



ROTHESAY COUNCIL

OPEN SESSION

Monday, November 17, 2008

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 OPERATIONS (DO) SCOTT HATCHER
DIRECTOR OF DEVELOPMENT SERVICES (DDS) GAY DRESCHER

ABSENT COUNCILLOR PAT GALLAGHER JETTE
COUNCILLOR TOM YOUNG

1. **APPROVAL OF MINUTES** Regular Meeting – 15 October 2008
MOVED by Counc. Shea and seconded by Deputy Mayor MacDonald the minutes of 15 October 2008 be approved as circulated.

CARRIED.

1.1 Business Arising from Minutes
N/A

2. **APPROVAL OF AGENDA**
MOVED by Counc. Kilfoil and seconded by Counc. Cochrane the agenda be approved as circulated with the following change:

Item 9.1 be brought forward and dealt with as Item 4.1.1

CARRIED.

3. **OPENING REMARKS OF COUNCIL**

Mayor Bishop advised he attended the Rothesay Regional Police Force ceremonies last week and it was well attended. He further noted there were two Remembrance Day services, one at the Wesleyan Church and one at the Rothesay Common which both had large turnouts. Mayor Bishop advised he attended the Grand Opening of the new window shop and the 10th Annual KV Santa Claus Parade will be held on Saturday, November 22, 2008.

4. **DELEGATIONS**

4.1 Presentation, Key Industries **Tom James, Chair – Fundraising Campaign**
(See Item 9.1) **Dan LeBlanc**

Mr. Tom James and Mr. Dan LeBlanc were in attendance and gave a brief presentation to Rothesay Council. Mr. James indicated the organization was undertaking a \$1.2 million capital fundraising program, noting Key Industries had outgrown their current home and there was a greater demand for their services. The new location is about four and a half times larger than the existing building with a more central location. He further advised of what was encompassed with the new facilities and the services to be provided. The request to Rothesay Council is for \$15,000 over one to three years or whatever timeframe may be appropriate.

Counc. Shea commended the organization for its work. There was general discussion

ROTHESAY COUNCIL

Open Session
Meeting Minutes

-2-

17 November 2008

with respect to sources of funding, the number of clients from Rothesay, the capital funding is to cover renovations to the building only, currently grandfathered for not requiring a sprinkler system but if space is rented to other tenants, a sprinkler system will need to be installed. Mr. James indicated the concept is for a training centre and a business.

Mayor Bishop thanked the representatives for their presentation.

9. NEW BUSINESS

BUSINESS ARISING FROM DELEGATIONS

(4.1.1) 9.1 Key Industries Update and Funding Request

6 November 2008 Letter from Tom James, Fundraising Chair, Key Industries

MOVED by Counc. Shea and seconded by Counc. Kilfoil the funding request from Key Industries for \$15,000 be forwarded to the Finance Committee.

CARRIED.

4.2 Arena Proposal

The Darlings

Mayor Bishop advised those in attendance Council was aware of the need for additional ice surfaces in the Valley. He further summarized the options that had been pursued unsuccessfully. Mayor Bishop advised the Darlings came forward with an unsolicited proposal for Council to review. He advised those in attendance Council will not be endorsing any plan this evening. The proposal will be examined, questions asked and expressions of interest will be sought to give consideration to other options that may be available.

Bob and Scott Darling appeared before Council to answer questions with respect to the proposal they have put forward to provide two ice surfaces for Rothesay. Bob Darling advised they were aware of the steps the Town would have to take and noted the proposal was very preliminary and discussions had to begin somewhere.

The following items were discussed: the proposal is site-specific and other sites are limited within the community, various financing arrangements that were available, two ice surfaces were being proposed to accommodate one for summer ice and the other for summer sports (e.g. lacrosse, soccer) and the ability to attract tournaments to the area, cost-savings with two geo-thermal heating systems in one location, 5% increase in KVMHA registration over the past few years and future growth with the proposed energy hub for Saint John, the proposal is a turn-key operation, ability for design input from the Town, state of the art equipment, and discussions with Town staff to facilitate the Town's plans. Counc. Shea suggested the Darlings be invited to appear before the Recreation Committee during the preparation of the recreation study currently being prepared.

Mayor Bishop thanked the Darlings for their initiative and advised the proposal would receive Council's immediate attention as quickly as possible.

MOVED by Deputy Mayor MacDonald and seconded by Counc. Cochrane Council authorize the preparation of a call for Expressions of Interest to provide ice surface for Rothesay.

CARRIED.

