



ROTHESAY COUNCIL
OPEN SESSION
Monday, September 8, 2014
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 REC/PARKS (DRP) CHARLES JENSEN
DIRECTOR OF PLANNING/DEVELOPMENT (DPDS) BRIAN WHITE
TREASURER DOUG MacDONALD

Mayor Bishop called the meeting to order at 7:00 p.m.

1. APPROVAL OF MINUTES Regular meeting 11 August 2014

MOVED by Counc. McGuire and seconded by Counc. Alexander the minutes dated 11 August 2014 be adopted as circulated.

CARRIED.

Business Arising from Minutes

n/a

2. APPROVAL OF AGENDA

MOVED by Counc. Lewis and seconded by Deputy Mayor Grant the agenda be approved as circulated.

CARRIED.

3. OPENING REMARKS OF COUNCIL

3.1 Presentation Rothesay Through the Lens Photo Contest winner – Jeremy Slayter

Mayor Bishop noted the following: Gondola Point Road paving is complete; the Hampton Road project is almost complete and the power poles will be moved soon; and the base and sidewalk on Green Road are complete and paving will be completed in the next few weeks. He also noted the Dragon Boat Festival raised over \$250,000 for St. Joseph's Hospital and many compliments were received on the Renforth Park. Mayor Bishop noted the provincial election will be on September 22 and encouraged everyone to vote.

Mayor Bishop advised those in attendance the winner of the inaugural Rothesay "Through the Lens photo contest" is Jeremy Slayter. Mr. Slayter and his family were in attendance and the Mayor congratulated him and presented him with a certificate and prizes.

Deputy Mayor Grant thanked the Town and particularly Charles Jensen for the excellent work at the Renforth Park, on behalf of St. Mary's Band, who recently performed at the Wharf.

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4. DELEGATIONS

4.1 Enterprise Saint John update (20 minutes)

Roxanne Fairweather, Chair

Janet Scott, Manager Business Development

Angelique Simpson, Director of Partner Engagement and Communication

Roxanne Fairweather thanked Council for the opportunity to provide an update on the True Growth 2.0 strategy. She advised True Growth 2.0 was launched in May 2013 as an intentional network of private/public stakeholders working together to identify and mobilize economic development projects with the potential to move the community forward. She noted there are over 1500 volunteers involved in the strategy and gave a summary of the following: Mandate and Measures of Success, Network Partner Forum Framework and Membership, economic objectives and current projects, along with successes to date. Ms. Fairweather identified the following as the next steps: focus on job creation, keep consumer confidence high, grow business confidence, foster entrepreneurship, innovation and research, and enhance communication. She gave a brief summary on the newest initiative "TakeTheLeadSJ.com" and said "Saint John is open for business". She requested Council to direct any leads for new businesses or events/meetings/conventions to Enterprise Saint John.

There was a brief discussion with respect to Invest NB and tie-ins to Enterprise Saint John and support for the capital upgrade for the Trade and Convention Centre.

Mayor Bishop thanked Ms. Fairweather for her presentation. Ms. Fairweather thanked Rothesay Council for their continued support.

5. CORRESPONDENCE FOR ACTION

5.1 12 August 2014 Letter from King's Car Wash RE: 161 Hampton Road

MOVED by Counc. Alexander and seconded by Deputy Mayor Grant the letter from King's Car Wash RE: 161 Hampton Road dated 12 August 2014 be referred to the Town Manager.

CARRIED.

5.2 4 September 2014 Memorandum from Town Clerk Banks RE: Committee appointments
RECEIVED FOR INFORMATION.

5.2.1 21 August 2014 Letter from Kennebecasis Public Library Board RE: Committee appointees

MOVED by Deputy Mayor Grant and seconded by Counc. MacDonald the letter from Kennebecasis Public Library Board RE: Committee appointees dated 21 August 2014 be referred to the Nominating Committee and Mayor Bishop.

