



# ROTHESAY

COUNCIL MEETING

Rothesay Town Hall

Tuesday, October 9, 2018

7:00 p.m.

*MB*  
*by*



**RESENT:** MAYOR NANCY GRANT  
DEPUTY MAYOR MATT ALEXANDER  
COUNCILLOR GRANT BRENNAN  
COUNCILLOR PETER J. LEWIS  
COUNCILLOR TIFFANY MACKAY FRENCH  
COUNCILLOR BILL McGUIRE  
COUNCILLOR DON SHEA  
COUNCILLOR MIRIAM WELLS

TOWN MANAGER JOHN JARVIE  
TOWN CLERK MARY JANE BANKS  
DIRECTOR OF PLANNING/DEVELOPMENT (DPDS) BRIAN WHITE  
DIRECTOR OF OPERATIONS (DO) BRETT McLEAN  
DIRECTOR OF REC/PARKS (DRP) CHARLES JENSEN  
TREASURER DOUG MacDONALD  
ADMINISTRATIVE ASSISTANT LIZ POMEROY

Mayor Grant called the meeting to order at 7:05 p.m.

## 1. APPROVAL OF AGENDA

**MOVED** by Deputy Mayor Alexander and seconded by Counc. McGuire the agenda be approved as circulated.

**CARRIED.**

## 2. ADOPTION OF MINUTES

➤ Regular Meeting 10 September 2018

**MOVED** by Counc. Wells and seconded by Counc. Mackay French the Open Session Council minutes of 10 September 2018 be adopted as circulated.

ON THE QUESTION:

Mayor Grant identified a typographical error on page two of the minutes, “being” should read “begin”.

**CARRIED.**

➤ **Business Arising from Minutes**  
N/A

## 3. OPENING REMARKS OF COUNCIL

Mayor Grant noted she, Town Manager Jarvie, Town Clerk Banks, and Deputy Mayor Alexander attended the Union of Municipalities of New Brunswick Annual Conference and Annual General Meeting in Fredericton September 28 – 30<sup>th</sup>. She noted Town Clerk Banks moderated the workshop on *How to Stay Out of Trouble – Privacy, Right to Information, Conflict of Interest, and Code of Ethics*. Counc. Lewis commended Town staff on the repairs to East Riverside-Kingshurst Park.

3.1 **Declaration of Conflict of Interest**  
N/A

## 4. DELEGATIONS

4.1 **Fundy Regional Service Commission 2019 Budget** Marc MacLeod (see Item 9.1.1)  
Mayor Grant welcomed Mr. MacLeod. Mr. MacLeod thanked Council and gave a brief overview of the

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stakeholder review schedule for the budget. He highlighted the following regarding the budget: it is a balanced budget; an overall budget reduction; the tipping fee will remain at \$108 per ton for solid waste; a fuel increase from \$1.10 to \$1.25; WorkSafe NB expected increases; new borrowing; an increase in Corporate and Local Planning Services due to the transfer of Human Resources and Accounting Services from Landfill Services; a deficit is not expected but rather a lower surplus which results in a lower budget overall; it is a “flat” budget; there are no planned actions in economic development; Cell 8 is expected to open November 1 at which time the borrowing will be incurred; a partnership with Opportunities New Brunswick; a reduction in insurance premiums; increase in Leachate due to the addition of Cell 8; a reduction in Waste Diversion – Recycling Depot Program with the closure of Hampton and Fulton Lane; increase in market purity demands; one load of carts alternating to two loads in 2020 for the Waste Diversion Composting Program; and an overall reduced landfill budget after corporate contribution. Mr. McLeod concluded that Rothesay’s contribution is estimated at \$6,683.

Mayor Grant noted Rothesay’s contribution has increased by roughly \$545. Counc. Shea questioned if a surplus is expected for the 2019 budget. Mr. MacLeod noted a surplus is expected however future plans, that cannot be disclosed at this time, may require use of the surplus funds. Counc. Shea inquired about Governance. Mr. MacLeod advised the amount includes funds allocated for remuneration and other meeting expenses.

Mayor Grant thanked Mr. MacLeod for his presentation and noted the item will be discussed later on the agenda. Mr. MacLeod thanked Council and left the meeting.

### **4.2 B.I.R.D. Hank Scarth (see Item 9.1.2)**

Mayor Grant welcomed Mr. Paul Mansz. Mr. Mansz thanked Council and noted Mr. Scarth was unable to attend the meeting. Mr. Mansz noted B.I.R.D is an organization supported by the Saint John Naturalists Club created to optimize recreational and economic activities in Rothesay through birding. He gave a brief overview of birding as an increasingly popular outdoor activity. Mr. Mansz outlined several communities in New Brunswick that are capitalizing on their birding resources highlighting the tourism generated from these efforts. He identified birding “hot-spots” in Rothesay as the Kennebecasis Park Lagoon, the Sagamore Point Lagoon, the Wells Recreation Park trails and wetlands, the Carpenter Pond trail, the Renforth trail and the Bishop’s Lands. Mr. Mansz requested Council consider promoting birding as a recreational opportunity through: the publication of bird lists and conservation tips on the Town website and social media, the publication of “Birding Trails in Rothesay”, support of birding walks/events, and working with the organization to reduce barriers and create spaces that welcome birding at Rothesay lagoons and trails. Mr. Mansz commended Council and Town staff for their support and efforts to help the organization to achieve their goals.

