

OPEN SESSION Tuesday, November 13, 2012 **MINUTES**



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

> 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

PUBLIC HEARING	By-law 2-12 Pine Street Closure
Documentation	
26 October 2012	1 st Section 187 advertisement
2 November 2012	2 nd Section 187 advertisement
7 November 2012	Staff Report to Council
DRAFT	By-law 2-12
	Proposed Schedule B "revised"
Appearances:	Brian L. White, MCIP RPP, Director Planning/Development

Mayor Bishop called the Public Hearing to order at 8:05 p.m. and gave instructions to those in attendance. He noted the Hearing had been duly advertised and Director of Planning and Development Services (DPDS) Brian White would be giving a presentation on the proposed road closure By-law.

DPDS White advised the roadway, "Pine Street", as identified on the 1913 Subdivision Plan is not a public travelway. He advised the intent is to close the road, subdivide the parcel and sell the front portion abutting Salmon Crescent to the adjacent property owner and to consolidate the back portion with the Works yard owned by the Town. DPDS White noted there are existing encroachments on the property. He further pointed out the advertisement included a map showing only a portion of the street to be closed. Staff is recommending the entire portion be closed, which is indicated in the text of the By-law. It was noted the Town had been approached by an adjacent property owner which started the road closure process.

Mayor Bishop called three times for anyone wishing to speak in favour of the proposal.

Mayor Bishop called three times for anyone wishing to speak in opposition.

MOVED by Counc. McGuire and seconded by Counc. Lewis the Public Hearings be adjourned. **CARRIED.**

The Public Hearing adjourned at 8:10 p.m.

1. APPROVAL OF MINUTES **Regular Meeting – 9 October 2012**

MOVED by Counc. Alexander and seconded by Counc. Wells the minutes of 9 October 2012 be approved as circulated.

Business Arising from Minutes

N/A.

2. APPROVAL OF AGENDA

ROTHESAY COUNCIL

Open Session

MOVED by Counc. Wells and seconded by Counc. McGuire the agenda be approved as circulated.

3. OPENING REMARKS OF COUNCIL

Mayor Bishop advised he attended the Remembrance Day ceremony at the Lions Centre and laid a memorial wreath on behalf of the Town. He also noted a number of people attended the informal ceremony at the Cenotaph on Rothesay Common that is organized by Rory Grant and the area churches. Deputy Mayor Grant advised she spent an evening last week with the local Girl Guides who were learning about local governance.

4. DELEGATIONS

4.1 United Way Vision 2020

Executive Director, Wendy MacDermott President, Board of Directors Ron Marcolin

Mr. Marcolin and Ms. MacDermott gave a brief presentation to Council outlining the new direction and Vision 2020 strategy of the United Way. The focus will be on more outreach and more collaboration, along with fundraising. The organization sees itself as a conduit between business and the community with the goal of building capacity of the non-profit (NPO) sector of our community. It was noted there are common social priorities amongst area NPOs but no one can "name" them. The United Way plans to identify five community priorities over the next year. It was noted there are many ways for organizations and individuals to assist the United Way in improving and becoming more efficient. Mr. Marcolin requested Council identify the social priorities for Rothesay and to consider supporting the fundraising campaign. It was also noted a presentation could be done for Town staff if there was interest. Ms. MacDermott advised the organization is looking toward moving away from the "member model" to an "open competition" for funding in accordance with established criteria. Mayor Bishop thanked Mr. Marcolin and Ms. MacDermott for their presentation.

4.2 Cherry Brook Zoo

Chairperson, Alice O'Neill

(documentation sent in October) Primatologist, Lynda Collrin

Mary Alice O'Neill, Lynda Collrin and Rory Grant (Board member) spoke on behalf of the Cherry Brook Zoo. It was noted the Zoo is celebrating its 38th anniversary and received its CAZA (Canadian Association of Zoos and Aquariums) accreditation for the 20th year in a row. The representatives noted community support is a crucial aspect for the zoo, both with volunteer time and financial support. It was pointed out Rothesay residents are very active in their support of the Zoo and Council was thanked for its financial contribution last year. The various programs and training opportunities available were briefly outlined and it was noted next year the focus will be on capital fundraising.