CARRIED.

5.3 2 September 2014 Invitation to Fundy Wellness Network "Taking Action... YOUR Community YOUR Way" workshop

MOVED by Counc. Alexander and seconded by Counc. MacDonald the invitation to Fundy Wellness Network "Taking Action... YOUR Community YOUR Way" workshop dated 2 September 2014 be received/filed.

CARRIED.

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- 5.4 Various Letters/emails in opposition to Deer Management Plan
5.4.1 Various Letters/emails in support of Deer Management Plan

MOVED by Counc. Alexander and seconded by Counc. Gallagher Jette the letters/emails received in support/opposition of the Deer Management Plan be forwarded to the Regional Deer Committee for information.

ON THE QUESTION:

There was general discussion with respect to the need to better explain the process to apply for Nuisance Deer Harvest Permit through the Department of Natural Resources (DNR). It was noted several people have expressed their concerns about bow hunting. Counc. Wells asked whether the comments are being forwarded to the Regional Deer Committee or DNR. Counc. Gallagher Jette requested clarification the Town was acting as a point of contact but did not take a position with respect to a deer harvest. She noted she does not support the use of bow and arrows as she does not know enough about it. It was suggested an article be placed in the KV Style explaining the management plan and the information is posted on the Town website.

Mayor Bishop advised the Regional Deer Committee has been working closely with the Department and the Towns are acting as the point of contact for large properties within each municipality but are not taking an active role in the management plan. He advised there is a provincial group that certifies bow hunters and hunting regulations are enforced by the Department of Natural Resources.

There was general discussion related to bow hunting and there was consensus the Mayor should express the concerns of Rothesay Council, with respect to bow-hunting, to the Regional Deer Committee.

CARRIED.

6. CORRESPONDENCE - FOR INFORMATION

- 6.1 14 August 2014 Letter from Regional Deer Committee RE: proposed Deer Management Plan

MOVED by Counc. Alexander and seconded by Counc. McGuire the letter from the Regional Deer Committee RE: proposed Deer Management Plan dated 14 August 2014 be received/filed.

CARRIED.

- 6.1.1 22 August 2014 Letter to Department of Natural Resources RE: proposed Deer Management Plan

MOVED by Counc. Alexander and seconded by Deputy Mayor Grant the letter to the Department of Natural Resources RE: proposed Deer Management Plan dated 22 August 2014 be received/filed.

CARRIED.

7. REPORTS

- 7.0 September 2014 Report from Closed Session

MOVED by Deputy Mayor Grant and seconded by Counc. Gallagher Jette Council appoint Doug MacDonald as the Treasurer for Rothesay.

CARRIED.

- 7.1 18 June 2014 Kennebecasis Public Library (KPL) Board meeting minutes
June 2014 KPL Librarian's Report

MOVED by Deputy Mayor Grant and seconded by Counc. Alexander the Kennebecasis Public Library (KPL) Board meeting minutes (18 June 2014) and the Librarian's Report (June 2014) be received/filed.

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ON THE QUESTION:

Deputy Mayor Grant advised the electronic sign will be installed on September 22 and will be used for Library events only. Counc. Alexander questioned the costs associated with the assembly of the outdoor furniture.

CARRIED.

- 7.2 9 July 2014 Kennebecasis Valley Fire Department Board (KVFD) meeting minutes
31 May 2014 KVFD Statement of Operations
9 July 2014 KVFD Fire Chief Report to the KVFD Board
30 June 2014 KVFD Response Report

MOVED by Counc. Gallagher Jette and seconded by Counc. MacDonald the Kennebecasis Valley Fire Department Board (KVFD) meeting minutes (9 July 2014), Statement of Operations (31 May 2014), Fire Chief Report (9 July 2014) and Response Report (30 June 2014) be received/filed.

