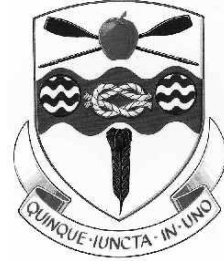




ROTHESAY COUNCIL

OPEN SESSION
Tuesday, October 15, 2013
MINUTES



PRESENT: MAYOR WILLIAM J. BISHOP
DEPUTY MAYOR NANCY GRANT
COUNCILLOR MATT ALEXANDER
COUNCILLOR PAT GALLAGHER JETTE
COUNCILLOR PETER 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 3-10-2, “An Amendment to By-law 3-10, A By-law Respecting Signage in Rothesay”

Documentation

18 September 2013 1st Section 68 advertisement
8 October 2013 2nd Section 68 Advertisement
8 October 2013 Revised Staff Report
8 October 2013 Recommendation from Planning Advisory Committee

DRAFT By-law 3-10-2

Appearances: **B. White, MCIP, RPP Director of Planning/Development Services**

Comments: None received

Mayor Bishop called the Public Hearing to order at 7:00 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 By-law amendment.

DPDS White gave a brief presentation with respect to the proposed housekeeping amendments to the Sign By-law and noted the following: Council requested a review of the By-law with respect to community event signs and logoed vehicles; community event signage was removed when the current By-law was enacted in 2010 and confined advertising to the electronic sign boards; proposed amendments include new definitions related to Community Event Signs, not for profit organizations and community groups; and exemptions to allow for an increased number of community event signs on residential and commercial properties. DPDS White noted the Development Officer has some discretionary power to determine if signage is not to the community standard. He noted the proposed community event signs regulation includes the following: non-illuminated, up to 3 m² in size, located on private property with one sign per property and not more than three per event, erected for not more than fourteen days before the event and removed two days after the event, only two permitted per year on residential properties and six permitted per year on commercial/institutional lots. DPDS White noted the other exemption being proposed is to permit logoed vehicles for lotteries or not for profit organizations on commercial properties for no longer than thirty days.

He concluded by noting the Planning Advisory Committee proposed some amendments to the original draft and recommended Council enact the By-law, with the changes.

ROTHESAY COUNCIL

Open Session
Meeting Minutes

-2-

15 October 2013

There was a lengthy discussion with respect to the following: types and design of signs, whether to include a definition for a community event, non-illumination, determination of “advertising activities” for logoed vehicles and suggested changes to the wording to limit the restriction to lotteries, the number of permitted signs allowed per event per year is based on a reasonable expectation in residential areas to not be inundated with signage, if regular events are occurring an application can be made for permanent signage, if a permit is refused by the Development Officer an application can be made to the Planning Advisory Committee, recommended by-law has been reviewed by staff and by the Planning Advisory Committee (twice). There was a brief discussion with respect to the Hospital Home lottery and permitted signage. It was noted there are exemptions for government agencies but enactment of the proposed amendments would limit their signage next year, although they could apply to the Committee for a variance to allow for additional signage.

The following people spoke: Larry Greer (Valley Cruisers Car Club), Tony McGuire (Lions Club), Harold Defazio (Royal Canadian Legion). The following comments were made: community organizations have raised substantial funds for the community, proposed amendments are very restrictive, option to request approval on an ongoing basis for yearly recurring events, discretionary authority for the Development Officer to approve requests and existing restrictions are affecting current fundraising events for various groups.

Deputy Mayor Grant commented there needs to be some allowance for community event signage and the opportunity for special requests to be made. It was suggested the By-law should be tabled to allow for a further review to consider comments raised. Counc. Wells noted the Planning Advisory Committee discussed the amendments at length in an effort to set a standard for signage in the community that accommodates requests and questioned whether the preference of those in attendance would be for special requests to be made to the Committee or if the by-law regulations should be less restrictive.

Mayor Bishop concluded that input has been provided from the community and Council with respect to the proposed amendments. He noted the item will be discussed during the regular meeting, at which time Council can give first and second reading to the by-law or refer it back to staff with respect to special cases coming to the Planning Advisory Committee for approval on event specific requests. Counc. Lewis acknowledged those in attendance brought forward other issues that Council was not aware of with respect to issues over signage.

MOVED by Counc. Alexander and seconded by Counc. Wells the public hearing be adjourned.

CARRIED.

The public hearing adjourned at 7:35 p.m.

ROTHESAY COUNCIL

Open Session

Meeting Minutes

-3-

15 October 2013

Mayor Bishop called the regular session to order at 7:35 p.m.