Counc. MacDonald commented on the status of capital reserves for the Zoo. Ms. Collrin noted the Zoo is pursuing corporate sponsorship for operational expenses and will be focusing on capital fundraising. She indicated people prefer to "build buildings" rather than "keep the lights on." Mayor Bishop thanked the representatives for their presentation.

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CARRIED.

CARRIED.

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5. CORRESPONDENCE FOR ACTION

5.1 10 October 2012 Funding request (and participation) from the Greater Saint John Community Foundation RE: YOUTH Vital Signs Report.

MOVED by Counc. MacDonald and seconded by Counc. Alexander the funding request (and participation) from the Greater Saint John Community Foundation RE: YOUTH Vital Signs Report dated 10 October 2012 be forwarded to the Finance Committee.

CARRIED.

5.2 15 October 2012 Funding request from Kennebecasis Crime Stoppers.

MOVED by Counc. Wells and seconded by Counc. Alexander the funding request from Kennebecasis Crime Stoppers dated 15 October 2012 be referred to the Finance Committee.

CARRIED.

5.3 25 October 2012 Letter from Rothesay Regional Joint Board of Police Commissioners RE: Municipal Agreement for Policing.

5.3.1 9 November 2012 Memorandum from Town Manager Jarvie RE: agreement extension. Counc. MacDonald requested clarification on the need for two years to review the agreement. Town Manager Jarvie noted based on past experience, negotiations typically take longer than expected.

MOVED by Counc. MacDonald and seconded by Counc. McGuire the Mayor be authorized to invite Quispamsis to extend the regional policing agreement to January 1, 2014 and request the Board of Police Commissioners to recommend potential changes to the agreement no later than June 30, 2013.

CARRIED.

5.4 25 October 2012 Letter from Rothesay Regional Joint Board of Police Commissioners RE: 2013 Budget.

MOVED by Counc. McGuire and seconded by Counc. Wells the letter from Rothesay Regional Joint Board of Police Commissioners RE: 2013 Budget dated 25 October 2012 be received/filed.

ON THE QUESTION:

It was noted the Finance Committee discussed the Police budget at its meeting earlier today and it was also reviewed at the Joint Finance Committee meeting with Quispamsis on October 31st.

CARRIED.

5.4.1 6 November 2012 Letter from Rothesay Regional Joint Board of Police Commissioners RE: 2013 Budget revisions – telecommunications budget.

25 October 2012 Copy of letter from Rothesay Regional Joint Board of Police Commissioners to Kennebecasis Valley Fire Department Inc. RE: telecommunications budget.

MOVED by Counc. Wells and seconded by Counc. Alexander the correspondence from Rothesay Regional Joint Board of Police Commissioners RE: 2013 Budget revisions – telecommunications budget dated 6 November 2012 with attached letter from Rothesay Regional Joint Board of Police Commissioners to Kennebecasis Valley Fire Department Inc. RE: telecommunications budget dated 25 October 2012 be received/filed.

ON THE QUESTION:

It was noted the Police Board has requested the telecommunications budget be set up as a separate budget. Counc. Alexander further explained the Fire Department should pay their share of the telecommunications for 2012. It was noted the Finance Committee discussed this matter at its meeting earlier today. Town Manager Jarvie noted there should be an agreement that the Rothesay Regional Police continue to be responsible for administering the agreement.

CARRIED.

5.4.2 7 November 2012 Letter from Quispamsis RE: Telecommunications budget. **MOVED** by Counc. Wells and seconded by Counc. Alexander the letter from Quispamsis RE: Telecommunications budget dated 7 November 2012 be referred to the Finance Committee.

CARRIED.

6. CORRESPONDENCE - FOR INFORMATION

6.1 16 October 2012 Letter of thanks to Sean Bentley, Kennebecasis Public Library Board member.

MOVED by Deputy Mayor Grant and seconded by Counc. Wells the letter of thanks to Sean Bentley, Kennebecasis Public Library Board member dated 16 October 2012 be received/filed.