Counc. Shea inquired about the group’s meetings. Mr. Mansz reported the organization typically holds monthly meetings at different member residences. In response to an inquiry, Mr. Mansz noted the meetings are not publicly advertised but new members are always welcome. Counc. Shea suggested the organization be promoted on the Town website. Counc. Lewis inquired about the nesting boxes. Mr. Mansz advised some birds rely on nesting boxes since the natural cavities used for their habitat typically occur in dead trees.

Mayor Grant thanked Mr. Mansz for his presentation and noted the item will be discussed later on the agenda. Mr. Mansz thanked Council and left the meeting.

**4.3 Enterprise Saint John Ron Gaudet (see Item 9.1.3)**

Mayor Grant welcomed Mr. Gaudet and Mr. Andrew Oland, Enterprise Saint John (ESJ) Board Chair. Mr. Oland thanked Council and noted: research was undertaken to determine the economic challenges faced by the region; discussion with private sector employers identified concerns with the labour market; Enterprise Saint John is investigating a name change to reduce confusion with Enterprise Rent-a-Car Saint John, and also identify a focus on regionalization and economic development rather than enterprise; and the organization's budget is inadequate to achieve its goals thus additional funds are requested from regional municipalities as well as other levels of government.

Mr. Gaudet noted: the region is facing challenges related to population decline, aging populations, a shrinking labour force, above average poverty levels, a reduced tax base, heavy reliance on major projects and exports, and a turbulent economy; other municipalities in the Maritimes are adjusting better to the changing economy; ESJ's focus is to create a strong regional economic plan; and the four areas of focus are workforce development, business investment and innovation, entrepreneur development, and marketing the Greater Saint John story.

Mayor Grant clarified that the organization's aim is to obtain \$2 million dollars of unrestricted funding which translates to increasing total municipal contributions from roughly \$700,000 to \$1 million dollars over a period of three years. Mr. Gaudet acknowledged the financial strain that municipalities face. He reassured Council that the Strategy is a result of thorough research and the funds will be used to address the challenges hindering the region from economic growth.

Council inquired about the following: stakeholders; alignment with the Provincial economic plan; business attraction; newcomer retention; and strategies of other municipalities to improve economic development.

Mr. Gaudet responded noting: meetings were held with various elected officials, municipal staff, and representatives from Opportunities New Brunswick (ONB), the Saint John airport, the Chamber of Commerce, and various other stakeholders; the Strategy does align with the economic development plan established by ONB however ESJ's Plan has a regional focus; ESJ's Plan indicates clear objectives for increasing job creation; newcomers are typically attracted to larger cities such as Toronto, Montreal, and Vancouver that can provide more opportunities; job opportunities and community support are important to retain newcomers; and other municipalities such as Moncton have established their "story" and are underway with implementations to improve and retain residents.

Counc. Wells commented that the Town is working with the Saint John Newcomers Centre (SJNC) to provide community opportunities for support. Mr. Gaudet commended the Town on their efforts and noted ESJ is also working collaboratively with the SJNC to promote the area to economic immigrants. Counc. Wells inquired as to what can be done to retain students. Mr. Gaudet noted students typically leave the Province in search of more opportunities. He stressed the importance of creating opportunities and informing students of their availability within the Province so that students do not feel compelled to leave. In response to an inquiry, Mr. Gaudet noted the current options for the organization's name include: Greater Saint John Economic Development or Economic Development of Greater Saint John.

Mayor Grant thanked Mr. Oland and Mr. Gaudet and noted the item will be discussed later on the agenda. Mr. Oland and Mr. Gaudet thanked Council and left the meeting.

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### 5. CORRESPONDENCE FOR ACTION

- 5.1 28 September 2018 Letter from the Cherry Brook Zoo RE: 2019 Application for Funding  
28 September 2018 Application for Rothesay Municipal Grant  
31 December 2017 Cherry Brook Zoo Audited Financial Statements

**MOVED** by Counc. McGuire and seconded by Deputy Mayor Alexander the letter from the Cherry Brook Zoo RE: 2019 Application for Funding dated 28 September 2018, the Application for Rothesay Municipal Grant dated 28 September 2018, and the Cherry Brook Zoo Audited Financial Statements dated 31 December 2017 be referred to the Finance Committee.

**CARRIED.**

- 5.2 Letter from the Public Health Agency of Canada RE: Pan-Canadian Age-Friendly Community Initiative

**MOVED** by Counc. McGuire and seconded by Counc. Mackay French the letter from the Public Health Agency of Canada RE: Pan-Canadian Age-Friendly Community Initiative be referred to staff.

