



ROTHESAY COUNCIL

OPEN SESSION
Monday, May 10, 2011
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

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

ABSENT: COUNCILLOR TOM YOUNG
DIRECTOR OF OPERATIONS (DO) SCOTT HATCHER

PUBLIC HEARING

By-law 2-10-07 (7 Wanda Crescent) PID# 30094767

Documentation

14 April 2011	1 st Section 68 advertisement
19 April 2011	1 st Section 68 advertisement (correction)
4 May 2011	2 nd Section 68 Advertisement
5 May 2011	Recommendation from Planning Advisory Committee
18 April 2011	Staff Report
DRAFT	By-law 2-10-07

Appearances:

G. Drescher, Development Officer, Director of Development Services
Developers – Victoria Watts, Cindy Donnelly, Trevor Carson

Objections:

27 April 2011 (rec'd 5 May)	Letter from Kenneth & Maureen Collrin, 16 Wanda Crescent
29 April 2011	Letter from Kiko and Jane Mengual, 10 Wanda Crescent
29 April 2011	Letter from Chad Foster, 1 Bridgette Lane
5 May 2011	Polling area map
5 May 2011	Petition from area residents

Mayor Bishop called the Public Hearing to order at 8:05 p.m. and gave instructions to those in attendance, noting the hearing had been advertised in accordance with the *Community Planning Act* and a recommendation had been received from the Planning Advisory Committee. DDS Drescher gave a presentation outlining the legislative process, and noting a petition had been received that represented more than one-third of the property owners within one hundred metres of the subject property. She advised the proposal is to rezone the property to Institutional Minor to allow for a daycare centre for 30 children and reviewed the proposed site plan.

Cindy Donnelly, Trevor Carson and Victoria Watts gave a presentation to Council outlining the following: need for a government-licensed daycare in the area, the requirements under government licensing, it will be a learning facility and all such facilities will soon come under the responsibility of the School Board, examples from students in a learning facility vs. other daycares, safety requirements and values. Ms. Watts indicated clients would be from the area and there would be no increase in traffic. She further expressed their concerns with respect to existing unlicensed and unmonitored daycares that may not meet regulations.

The following points were raised by Council: topography of property, septic tank capacity, running water on the land, were traffic or feasibility studies done, building accessibility, is a

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sprinkler system needed, and rezoning in the middle of a residential area.

Mr. Carson advised this was the only property available in the area and there would be a 15-30 foot buffer maintained around the edge of the property. He noted there will be crushed rock to assist with drainage in the yard. Mr. Carson advised the septic tank is a 750 gallon tank and they are working with the Department of Health on that matter. He further noted the current request is for 30 children but they hope to seek future approval for a maximum of 60 children, but noted they do not want more than 50. Mr. Carson advised about half the children would be arriving by school bus and the property is on the bus route. He further noted the building will be accessible and there is no need for a sprinkler system unless they take infants and further advised yearly inspections are completed by the Fire Marshall.

Counc. Mullett noted she lives in the area and is also a school bus driver in the area. She applauded the concept but could not recommend this property based on its location, parking and safety.

Mayor Bishop called three times for those who wished to speak in favour of the development.

Mayor Bishop called three times for those who wished to speak against the development. The following people spoke: Chad Foster, 1 Bridgette Lane, Kiko Mengual, 10 Wanda Crescent and Mike Russell, 9 Wanda Crescent. The following comments were made: concerns about traffic and safety, security issues, decreased property value, it is a residential area, there is running water on the east side of the property, location of a gravel driveway/parking area at the front of the property, zoning will remain institutional if the property is sold and opens it up to other types of development, and property owners have covenants that their properties will remain residential although these are not enforceable by the Town.

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

CARRIED.

The Public Hearing adjourned at 8:35 p.m.

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1. **APPROVAL OF MINUTES** Regular Meeting 11 April 2011
Special Session 18 April 2011
Special Session 29 April 2011

MOVED by Counc. Shea and seconded by Deputy Mayor MacDonald the minutes of the regular meeting of 11 April 2011 be received/filed.

CARRIED.