5. CORRESPONDENCE - FOR ACTION

5.1 30 September 2008 Letter from Anna Ave. residents RE: traffic speed issues

ROTHESAY COUNCIL

Open Session
Meeting Minutes

-3-

17 November 2008

MOVED by Counc. Mullett and seconded by Counc. Shea the letter from Anna Avenue residents with respect to traffic speed issues be referred to the Public Works and Infrastructure Committee.

CARRIED.

- 5.2 27 October 2008 Letter from Cameron Road residents RE: zoning
MOVED by Counc. Cochrane and seconded by Counc. Shea the letter from Cameron Road residents with respect to zoning concerns be referred to staff for consideration during the Municipal Plan review.

ON THE QUESTION:

It was noted there is no plan for any structures on the property and the work is site preparation. Mayor Bishop advised the municipal plan will be discussed in the new year.

CARRIED.

- 5.3 6 November 2008 Letter from Kennebecasis Public Library RE: 2009 Budget
MOVED by Counc. Kilfoil and seconded by Counc. Mullett the 2009 Budget for the Kennebecasis Public Library be forwarded to the Finance Committee.

CARRIED.

- 5.4 14 November 2008 Letter from Kennebecasis Public Library RE: Adopt a Magazine Campaign
MOVED by Counc. Mullett and seconded by Counc. Shea Council authorize the contribution of \$177.00 to the Kennebecasis Public Library for the Adopt-A-Magazine Program.

CARRIED.

6. CORRESPONDENCE - FOR INFORMATION

- 6.1 10 October 2008 Letter of resignation from Adrienne Buckley, Rothesay Heritage Preservation Review Board.

MOVED by Counc. Kilfoil and seconded by Counc. Shea the letter of resignation from Adrienne Buckley, Rothesay Heritage Preservation Review Board be received/filed.

CARRIED.

- 6.2 14 October 2008 Letter from Department of Transportation RE: lane kilometre maintenance rates.

MOVED by Deputy Mayor MacDonald and seconded by Counc. Mullett the letter from Department of Transportation RE: lane kilometre maintenance rates be received/filed.

CARRIED.

- 6.3 15 October 2008 Letter from Minister Jamieson (Tourism and Parks) RE: new Scenic Drive symbols.

MOVED by Counc. Kilfoil and seconded by Counc. Shea the letter from Minister Jamieson (Tourism and Parks) RE: new Scenic Drive symbols be received/filed.

CARRIED.

ROTHESAY COUNCIL

Open Session
Meeting Minutes

-4-

17 November 2008

- 6.4 15 October 2008 Letter of Submission to Department of Environment RE: Pesticides Consultation.

MOVED by Counc. Kilfoil and seconded by Counc. Mullett the letter of Submission to Department of Environment RE: Pesticides Consultation be received/filed.

ON THE QUESTION:

Deputy Mayor MacDonald requested clarification on the submission process and distribution to Council for review prior to same. Mayor Bishop suggested that would be discussed with the review of the Procedural By-law.

CARRIED.

- 6.5 22 October 2008 Letter from Minister of Transportation RE: Rural to Urban Commuter Service Program.

MOVED by Deputy Mayor MacDonald and seconded by Counc. Cochrane the letter from Minister Landry (Transportation) RE: Rural to Urban Commuter Service Program be received/filed.

ON THE QUESTION:

It was noted the program is purchasing buses. Mr. Frank McCarey, Manager Saint John Transit was in attendance and advised the program was used by Hampton to purchase the additional bus, which they subsequently turned over to Saint John Transit. He further advised there is approximately \$2 million in funding available in New Brunswick and the organization has proposals for about \$1.2 million.

Counc. Mullett suggested perhaps an additional route directly to the Hospital/UNBSJ could be considered. Mr. McCarey advised they have a meeting with hospital representatives this week to discuss possible funding for a bus to assist in alleviating the parking issues at the Saint John Regional Hospital.

CARRIED.

- 6.6 22 October 2008 Letter from Minister Schryer (Social Development) RE: Poverty Reduction Plan.

MOVED by Counc. Kilfoil and seconded by Deputy Mayor MacDonald the letter from Minister Schryer (Social Development) RE: Poverty Reduction Plan be received/filed.

CARRIED.

- 6.7 27 October 2008 Copy of letter from CUPW to Minister Cannon (Canada Post) RE: Rothesay Post Office hours of operation.

12 November 2008 Copy of letter from CUPW to Minister Baird, Minister of Transport, Infrastructure and Communities RE: Rothesay Post Office hours of operation.

MOVED by Counc. Shea and seconded by Counc. Kilfoil the correspondence from CUPW as between Ministers Cannon and Baird RE: Rothesay Post Office hours of operation be received/filed.