1. APPROVAL OF MINUTES Regular meeting 9 September 2013

MOVED by Deputy Mayor Grant and seconded by Counc. Wells the minutes of 9 September 2013 be adopted as circulated, with the following change:

p 11. end of first paragraph should read as follows:

Deputy Mayor Grant advised she had received complaints about the use of the Jordan Miller Park after hours, particularly the lighting of fireworks and the resulting concern about fires. Town Manager Jarvie noted the resident had been advised to contact the police.

CARRIED.

Business Arising from Minutes

n/a

2. APPROVAL OF AGENDA

MOVED by Counc. Gallagher Jette and seconded by Deputy Mayor Grant the agenda be approved as circulated, with the following changes:

Item 9.1 – Sign By-law amendment be brought forward

Item 7.0 – addition of Islay Drive playground

Item 9.3 – addition of Volunteer Recognition Event

CARRIED.

3. OPENING REMARKS OF COUNCIL

Counc. Alexander commented on the Remembrance Day ceremony held on Rothesay Common and the need for a sound system. Mayor Bishop advised the official service for Rothesay is held at the Wesleyan Church. Town Manager Jarvie noted the Town does not sponsor or organize the event on the Common and the organizers typically provide their own sound system.

4. DELEGATIONS

n/a

5. CORRESPONDENCE FOR ACTION

5.1 17 September 2013 Letter from Let's Celebrate (Friars Sisters) RE: sponsorship request

MOVED by Counc. Wells and seconded by Counc. McGuire the letter from Let's Celebrate (Friars Sisters) RE: sponsorship request dated 17 September 2013 be referred to the Finance Committee.

ON THE QUESTION:

Counc. MacDonald noted the Town currently provides about \$60,000 in funding to the Imperial Theatre through the Regional Facilities Commission.

CARRIED.

5.2 27 September 2013 Letter from Retail Council of Canada RE: Sunday Shopping hours.

MOVED by Deputy Mayor Grant and seconded by Counc. Lewis the letter from the Retail Council of Canada RE: Sunday Shopping hours dated 27 September 2013 be referred to staff.

CARRIED.

5.3 11 October 2013 Memorandum from Town Manager Jarvie RE: Library sign.

ROTHESAY COUNCIL

Open Session
Meeting Minutes

-4-

15 October 2013

MOVED by Deputy Mayor Grant and seconded by Counc. Alexander Council advise the Library Board that it will only fund such a sign if it is used exclusively for notices associated directly with library events and services, and further that it can be funded within the scope of the budget for the building project.

ON THE QUESTION:

Deputy Mayor Grant noted the request had been denied by Council earlier in the year but the project has come in under budget and there is funding available within the project. Counc. Wells expressed concern the proposed sign is electronic, noting the comments she received during campaigning about the sign located across from Colwells on Rothesay Road and possible effects on residential properties. Counc. MacDonald advised the Library Board has indicated the sign will not have “flashing messages”. He also suggested the specific use restrictions are condescending and questioned why Rothesay would be concerned with Quispamsis events being advertised, suggesting this is an area for regional cooperation. Mayor Bishop advised the intended use as identified by the Library is for their events and it will not be used by Quispamsis. Counc. MacDonald reiterated his concern over the wording contained in the motion as he sees it as causing issues with the neighbouring community.

MOTION WITHDRAWN.

MOVED by Deputy Mayor Grant and seconded by Counc. Alexander Council endorse the request for the Library Board to allow for an electronic sign at the Kennebecasis Public Library provided it can be funded from the surplus within the expansion project budget.

ON THE QUESTION:

Counc. MacDonald noted the project was brought in under budget, in large part as result of the work of volunteers. Counc. Alexander noted this is the second time the sign has been requested and indicated perhaps the neighbouring community could be more cooperative and supportive in other areas. He suggested the Library return with more detail on the intended use of the sign, how events will be advertised and that the use should be predominantly for Library events.

CARRIED.

5.3.1 30 September 2013 Letter from Kennebecasis Public Library RE: electronic sign
MOVED by Deputy Mayor Grant and seconded by Counc. Lewis the letter from Kennebecasis Public Library RE: electronic sign dated 30 September 2013 be received/filed.

CARRIED.

5.3.2 4 October 2013 Letter (copy) from Quispamsis to Kennebecasis Public Library
RE: electronic sign

MOVED by Counc. Wells and seconded by Counc. MacDonald the letter (copy) from Quispamsis to Kennebecasis Public Library RE: electronic sign dated 4 October 2013 be received/filed.

