



ROTHESAY COUNCIL

OPEN SESSION

Monday, November 9, 2009

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
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

Mayor Bishop called the regular meeting to order at 8:00 pm.

1. **APPROVAL OF MINUTES** Regular Meeting – October 13, 2009
MOVED by Counc. Shea and seconded by Counc. Gallagher Jette the minutes of October 13, 2009 be approved as circulated.

CARRIED.

1.1 Business Arising from Minutes

Mayor Bishop advised Council. Mullett has been appointed as the second Council representative to the Police Commission and he was seeking a volunteer to take her place on the Library Board.

2. **APPROVAL OF AGENDA**
MOVED by Counc. Gallagher Jette and seconded by Counc. Shea the agenda be approved as circulated with the following addendum:

Item 5.8 6 November 2009 Letter from F. Quinn-Steeves RE rights-of-way in Kennebecasis Park

CARRIED.

3. **OPENING REMARKS OF COUNCIL**

Mayor Bishop advised those in attendance of the following:

- Municipal Plan Public Hearing is scheduled for Thursday, November 19th at 7:00 p.m. at Rothesay High School
- Rothesay Fall Clean-up will be this week – all items must be curbside by 7:00 a.m. November 9th
- November 11th official Remembrance Day Service will be held at the Kings Valley Wesleyan Church
- Olympic Torch Relay will be taking a community stop at the Rothesay Arena on Tuesday, November 24th between 4 and 5 p.m. More information will be provided
- The Mayor, Deputy Mayor and Town Manager had a meeting with representatives from Oakville Acres to update one another and it was noted plans are proceeding

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4. DELEGATIONS

N/A

5. CORRESPONDENCE - FOR ACTION

5.1 5.1 27 September 2009 Letter from L. Duffley RE: deer population.

MOVED by Counc. Kilfoil and seconded by Counc. Shea the letter from L. Duffley RE: deer population be referred to the Mayor for a response.

CARRIED.

5.2 9 October 2009 Letter from Fundy Region Solid Waste Commission RE: 2010 Proposed Operating Budget.

MOVED by Counc. Gallagher Jette and seconded by Counc. Shea the letter from Fundy Region Solid Waste Commission RE: 2010 Proposed Operating Budget be referred to the Finance Committee.

ON THE QUESTION:

Counc. Cochrane requested the additional summary sheet from the Commission be provided to the Finance Committee, who will be meeting again November 18. Counc. Gallagher Jette advised she would have the General Manager send a copy.

CARRIED.

5.3 14 October 2009 Letter from Kennebecasis Valley Fire Department Inc. RE: 2010 Budget.

MOVED by Counc. Cochrane and seconded by Counc. Kilfoil the letter from Kennebecasis Valley Fire Department Inc. RE: 2010 Budget be referred to the Finance Committee.

CARRIED.

5.4 30 October 2009 Letter from Rothesay Regional Joint Board of Police Commissioners RE: 2010 Budget.

MOVED by Counc. Shea and seconded by Counc. Cochrane the letter from Rothesay Regional Joint Board of Police Commissioners RE: 2010 Budget be referred to the Finance Committee.

CARRIED.

5.5 30 October 2009 Letter from I. Holler RE: Encroachment 100 Birchview Terrace.

MOVED by Counc. Mullett and seconded by Counc. Kilfoil the letter from I. Holler RE: Encroachment 100 Birchview Terrace be referred to the Director of Development Services.

CARRIED.

5.6 4 November 2009 Letter from Kennebecasis Public Library RE: Support in principle for new library.

MOVED by Counc. Mullett and seconded by Counc. Shea the letter from the Kennebecasis Public Library RE: Support in principle for new library be referred to the Finance Committee.

CARRIED.

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- 5.7 5 November 2009 Letter from Kennebecasis Valley Basketball Association RE: fieldhouse.

MOVED by Counc. Shea and seconded by Counc. Mullett the letter from KVBA RE: fieldhouse be referred to the Parks and Recreation Committee.

CARRIED.

- 5.8 6 November 2009 Letter from Francine Quinn Steeves and Dr. Jeffrey Steeves RE: Kennebecasis Park Rights-of-way.

- 6.3 27 October 2009 Letter from J. Timothy Flood RE: Town-owned property in Kennebecasis Park.