MOVED by Counc. Gallagher Jette and seconded by Counc. Mullett the minutes of the special session of 18 April 2011 be received/filed.

CARRIED.

MOVED by Deputy Mayor MacDonald and seconded by Counc. Cochrane the minutes of the special session of 29 April 2011 be received/filed.

CARRIED.

1.1 Business Arising from Minutes

N/A

2. APPROVAL OF AGENDA

MOVED by Counc. Gallagher Jette and seconded by Counc. Cochrane the agenda be approved with the following changes:

Additions

- Item 9.3 Memorandum from Treasurer Johnson RE: Gas Tax Funding*
Item 7.0.1 Kennebecasis Public Library Agreement
Item 7.0.3 RHS Field Maintenance Agreement

Bring Forward

- Item 9.2 moved to Item 7.0.2 Kennebecasis Public Library MCBB funding*
Item 9.1 moved to Item 6.4 7 Wanda Crescent By-law 2-10-07

CARRIED.

3. OPENING REMARKS OF COUNCIL

Counc. Gallagher Jette noted the positive comments she has been receiving from residents about Rothesay water in Kennebecasis Park. Deputy Mayor MacDonald issued congratulations to Mrs. Libby O'Hara, the newly elected councillor in Quispamsis. Mayor Bishop noted Quispamsis Mayor Murray Driscoll was in the audience.

4. DELEGATIONS

N/A

5. CORRESPONDENCE FOR ACTION

- 5.1 28 April 2011 Letter from Rothesay Regional Joint Board of Police Commissioners RE: Purchases of Goods/Services.

MOVED by Counc. Gallagher Jette and seconded by Counc. Shea the letter from Rothesay Regional Joint Board of Police Commissioners RE: Purchases of Goods/Services be forwarded to the Finance Committee.

CARRIED.

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5.2 4 May 2011 Memorandum from Recreation Director Jensen RE: KV3C Funding Request.

5.2.1 28 April 2011 Email from KV3C RE: Funding request.

5.2.2 4 May 2011 Letter from C. Saulnier RE: Support for KV3C.

5.2.3 3 May 2011 Memorandum from Parks and Recreation Committee.

MOVED by Council. Kilfoil and seconded by Council. Mullett Council authorize an additional budget of \$1300 per year to cover the cost of an Assistant Playgroup Supervisor in support of the KV3C program.

ON THE QUESTION:

It was noted Rothesay currently provides annual funding of \$2000 to KV3C and the Recreation Director supports the request, along with the Parks and Recreation Committee. There was a brief discussion with respect to fees and it was noted a nominal fee is charged to keep costs low to allow access to all who may wish to participate in the program.

CARRIED.

5.3 Verbal Request from Mayor Bishop RE: KV Players Grant.

Mayor Bishop noted he received a verbal request from Suzanne Doyle-Yerxa for the KVPlayers. The group wishes to expand their performance of Shakespeare on the Common and are requesting \$5000 from the Town.

MOVED by Council. Shea and seconded by Council. Gallagher Jette the request from KVPlayers for \$5000 for Shakespeare on the Common be referred to the Finance Committee.

CARRIED.

6. CORRESPONDENCE - FOR INFORMATION

6.1 25 March 2011 Letter from Minister of Canadian Heritage and Official Languages RE: Celebrate Canada Program grant.

MOVED by Council. Kilfoil and seconded by Council. Gallagher Jette the letter from Minister of Canadian Heritage and Official Languages RE: Celebrate Canada Program grant dated 25 March 2011 be received/filed.

CARRIED.

6.2 5 April 2011 Letter from Minister Holder, Minister of Wellness Culture and Sport RE: Literary Promotion Grant Funding Component – The Big Rothesay Read.

MOVED by Council. Shea and seconded by Council. Mullett the letter from Minister Holder, Minister of Wellness Culture and Sport RE: Literary Promotion Grant Funding Component – The Big Rothesay Read dated 5 April 2011 be received/filed.

CARRIED.

6.3 6 May 2011 Letter from KVBA RE: support for Recreation requirements.