CARRIED.

ROTHESAY COUNCIL

Open Session

Meeting Minutes

-5-

17 November 2008

- 6.8 29 October 2008 Email from Don Moore RE: letter of thanks for crosswalks on Gondola Point Road.
MOVED by Counc. Kilfoil and seconded by Counc. Shea the email from Don Moore RE: letter of thanks for crosswalks on Gondola Point Road be received/filed.
CARRIED.
- 6.9 29 October 2008 Letter from I. McCready RE: Municipal Plan and procedure comments.
MOVED by Counc. Kilfoil and seconded by Counc. Mullett the letter from I. McCready RE: Municipal Plan and procedure comments be received/filed.
CARRIED.
- 6.10 30 October 2008 Letter from Rothesay Regional Joint Board of Police Commissioners RE: 2009 Budget.
MOVED by Counc. Cochrane and seconded by Counc. Shea the letter from Rothesay Regional Joint Board of Police Commissioners RE: 2009 Budget (already forwarded to Finance Committee) be received/filed.
CARRIED.
- 6.11 31 October 2008 Letter from David Hanson, President UMN B RE: Standard specifications.
MOVED by Counc. Shea and seconded by Deputy Mayor MacDonald the letter from David Hanson, President UMN B RE: Standard specifications be received/filed.
CARRIED.
- 6.12 3 November 2008 Letter of Submission to the Standing Committee on Law Amendments RE: Bill 82.
MOVED by Counc. Shea and seconded by Counc. Cochrane the letter of submission to the Standing Committee on Law Amendments RE: Bill 82 be received/filed.
CARRIED.
- 6.13 4 November 2008 Letter from Department of Local Government RE: Change of Purpose request.
MOVED by Counc. Cochrane and seconded by Counc. Kilfoil the letter from Department of Local Government RE: Change of Purpose request be received/filed.
CARRIED.
- 6.14 4 November 2008 Letter from Fundy Region Solid Waste Commission RE: Debenture Refinancing.
MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald a letter be forwarded to the Fundy Region Solid Waste Commission advising of the approval of Rothesay Council for the bridge financing for the Debenture Refinancing.
CARRIED.
- 6.15 5 November 2008 Letter to Mr. Lou Duffley RE: Town water supply.
15 October 2008 Letter from Mr. Lou Duffley RE: Town water supply.
MOVED by Counc. Kilfoil and seconded by Counc. Mullett the correspondence as between the Town and Mr. Duffley RE: Town water supply be received/filed.
CARRIED.
- 6.16 5 November 2008 Letter to Rothesay Regional Joint Board of Police Commissioners

ROTHESAY COUNCIL

Open Session
Meeting Minutes

-6-

17 November 2008

RE: Rothesay Representative appointment.

MOVED by Counc. Shea and seconded by Counc. Mullett Council ratify the appointment of Bill Artiss to the Rothesay Regional Joint Board of Police Commissioners for a term to end July 31, 2009.

CARRIED.

- 6.17 7 November 2008 Letter from Department of Local Government RE: 2008 Municipal Statistics Annual Report.

MOVED by Deputy Mayor MacDonald and seconded by Counc. Mullett the letter from Department of Local Government RE: 2008 Municipal Statistics Annual Report be received/filed.

CARRIED.

- 6.18 10 November 2008 Letter to Mr. and Mrs. VanBuskirk RE: Rothesay water bill concerns.

MOVED by Counc. Kilfoil and seconded by Counc. Mullett the letter to Mr. and Mrs. VanBuskirk RE: Rothesay water bill concerns be received/filed.

ON THE QUESTION:

It was noted no response had been received from Mr. and Mrs. VanBuskirk.

CARRIED.

- 6.19 12 November 2008 Letter from Kennebecasis Public Library Inc. RE: response from Minister Doherty with respect to funding and staffing.

MOVED by Counc. Mullett and seconded by Counc. Kilfoil the letter from Kennebecasis Public Library Inc. RE: response from Minister Doherty with respect to funding and staffing be received/filed.

CARRIED.

7. REPORTS

7.0 November 2008 Report from Closed Session

MOVED by Counc. Cochrane and seconded by Counc. Shea staff prepare an amendment to the Animal Control By-law, as outlined in the memorandum from Town Manager Jarvie.

CARRIED.

- 7.1 10 September 2008 Kennebecasis Public Library (KPL) Inc. Board Meeting Minutes
14 October 2008 KPL Inc. Board Meeting Minutes
21 October 2008 KPL Audited Financial Statements

MOVED by Counc. Mullett and seconded by Counc. Shea the Kennebecasis Public Library Board Meeting Minutes and 2007 Audited Financial Statements be received/filed.