ON THE QUESTION:

Counc. Alexander raised concerns about discussions being held in Closed Session vs. Open Session. Counc. Gallagher Jette advised there are many personnel issues, land issues and potential legal issues related to personnel that are discussed in Closed Session. Counc. Alexander requested additional information with respect to the structure fire on Rothesay Road in August, particularly since the incident was the first response since the elimination of the volunteer firefighters and introduction of platoon chiefs. Counc. Gallagher Jette requested the information in writing and there was consensus Counc. Alexander could forward his questions to Counc. Gallagher Jette to take to Chief Ireland and/or the Fire Board for a response.

CARRIED.

- 7.3 22 July 2014 Fundy Regional Service Commission Board meeting minutes

MOVED by Counc. Gallagher Jette and seconded by Counc. McGuire the Fundy Regional Service Commission Board meeting minutes dated 22 July 2014 be received/filed.

ON THE QUESTION:

Counc. MacDonald voiced his concern over the comments from Executive Director Keir on page 4, more specifically; "...although his heart is with option 3, his wallet is not.....". Counc. Wells expressed concern that it appears communities can opt out of the program regardless of which option is selected. She suggested there be some method of increased fees for those who choose not to participate. Counc. Gallagher Jette asked for clarification with respect to a presentation by the Solid Waste Diversion Committee. Counc. Alexander advised it would likely happen at the October Council meeting.

CARRIED.

MOVED by Counc. MacDonald and seconded by Counc. Wells Council forward a letter to the Fundy Regional Service Commission expressing its concern with the appearance of the Executive Director reaching a conclusion on the options and expressing his opinion prior to completing the detailed analysis the Commission has requested.

ON THE QUESTION:

Mayor Bishop noted the report Waste Diversion Committee prepared its report with input from community representatives, experts and the public and the Commission is requesting a subsequent review and recommendation from the Executive Director only.

CARRIED.

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7.4 31 July 2014 Unaudited Rothesay General Fund Financial Statements
MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant the Unaudited Rothesay General Fund Financial Statements dated 31 July 2014 be received/filed.

CARRIED.

31 July 2014 Unaudited Rothesay Utility Fund Financial Statements
MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant the Unaudited Rothesay Utility Fund Financial Statements dated 31 July 2014 be received/filed.

CARRIED.

21 August 2014 Draft Rothesay Finance Committee meeting minutes
MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant the draft Rothesay Finance Committee meeting minutes dated 21 August 2014 be received/filed.

CARRIED.

➤ Fog Lit Festival funding request

MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant the funding request from the Fog Lit Festival be denied.

CARRIED.

➤ BCIPI golf tournament sponsorship

MOVED by Counc. MacDonald and seconded by Counc. Alexander the sponsorship request for the BCIPI golf tournament be denied but a contribution of approximately \$100 in prizes be given.

CARRIED.

7.5 20 August 2014 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:

DO McLean advised the landscaping in the traffic islands on Hampton Road will be replaced this week as the initial installations were unsatisfactory. There was a brief discussion with respect to the parking spaces for the Hillside Trail at the end of Grove Avenue that are painted and in use, as well as the possibility of moving the stop sign at the Gondola Point Road/Hampton Road intersection to make it more visible.

CARRIED.

7.6 26 August 2014 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.

ON THE QUESTION:

There was discussion with respect to the well testing done at the McGuire Centre. The quality of the water is fine but quantity is not, as the well is not very deep. Costs to extend Town water or possibly to connect to the line near the Bishop's property are options. The matter is still under investigation. There was also general discussion with respect to the two recreation projects in Wells and the options of using traffic lights rather than a tunnel to connect the trail. Counc. Lewis suggested there will not be significant users and the tunnel option is too expensive.

CARRIED.

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7.7 August 2014 Monthly Building Permit Report

MOVED by Counc. Alexander and seconded by Counc. Wells the Monthly Building Permit Report dated August 2014 be received/filed.

CARRIED.

