



ROTHESAY COUNCIL

SPECIAL SESSION
Monday, May 16, 2011
MINUTES



PRESENT: MAYOR WILLIAM J. BISHOP
COUNCILLOR SCOTT COCHRANE
COUNCILLOR NORMA MULLETT
COUNCILLOR DON SHEA
COUNCILLOR TOM YOUNG
TOWN MANAGER JOHN JARVIE
TOWN CLERK MARY JANE BANKS

ABSENT: DEPUTY MAYOR BLAIR MacDONALD
COUNCILLOR PAT GALLAGHER JETTE
COUNCILLOR TERRY KILFOIL

Mayor Bishop called the Special Session to order at 6:00 p.m. The agenda was accepted as circulated.

2. **By-laws 2-10-01 and 2-10-02 and Development Agreement (11-13 Sierra Avenue)**

13 May 2011 Memorandum from Town Clerk Banks

Mayor Bishop advised those in attendance By-laws 2-10-01 and 2-10-02 were recorded as being approved at the Council meeting on Tuesday, May 10, 2011 on a vote of 4/3 in favour. It was brought to the Mayor's attention following the meeting a councillor who voted in the affirmative was not in attendance at the Public Hearing and therefore was precluded from voting on the By-laws. Mayor Bishop advised legal advice was obtained and there is no need to take another vote. He advised the current vote stands and, since one affirmative vote does not count, the vote is 3/3 and the motions are therefore defeated.

MOVED by Council. Shea and seconded by Council. Mullett the memorandum from Town Clerk Banks RE: Voting Procedure By-laws 2-10-01 and 2-10-02 (11-13 Sierra Avenue) dated 13 May 2011 be received/filed.

ON THE QUESTION:

It was noted the motions are void based on the disqualification of a councillor voting who was not in attendance at the Public Hearing so the resulting 3/3 vote defeats the motions. The applicant must wait a year to bring forward another application unless there is a substantial change or new evidence.

CARRIED.

3. **Rothesay High School Field Maintenance Agreement**

13 May 2011 Memorandum from Town Clerk Banks

DRAFT Agreement with revisions

Council was advised the agreement approved at the May 10th Council meeting was forwarded to School District 6 for signature and revisions were requested. It was noted the changes were not substantive but it was not the same agreement Council approved for signature by the Mayor and Clerk.

MOVED by Council. Shea and seconded by Council. Cochrane Council rescind the motion of 10 May 2011 with respect to the agreement as between Rothesay and the District Education Council of School District 6 for Rothesay High School Field Maintenance Agreement.

CARRIED.

MOVED by Council. She and seconded by Council. Mullett Council authorize the Mayor and Clerk to enter into the revised agreement dated 13 May 2011, as between Rothesay and the District Education Council of School District 6 for Rothesay High School Field Maintenance Agreement.

CARRIED.

4. **ADJOURNMENT**

MOVED by Council. Young and seconded by Council. Mullett the meeting be adjourned.

CARRIED.

The meeting adjourned at 6:15 p.m.

MAYOR

CLERK