ON THE QUESTION:

Deputy Mayor MacDonald noted the article in the Telegraph Journal indicating Hampton would be proceeding with its own library which may affect the size required for the proposed new library in the Valley.

CARRIED.

- 7.2 24 September 2008 Rothesay Regional Joint Board of Police Commissioners Board (RRJBPC) Meeting Minutes

ROTHESAY COUNCIL

Open Session
Meeting Minutes

-7-

17 November 2008

- 30 September 2008 RRJBPC Financial Statements
MOVED by Counc. Shea and seconded by Deputy Mayor MacDonald the Rothesay Regional Joint Board of Police Commissioners Meeting Minutes and Financial Statements be received/filed.
CARRIED.
- 7.3 30 September 2008 Unaudited General Fund Financial Statements
MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald the Unaudited General Fund Financial Statements be received/filed.
CARRIED.
- 30 September 2008 Unaudited Utility Fund Financial Statements
MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald the Unaudited Utility Fund Financial Statements be received/filed.
CARRIED.
- 7.4 October 2008 Monthly Building Permit Report
MOVED by Counc. Shea and seconded by Counc. Kilfoil the Monthly Building Permit Report be received/filed.
CARRIED.
- 7.5 September 2008 Kennebecasis Valley Fire Department (KVFD) Monthly Response Report
31 August 2008 KVFD Unaudited Financial Statements
MOVED by Counc. Shea and seconded by Counc. Kilfoil the Kennebecasis Valley Fire Department (KVFD) Monthly Response Report and Unaudited Financial Statements be received/filed.
CARRIED.
- 7.6 29 October 2008 Draft Heritage Preservation Review Board Meeting Minutes
MOVED by Counc. Cochrane and seconded by Counc. Shea the draft Heritage Preservation Review Board Meeting Minutes be received/filed.
CARRIED.
- 2009 Budget Request
MOVED by Counc. Cochrane and seconded by Counc. Shea the 2009 Heritage Preservation Review Board Budget request be referred to the Finance Committee.
CARRIED.
- 7.7 3 November 2008 Draft Planning Advisory Committee Meeting Minutes
MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald the draft Planning Advisory Committee Meeting Minutes be received/filed.
CARRIED.
- Sobey's Leased Properties/Buckley Development Agreement
To be dealt with under Item 8.1

ROTHESAY COUNCIL

Open Session

Meeting Minutes

-8-

17 November 2008

➤ 1 Aldamay Lane Subdivision

MOVED by Counc. Cochrane and seconded by Counc. Shea Council:

- accept the tentative subdivision plan, as revised and dated October 10, 2008 for the subdivision of the property,
- authorize the Mayor and Clerk to enter into the Development Agreement for the development of two single family residential lots from the existing lot AND
- accept cash in lieu of land for public purposes to a value of \$750.00 for the property situate 1 Aldamay Lane, identified as PID# 00229914.

ON THE QUESTION:

It was noted the amount of \$750 has been used by the Town for consideration of cash in lieu of land for public purposes and it will be reviewed during the Municipal Plan review process.

CARRIED.

7.8 6 November 2008 Draft Water and Sewer Committee Meeting Minutes

MOVED by Counc. Kilfoil and seconded by Counc. Mullett the draft Water and Sewer Committee Meeting minutes be received/filed.

CARRIED.

➤ Meter Reading Fee Increase

MOVED by Counc. Kilfoil and seconded by Counc. Shea the meter reading fee for Property Transfers be increased from \$10.00 to \$75.00.

CARRIED.

7.9 12 November 2008 Operations Report

MOVED by Counc. Kilfoil and seconded by Counc. Mullett the Operations Report be received/filed.

ON THE QUESTION:

DO Hatcher advised the paving of Appleby Drive will be attempted but is weather dependent.

CARRIED.

➤ Tender Award Bid # 2008-001RD

MOVED by Counc. Cochrane and seconded by Counc. Kilfoil Council ratify the fax poll of 3 November 2008, more specifically to award the contract for Bid no. 2008-001RD to Industrial Cold Milling a division of Miller Group Inc., for the tender price of \$235,040.00, inclusive of HST.

CARRIED.

➤ Snow fighting vehicle Rental

MOVED by Counc. Cochrane and seconded by Counc. Shea Council authorize rental of the snow fighting vehicle to Industrial Cold Milling a Division of Miller Group Inc for the 200 rental hour price of \$56,500.00, inclusive of HST for the period of November 15th, 2008 to April 15th, 2009.