CARRIED.

6.2 22 October 2012 Letter from Crane Mountain Enhancement Inc. to Minister Fitch RE: continued environmental relationship with regional service commission.
 MOVED by Counc. Wells and seconded by Counc. Alexander the letter from Crane Mountain Enhancement Inc. to Minister Fitch RE: continued environmental relationship with regional service commission dated 22 October 2012 be received/filed.

CARRIED.

7. REPORTS

7.0 November 2012 Report from Closed Session N/A

7.1 31 December 2012 Kennebecasis Public Library Audited Financial StatementsMOVED by Deputy Mayor Grant and seconded by Counc. MacDonald the Kennebecasis Public Library Audited Financial Statements dated 31 December 2011 be received/filed.

CARRIED.

7.2 26 September 2012 Rothesay Regional Joint Board of Police Commissioners Board meeting minutes

MOVED by Counc. Alexander and seconded by Counc. McGuire the Rothesay Regional Joint Board of Police Commissioners Board meeting minutes dated 26 September 2012 be received/filed.

CARRIED.

30 September 2012 Rothesay Regional Joint Board of Police Commissioners unaudited Financial Statements

MOVED by Counc. Alexander and seconded by Counc. McGuire the Rothesay Regional Joint Board of Police Commissioners unaudited Financial Statements dated 30 September 2012 be received/filed.

CARRIED.

7.3 30 September 2012 Rothesay unaudited General Fund Financial StatementsMOVED by Counc. MacDonald and seconded by Deputy Mayor Grant the Rothesay unauditedGeneral Fund Financial Statements dated 30 September 2012 be received/filed.

CARRIED.

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CARRIED.

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Rothesay unaudited Utility Financial Statements 30 September 2012 MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant the Rothesay unaudited Utility Financial Statements dated 30 September 2012 be received/filed.

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CARRIED.

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24 October 2012 Draft Finance Committee meeting minutes MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant the draft Finance Committee meeting minutes dated 24 October 2012 be received/filed.

CARRIED.

31 October 2012 Joint Finance Committee meeting summary notes MOVED by Counc. MacDonald and seconded by Counc. Alexander the Joint Finance Committee meeting summary notes dated 31 October 2012 be received/filed.

CARRIED.

7.4 16 October 2012 Draft Parks and Recreation Committee meeting minutes MOVED by Counc. McGuire and seconded by Counc Wells the draft Parks and Recreation Committee meeting minutes be received/filed.

CARRIED.

➢ Harbour Skate Club

MOVED by Counc. McGuire and seconded by Counc. Wells Council proceed with the sponsorship of one evening at a cost of \$50, as requested by the Harbour Skating Club.

CARRIED.

7.5 October 2012 Monthly Building Permit Report **MOVED** by Counc. Alexander and seconded by Counc. Wells the October Monthly Building Permit Report be received/filed.

CARRIED.

7.6 5 November 2012 Nominating Committee report MOVED by Counc. MacDonald and seconded by Counc. Wells Council ratify the following committee appointments:

Rothesay Regional Joint Board of Police Commissioners: Peter Bourque – term 31 July 2015 **Rothesay Parks and Recreation Committee student representative:** Rothesay High School student Matt Davis - term 30 June 2014 **Rothesay Heritage Preservation Review Board:** Doug Kochel - term 31 December 2014

CARRIED.

30 October 2012 Memorandum from Town Clerk Banks RE: Expiring appointments

Mayor Bishop advised the list of expiring appointments is provided for the information of Council, noting that most appointees re-offer but there may be vacancies. Council members were encouraged to refer candidates to the Town website and Facebook page to complete the application form to serve on Town committees.

7.7 5 November 2012 Draft Planning Advisory Committee meeting minutes MOVED by Counc. Wells and seconded by Counc. McGuire the draft Planning Advisory Committee meeting minutes dated 5 November 2012 be received/filed.

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7.8 6 November 2012 Draft Parks and Recreation Committee meeting minutes

- Pre-design Report and Business Plan
- Renovations arena
- Budgets Parks, Recreation, Arena
- Rothesay Elementary School playground

Item 7.8 was deferred until later in the meeting.