**CARRIED.**

### 6. CORRESPONDENCE - FOR INFORMATION

- 6.1 7 September 2018 Letter from the St. Joseph's Hospital Foundation RE: Thank you – Saint John Dragon Boat Festival

**MOVED** by Counc. Wells and seconded by Counc. Shea the letter from the St. Joseph's Hospital Foundation RE: Thank you – Saint John Dragon Board Festival dated 7 September 2018 be received/filed.

**CARRIED.**

- 6.2 10 September 2018 Letter from resident RE: Thank you – Medical Education Scholarship Recipient

**MOVED** by Counc. Wells and seconded by Counc. Lewis the letter from resident RE: Thank you – Medical Education Scholarship Recipient dated 10 September 2018 be received/filed.

**CARRIED.**

- 6.3 11 September 2018 Letter from the Royal United Services Institute of New Brunswick RE: Invitation to RUSI NB annual Pre-Remembrance Day Dinner Nov. 10

**MOVED** by Counc. Shea and seconded by Counc. Wells the letter from the Royal United Services Institute of New Brunswick RE: Invitation to RUSI NB annual Pre-Remembrance Day Dinner November 10 dated 11 September 2018 be received/filed.

ON THE QUESTION:

Mayor Grant noted she plans to attend.

**CARRIED.**

- 6.4 12 September 2018 Letter to Anita Punamiya, Art4Life Inc. RE: Support for Seniors' Health Pilot Project

**MOVED** by Counc. Mackay French and seconded by Counc. McGuire the letter to Anita Punamiya, Art4Life Inc. RE: Support for Seniors' Health Pilot Project dated 12 September 2018 be received/filed.

**CARRIED.**

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6.5 12 September 2018 Letter from Rothesay Netherwood School RE: Invitation to  
Community Performance Series

**MOVED** by Counc. Shea and seconded by Counc. Mackay French the letter from Rothesay Netherwood School RE: Invitation to Community Performance Series dated 12 September 2018 be received/filed.

**CARRIED.**

6.6 12 September 2018 Letter from the New Brunswick Museum RE: Thank You – Music of the  
Eye Trolley Tour

**MOVED** by Deputy Mayor Alexander and seconded by Counc. Lewis the letter from the New Brunswick Museum RE: Thank You – Music of the Eye Trolley Tour dated 12 September 2018 be received/filed.

**CARRIED.**

6.7 27 September 2018 Letter to resident RE: Deer Management

**MOVED** by Counc. Shea and seconded by Deputy Mayor Alexander the letter to resident RE: Deer Management dated 27 September 2018 be received/filed.

**CARRIED.**

6.8 3 October 2018 Memorandum from Deputy Mayor Alexander RE: 2018 UMN B Annual  
General Meeting

**MOVED** by Deputy Mayor Alexander and seconded by Counc. Wells the memorandum from Deputy Mayor Alexander RE: 2018 UMN B Annual General Meeting dated 3 October 2018 be received/filed.

### ON THE QUESTION:

Deputy Mayor Alexander summarized his correspondence. He commended UMN B on the event and encouraged all Council members to attend next year.

**CARRIED.**

## 7. REPORTS

### 7.0 October 2018 Report from Closed Session

#### ➤ Park Drive

Mayor Grant noted the lowest portion of Park Drive, within the City of Saint John, was raised by importing recovered asphalt materials from the Town's Works yard to prevent isolation of the Kennebecasis Park/Hastings Cove area during the May flood. It was understood the Town would be obliged to remove the material once the river receded. Saint John has indicated a willingness to enter into an agreement subject to Rothesay assuming responsibility for ongoing maintenance of the roadway. She noted it is recommended the road be paved before winter to allow proper snow removal. It was suggested the recommendations be dealt with separately.

**MOVED** by Deputy Mayor Alexander and seconded by Counc. Mackay French Council approve the execution of the attached agreement with the City of Saint John to improve and maintain the portion of Park Drive at the entrance to Kennebecasis Park and Hastings Cove.

### ON THE QUESTION:

Counc. Wells inquired if the authorization of an extension of the asphalt resurfacing contract is defeated by Council will it adversely impact the agreement, if approved. Town Manager Jarvie advised prior discussions indicated City staff assume the road will be paved in 2018 if the agreement is approved. The following was discussed: safety during winter, potential removal of the material if an agreement is not reached, and securing a reasonable cost.

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Counc. Brennan expressed concern that an extension of the asphalt resurfacing contract is contrary to the standard practice of issuing a tender for projects of this magnitude, and eliminates an equitable opportunity to advertise the project and possibly secure a lower cost. Deputy Mayor Alexander raised a point of order and noted a tender was issued and a reasonable cost of asphalt was secured. He added the existing contract permits additional work within a certain limit that will not be exceeded by the addition of this project. He further noted there is no guarantee a lower cost will be secured if a tender is issued at this time. In response to an inquiry, Town Manager Jarvie advised paving will occur from the railroad tracks to the common boundary. He added a credit is expected to recover a portion of the cost if the material remains in place. Counc. Lewis noted his preference for issuing a tender for such projects; however due to the unique circumstances he will support an extension of the existing contract to ensure the road is paved before winter to reduce safety concerns.