MOVED by Council. Shea and seconded by Council. Mullett the letter from KVBA RE: support for Recreation requirements dated 6 May 2011 be received/filed.

CARRIED.

Item 9.1 brought forward.

6.4 **By-law 2-10-07 (7 Wanda Crescent – daycare facility)**
5 May 2011 Memorandum from Planning Advisory Committee
DRAFT By-law 2-10-07

Mayor Bishop advised members of Council of the procedure required under the *Community Planning Act*. He noted in accordance with Section 70 of the *Act*, a majority vote of the whole Council is required or an affirmative vote of 5 members in order to enact the By-law. He further noted the majority vote of whole Council can be satisfied at third reading by title.

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MOVED by Counc. Cochrane and seconded by Counc. Kilfoil 1st Reading, by Title, be given By-law 2-10-07, "A By-law to Amend the Zoning By-law".

ON THE QUESTION:

Counc. Gallagher Jette noted she was opposed to the proposal based on comments from residents and its location within a residential area. Councils. Cochrane and Kilfoil agreed they did not support the proposal based on comments heard from residents during the Public Hearing.

Counc. Mullett supported the concept of the proposal but did not support location.

NAY votes recorded from Mayor Bishop, Deputy Mayor MacDonald, Councils. Cochrane, Gallagher Jette, Kilfoil, Mullett and Shea.

MOTION DEFEATED.

7. REPORTS

7.0 May 2011 Report from Closed Session

MEETING ADDITION

7.0.1 Kennebecasis Public Library Agreement

MOVED by Counc. Cochrane and seconded by Counc. Mullett Council authorize the Mayor and Clerk to execute the agreement as between Rothesay, Quispamsis and Kennebecasis Public Library Inc.

ON THE QUESTION:

Counc. Shea noted the following concerns with the project: no support from other levels of government, the site is not in the strategic centre of the Valley, co-locating with other facilities should have been explored more fully, the current location is not accessible until one reaches the parking lot, additional costs will be incurred because there is no municipal water available at the location and whether a larger building is needed when one considers the potential impact of electronic advancements (e.g. eReaders). Counc. Kilfoil concurred with the comments of Counc. Shea. Deputy Mayor MacDonald noted no additional funding would be provided for staffing or books. Counc. Cochrane noted this is addressed in Section 6 of the agreement. Counc. Gallagher Jette advised she supported the project but did have some concerns with respect to costs. Mayor Bishop noted the approval of the proposed expansion is to a maximum of \$6 million.

NAY votes recorded from Councils. Kilfoil and Shea.

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald Council specifically authorizes the expenditure of the Rothesay share of the project to a maximum of \$2.6 million in accordance with the agreement.

NAY votes recorded from Councils. Kilfoil and Shea.

CARRIED

Mayor Bishop noted Quispamsis Mayor Driscoll was in the audience, along with Librarian Leslye McVicar and Board Chair Heather Crawford. He noted Rothesay's endorsement of the project and he looked forward to the project going ahead and aiding literacy in the Kennebecasis Valley. Mayor Driscoll thanked Council for the invitation to attend and noted the project is another example of the Towns coming together and working on a joint project.

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ITEM 9.2 BROUGHT FORWARD.

7.0.2 General Fund Borrowing Authority Kennebecasis Public Library

4 May 2011 Memorandum from Treasurer Johnson

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald Resolved: that the town of Rothesay submit to the Municipal Capital Borrowing Board an application for authorization to borrow or guarantee the repayment of money borrowed or deemed borrowed for capital expenses not to exceed the following terms and amount:

General Fund

Function	Purpose	Amount	Term
Recreation	Kennebecasis Public Library Expansion	\$2,600,000	20 years

NAY votes recorded from Councs. Kilfoil and Shea.

CARRIED.

MEETING ADDITION

7.0.3 Rothesay High School Field Maintenance Agreement

MOVED by Counc. Kilfoil and seconded by Deputy Mayor MacDonald Council authorize the Mayor and Clerk to enter into the agreement, with typographical errors in Schedule B corrected, as between Rothesay and the District Education Council of School District 6 for Rothesay High School Field Maintenance Agreement.

CARRIED.