CARRIED.

5.4 2 October 2013 Email from Counc. Wells RE: deer population.

MOVED by Counc. Gallagher Jette and seconded by Counc. MacDonald the email from Counc. Wells RE: deer population dated 2 October 2013 be forwarded to the Regional Deer Committee.

ON THE QUESTION:

Mayor Bishop noted the letter from Rothesay to the Minister of Natural Resources endorsed

ROTHESAY COUNCIL

Open Session

Meeting Minutes

-5-

15 October 2013

the report from the Regional Deer Committee. Counc. Gallagher Jette suggested there is some misperception about who is responsible, pointing out the management of deer is a provincial responsibility and information should be shared more widely in the community. Mayor Bishop advised the Deer Committee has done its investigation and the information has been forwarded to the department. He noted the Minister has changed and Minister Northrup has been contacted and assurance was given the information will be provided to the new Minister, Hon. Paul Robichaud. Mayor Bishop noted the current zone extends from Sussex to St. Stephen and the department has agreed to split the zone into two areas but the next steps to be taken by the department are not clear.

CARRIED.

MOVED by Counc. Gallagher Jette and seconded by Counc. Wells Council send a letter to Minister Robichaud requesting a detailed answer to the submission sent from the Regional Deer Committee.

CARRIED.

5.5 11 October 2013 Memorandum from Town Manager Jarvie RE: Rothesay Regional Joint Board of Police Commissioners surplus allocation, 2014 budget and name change.

5.5.1 2 October 2013 Letter from Rothesay Regional Joint Board of Police Commissioners RE: 2013/2104 budget considerations (2013 surplus)

5.5.2 7 October 2013 Letter (copy) from Quispamsis to the Rothesay Regional Joint Board of Police Commissioners RE: 2013 surplus

5.5.3 7 October 2013 Letter from Rothesay Regional Joint Board of Police Commissioners RE: 2013 surplus expenditures and 2014 budget

5.5.4 10 October 2013 Letter from Rothesay Regional Joint Board of Police Commissioners RE: Governing Authority Name Change

MOVED by Counc. MacDonald and seconded by Counc. Alexander Council agree to the application of the surplus to items 1 to 3 in the letter of October 2, 2013 from the Chairman of the Joint Board.

CARRIED.

MOVED by Counc. MacDonald and seconded by Counc. Wells Council refer the draft Police Force budget to the Finance Committee.

CARRIED.

MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant Council agree to the name change and the application of the surplus to the cost of the name change subject to agreement in principle from Quispamsis to change the cost-sharing formula.

ON THE QUESTION:

Counc. MacDonald noted the intent may not be clear to Quispamsis. Counc. Alexander advised the Quispamsis representatives on the Police Commission are fully aware of Rothesay's position, noting the formula needs to be adjusted to ensure both communities are paying their respective costs. Counc. MacDonald noted the formula will be adjusted every five years following the new census.

CARRIED.

5.6 7 October 2013 Letter from Kennebecasis Valley Fire Department RE: 2014 Capital and Operating Budgets

MOVED by Counc. MacDonald and seconded by Counc. Gallagher Jette the 2014 Capital

ROTHESAY COUNCIL

Open Session

Meeting Minutes

-6-

15 October 2013

and Operating Budget from the Kennebecasis Valley Fire Department be referred to the Finance Committee.

CARRIED.

5.7 7 October 2013 Letter from Quispamsis RE: COMEX Route 53 cost share
MOVED by Counc. Wells and seconded by Counc. McGuire the letter from Quispamsis
RE: COMEX Route 53 cost share dated 7 October 2013 be referred for budget
consideration.

ON THE QUESTION:

It was noted the bus route was added by Quispamsis to service the qplex and Quispamsis is now asking Rothesay to cost share the service as additional stops are being made in Rothesay. Counc. Lewis requested ridership numbers be provided. It was clarified the route is down Marr Road, along Clark Road to Gondola Point Road and to the qplex. Counc. MacDonald noted the previous Council did not approve a previous request to cost-share this new route. It was further noted the current agreement for Rothesay comex service expires at the end of 2014.

CARRIED.

5.8 8 October 2013 Letter from Saint John Theatre Company RE: funding request
MOVED by Counc. Gallagher Jette and seconded by Counc. Lewis the Letter from Saint
John Theatre Company RE: funding request dated 8 October 2013 be referred for budget
consideration.

CARRIED.