Counc. Wells agreed that the circumstances have created a sense of urgency. She added extending the contract permits Council to take advantage of a reasonable cost of asphalt. Counc. Shea questioned if the matter was discussed by Saint John Council. Town Manager Jarvie advised the issue is scheduled to be discussed tonight at their regular meeting.

**CARRIED.**

**MOVED** by Deputy Mayor Alexander and seconded by Counc. Wells Council authorize an extension of the asphalt resurfacing contract to a maximum amount of \$200,000 plus HST with funding from capital reserves.

**NAY vote recorded from Counc. Brennan.**

**CARRIED.**

Mayor Grant noted the outcome is an excellent example of municipal cooperation.

### ➤ **Canada Games Aquatic Centre**

Mayor Grant noted the request has been made to all municipalities for additional funds. She added the Finance Committee recommends approval of the request.

**MOVED** by Deputy Mayor Alexander and seconded by Counc. Brennan Council authorize a payment in the amount of \$40,508 of new money to the Canada Games Aquatic Centre.

**CARRIED.**

7.1	16 May 2018	Kennebecasis Public Library (KPL) Board Meeting Minutes
	May 2018	KPL Librarian's Report
	May 2018	KPL Building Maintenance Report
	30 April 2018	KPL Comparative Income Statement

**MOVED** by Counc. Shea and seconded by Counc. Wells the Kennebecasis Public Library (KPL) Board Meeting Minutes dated 16 May 2018, the KPL Librarian's Report dated May 2018, the KPL Building Maintenance Report dated May 2018, and the KPL Comparative Income Statement dated 30 April 2018 be received/filed.

### ON THE QUESTION:

Counc. Wells identified an error noting Mr. Rioux was listed as both present and absent. She questioned if the Board had further discussion with respect to Council members holding Chair and Vice-chair positions. Counc. Shea noted the matter was discussed and the Board reaffirmed its position against councillors holding executive positions on the Board. Counc. Shea added the decision is contrary to the opinion of councillors on the Board.

**CARRIED.**

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- 7.2 27 June 2018 Kennebecasis Regional Joint Board of Police Commissioners (KRJBPC)  
Meeting Minutes  
31 August 2018 KRJBPC Statement of Financial Position  
9 September 2018 KRJBPC Call Summary

**MOVED** by Deputy Mayor Alexander and seconded by Counc. Mackay French the Kennebecasis Regional Joint Board of Police Commissioners (KRJBPC) Board Meeting Minutes dated 27 June 2018, the KRJBPC Statement of Financial Position dated 31 August 2018, and the KRJBPC Call Summary dated 9 September 2018 be received/filed.

### ON THE QUESTION:

Deputy Mayor Alexander gave a brief summary of the minutes. Counc. Brenan inquired about the timeframe to recoup flood costs. Deputy Mayor Alexander noted a specific timeframe has not been determined. Mayor Grant requested clarification with respect to the "Challenge Coin". Deputy Mayor Alexander advised the coins are intended to share the organization's mission and values. Counc. Lewis expressed concern with respect to the minimal bids received for vehicle purchases. Deputy Mayor Alexander noted there is limited vehicle selection for the specific requirements and the Board may be investigating use of different types of vehicles.

**CARRIED.**

- 7.3 11 July 2018 Kennebecasis Valley Fire Department (KVFD) Board Meeting Minutes  
31 May 2018 KVFD Statement of Expense with Budget Variance  
11 July 2018 KVFD Chief's Report  
30 June 2018 KVFD Response Report

**MOVED** by Counc. Brenan and seconded by Counc. Wells the Kennebecasis Valley Fire Department (KVFD) Board Meeting Minutes dated 11 July 2018, the KVFD Statement of Expense with Budget Variance dated 31 May 2018, the KVFD Chief's Report dated 11 July 2018, and the KVFD Response Report dated 30 June 2018 be received/filed.

### ON THE QUESTION:

Mayor Grant requested clarification with respect to Fire Marque. Town Manager Jarvie advised Fire Marque is a company that aids Fire Departments in cost recovery through insurance. He added Saint John has considered the introduction of a By-law to permit the method of cost recovery. He further noted it is expected a request will be made for Rothesay to consider a similar By-law.

**CARRIED.**

- 7.4 31 August 2018 Draft unaudited Rothesay General Fund Financial Statements

**MOVED** by Counc. Brenan and seconded by Counc. Shea the draft unaudited Rothesay General Fund Financial Statements dated 31 August 2018 be received/filed.