8. UNFINISHED BUSINESS

BY-LAWS

- 8.1 23 Marr Road Zoning By-law amendment By-law 2-10-15 No action required
- 8.2 20 Gibbon Road Municipal Plan Amendment and Zoning By-law amendment DRAFT By-law 1-10-02 (tabled)
 DRAFT By-law 2-10-17 (tabled)
 No action required

8.3 By-law 2-10-18 (text amendment - hobby beekeeping)

7 November 2012Memorandum from Town Clerk BanksDRAFTBy-law 2-10-18

MOVED by Counc. Alexander and seconded by Counc. Wells Reading in its Entirety be given By-Law 2-10-18, "A By-law to Amend the Zoning By-law".

CARRIED.

The Clerk read By-law 2-10-18 in its entirety.

MOVED by Counc. Alexander and seconded by Deputy Mayor Grant Third Reading by Title and Enactment be given By-law 2-10-18, "A By-law to Amend the Zoning By-law".

CARRIED.

The Clerk read By-law 2-10-18 by title.

ADMINISTRATION

8.4 Audio/conference equipment – Council chambers

6 November 2012 Memorandum from Town Clerk Banks

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

CARRIED.

MOVED by Counc. MacDonald and seconded by Counc. Wells Council award the quotation for installation of an audio/recording system in the Council chambers to Backman Vidcom for a price not to exceed \$25,500 (HST excluded) with funding to come from Operational Reserves.

CARRIED.

PARKS and RECREATION

8.5 Assistance for Seniors at McGuire Centre

22 October 2012 Memorandum from C. Jensen, Director Recreation and Parks **MOVED** by Counc. Gallagher Jette and seconded by Counc. MacDonald the memorandum RE: Assistance for Seniors at the McGuire Centre be tabled as Jim Young is the head of the Seniors Group and Norma Chiswell is not the appropriate spokesperson for the group.

CARRIED.

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DEVELOPMENT

8.6 11-13 Sierra Avenue Rezoning Proposal

7 November 2012 Memorandum from Town Clerk Banks

16 October 2012 Letter to Debly Resources

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

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CARRIED.

MOVED by Counc. Wells and seconded by Counc. Lewis Council schedule Public Hearings, in accordance with the *Community Planning Act, RSNB (1973) Chapter C-12 and amendments thereto*, for Monday, December 10, 2012, commencing at 7:30 p.m. at Rothesay Town Hall, 70 Hampton Road, Rothesay, New Brunswick, to give consideration to Zoning By-law amendments for the properties situate generally 11 and 13 Sierra Avenue, identified as PID#s 00478792 and 00478800, to permit the construction of a 15 unit apartment building.

CARRIED.

8.7 143-147 Hampton Road development

9 November 2012 Memorandum from Town Manager Jarvie

MOVED by Counc. MacDonald and seconded by Counc. McGuire the memorandum from Town Manager Jarvie RE: 143-147 Hampton Road dated 9 November 2012 be received/filed.

ON THE QUESTION:

It was noted no formal application has been received for the property situate 147 Hampton Road, other than an incomplete grading plan. At the request of Council, Town Manager will contact Mr. Stephen.

CARRIED.

FINANCE

8.8 145B Hampton Road

8 November 2012 Memorandum from Town Manager Jarvie

2 November 2012 Memorandum from Treasurer Johnson

MOVED by Counc. wells and seconded by Deputy Mayor Grant Council authorize a reduction in the water bill for 145B Hampton Road of \$793.80 and any interest related to the marginal amount and an agreement to allow payment of the bill over a twelve month period at the discretion of the customer and with the concurrence of the Water and Sewer Committee.

CARRIED.

9. NEW BUSINESS

BUSINESS ARISING FROM PUBLIC HEARING (refer to Public Hearing documentation) 9.1 By-law 2-12 Road Closure – Pine Street

7 November 2012	Staff Report to Council
DRAFT	By-law 2-12
	Proposed Schedule B "revised"

MOVED by Counc. Alexander and seconded by Counc. Wells Council replace By-law 02-12, Schedule B with Schedule B (Revised).