5.9 8 October 2013 Letter and supporting documentation from Cherry Brook Zoo
RE: funding request.
MOVED by Counc. Wells and seconded by Counc. McGuire the letter and supporting
documentation from Cherry Brook Zoo RE: funding request dated 8 October 2013 be
referred for budget consideration.

CARRIED.

6. CORRESPONDENCE - FOR INFORMATION

6.1 11 September 2013 Letter to Hon. Ted Flemming, MLA Rothesay RE:
Provincially Designated Highways
4 September 2013 Letter to NB Department of Transportation and Infrastructure
RE: Designated Highway Funding 2014

MOVED by Counc. MacDonald and seconded by Counc. Lewis the letter to Hon. Ted
Flemming, MLA Rothesay RE: Provincially Designated Highways dated 11 September
2013 and the attached letter to NB Department of Transportation and Infrastructure RE:
Designated Highway Funding 2014 dated 4 September 2013 be received/filed.

CARRIED.

ROTHESAY COUNCIL

Open Session

Meeting Minutes

-7-

15 October 2013

6.2 12 September 2013 Letter to Health Minister Flemming RE: Waste Water Pumping Station overflow

6.2.1 13 September 2013 Letter to Quispamsis RE: Pettingill Sewage Pumping Station overflow

MOVED by Counc. Alexander and seconded by Deputy Mayor Grant the letter to Health Minister Flemming RE: Waste Water Pumping Station overflow dated 12 September 2013 and the letter to Quispamsis RE: Pettingill Sewage Pumping Station overflow dated 13 September 2013 be received/filed.

ON THE QUESTION:

Counc. MacDonald requested clarification on the design specifications. DO McLean advised the station is not a treatment facility but a pumping station for raw sewage. Typically a reserve chamber would not have two outlets as contained in the current design. He noted if the pumping station is overwhelmed or fails, the overflow will be raw sewage directly into a stream in Rothesay. DO McLean noted the Atlantic Canada Guidelines (not regulations) recommend treatment of raw sewage in the case of overflows. He advised the current design for the pumping station has pumps with a capacity of 65L/sec but the incoming pipe has a capacity of 200L/sec. DO McLean noted the situation is further exacerbated by Rothesay's intent to build a dam and detention pond behind Oakville Acres.

Counc. Gallagher Jette commented she believed the letters to Department ministers are not substantial enough and future correspondence should contain more specific detail and requests, and that requests for clarification on the position of the individual or the relevant Department also be included. She suggested general requests are too easy to be ignored. Mayor Bishop read excerpts from the correspondence which addressed specific requests from Rothesay. Counc. MacDonald noted Minister Flemming requested specific and detailed information during his last meeting with Rothesay Council.

CARRIED.

6.3 23 September 2013 Letter (copy) from Quispamsis to Department of Environment and Local Government RE: unconditional grant formula

MOVED by Counc. MacDonald and seconded by Counc. Gallagher Jette the letter (copy) from Quispamsis o Department of Environment and Local Government RE: unconditional grant formula be received/filed.

CARRIED.

6.4 25 September 2013 Letter from Quispamsis RE: Millennium Drive Pedestrian paths

MOVED by Counc. MacDonald and seconded by Counc. Wells the letter from Quispamsis RE: Millennium Drive Pedestrian paths dated 25 September 2013 be received/filed.

ON THE QUESTION:

Counc. Wells asked if the trails were mapped and if this will affect the McNair Manor development on Donlyn Drive. Town Manager Jarvie advised the original intent was to have a trail system along the common boundary between commercial and residential properties but staff have been advised there is at least one commercial development in Quispamsis where the development goes right to the rear of the property. He noted there is room on the property occupied by the Police department to accommodate a trail. Town Manager Jarvie noted there will be discussions with the developer for McNair Manor and an area can be allocated on the property, abutting the commercial property fronting on Millennium Drive. Counc. Alexander suggested further clarification is needed from Quispamsis. Mayor Bishop advised Quispamsis had been asked to clarify their plans and

ROTHESAY COUNCIL

Open Session

Meeting Minutes

-8-

15 October 2013

the response is before Council this evening. He advised staff can follow up with Quispamsis for more specific information.

CARRIED.

6.5 10 October 2013 Memorandum from Town Clerk Banks RE: Y of Greater Saint John presentation

6.5.1 2 October 2013 Letter from Y of Greater Saint John RE: presentation to Council

MOVED by Counc. MacDonald and seconded by Counc. McGuire the memorandum from Town Clerk Banks RE: Y of Greater Saint John presentation dated 10 October 2013 and the letter from Y of Greater Saint John RE: presentation to Council dated 2 October 2013 be received/filed.

