision approval is granted.

CARRIED.

7.8 February 2009 Monthly Building Permit Report

MOVED by Counc. Shea and seconded by Counc. Cochrane the February 2009 Monthly Building Permit Report be received/filed.

CARRIED.

7.9 3 March 2009 Draft Recreation Committee Meeting Minutes

MOVED by Counc. Shea and seconded by Deputy Mayor MacDonald the draft Recreation Committee meeting minutes dated 3 March 2009 be received/filed.

CARRIED.

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➤ Master Recreation Plan – Consultant

6 March 2009 Memorandum from Town Manager Jarvie

MOVED by Counc. Shea and seconded by Deputy Mayor MacDonald ADI Limited be commissioned to prepare a Recreation Master Plan for the Town at a cost of \$55,400 net of recoverable HST with the funds to be allocated from the Recreation budget and the Operating Reserve (\$41,000).

ON THE QUESTION:

It was indicated the report would likely be finalized in August or September and there may be an interim report in June.

CARRIED.

7.10 4 March 2009 Operations Report

MOVED by Counc. Shea and seconded by Counc. Mullett the Operations Report dated 4 March 2009 be received/filed.

CARRIED.

➤ Tender 2009-04EQ Award – 4x4 Regular Cab 5500

MOVED by Counc. Cochrane and seconded by Counc. Young Council award the tender for Tender Number 2009-04EQ to the low tenderer, Dartmouth Chrysler Jeep Dodge Ltd. for the tender price of \$44,640.65 inclusive of HST.

CARRIED.

➤ Tender 2009-03EQ Award – 41,000 LB GVWR Cab/Chassis

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald Council award the tender for Tender number 2009-03EQ to the low tenderer, East Coast International Trucks, Inc. for the total tender price of \$128,820.00, inclusive of HST.

CARRIED.

➤ Quotation Award – Garden Tiller

MOVED by Counc. Cochrane and seconded by Counc. Shea Council award the purchase of the Tiller to Halifax Seed for the total quoted price of \$1,806.87 inclusive of HST.

CARRIED.

➤ Quotation Award – Power Grader

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald Council award the purchase of the Power Grader to A. J. Walkers & Sons Ltd. for the total quoted price of \$1,706.64 inclusive of HST.

CARRIED.

➤ Quotation Award – walk-behind Mower

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald Council award the purchase of the walk-behind Mower to Halifax Seed for the total quoted price of \$6,589.03, inclusive of HST.

CARRIED.

➤ Quotation Award – Utility Trailer

MOVED by Counc. Cochrane and seconded by Counc. Shea Council award the quotation of the utility trailer to the low tenderer, Rock's Welding Ltd. for the total quoted price of \$9,379.00, inclusive of HST.

CARRIED.

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Deputy Mayor MacDonald requested some additional detail with respect to the water main break on February 12, 2009. DO Hatcher advised the pipe had been installed in 2003 and it failed at a joint. He noted the pipe split longitudinally and staff did an excellent job in locating the problem and marshalling resources to resolve the issue. DO Hatcher noted the tank lost 500,000 gallons in less than half an hour.

8. UNFINISHED BUSINESS

8.1 Rothesay Scholarship Fund (Gordon Fairweather)

Verbal Report Mayor Bishop

Mayor Bishop advised Council he and Counc. Shea had discussed guidelines with respect to a scholarship in honour of R.G.L. Fairweather. The scholarship of \$1000 will be given to a Rothesay resident who is continuing on to university. Mayor Bishop indicated he had spoken with Mr. Fairweather's daughter, who resides in Victoria, and she was thrilled her father would be honoured in this manner. Mayor Bishop noted Mr. Fairweather was an MLA for ten years, served as the Attorney-General, as an MP from 1962-1977 and was the first Chief Commissioner of the Canadian Human Rights Commission.

There was a brief discussion with respect to a time limit on the scholarship, perhaps the mandate of this Council. Mayor Bishop suggested it would be a continuing scholarship awarded annually, as the Town had been providing a scholarship to Rothesay High School for quite some time.

9. NEW BUSINESS

RECREATION SERVICES

9.1 Canada Day Grant Application

12 February 2009 Memorandum from Town Clerk Banks with attachments

MOVED by Counc. Young and seconded by Counc. Shea Be it **RESOLVED THAT** Charles Jensen, Director of Recreation Services, Rothesay be authorized to submit a financial request to the Department of Canadian Heritage in relation to the *Celebrate Canada!* Program for organizing activities to celebrate Canada Day.

CARRIED.

9.2 Cultural Connect Scotland

4 March 2009 Memorandum from Town Clerk Banks with attachments

MOVED by Counc. Shea and seconded by Counc. Cochrane the memorandum RE: Cultural Connect Scotland be received/filed.

ON THE QUESTION:

Mayor Bishop noted the group is quite interested in the 150th anniversary of Rothesay next year. He also indicated the City will be celebrating its 225th anniversary in 2010 and plans are underway with the City to extend an invitation to some special guests. Mayor Bishop noted he is seeking committee members to help organize the event and has already been contacted by one person from St. Paul's Anglican Church. The Church is celebrating its 150th anniversary in 2010 as well.

CARRIED.

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9.3 Tax Assessment Referrals

7 March 2009

Memorandum from Town Manager Jarvie

MOVED by Counc. Young and seconded by Deputy Mayor MacDonald Council not appeal any of the referrals for 2008.

CARRIED.

10. **NEXT MEETING**

The next regular meeting of Council will be TUESDAY, April 14, 2009.

11. **ADJOURNMENT**

MOVED by Counc. Young and seconded by Deputy Mayor MacDonald the meeting be adjourned.

CARRIED.

The meeting adjourned at 9:10 p.m.

MAYOR

CLERK