- 6.3.1 3 November 2009 Letter from Kennebecasis Park Limited RE: Town-owned property in Kennebecasis Park.

- 6.3.2 Excerpt Rothesay Reader article.

MOVED by Deputy Mayor MacDonald and seconded by Counc. Gallagher Jette the correspondence from the Steeves, Tim Flood and Kennebecasis Park Ltd. be referred to staff for a report on the issues related to the rights-of-way within and around Kennebecasis Park.

ON THE QUESTION:

Counc. Gallagher Jette requested professional opinions be obtained, along with assistance from the Floods. Mayor Bishop noted Mr. Tim Flood was in attendance. It was noted the Rothesay Reader article did not clarify the issues. Mr. Flood advised the lands were deeded to Kennebecasis Park residents and he would be willing to provide any assistance to staff. Counc. Mullett requested a legal opinion be obtained.

CARRIED.

6. CORRESPONDENCE - FOR INFORMATION

- 6.1 23 October 2009 Letter to Ministers Jamieson and Schryer RE: School District 6 Capital Investment for 2010-2011.

MOVED by Counc. Mullett and seconded by Counc. Kilfoil the Letter to Ministers Jamieson and Schryer RE: School District 6 Capital Investment for 2010-2011 be received/filed.

CARRIED.

- 6.2 23 October 2009 Letter to M. Provost, Saint John Emergency Measures Organization RE: support for Joint Emergency Preparedness Program Proposal.

MOVED by Counc. Cochrane and seconded by Counc. Shea the letter to M. Provost, Saint John Emergency Measures Organization RE: support for Joint Emergency Preparedness Program Proposal be received/filed.

CARRIED.

- 6.3 27 October 2009 Letter from J. Timothy Flood RE: Town-owned property in Kennebecasis Park.

- 6.3.1 3 November 2009 Letter from Kennebecasis Park Limited RE: Town-owned property in Kennebecasis Park.

- 6.3.2 Excerpt Rothesay Reader article.

Items 6.3, 6.3.1 and 6.3.2 were dealt with under Item 5.8 above.

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7. REPORTS

7.0 November 2009 Report from Closed Session N/A

- 7.1 31 August 2009 Unaudited Financial Statements Kennebecasis Valley Fire Department Inc.
September 2009 Kennebecasis Valley Fire Department Monthly Response Report
9 September 2009 Kennebecasis Valley Fire Department Inc. Board Meeting Minutes
MOVED by Counc. Kilfoil and seconded by Deputy Mayor MacDonald the Kennebecasis Valley Fire Department Unaudited Financial Statements (31 August 2009), Monthly Response Report (September 2009) and Board Meeting Minutes (9 September 2009) be received/filed.

CARRIED.

- 7.2 9 September 2009 Kennebecasis Public Library Board Meeting Minutes
MOVED by Counc. Mullett and seconded by Deputy Mayor MacDonald the 9 September 2009 Kennebecasis Public Library Board Meeting Minutes be received/filed.

ON THE QUESTION:

Deputy Mayor MacDonald requested clarification on the land. Counc. Mullett advised the conditional offer had been made and accepted.

CARRIED.

- 7.3 23 September 2009 Rothesay Regional Joint Board of Police Commissioners (RRJBPC) Meeting Minutes
30 September 2009 RRJBPC Financial Statements
MOVED by Counc. Shea and seconded by Counc. Cochrane the Rothesay Regional Joint Board of Police Commissioners Meeting Minutes (23 September 2009) and Financial Statements (30 September 2009) be received/filed.

ON THE QUESTION:

Counc. Cochrane requested clarification on whether the Board would be advising as to what items would be purchased with the surplus. Counc. Shea noted the purchases would be done this year to lower next year's budget. Counc. Cochrane raised the question whether Council approves the overall budget vs. line items.

CARRIED.

- 7.4 30 September 2009 Unaudited General Fund Financial Statements
MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald the 30 September 2009 Unaudited General Fund Financial Statements be received/filed.

ON THE QUESTION:

It was noted the playground and some other capital projects were not done this year which explained the surplus.

CARRIED.

- 30 September 2009 Unaudited Utility Fund Financial Statements
MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald the 30 September 2009 Unaudited Utility Fund Financial Statements be received/filed.