### ON THE QUESTION:

Counc. Brenan commented that a variance report was not included. Treasurer MacDonald advised this was an error and distributed the variance report to Council and Town staff. He noted recovery of flood costs remains ongoing, the Eriskay Drive and Iona Avenue project is over-budget due to unexpected soil conditions. Counc. Shea requested clarification with respect to revenue from facility rentals. Treasurer MacDonald advised revenue from recreation facility rentals is included in the Recreation Programs category.

**CARRIED.**

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31 August 2018 Draft unaudited Rothesay Utility Fund Financial Statements  
**MOVED** by Counc. Brenan and seconded by Counc. Shea the draft unaudited Rothesay Utility Fund Financial Statements dated 31 August 2018 be received/filed.

**CARRIED.**

20 September 2018 Draft Finance Committee Meeting Minutes  
**MOVED** by Counc. Brenan and seconded by Counc. Shea the Draft Finance Committee Meeting Minutes dated 20 September 2018 be received/filed.

**CARRIED.**

Counc. Lewis declared a conflict of interest and left the meeting.

➤ Vocational Training Centre for Adults

Counc. Brenan reported the organization has secured rental space from the Bradley Lake Community Centre. He noted the matter was discussed and the Finance Committee recommends approval of \$500 per month from the time of occupancy until the end of 2019. Counc. Wells inquired if it is expected a similar request will be made once the timeframe has expired. Counc. Brenan noted the Finance Committee has not discussed the matter directly with the organization.

**MOVED** by Counc. Brenan and seconded by Counc. McGuire Council approve a donation to the Vocational Training Centre for Adults in the amount of \$500 per month from the time of occupancy in the proposed location to December 31, 2019.

ON THE QUESTION:

It was suggested the organization be notified the donation will not renew after December 2019.

**CARRIED.**

Counc. Lewis returned to the meeting.

31 August 2018 Donation Report

**MOVED** by Counc. Brenan and seconded by Counc. Mackay French the Draft Finance Committee Meeting Minutes dated 31 August 2018 be received/filed.

**CARRIED.**

7.5 18 September 2018 Draft Parks and Recreation Committee Meeting Minutes

**MOVED** by Counc. Wells and seconded by Counc. Lewis the Draft Parks and Recreation Committee Meeting Minutes dated 18 September 2018 be received/filed.

ON THE QUESTION:

Counc. Wells clarified that B.I.R.D. presented to the Committee in June and the minutes were included in the July Council package. She briefly summarized the matters discussed at the Committee's September meeting. Counc. Shea commented on the discussion regarding accessible swings. He noted Ability NB is an organization that can help assess existing recreational facilities and recommend improvements for accessibility. Counc. Wells suggested the matter be discussed at the next Committee meeting.

**CARRIED.**

➤ Replacement of lower portion of Arthur Miller fields (see Item 9.2)

7.6 19 September 2018 Draft Age-Friendly Committee Meeting Minutes

**MOVED** by Counc. Wells and seconded by Counc. McGuire the Draft Age-Friendly Committee Meeting Minutes dated 19 September 2018 be received/filed.



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### ON THE QUESTION:

Counc. Wells summarized the minutes. She commented on a sponsorship program for the Hive and encouraged Council members to promote the initiative to help secure sponsorship. She added the goal is roughly \$40,000 to employ a staff member and furnish the resource centre.

**CARRIED.**

7.7 19 September 2018 Draft Works and Utilities Committee Meeting Minutes

**MOVED** by Deputy Mayor Alexander and seconded by Counc. Brenan the Draft Works and Utilities Committee Meeting Minutes dated 19 September 2018 be received/filed.

### ON THE QUESTION:

Counc. Brenan questioned how garbage collection is determined for all properties. Town Manager Jarvie advised garbage collection is not provided to residences that share a property with commercial businesses or institutions due to the significant volume of waste created by these properties. He added the proposed arrangement permits garbage collection during the offseason (winter) where the volume of waste is expected to be similar to typical residential properties. During the peak season (summer) it is expected the property owner will incur the cost of garbage collection. It was noted the arrangement will be monitored to determine effectiveness.

**CARRIED.**

- Sidewalk Plan - Donlyn Drive (see Item 9.9)
- Carpenter Pond Wellfield Testing and Modelling (see Item 9.10)
- Disposal of Town Surplus Equipment (see Item 9.12)

7.8 September 2018 Monthly Building Permit Report

**MOVED** by Deputy Mayor Alexander and seconded by Counc. Mackay French the Monthly Building Permit Report dated September 2018 be received/filed.

**CARRIED.**

7.9 5 October 2018 Capital Projects Summary

**MOVED** by Deputy Mayor Alexander and seconded by Counc. Wells the Capital Projects Summary dated 5 October 2018 be received/filed.

**CARRIED.**

## 8. UNFINISHED BUSINESS

### 8.1 Rothesay Arena

1 October 2018 Memorandum from Counc. Shea RE: Arena project

**MOVED** by Counc. Wells and seconded by Deputy Mayor Alexander the memorandum from Counc. Shea RE: Arena project dated 1 October 2018 be referred to staff for a cost analysis.