CARRIED.

7. REPORTS

7.0 October 2013 Report from Closed Session

Counc. McGuire declared a conflict of interest and left the meeting room at 8:20 p.m.

MOVED by Counc. Alexander and seconded by Counc. Wells Council approve the purchase of TRACC colorized, recycled rubber, playground surface at the cost of \$4,600 plus HST.

ON THE QUESTION:

Counc. MacDonald requested further clarification. DPR Jensen advised the product has been used in other municipalities (Norton and Hampton) and it is CSA approved.

CARRIED.

Counc. McGuire returned to the meeting room.

Counc. Lewis declared a conflict of interest and left the meeting room at 8:25 pm.

7.1 8 May 2013 Kennebecasis Valley Fire Department Board meeting minutes
10 July 2013 Kennebecasis Valley Fire Department Board meeting minutes

MOVED by Counc. Gallagher Jette and seconded by Counc. Wells the Kennebecasis Valley Fire Department Board meeting minutes dated 8 May 2013 and 10 July 2013 be received/filed.

ON THE QUESTION:

Counc. Alexander requested clarification on the discussion with respect to the Station 2 relocation study and the appointment of the Quispamsis Municipal Planning Officer to the ad hoc committee. He noted his understanding is Station 1 is the primary operating location and Station 2 is a satellite location. Counc. Gallagher Jette suggested the site location for Station 1 was controversial at the time and there were some suggestions it was not well thought out. She advised the previous Fire Board had decided the station in Quispamsis was limited and small and it was time to consider a new station for Quispamsis given the increased population and needs of servicing Quispamsis. As a result, funding was put aside to give consideration to a preliminary review to investigate potential future sites. Counc. MacDonald noted the minutes should be more current as the Board now meets on a monthly basis.

Deputy Mayor Grant requested additional information with respect to emergency measures planning. She noted the KV EMO Director was at a meeting in August with Rothesay Council at which time a joint meeting was to be arranged as well as a tour of the command

ROTHESAY COUNCIL

Open Session

Meeting Minutes

-9-

15 October 2013

centre. Counc. Gallagher Jette commented Brian Shanks has been in contact with Town Manager Jarvie. Deputy Mayor Grant advised she sent an email to Mr. Shanks but did not receive a response. Town Manager Jarvie advised he understood Mr. Shanks was arranging the joint meeting but since learned he was not so contact has been made with the Quispamsis Town Manager to determine their interest. Deputy Mayor Grant suggested the responsibility should lie with the KV EMO Director. Counc. MacDonald noted the joint committee is responsible to the Councils to ensure a plan is in place. Counc. Gallagher Jette suggested there is a disconnect between the KV EMO Director and Rothesay representatives. Mayor Bishop noted the Rothesay representatives will hold a meeting on Monday, October 21st.

CARRIED.

Counc. Lewis returned to the meeting room.

7.2 26 June 2013 Rothesay Regional Joint Board of Police Commissioners
Board meeting minutes
31 August 2013 Rothesay Regional Joint Board of Police Commissioners
Financial Statements

MOVED by Counc. Alexander and seconded by Counc. McGuire the Rothesay Regional Joint Board of Police Commissioners Board meeting minutes dated 26 June 2013 and the Financial Statements dated 31 August 2013 be received/filed.

ON THE QUESTION:

It was noted there was not a new hire in 2013 but there will be in 2014.

CARRIED.

7.3 13 August 2013 Fundy Regional Service Commission meeting minutes
4 September 2013 Fundy Regional Service Commission meeting minutes

MOVED by Counc. Wells and seconded by Counc. Lewis the Fundy Regional Service Commission meeting minutes dated 13 August 2013 and 4 September 2013 be received/filed.

ON THE QUESTION:

Counc. MacDonald noted the reference to the request of \$150,000/year for four years for a promotion fund from the Saint John Airport. Mayor Bishop advised no formal request has been sent to Rothesay and he would not approve it without Council authorization. He advised the airport services from St. Stephen to Sussex and there was some discussion with respect to which communities should contribute. Mayor Bishop advised the airport is in a position where ridership needs to be increased to maintain the service and the suggestion is to establish a promotion fund.

CARRIED.

7.4 21 August 2013 Kennebecasis Public Library Board meeting minutes

MOVED by Deputy Mayor Grant and seconded by Counc. MacDonald the Kennebecasis Public Library Board meeting minutes dated 21 August 2013 be received/filed.