7.1 31 December 2010 Fundy Region Solid Waste Commission Auditor's Report and Financial Statements

MOVED by Counc. Gallagher Jette and seconded by Deputy Mayor MacDonald the Fundy Region Solid Waste Commission Auditor's Report and Financial Statements dated 31 December 2010 be received/filed.

CARRIED.

7.2 31 December 2010 Kennebecasis Valley Fire Department Inc. Auditor's Report and Financial Statements

MOVED by Counc. Cochrane and seconded by Counc. Kilfoil the Kennebecasis Valley Fire Department Inc. Auditor's Report and Financial Statements dated 31 December 2010 be received/filed.

CARRIED.

9 February 2011 Kennebecasis Valley Fire Department Inc. Board Meeting Minutes

MOVED by Counc. Kilfoil and seconded by Counc. Gallagher Jette the Kennebecasis Valley Fire Department Inc. Board Meeting Minutes dated 9 February 2011 be received/filed.

CARRIED.

28 February 2011 Kennebecasis Valley Fire Department Unaudited Financial Statements

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald the Kennebecasis Valley Fire Department Unaudited Financial Statements be received/filed.

CARRIED.

7.3 23 March 2011 Rothesay Regional Joint Board of Police Commissioners Meeting Minutes

MOVED by Counc. Shea and seconded by Deputy Mayor MacDonald the Rothesay Regional Joint Board of Police Commissioners Meeting Minutes dated 23 March 2011 and unaudited Financial Statements dated 31 March 2011 be received/filed.

CARRIED.

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7.4 31 March 2011 Unaudited Draft Utility Financial Statements

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald the Unaudited Draft Utility Financial Statements dated 31 March 2011 be received/filed.

CARRIED.

31 March 2011 Unaudited Draft General Fund Financial Statements

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald the Unaudited Draft General Fund Financial Statements dated 31 March 2011 be received/filed.

CARRIED.

7.5 20 April 2011 Draft Heritage Preservation Review Board Meeting Minutes

MOVED by Counc. Gallagher Jette and seconded by Counc. Mullett the Draft Heritage Preservation Review Board Meeting Minutes dated 20 April 2011 be received/filed.

CARRIED.

7.6 April 2011 Monthly Building Permit Report

MOVED by Deputy Mayor MacDonald and seconded by Counc. Kilfoil the April 2011 Monthly Building Permit Report be received/filed.

CARRIED.

7.7 2 May 2011 Draft Planning Advisory Committee Meeting Minutes

ITEM 8.1 BROUGHT FORWARD.

➤ 11 – 13 Sierra Avenue (See Item 8.1)

PLEASE NOTE:

ALL motions related to 11-13 Sierra Avenue (By-law 2-10-01, 2-10-02 and the Development Agreement) are VOID based on the disqualification of a councillor voting in the affirmative who was not in attendance at the Public Hearing. Therefore, the vote is 3/3 and the motions are defeated.

MOVED by Counc. Cochrane and seconded by Counc. Kilfoil Council give 2nd Reading, by Title, to By-law 2-10-01, “A By-law to Amend the Zoning By-law”.

ON THE QUESTION:

There was a lengthy discussion with respect to drainage and stormwater management for the development and in the surrounding area. Counc. Shea indicated he would be voting against the proposal as he did not believe the water issue was adequately addressed. DDS Drescher noted stormwater and drainage management are addressed in the development agreement and advised the developer has provided an engineering report indicating there will be “net zero discharge” associated with his development. It was noted the proposal includes a french drain system and the developer indicated the water generated upstream will be piped around his property at his expense. Town Manager Jarvie noted property owners are typically required to manage drainage on their own property and not drainage associated with other properties or developments. Counc. Gallagher Jette expressed concern about the impact of the building footprint on the natural drainage. Deputy Mayor MacDonald requested clarification on natural drainage courses. Town Manager Jarvie advised there is no legal responsibility for the Town to maintain or clean natural drainage courses but when they are clearly obstructed the Town will clear them. Maintenance is compounded by the identification of fish habitat by DFO and these watercourses are to remain undisturbed. Counc. Mullett raised concerns about the capacity of a french drain system.