CARRIED.

MOVED by Deputy Mayor Grant and seconded by Counc. Wells First Reading by Title, be given By-law 02-12, "A By-law Respecting the Stopping Up and Closing Permanently of Pine Street".

CARRIED.

The Clerk read By-law 02-12 by title.

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MOVED by Counc. Wells and seconded by Counc. Alexander Second Reading by Title, be given By-law 02-12, "A By-law Respecting the Stopping Up and Closing Permanently of Pine Street".

The Clerk read By-law 02-12 by title.

OPERATIONS

9.2 Hillcrest Gardens Subdivision – Phase 1 Security Release

1 November 2012 Memorandum from B. McLean, Director of Operations **MOVED** by Counc. Wells and seconded by Counc. Lewis Mayor and Council release the \$15,000 security deposit as Phase 1 is now totally completed.

CARRIED.

CARRIED.

DEVELOPMENT

9.3 Encroachment Agreement (By-law 1-11)

8 November 2012Memorandum from Town Manager Jarvie8 November 2012Memorandum from B. White, Planning and DevelopmentDRAFTAgreement

MOVED by Counc. Wells and seconded by Counc. Lewis Council authorize the Mayor and Clerk to execute the encroachment agreement for the property situate 61 Elizabeth Parkway (PID# 1227817).

ON THE QUESTION:

Counc. Alexander requested residents be advised that approval from the Town does not exempt them from obtaining the other required approvals.

CARRIED.

MOVED by Counc. Wells and seconded by Counc. Lewis Council approve the engagement of SCM Risk Management Services Inc. to prepare a risk report for Town owned lands in Kennebecasis Park and Hastings Cove in an amount not to exceed \$7000.

ON THE QUESTION:

It was noted there are other Town owned lands and it is suggested this area be completed first and if satisfactory, the remaining properties can be reviewed as well. It was noted the property owners will be advised the work is being done and the survey staff will be provided with a letter of authorization.

CARRIED.

9.4 Kennebecasis Park Entrance

9 November 2012 Memorandum from Town Manager Jarvie

Deputy Mayor Grant advised she had walked the roadway with the Town Manager. She indicated it could likely accommodate traffic in an emergency situation but if there was a train derailment and the road was blocked for two days, the emergency access could not accommodate the 350 vehicle/day trips. DO McLean noted there is an easement across the Bishop's property and the pipes have a bit of "road base" above them that would be a satisfactory emergency access but could be an issue in heavy rains or if the ground is not frozen. The "road base" is covered by about 4-6 inches of organic material and one suggestion is the possible use of permeable pavers. There was some discussion with respect to additional costs to go around the edge of the property rather than across the lawn. Town Manager Jarvie noted there was compensation provided for the existing easement.

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MOVED by Counc. Lewis and seconded by Counc. Wells staff report back to Council with additional information and costs with respect to an emergency access for Kennebecasis Park, constructed across the lawn or around the edge of the property on the Bishop's property.

ON THE QUESTION:

There was a brief discussion with respect to the following: relocation of the tracks to allow for construction of an overpass; concerns about other roads in the community, particularly Alexander Avenue and Rothesay Park Road and whether this hazard has been identified in the emergency measures plan. It was noted the emergency measures plan is outdated and requires a review.

CARRIED.

9.5 Tender for lands at Jersey Lane

9 November 2012 Memorandum from Town Manager Jarvie

9 November 2012 Memorandum from B. White, Planning and Development

MOVED by Counc. Wells and seconded by Counc. Alexander Council agree to attribute \$100,000 for the sale of the land identified as PID# 30010938 and accept \$230,000 as a gift from the purchasers to be applied to a recreation project for the children of Rothesay.

CARRIED.

10. NEXT MEETING

7 November 2012

Tuesday, December 4, 2012 Budget session

Memorandum from Town Manager Jarvie

MOVED by Counc. Wells and seconded by Counc. Alexander Council schedule a Special Council meeting for Tuesday, December 4, 2012 at 6:00 p.m. to review the 2013 Budgets.