ON THE QUESTION:

Deputy Mayor Grant advised the new Library Director is Tiffany Bartlett, following the retirement of Leslye McVicar. She noted the request for proposals for building oversight services closes on October 18, the time capsule was sealed on October 11 and the proposed 2014 budget has been completed and will be provided.

CARRIED.

ROTHESAY COUNCIL

Open Session

Meeting Minutes

-10-

15 October 2013

7.5 17 September 2013 Draft Parks and Recreation Committee meeting minutes

MOVED by Counc. McGuire and seconded by Counc. Wells the draft Parks and Recreation Committee meeting minutes dated 17 October 2013 be received/filed.

ON THE QUESTION:

Counc. Gallagher Jette requested an updated on arena revenues. DPR Jensen noted the arena was open about three weeks less than the previous year as demand was less based on the increased availability of ice within the area. Counc. Gallagher Jette requested more detail on the loss in revenue. Counc. MacDonald noted a typographical error in the minutes and requested an update on the Rothesay Common project. Counc. Wells advised the Heritage Board will meet on November 6 to review the application for a Certificate of Appropriateness which will be followed by a presentation to the public. Counc. McGuire noted the change to the covenant rests with Minister Flemming, MLA.

CARRIED.

➤ Land purchase (playground)

MOVED by Counc. Wells and seconded by Counc. Alexander Council authorize the purchase of land, identified as PID #00442996, located in the Barsa Sub Division, for the purpose of building a playground.

ON THE QUESTION:

The location of the property was clarified and it was noted there have been three different properties offered for sale to the Town. Counc. MacDonald requested clarification on the amount to be authorized. Counc. McGuire advised the properties are adjacent to one another and the amount was previously authorized by Council.

CARRIED.

7.6 18 September 2013 Draft Public Works and Infrastructure Committee meeting minutes

MOVED by Counc. Alexander and seconded by Counc. Lewis the draft Public Works and Infrastructure Committee meeting minutes be received/filed.

ON THE QUESTION:

Counc. Alexander noted he has been elected Chairperson for the Waste Diversion Review Committee (FRSWC).

CARRIED.

7.7 25 September 2013 Draft Finance Committee meeting minutes

MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant the draft Finance Committee meeting minutes dated 25 September 2013 be received/filed.

ON THE QUESTION:

Counc. Alexander noted a typographical error in the minutes. Counc. MacDonald noted the 2014 Regional Facilities Commission budget has been approved with an increase of 14.72%.

Rothesay's portion is 12.165% or \$309,324.00 which is based on tax base. He advised it is possible there will be increasing costs as a result of deferred maintenance costs for some of the facilities. Counc. MacDonald advised the City has taken note of some of the deferred capital work.

CARRIED.

ROTHESAY COUNCIL

Open Session

Meeting Minutes

-11-

15 October 2013

31 August 2013 Unaudited Rothesay General Fund Financial Statements
MOVED by Counc. MacDonald and seconded by Counc. McGuire the unaudited Rothesay General Fund Financial Statements dated 31 August 2013 be received/filed.

CARRIED.

31 August 2013 Unaudited Rothesay Utility Financial Statements
MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant the unaudited Rothesay Utility Financial Statements be received/filed.

CARRIED.

7.8 September 2013 Building Permit Summary Report
MOVED by Counc. Wells and seconded by Counc. Alexander the September Building Permit Summary Report be received/filed.

CARRIED.

7.9 2 October 2013 Draft Water and Sewer Committee meeting minutes
MOVED by Counc. Alexander and seconded by Counc. Wells the draft Water and Sewer Committee meeting minutes dated 2 October 2013 be received/filed.

CARRIED.

7.10 7 October 2013 Draft Planning Advisory Committee meeting minutes
MOVED by Counc. Wells and seconded by Counc. Lewis the draft Planning Advisory Committee meeting minutes be received/filed.

CARRIED.

- Dobbin Street development (rezoning)

See Item 8.3

- 47 Clark Road – Public Hearing

MOVED by Counc. Wells and seconded by Counc. Lewis Council schedule a Public Hearing for **TUESDAY, November 12, 2013 at 7:00 p.m.**, in accordance with the *Community Planning Act*, RSNB 1973 c C-12 and amendments thereto, to give consideration to an amending development agreement for the development of a fourth commercial building and enhanced landscaping at 47 Clark Road, identified as PID# 30275234.

CARRIED.

- By-law 3-10-2 Amendment to Sign By-law

See Item 9.1

8. UNFINISHED BUSINESS

TABLED AGENDA ITEMS *(no action recommended at this time)*

8.1 Kennebecasis Park Emergency Access *(tabled January 2013)*

8 January 2013 Memorandum from DO McLean

No action required at this time.