CARRIED.

ROTHESAY COUNCIL

Open Session
Meeting Minutes

-9-

17 November 2008

8. UNFINISHED BUSINESS

8.1 Hampton Road (Sobeys) Municipal Plan and Zoning By-law Amendments

- 14 November 2008 Memorandum from Town Clerk Banks
 - By-law 1-02-8 A By-law to Amend the Municipal Plan
 - By-law 2-02-32 A By-law to Amend the Zoning By-law
 - By-law 2-02-33 A By-law to Amend the Zoning By-law
 - 7 November 2008 Memorandum from Planning Advisory Committee with staff report
- DRAFT Development Agreement

MOVED by Council. Shea and seconded by Council. Cochrane By-law 1-02-8, "A By-law to Amend the Municipal Plan", be read in its entirety.

CARRIED.

The Clerk read By-law 1-02-8 in its entirety.

MOVED by Council. Kilfoil and seconded by Council. Mullett 3rd Reading by Title and Enactment be given By-law 1-02-8, "A By-law to Amend the Municipal Plan".

CARRIED.

The Clerk read By-law 1-02-8 by title.

MOVED by Council. Cochrane and seconded by Council. Shea By-law 2-02-32, "A By-law to Amend the Zoning By-law", be read in its entirety.

CARRIED.

The Clerk read By-law 2-02-32 in its entirety.

MOVED by Council. Shea and seconded by Council. Kilfoil 3rd Reading by Title and Enactment be given By-law 2-02-32, "A By-law to Amend the Municipal Plan".

CARRIED.

The Clerk read By-law 2-02-32 by title.

MOVED by Council. Cochrane and seconded by Council. Mullett By-law 2-02-33, "A By-law to Amend the Zoning By-law", be read in its entirety.

CARRIED.

The Clerk read By-law 2-02-33 in its entirety.

MOVED by Council. Mullett and seconded by Council. Kilfoil 3rd Reading by Title and Enactment be given By-law 2-02-33, "A By-law to Amend the Municipal Plan".

CARRIED.

The Clerk read By-law 2-02-33 by title.

MOVED by Council. Cochrane and seconded by Council. Shea Council authorize the Mayor and Clerk to enter into the development agreement, as amended, for the development of two residential lots to front on Chapel Road, one being created from a portion of PID 30248686 and the other being created from a portion of PID 30096994.

CARRIED.

ROTHESAY COUNCIL

Open Session
Meeting Minutes

8.2 Rothesay Landings Subdivision Security Release

12 November 2008 Memorandum from DDS Drescher

MOVED by Counc. Kilfoil and seconded by Deputy Mayor MacDonald Council release \$50,000 of the security provided to the Town in the form of an Irrevocable Letter of Credit #107, in conjunction with the development of Phase I of Rothesay Landings, generally situate on Bel-Air Avenue.

ON THE QUESTION:

Counc. Kilfoil indicated the developer had done some additional grading and he was satisfied the matter had been resolved.

CARRIED.

8.3 comEX Express Bus Service

12 November 2008 Memorandum from Town Manager Jarvie
DRAFT Letter to Saint John Transit

MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald Council agree to a three year extension to the comEX bus service by authorizing the letter as presented, to be forwarded to Saint John Transit.

CARRIED.

9. **NEW BUSINESS**

BUSINESS ARISING FROM DELEGATIONS

(4.1.1) **9.1 Key Industries Update and Funding Request**

6 November 2008 Letter from Tom James, Fundraising Chair, Key Industries

Dealt with under Item 4.1.1 above.

FINANCE

9.2 Municipal Capital Borrowing Board – Financing of Quint and Pumper Truck

12 November 2008 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 for the following term and amount:

Function	Purpose	Cost	Term
Protective Services	Quint and Pumper Truck	\$550,000	10 years

CARRIED.

9.3 Calculation of Connection Fees for Redevelopment

17 November 2008 Memorandum from Town Manager Jarvie

MOVED by Counc. Kilfoil and seconded by Counc. Shea adjustments to the utility fee schedule be included with the changes for 2009 such that the connection fees are calculated based on the difference between the existing use and the proposed new use for the property.

CARRIED.

ROTHESAY COUNCIL

Open Session

Meeting Minutes

-11-

17 November 2008

10. **NEXT MEETING**

The next regular meeting of Council will be Monday, December 8, 2008.

11. **ADJOURNMENT**

MOVED by Counc. Kilfoil and seconded by Counc. Shea the meeting be adjourned.

CARRIED.

The meeting adjourned at 9:45 p.m.

MAYOR

CLERK