7.8 2 September 2014 Draft Planning Advisory Committee meeting minutes

MOVED by Counc. Wells and seconded by Counc. MacDonald the draft Planning Advisory Committee meeting minutes dated 2 September 2014 be received/filed.

CARRIED.

➤ Gibbon Road subdivision – Cash in Lieu

MOVED by Counc. Wells and seconded by Counc. Lewis Council accept \$1,792.80 as cash in lieu of Land for Public Purposes for the proposed vacant Lot 14-1 to be subdivided from 59 Gibbon Road, identified as PID# 00238550.

CARRIED.

➤ Public Hearing – Gondola Point Road

MOVED by Counc. Lewis and seconded by Counc. Wells Council schedule a Public Hearing, in accordance with the *Community Planning Act*, for TUESDAY, October 14, 2014 at 7:00 p.m., to give consideration to the rezoning of 171 Gondola Point Road from Single Family Residential R1B zone to Multi-Unit Residential R4 zone for the purpose of developing a 33 unit apartment building.

CARRIED.

7.9 Undated UMN B Conference open Resolutions

MOVED by Counc. Wells and seconded by Counc. Alexander the UMN B 2014 Conference open Resolutions be received/filed.

ON THE QUESTION:

Mayor Bishop requested any comments on the UMN B resolutions be provided to the Clerk so those Council members who are attending will have some direction.

CARRIED.

8. UNFINISHED BUSINESS

TABLED ITEMS

8.1 Traffic By-law 1-14 (Tabled June 2014)

No action required at this time.

8.2 Rothesay Common Upgrade project

4 September 2014 Memorandum from Town Manager Jarvie

4 September 2014 Memorandum from DPR Jensen

MOVED by Counc. Wells and seconded by Counc. McGuire Council authorize that the Common Upgrade Project proceed to tender.

ON THE QUESTION:

There was a lengthy discussion with respect to the current status of the project and what Council is being asked to vote on. It was noted the Heritage Board approved the project plan and it has not changed. Counc. MacDonald asked for clarification on the need for a project manager. Town Manager Jarvie advised Dan Glenn & Associates have been retained to oversee the project. Counc. MacDonald suggested there is a need for independent oversight by a project manager not connected to the project. Town Manager Jarvie advised that role would be filled by

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a combination of the Director of Recreation and Parks and the Director of Operations. He further noted it has not been the Town's practice to hire any independent project manager. Counc. MacDonald noted Heather Crawford is still following up on deficiencies with the Kennebecasis Public Library project. Town Manager Jarvie noted there is an engineering consultant managing the Hampton Road project who also designed the project, and if the major recreation project proceeds a project manager may be a good idea but the Common Upgrade project is not of a scale that would require one.

There was a brief discussion with respect to the cost estimate for a Zamboni. Town Manager Jarvie advised the Zamboni currently in use at the Rothesay Arena would be replaced with a new one and the old one would be re-allocated to the Common.

Counc. MacDonald stated he felt priority should be given to the rink project, including refurbishment of the existing arena as the Town has already spent about \$1.5 million on property acquisition and other fees and no new government funding has been received as yet. Counc. MacDonald advised he would not support the motion at this time as he believes the project should be deferred. Counc. Gallagher Jette requested clarification on the status of funding. Town Manager Jarvie advised MCBB approval has been given for \$2.4 million. Counc. Gallagher Jette suggested operating costs for the ice surface appeared to be low and asked what other municipalities had provided information related to operating costs. Town Manager Jarvie advised cost estimates were received from Fredericton, who are operating a larger ice surface and the costs are comparable. Operating cost estimates at \$41,000 – \$46,000 are the closest estimates that can be made at this time. Counc. Gallagher Jette questioned whether there was any professional input on costs. Town Manager Jarvie advised numbers were obtained from the supplier that are based on other similar facilities they have installed, and those numbers are lower than what is being presented to Council. Counc. Gallagher Jette expressed her concern over operating costs and would not support the motion. Town Manager Jarvie advised there is no absolute number and variable factors such as weather, duration of the season (mid-December to mid-March) and use. Deputy Mayor Grant noted it will likely be a considerable amount of time before the Town will know whether the major recreation project will proceed and while the numbers may not be firm, Council should move forward with this project.