YEA votes recorded from Mayor Bishop, Deputy Mayor MacDonald, Councs. Cochrane and Kilfoil.

NAY votes recorded from Councs. Gallagher Jette, Mullett and Shea.

CARRIED.

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The Clerk read By-law 2-10-01 by Title.

MOVED by Counc. Cochrane and seconded by Counc. Kilfoil Council give Reading in its Entirety, to By-law 2-10-01, "A By-law to Amend the Zoning By-law".

YEA votes recorded from Mayor Bishop, Deputy Mayor MacDonald, Councils. Cochrane and Kilfoil.

NAY votes recorded from Councils. Gallagher Jette, Mullett and Shea.

CARRIED.

The Clerk read By-law 2-10-01 in its entirety.

MOVED by Counc. Cochrane and seconded by Counc. Kilfoil Council give 3rd Reading, by Title, and enactment to By-law 2-10-01, "A By-law to Amend the Zoning By-law".

YEA votes recorded from Mayor Bishop, Deputy Mayor MacDonald, Councils. Cochrane and Kilfoil.

NAY votes recorded from Councils. Gallagher Jette, Mullett and Shea.

CARRIED.

The Clerk read By-law 2-10-01 by Title.

MOVED by Counc. Cochrane and seconded by Counc. Kilfoil Council give 2nd Reading, by Title, to By-law 2-10-02, "A By-law to Amend the Zoning By-law".

YEA votes recorded from Mayor Bishop, Deputy Mayor MacDonald, Councils. Cochrane and Kilfoil.

NAY votes recorded from Councils. Gallagher Jette, Mullett and Shea.

CARRIED.

The Clerk read By-law 2-10-02 by Title.

MOVED by Counc. Cochrane and seconded by Counc. Kilfoil Council give Reading in its Entirety, to By-law 2-10-02, "A By-law to Amend the Zoning By-law".

YEA votes recorded from Mayor Bishop, Deputy Mayor MacDonald, Councils. Cochrane and Kilfoil.

NAY votes recorded from Councils. Gallagher Jette, Mullett and Shea.

CARRIED.

The Clerk read By-law 2-10-02 in its entirety.

MOVED by Counc. Cochrane and seconded by Counc. Kilfoil Council give 3rd Reading, by Title, and enactment to By-law 2-10-02, "A By-law to Amend the Zoning By-law".

YEA votes recorded from Mayor Bishop, Deputy Mayor MacDonald, Councils. Cochrane and Kilfoil.

NAY votes recorded from Councils. Gallagher Jette, Mullett and Shea.

CARRIED.

The Clerk read By-law 2-10-02 by Title.

MOVED by Counc. Cochrane and seconded by Counc. Kilfoil Council authorize the Mayor and Clerk to enter into a Development Agreement for the development of a 15 unit apartment building at 11-13 Sierra Avenue, identified as PID#s 00478792 and 00478800, subject to lot consolidation.

YEA votes recorded from Mayor Bishop, Deputy Mayor MacDonald, Councils. Cochrane and Kilfoil.

NAY votes recorded from Councils. Gallagher Jette, Mullett and Shea.

CARRIED.

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- 7 Wanda Crescent (See Item 9.1)

Dealt with above.

- 48 Clark Road – Public Hearing

MOVED by Counc. Cochrane and seconded by Counc. Shea Council schedule a Public Hearing, in accordance with the *Community Planning Act*, for By-law 2-10-03, for **Monday, June 13, 2011 commencing at 7:30 p.m.**, to give consideration to an amendment to the Zoning By-law, to rezone the property identified as PID# 30240543 from Single Family Residential (R1b) to Central Commercial (CC), for the property situate 48 Clark Road, to allow for a personal services establishment.

MOTION rescinded – see below following Item 10.

CARRIED.

- 147 Hampton Road – Public Hearing

MOVED by Counc. Cochrane and seconded by Counc. Kilfoil Council schedule a Public Hearing, in accordance with the *Community Planning Act*, for By-law 2-10-04, for **Monday, June 13, 2011 immediately following a Public Hearing**, to give consideration to an amendment to the Zoning By-law, to rezone a portion of the property identified as PID# 30266845 from Single Family Residential (R1b) to Central Commercial (CC), for the property situate 147 Hampton Road.