### ON THE QUESTION:

Counc. Shea expressed concern that his motion is not on the floor and cannot be referred to staff. He added that his recommendation included in the correspondence should be addressed directly. Mayor Grant noted the item is on the agenda as requested and it is not an agenda issue but rather a disposition issue. She noted the staff recommendation to refer the matter to staff for a cost analysis is to ensure all pertinent information is provided to Council for the purposes of making an informed decision. She added it is Council's responsibility to be fiscally responsible and to do so all financial implications must be considered. Counc. Shea noted his disagreement and indicated staff recommendations anticipate discussion and do not permit Council to address the matter directly. Mayor Grant noted the disposition

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of the matter is at Council's discretion.

Mayor Grant noted the following: the Regional Ice Strategy is anticipated to be released within the next month and it is possible the project could receive endorsement as a regional project so a decision made at this time is premature; the Regional Development Corporation has indicated that calls for proposals for funding will begin in late fall 2018; due to the recent election results, priorities of the Provincial government remain unclear; and public input has not been sought. She noted the lack of public input has been raised before and, in order to be open and transparent, the public should be consulted and provided with detailed financial information, particularly as to the effect on their tax rate, in order for them to endorse one project or the other. Mayor Grant emphasized the need for meaningful input from the public prior to Council making an expensive decision.

Counc. Wells noted a moderated session was held to help Council achieve consensus regarding the next steps in the project. Counc. Mackay French raised a point of order noting Counc. Wells referenced subject matter of a confidential Working Session meeting. Counc. Wells noted: she understands the slow progress is frustrating however Council has a duty to be fiscally responsible; a cost analysis will ensure an informed decision is made; a preference to continue to pursue construction of a new facility; and it is worthwhile to construct a new facility to ensure a longer building lifespan as opposed to spending considerable funds renovating a 45 year old building to only increase the lifespan by 20 years. She added a new facility enables opportunities to improve energy efficiency, accessibility, and provide additional features such as a walking track. She encouraged public input on the matter.

Counc. Mackay French noted: action is necessary to advance the project; significant funds have been spent to date on plans rather than maintenance; there was consensus for a new facility, staff were directed to prepare a report within a 90 day timeframe, and if additional funding was not received prior to completion of the Provincial election Council would renovate the building; a report was not prepared, funding was not received, and there was no indication of potential funding for arena projects.

Deputy Mayor Alexander commented that an Arena Assessment was prepared in November 2017. He made the following comments: the report was prepared by experienced consultants; renovation of the arena was estimated at a cost of \$6.5 million dollars; the design was scaled down to reduce the overall cost of a new facility; servicing the debt of a new build would only add 2.6 cents to the tax rate; the potential tax rate increase would be greater for a renovated arena; it is unfair to characterize the condition of the arena as "demolition by neglect"; staff are to be commended for maintaining the arena with the resources available; annually \$20,000-30,000 is earmarked for arena maintenance and repairs; the arena has reached its end of life and considerable funds are required to renovate and extend its life by only 20 years; Council has a fiduciary duty to residents; Counc. Shea's recommendation is vague and does not provide necessary details to make an informed decision; and the Town's Purchasing Policy requires the Treasurer to provide Council with the financial implications of recommendations with a total budget of greater than \$250,000. He noted he is not in favour of supporting a renovation without cost estimates and specific project features.

Counc. McGuire expressed concern that Counc. Shea's recommendation lacks sufficient details. He noted a Provincial government has not formed at this time, and the implications of renovating the arena are unclear with respect to potential loss of ice time and public input. He added it would be irresponsible to tax payers to advance the project without public consultation and a report from staff.

Counc. Lewis expressed concern that staff did not complete a report as directed or report back with findings regarding the Morrell arena project. He noted: referring items to staff does not produce results; he is frustrated with the delay of the project; and he suggested contractors be engaged to produce a plan

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for renovations complete with costs.

Counc. Brenan clarified that Counc. Shea's recommendation is to redirect focus towards renovating the arena as opposed to building a new facility. He noted support for the project has not been received by Federal or Provincial levels of government, and there was consensus to focus on renovating the building if support was not received by conclusion of the Provincial election.

Counc. Shea stated he did not wish to comment.

There was further discussion with respect to the history of the project, the importance of making an informed decision, differences between the Morrell and Rothesay arenas that may impact overall costs, and public engagement. Counc. Lewis and Counc. Mackay French identified the Morrell arena and the Rothesay Netherwood School arena as examples of renovation projects that were completed without the loss of ice time.

**YEA votes recorded from:** Deputy Mayor Alexander and Councils. McGuire and Wells.

**NAY votes recorded from:** Councils. Brenan, Lewis, Mackay French, and Shea.

**DEFEATED.**

**MOVED** by Counc. Shea and seconded by Counc. Brenan the construction of a new arena on Scott Avenue is no longer deemed a priority of Rothesay Council and further to the same, staff be directed to begin a process towards the realization of a renovated arena.