CARRIED.

There was a brief discussion to arrange a meeting with Finance Minister Higgs but no action was taken.

The next regular meeting of Council will be held on Monday, December 10, 2012, immediately following public hearings.

7.8 6 November 2012 Draft Parks and Recreation Committee meeting minutes
 ➢ Pre-design Report and Business Plan

MOVED by Counc. Wells and seconded by Counc. McGuire Council receive the exp Predesign Report for information and guidance in the development of a recreation complex for the Town.

CARRIED.

MOVED by Counc.Wells and seconded by Counc. Alexander Council authorize an agreement with Growth Strategies for the preparation of a business plan for the complex as described in the exp Pre-design Report, which includes detailed projections of revenues/expenses for years one and two of operation upon completion of Option 1.

ON THE QUESTION:

There was a lengthy discussion with respect to the proper format for the business plan, what information should be contained in it and what the purpose of the plan was, including to seek federal/provincial funding. There was concern expressed over the level of detail that is necessary in order to consider the viability of the project in relation to various options and phased approaches that could be taken. There was general discussion with respect to the Deliverables identified in the Growth Strategies proposal and the detail required. It was noted a business plan and operational assessment were needed. Council emphasized the importance of

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the determination of project viability and ongoing maintenance and operating costs. Town Manager Jarvie advised the consultant would be provided with a copy of the exp Pre-design Report and asked to provide operational costs, possibly over 20 years, with some assumptions built into the projections.

CARRIED.

➢ Renovations - Rothesay arena MOVED by Counc. Alexander and seconded by Counc. Wells Council acknowledges the Arena renovations of the fieldhouse project are a priority and Council move forward with Phase 1 in 2013.

ON THE QUESTION:

There was a lengthy discussion with respect to the specific details of the project and associated costs. It was noted if the Town waits until 2014 to obtain funding, completing the arena renovations may generate interest in the project and financial support from the community. Differences of opinion were expressed with respect to the scope and viability of the project, its level of usage, a needs assessment and what options are being presented for consideration. There was discussion with respect to the different cost models presented in the exp Pre-Design Report and what level of funding commitment should be considered for 2013. The full project scope is approximately \$26 million and the Arena component phases are estimated at \$4 million or \$6 million, depending on the approach to be taken.

There was further discussion about the level of commitment Council has to the full scope of the project and what information is required for Council to make a decision to support the full project, the arena renovation or other options that may be available.

MOTION WITHDRAWN.

MOVED by Counc. Lewis and seconded by Counc. Wells Council give approval in principle for the renovation of the Rothesay Arena and construction of a fieldhouse, which is Option 1 of the exp Pre-Design Report.

ON THE QUESTION:

Counc. Gallagher Jette advised she had insufficient information to make a decision and was unclear what was meant by "approval in principle". There was no explanation given except the Town Manager advised this was not an endorsement of the project but an opportunity to get additional information.

NAY vote recorded from Counc. Gallagher Jette.

CARRIED.

Budgets – Parks, Recreation, Arena

MOVED by Counc. MacDonald and seconded by Counc. Gallagher Jette the Parks, Recreation and Arena budgets be tabled.

CARRIED.

Rothesay Elementary School playground

MOVED by Counc. McGuire and seconded by Deputy Mayor Grant Council deny the funding request of \$151,350.00 for the Rothesay Elementary Playground.

ON THE QUESTION:

It was noted the hour was late and there may be more information with respect to the funding request for the Rothesay Elementary Playground project.

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MOVED by Counc. Alexander and seconded by Counc. Wells the funding request for the Rothesay Elementary Playground be tabled.

CARRIED.

MOVED by Counc. McGuire and seconded by Counc. Alexander the draft Parks and Recreation Committee meeting minutes dated 6 November 2012 be received/filed.

CARRIED.

11. ADJOURNMENT

MOVED by Counc. Wells and seconded by Counc. Alexander the meeting be adjourned.

CARRIED.

The meeting adjourned at 11:00 p.m.

MAYOR

CLERK