8.2 Traffic By-law 3-03 *(tabled August 2013)*

8 August 2013 Memorandum from DO McLean

No action required at this time.

ROTHESAY COUNCIL

Open Session

Meeting Minutes

-12-

15 October 2013

8.3 Dobbin Street Rezoning By-law 2-10-23

8 October 2013 Memorandum from Planning Advisory Committee/Town

Clerk

DRAFT By-law 2-10-23

9 October 2013 Memorandum from DPDS White RE: development agreement

DRAFT Development Agreement (amended)

MOVED by Counc. Alexander and seconded by Deputy Mayor Grant Council give reading in its entirety, to By-law 2-10-23, "A By-law to Amend the Zoning By-law".

CARRIED.

The Clerk read By-law 2-10-23 in its entirety.

MOVED by Counc. Alexander and seconded by Deputy Mayor Grant Council give 3rd Reading by Title and Enactment to By-law 2-10-23, "A Bylaw to Amend the Zoning By-law".

CARRIED.

The Clerk read By-law 2-10-23 by title.

MOVED by Counc. Alexander and seconded by Deputy Mayor Grant Council authorize the Mayor and Clerk to enter into an agreement, as amended to include traffic calming measures, with JPJ Enterprises Ltd. for the development of multi-unit apartment buildings and town homes and a new public street as an extension of Dobbin Street, on PID# 00242875.

CARRIED.

MOVED by Counc. Alexander and seconded by Counc. Wells Council assent to the plan indicated as Schedule C of the amended agreement with JPJ Enterprises Ltd. on PID# 00242875 to be vested as property acquired for the purposes of a future street extending Dobbin Street through to Salmon Crescent in accordance with Section 56 of the *Community Planning Act*.

CARRIED.

8.4 Revised Rothesay Regional Police Agreement

11 October 2013 Memorandum from Town Manager Jarvie

Annotated copy of proposed agreement

MOVED by Counc. Alexander and seconded by Counc. Wells Council:

- return the annotated copy of the draft agreement to the Police Commission with a request that these aspects be considered and incorporated into a revised draft; AND
- ask Quispamsis to confirm it is in agreement with the revised formula for cost sharing, prior to Rothesay Council agreeing to the name change.

CARRIED.

8.5 Kennebecasis Valley Fire Department 2013 Budget deficit

11 October 2013 Memorandum from Town Manager Jarvie with supporting documentation

Counc. Lewis declared a conflict of interest and left the meeting room at 9:00 p.m.

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

CARRIED.

ROTHESAY COUNCIL

Open Session

Meeting Minutes

MOVED by Counc. Wells and seconded by Counc. McGuire the 2013 KVFD Deficit funding request be referred back to the Finance Committee for a recommendation.

ON THE QUESTION:

There was general discussion with respect to discussions held at the last Finance Committee meeting and subsequently at the joint Finance Committee meeting held with Quispamsis representatives about the Fire Board deficit. Counc. MacDonald noted the request is for Rothesay to agree to allocate its portion of both \$24,439 and \$25,767 to reduce the deficit of approximately \$150,000. He noted following further review there is about \$70,00, of which \$10,000 for the site study will be included in the 2014 budget and approximately \$60,000 in expenditures will be cut. Counc. MacDonald advised Chief Ireland is still anticipating a revised deficit in the amount of about \$46,000, assuming both Councils agree to the re-allocation of the capital savings. Treasurer Johnson noted the Finance Committee had discussed the matter but a decision was deferred until the joint Finance Committee meeting was held. Counc. MacDonald recommended the capital be re-allocated, noting Council will end up paying it at some point, whether in 2013 or 2014. Counc. MacDonald advised Quispamsis is not in favour of a reduction in manpower per shift if someone is sick for their shift, noting there are few other places to find cost savings besides manpower expenditures. He noted the Board has been advised 2013 was an exceptional year and additional money has been budgeted for 2014 based on actual costs over the past few years.

Motion withdrawn.

MOVED by Counc. Wells and seconded by Counc. MacDonald Council agree to the reallocation of the remaining capital funds to operating for 2013 and provide clear direction to the Fire Board with respect to the Rothesay's financial commitment for 2014.

ON THE QUESTION:

Deputy Mayor Grant advised she could not support the motion as it is setting a bad example and external commissions and boards have a responsibility to live within their allocated budgets.