### ON THE QUESTION:

Deputy Mayor Alexander cautioned that voting in favour of this motion is voting against having meaningful public engagement. Counc. McGuire expressed concern that spending roughly \$6 million dollars to extend the lifespan of a 45 year old building for an additional 20 years is impractical. He added potential funding from Federal and Provincial levels of government remains unclear. Counc. Mackay French noted the \$6.5 million dollars to renovate the arena was an estimate, and a report requested by Council was not prepared by the agreed upon deadline. Counc. Wells contended that it is expected the estimate is reasonable since the Arena Assessment was prepared by experienced consultants that identified specific items to repair in order to comply with the Building Code. She stressed the importance of engaging the public. Counc. Lewis reiterated his disappointment that staff did not provide the requested report.

**MOVED** by Deputy Mayor Alexander and seconded by Counc. Wells to table the matter and have staff develop the appropriate financials on a renovated arena versus a new build to present during a public/stakeholder presentation/open house to allow the public and stakeholders to provide meaningful and direct input before any final decision is made by this Council.

**YEA votes recorded from:** Deputy Mayor Alexander and Councils. McGuire and Wells.

**NAY votes recorded from:** Councils. Brenan, Lewis, Mackay French, and Shea.

**DEFEATED.**

### Main motion:

**YEA votes recorded from:** Councils. Brenan, Lewis, Mackay French, and Shea.

**NAY votes recorded from:** Deputy Mayor Alexander and Councils. McGuire and Wells.

**CARRIED.**

Council adjourned for a recess at 9:20 p.m.

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Council reconvened at 9:25 p.m.

### 9. NEW BUSINESS

#### 9.1 BUSINESS ARISING FROM DELEGATIONS

##### 9.1.1 Fundy Regional Service Commission

31 August 2018 Letter from the Fundy Regional Service Commission RE: Draft 2019 Budget

DRAFT 2019 Fundy Regional Service Commission Budget (*previously circulated at September Council meeting*)

Mayor Grant requested Council submit all comments prior to October 22.

**MOVED** by Counc. Shea and seconded by Counc. Brenan Council authorize Mayor Grant to convey Council's approval of the Draft 2019 Fundy Regional Service Commission Budget as presented.

**CARRIED.**

##### 9.1.2 B.I.R.D.

9 September 2018 Letter from Hank Scarth RE: Update on B.I.R.D initiatives

**MOVED** by Counc. Mackay French and seconded by Counc. Wells the letter from Hank Scarth RE: Update on B.I.R.D. initiatives dated 9 September 2018 be referred to the 2019 Budget process.

**CARRIED.**

##### 9.1.3 Enterprise Saint John

24 September 2018 Letter from Enterprise Saint John RE: Request for investment  
2019 Draft Budget

**MOVED** by Counc. Wells and seconded by Deputy Mayor Alexander the letter from Enterprise Saint John RE: Request for investment dated 24 September 2018, and the 2019 Draft Budget be referred to the Finance Committee.

**CARRIED.**

## RECREATION

### 9.2 Arthur Miller Lower Field Synthetic Turf Supply and Installation

27 September 2018 Report prepared by DRP Jensen

**MOVED** by Counc. Wells and seconded by Counc. Lewis Council include the amount of \$400,000 in the 2019 Capital Budget for the supply and installation of a new synthetic turf on the lower field at Arthur Miller fields.

#### ON THE QUESTION:

Counc. Brenan suggested increasing user fees and using the additional revenue to create a "sinking fund" for anticipated field replacement costs, similar to the Town Hall renovation fund. Town Manager Jarvie advised the Town Hall fund Counc. Brenan referenced was created because the School District contributed to the fund during its tenancy at Town Hall

**CARRIED.**

## DEVELOPMENT SERVICES

### 9.3 Hillside Planning Study – Municipal Plan Review

4 October 2018 Memorandum from Town Manager Jarvie

3 October 2018 Information report prepared by DPDS White

**MOVED** by Deputy Mayor Alexander and seconded by Counc. Lewis Council schedule a public meeting to present the draft Hillside Secondary Plan for 7:00 p.m. at the Bill McGuire Centre at a date to be determined.

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### **ON THE QUESTION:**

Counc. Wells identified a conflicting event scheduled at the Riverside Country Club on October 29<sup>th</sup>. DPDS White advised at this time a date has not been confirmed. It was noted Council's attendance is not required, but encouraged. It was agreed Council will submit their availability to the Clerk to help determine a date.

**CARRIED.**

## **ADMINISTRATION**

### **9.4 Committee Appointments**

3 October 2018 Memorandum from the Nominating Committee

**MOVED** by Counc. Wells and seconded by Counc. Mackay French Council re-appoint Scott Thomas to serve as the Rothersay representative on the Imperial Theatre Board for a term to expire 31 October 2020.

**CARRIED.**

**MOVED** by Counc. Wells and seconded by Counc. Mackay French Council appoint Jill Jennings as a member of the Age Friendly Advisory Committee, for a term to expire 31 December 2019.