MOTION rescinded – see below following Item 10.

CARRIED.

- 6 Willie Street – Development Agreement

MOVED by Counc. Cochrane and seconded by Counc. Kilfoil Council authorize the Mayor and Clerk to enter into into the development agreement, as amended, for the use of a garage which exceeds the Zoning By-law requirements for accessory building area by 182%, for personal purposes only, at the property situate 6 Willie Street, identified as PID# 30112601.

ON THE QUESTION:

There was discussion with respect to the size of the building, whether it would be used for personal use only, and concern about noise and fumes. DDS Drescher noted the garage has been in existence for seventeen years and the property owner was requesting to add an extension. It was noted the applicant began construction without a permit as he was not aware it was required. Counc. Shea noted there are regulations to ensure uniformity.

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

NAY votes recorded from Councils. Gallagher Jette, Kilfoil, Mullett and Shea.

MOTION DEFEATED.

45 Marr Road – Public Hearings (2)

MOVED by Counc. Cochrane and seconded by Counc. Shea Council schedule a Public Hearing, in accordance with the *Community Planning Act*, for By-law 2-10-05, for **Monday, June 13, 2011 immediately following a Public Hearing**, to give consideration to an amendment to the Zoning By-law to rezone a portion of the property generally situate 45 Marr Road, identified as PID# 00245415, from Single Family Residential – Standard (R1b) to Central Commercial (CC) to allow for retail/office space.

MOTION rescinded – see below following Item 10.

CARRIED.

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MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald Council schedule a Public Hearing, in accordance with the *Community Planning Act*, for By-law 2-10-06, for **Monday, June 13, 2011 immediately following a Public Hearing**, to give consideration to an amendment to the Zoning By-law to rezone a portion of the property generally situate 45 Marr Road, identified as PID# 00245415, from Single Family Residential – Standard (R1b) to Multi-Unit Residential (R4) to allow for two 8-unit apartment buildings.

MOTION rescinded – see below following Item 10.

CARRIED.

7.8 3 May 2011 Operations Report

MOVED by Counc. Shea and seconded by Deputy Mayor MacDonald the Operations Report be received/filed.

CARRIED.

- General Equipment Purchase Quotation (auto grease system)

MOVED by Counc. Mullett and seconded by Counc. Kilfoil Council award the quotation for an auto grease system for the Cat 924 Loader to Groeneveld Ltd. for the tender price of \$7006.00, inclusive of HST.

CARRIED.

- General Equipment Purchase Quotation (storage drawers)

MOVED by Counc. Mullett and seconded by Deputy Mayor MacDonald Council award the quotation for storage drawers to Stor-it Systems Ltd. for the tender price of \$7,199.70, inclusive of HST.

CARRIED.

- General Equipment Maintenance (sandblast/paint Cat 924 Loader)

MOVED by Counc. Mullett and seconded by Deputy Mayor MacDonald Council award the quotation for sandblasting and painting of the Cat 924 Loader to Jamac Ltd. for the tender price of \$5,932.50, inclusive of HST.

CARRIED.

- General Equipment Purchase Tender No. 2011-02EQ (52,000LB GVWR Cab/Chassis)

MOVED by Counc. Mullett and seconded by Deputy Mayor MacDonald Council award General Equipment Purchase Tender No. 2011-01EQ to the low tenderer Universal Truck and Trailer Ltd. for \$131,633.70, inclusive of HST and to purchase the extended engine seven (7) years warranty for the additional pricing of \$2,407.00, inclusive of HST.

CARRIED.

8. OLD BUSINESS

8.1 11-13 Sierra Avenue By-laws 2-10-01 and 2-10-02

6 May 2011	Memorandum from Town Clerk Banks
5 May 2011	Memorandum from Planning Advisory Committee
DRAFT	By-law 2-10-01
DRAFT	By-law 2-10-02
DRAFT	Development agreement

Dealt with above.