YEA votes recorded from Mayor Bishop, Councils. Gallagher Jette, MacDonald and Wells.

NAY votes recorded from Deputy Mayor Grant, Councils. Alexander and McGuire.

CARRIED.

Counc. Lewis returned to the meeting room.

9. NEW BUSINESS

BUSINESS ARISING FROM PUBLIC HEARING

9.1 Sign By-law Amendment – By-law 3-10-2

8 October 2013 Memorandum from Planning Advisory Committee/Town Clerk

8 October 2013 Memorandum from DPDS White RE: By-law amendments
DRAFT By-law 3-10-2

MOVED by Counc. Gallagher Jette and seconded by Counc. Lewis By-law 3-10-2 be tabled.

NAY vote recorded from Counc. Wells.

CARRIED.

ROTHESAY COUNCIL

Open Session

Meeting Minutes

DEVELOPMENT SERVICES

9.2 Development agreement – Kingshurst Lane

8 October 2013 Memorandum from DPDS White

DRAFT Development Agreement

MOVED by Counc. Alexander and seconded by Deputy Mayor Grant Council authorize staff to correct the agreement in the following manner:

Section 4 of the proposed Development Agreement is deleted and replaced with the following text:

- 4. The Developers agree to pay the sum of \$7677.96 as the contribution to the cost for the installation of the main sewer line under the CN Railway tracks at Kingshurst Lane for the subdivision of the Lands into two single family residential lots.

ON THE QUESTION:

It was noted this is an administrative change rather than an amendment to the development agreement.

CARRIED.

ADMINISTRATION

9.3 Nominating Committee Report

9 October 2013 Memorandum from Nominating Committee

MOVED by Counc. MacDonald and seconded by Counc. Lewis the Committee appointments recommended by the Nominating Committee be approved as follows:

Planning Advisory Committee Tracy Langley (December 31, 2015)

Public Works/Infrastructure Committee Scott Smith (December 31, 2014)

Water and Sewer Committee Gary Myles (December 31, 2015)

Parks and Recreation Committee Brendan Kilfoil (December 31, 2015)

ON THE QUESTION:

It was noted the appointments are to fill current vacancies as a result of resignations.

CARRIED.

MOVED by Deputy Mayor Grant and seconded by Counc. Wells Council develop a Volunteer Recognition Event in 2014 and it be referred to staff to be designed, along with a small budget.

ON THE QUESTION:

Deputy Mayor Grant noted Rothesay has many volunteers, some of whom have served for many years and should be recognized by the Town. Counc. MacDonald requested clarification on what type of orientation is given to Committee members. Town Manager Jarvie noted there is very little active orientation done with new appointees and they learn about current matters by attending the committee meetings. Town Clerk Banks advised she defers to the department head responsible for the various committees with respect to documentation (committee mandate, orientation, by-laws) provided to Committee members.

Counc. MacDonald suggested new committee members should have a formal introduction. Town Manager Jarvie noted external agencies, boards and commissions usually provide an orientation to new appointees and also suggested the Procedural By-law Review Committee consider including a mechanism in the by-law for these representatives to report back to Council on a regular basis.

CARRIED.

ROTHESAY COUNCIL

Open Session

Meeting Minutes

-15-

15 October 2013

OPERATIONS

9.4 Contract W-2013-24 Chlorine Contact Chamber

9 October 2013 Memorandum from DO McLean

8 October 2013 Memorandum from Treasurer Johnson

MOVED by Counc. Wells and seconded by Counc. McGuire Council Contract W-2013-24: Water Treatment Plant Upgrades Chlorine Contact Chamber be awarded to the low tenderer, Galbraith Construction Ltd. at the tendered price of \$328,214.15 (including HST), as calculated based on estimated quantities, and further that the Mayor and Town Clerk be authorized to execute the necessary contract documents.

CARRIED.

RECREATION

9.5 Architectural Services for Major Recreation Project

11 October 2013 Memorandum from Town Manager Jarvie

MOVED by Counc. Wells and seconded by Counc. McGuire Council authorize the engagement of Murdock•Boyd Architects to carry out the schematic design phase of the design of a new Rothesay rink and renovations to the existing building at a cost not to exceed \$100,000.

ON THE QUESTION:

It was noted seven responses were received and the committee reviewed the submissions and made its recommendation.

CARRIED.

10. NEXT MEETING

The next regular meeting will be held on **TUESDAY**, November 12, 2013.

11. ADJOURNMENT

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

CARRIED.

The meeting adjourned at 9:20 p.m.

MAYOR

CLERK