YEA votes recorded from Deputy Mayor Grant, Councils. Alexander, Lewis, McGuire, Wells.

NAY votes recorded from Counc. Gallagher Jette and MacDonald.

CARRIED.

9. NEW BUSINESS

9.1 Dolan Road/Wells Trail Project

4 September 2014 Memorandum from Town Manager Jarvie

MOVED by Counc. MacDonald and seconded by Counc. Wells Council authorize staff to discuss the two options (pedestrian crossing or tunnel) with New Brunswick Transportation and Infrastructure.

ON THE QUESTION:

There was a lengthy discussion with respect to the options presented to cross the highway by pedestrian crossing or tunnel. Town Manager Jarvie noted the concerns expressed by the traffic consultant retained to review the project. Mayor Bishop suggested a turn-around be done at the trail end and the crossing can be done at a later date. Counc. Gallagher Jette requested clarification. Town Manager Jarvie indicated the decision by Council on the nature of the crossing is fundamental to the work on the trail as the project includes work on both sides of the highway. He noted the "at grade" crossing could be done now but if Council chooses the tunnel

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option then it can be done later. Counc. Wells agreed with Counc. Lewis' earlier comments that there will not be a significant number of users and traffic lights/flashing lights would be sufficient.

Counc. MacDonald requested clarification on what was already budgeted. Town Manager Jarvie advised the work on the ballfield and the crossing was budgeted but the possibility of a tunnel or the more elaborate "at grade" crossing design was not anticipated at the time. It is anticipated the provincial funding will be fully allocated for both projects.

Town Manager Jarvie advised DPDS White will be meeting onsite with Department of Environment representatives this week; DRP Jensen will be meeting with the landscape consultant and DO McLean will be meeting with the traffic consultant and Department of Transportation and Infrastructure (DTI) representatives depending on the decision made by Council. He advised the trail has already been marked and work is underway on the project.

There was a brief discussion with respect to the sidewalk location on the Airport Arterial overpass. It was noted the current location ties in with the Hillside Trail and, if the Town wanted to cover the costs, a sidewalk could be installed on the other side as well, with DTI approval. Deputy Mayor Grant and Counc. Lewis suggested the tunnel is cost-prohibitive. Mayor Bishop clarified the motion is to explore the options with DTI. Counc. MacDonald suggested the intention would be to focus on the "at-grade" crossing and additional overpass sidewalk in discussions with DTI. Counc. Lewis also expressed safety concerns with the construction of a tunnel.

CARRIED.

9.2 Hampton Road Reconfiguration Project Contract T-2014-012

1 September 2014 Interim Report DO McLean

MOVED by Counc. Gallagher Jette and seconded by Counc. Wells the memorandum RE: Hampton Road Reconfiguration Project Contract T-2014-012 dated 1 September 2014 be received/filed.

ON THE QUESTION:

DO McLean advised the contract is over-budget but the exact amount is not known at this point as there are some concerns to be addressed. He noted the current estimate is approximately \$66,000 and it has not been spent yet.

Counc. Alexander noted this is not the first project that has been over-budget and suggested a review be done every year or two and if projects are consistently over-budget the contingency amount could be increased. DO McLean noted he intends to provide Council with a report on projects that includes the tender price and the completed contract prices.

CARRIED.

10. NEXT MEETING

There will be a public hearing on Tuesday, October 14, 2014 at 7:00 p.m. and the regular session of Council will follow.

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11. ADJOURNMENT

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

CARRIED.

The meeting adjourned at 8:50 p.m.

MAYOR

CLERK