9. NEW BUSINESS

BUSINESS ARISING FROM PUBLIC HEARING

(see Public Hearing Documentation)

9.1 By-law 2-10-07 (7 Wanda Crescent – daycare facility)

5 May 2011	Memorandum from Planning Advisory Committee
DRAFT	By-law 2-10-07

Dealt with above.

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9.2 General Fund Borrowing Authority Kennebecasis Public Library

4 May 2011

Memorandum from Treasurer Johnson

Dealt with above.

Meeting addendum

9.3 Gas Tax Fund Applications

8 May 2011

Memorandum from Treasurer Johnson

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald Resolved: That the document entitled Municipality of Rothesay Four Year Gas Tax Capital Investment Plan (2010-2013) be adopted.

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald Resolved: That the document entitled Municipality of Rothesay Five Year Gas Tax Capital Investment Plan (2005-2009) **Revised** be adopted.

CARRIED.

10. NEXT MEETING

Regular meeting Monday, June 13, 2011

There was a brief discussion with respect to the date of the next Council meeting and the availability of a quorum.

MOVED by Counc. Gallagher Jette and seconded by Counc. Kilfoil the next regular meeting of Council be held on **Tuesday, June 21, 2011.**

CARRIED.

The Clerk advised the previous motions scheduling the Public Hearings for Monday, June 13, 2011 would need to be rescinded and rescheduled.

➤ 48 Clark Road

MOVED by Counc. Cochrane and seconded by Counc. Shea the motion scheduling the Public Hearing for By-law 2-10-03 (48 Clark Road) for June 13, 2011 be rescinded.

CARRIED.

MOVED by Counc. Cochrane and seconded by Counc. Kilfoil Council schedule a Public Hearing, in accordance with the *Community Planning Act*, for By-law 2-10-03, for **Tuesday, June 21, 2011 commencing at 7:30 p.m.**, to give consideration to an amendment to the Zoning By-law, to rezone the property identified as PID# 30240543 from Single Family Residential (R1b) to Central Commercial (CC), for the property situate 48 Clark Road, to allow for a personal services establishment.

CARRIED.

➤ 147 Hampton Road

MOVED by Counc. Cochrane and seconded by Counc. Kilfoil the motion scheduling the Public Hearing for By-law 2-10-04 (147 Hampton Road) for June 13, 2011 be rescinded.

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald Council schedule a Public Hearing, in accordance with the *Community Planning Act*, for By-law 2-10-04, for **Tuesday, June 21, 2011 immediately following a Public Hearing**, to give consideration to an amendment to the Zoning By-law, to rezone a portion of the property identified as PID# 30266845 from Single Family Residential (R1b) to Central Commercial (CC), for the property situate 147 Hampton Road.

CARRIED.

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➤ **45 Marr Road**

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald the motion scheduling the Public Hearing for By-law 2-10-05 (45 Marr Road) for June 13, 2011 be rescinded.

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald schedule a Public Hearing, in accordance with the *Community Planning Act*, for By-law 2-10-05, for **Tuesday, June 21, 2011 immediately following a Public Hearing**, to give consideration to an amendment to the Zoning By-law to rezone a portion of the property generally situate 45 Marr Road, identified as PID# 00245415, from Single Family Residential – Standard (R1b) to Central Commercial (CC) to allow for retail/office space.

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald the motion scheduling the Public Hearing for By-law 2-10-06 (45 Marr Road) for June 13, 2011 be rescinded.

CARRIED.

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald schedule a Public Hearing, in accordance with the *Community Planning Act*, for By-law 2-10-06, for **Tuesday, June 21, 2011 immediately following a Public Hearing**, to give consideration to an amendment to the Zoning By-law to rezone a portion of the property generally situate 45 Marr Road, identified as PID# 00245415, from Single Family Residential – Standard (R1b) to Multi-Unit Residential (R4) to allow for two 8-unit apartment buildings.

CARRIED.

11. ADJOURNMENT

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

CARRIED.

The meeting adjourned at 10:10 p.m.

MAYOR

CLERK