CARRIED.

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- 7.5 7 October 2009 Parks and Recreation Committee Meeting Minutes
27 October 2009 Draft Parks and Recreation Committee Meeting Minutes
MOVED by Counc. Shea and seconded by Counc. Mullett the Parks and Recreation Committee Meeting Minutes (7 October and 27 October 2009) be received/filed.
CARRIED.

- 7.6 21 October 2009 Draft Public Works and Infrastructure Committee Meeting Minutes
MOVED by Counc. Mullett and seconded by Counc. Shea the 21 October 2009 Draft Public Works and Infrastructure Committee Meeting Minutes be received/filed.
CARRIED.

- 7.7 28 October 2009 Draft Finance Committee Meeting Minutes
MOVED by Counc. Cochrane and seconded by Deputy Mayor MacDonald the 28 October 2009 Draft Finance Committee Meeting Minutes be received/filed.\

ON THE QUESTION:

Counc. Cochrane noted the Finance Committee had requested the Kennebecasis Valley Fire Department adjust its budget and reduce it and further noted the Committee approved the \$1000 request from Symphony New Brunswick for an operating grant for 2009/2010. The additional capital funding request from Symphony New Brunswick is still under consideration.

CARRIED.

- 7.8 2 November 2009 Draft Planning Advisory Committee Meeting Minutes]
MOVED by Counc. Young and seconded by Deputy Mayor MacDonald the 2 November 2009 draft Planning Advisory Committee Meeting Minutes be received/filed.
CARRIED.

- Public Hearings – Municipal Plan and Zoning By-law amendment
23 Marr Road (multi-unit residential proposal)

MOVED by Counc. Young and seconded by Counc. Cochrane Council schedule a Public Hearing, in accordance with the *Community Planning Act*, for By-law 1-02-10, for **Monday, December 14, 2009 commencing at 7:00 p.m.** to give consideration to an amendment for the Municipal Plan By-law to redesignate the property situate 23 Marr Road, identified as PID#30243232 to Mixed Residential.

CARRIED.

MOVED by Counc. Young and seconded by Deputy Mayor MacDonald Council schedule a Public Hearing, in accordance with the *Community Planning Act*, for By-law 2-02-36, for **Monday, December 14, 2009 commencing at 7:00 p.m.** to give consideration to an amendment for the Zoning By-law to rezone the property situate 23 Marr Road, identified as PID#30243232 to Multi-Unit Residential Zone (R4).

CARRIED.

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- 7.9 4 November 2009 Operations Report
MOVED by Counc. Shea and seconded by Counc. Mullett the 4 November 2009 Operations Report be received/filed.

ON THE QUESTION:

Counc. Cochrane requested clarification on Well 91-1. DO Hatcher advised this is a bedrock-drilled well and the one initially drilled in 1991 is still there with the same yield. He advised drilling done 20 feet to the side of the existing well has resulted in a low yield and he is expecting a further hydrogeological report shortly.

Counc. Kilfoil requested an update on the status of the Renforth Wharf. DO Hatcher advised he spoke with the engineers two weeks ago and they advised it would take about 3 days to do the deck work and they are working on it.

CARRIED.

8. **UNFINISHED BUSINESS**

N/A

9. **NEW BUSINESS**

9.1 Encroachment Agreement – 1 Jersey Lane

3 November 2009 Memorandum from DDS Drescher

Draft Encroachment agreement

MOVED by Counc. Young and seconded by Counc. Kilfoil Council authorize the Mayor and Clerk to enter into the encroachment agreement with Mr. and Mrs. Currie, 1 Jersey Lane.

ON THE QUESTION:

Deputy Mayor MacDonald asked if this was unusual and was advised there are other such agreements in different locations throughout the Town.

CARRIED.

10. **NEXT MEETING**

There will be a public hearing for the Municipal Plan on Thursday, November 19, 2009 at 7:00 p.m. at Rothesay High School.

The next regular meeting of Council will be held Monday, December 14, 2009 following public hearings that are scheduled to commence at 7:00 p.m.

11. **ADJOURNMENT**

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

CARRIED.

The meeting adjourned at 8:40 p.m.

MAYOR

CLERK