**CARRIED.**

### **9.5 Council Appointments to Committees**

4 October 2018 Memorandum from Mayor Grant

Mayor Grant noted due to recent resignations there is a vacant position on the Emergency Measures Committee. She encouraged Council to review their existing commitments and determine if there is interest in assuming the vacant position. She commented on the importance of the Committee and the initiatives undertaken to date including: an emergency plan, installation of generators for back-up power, an emergency reception center, and addressing access to areas that could potentially be isolated in the event of an emergency. She further encouraged Council members to volunteer including members that have previously resigned.

**MOVED** by Deputy Mayor Alexander and seconded by Counc. Wells the memorandum from Mayor Grant RE: Council Appointments to Committees dated 4 October 2018 be received/filed.

**CARRIED.**

## **OPERATIONS**

### **9.6 Perimeter Fencing – Master Drive Public Works Compound**

3 October 2018 Report prepared by DO McLean

**MOVED** by Counc. Wells and seconded by Counc. McGuire Council authorize the Director of Operations to issue a purchase order to Fundy Fencing Ltd. in the amount of \$33,816.00 plus HST to install fencing around the perimeter of the Public Works Compound on Master Drive.

### **ON THE QUESTION:**

In response to an inquiry, it was noted the item was included in the 2018 budget. Mayor Grant noted the net cost (after the HST rebate) of the lowest bid is over-budget by a difference of \$3,265.25. Counc. Brennan commented that the report indicated property loss is not a concern. DO McLean noted staff is of the opinion that it would be prudent to fully protect the compound with chain link fencing to prevent not only property loss but also trespassing that may cause safety concerns.

**CARRIED.**

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### 9.7 Renforth Boardwalk Reconstruction

3 October 2018 Report prepared by DO McLean

**MOVED** by Counc. Lewis and seconded by Counc. Shea Council award contract R-2018-019: Renforth Boardwalk Reconstruction to Galbraith Construction Ltd., in the amount of \$95,490.00 plus HST and further that the Director of Operations be authorized to issue a purchase order in that regard.

ON THE QUESTION:

Mayor Grant noted a significant portion of the cost is expected to be recovered through insurance.

**CARRIED.**

### 9.8 Climate Change and Energy Initiative

4 October 2018 Memorandum from Town Manager Jarvie with attachment

**MOVED** by Counc. Mackay French and seconded by Counc. Wells:

**WHEREAS** Rothesay participated in the Climate Change & Energy Initiative (CCEI) of the Union of Municipalities of New Brunswick (UMNB),

**AND WHEREAS** Rothesay participated in the Partners for Climate Protection Program (PCP) of the Federation of Canadian Municipalities (FCM);

**AND WHEREAS** Rothesay has conducted a Corporate GHG Inventory & Action Plan and Community GHG & Energy Action Plan;

**NOW THEREFORE BE IT RESOLVED** Rothesay sets the target of reducing corporate GHG emissions by 15% by 2025, compared to their 2015 reference level;

**AND** Rothesay resolves to set the target of reducing community GHG emissions by 7% by 2025 and 14% by 2035 from their 2015 baseline.

ON THE QUESTION:

Mayor Grant gave a brief history of the initiative. She noted the submitted Plan is a result of information collected at the Climate Change and Energy Initiative workshop held June 13, 2017. In response to an inquiry, Mayor Grant noted there are two Action Plans – corporate and community. Counc. Brennan requested clarification with respect to the Community Action Plan. Town Manager Jarvie advised the Community Plan is directed at promoting initiatives for community members and organizations to reduce their personal GHG emissions. The Plan is meant to encourage, not mandate.

**CARRIED.**

### 9.9 Five Year Sidewalk Expansion Plan

4 October 2018 Memorandum from Town Manager Jarvie

**MOVED** by Counc. Wells and seconded by Deputy Mayor Alexander Donlyn Drive be added to the existing Five Year Plan for Sidewalk Expansion.

**CARRIED.**

### 9.10 Carpenter Pond Wellfield Testing and Modelling Update

4 October 2018 Report prepared by DO McLean

25 September 2018 Recommendation from Works and Utilities Committee

**MOVED** by Counc. Wells and seconded by Deputy Mayor Alexander Council authorize the Director of Operations to issue a public tender for drilling services to drill three test wells in the Carpenter Pond Wellfield.

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### ON THE QUESTION:

Counc. Brenan questioned if funds are available within the 2018 budget to complete the work. Treasurer MacDonald advised he will have to confirm the exact amount however he is confident funds are available in the 2018 budget.

**CARRIED.**

## COUNCIL REQUESTS

### 9.11 Universal Design

2 October 2018

Memorandum from Counc. Shea RE: Universal Design

**MOVED** by Counc. Shea and seconded by Counc. Brenan staff research and provide feedback on a draft universal design policy for Rothesay and report back to Council within three months.

### ON THE QUESTION:

Counc. Wells commented on Counc. Shea's reference to Ability NB earlier in the meeting. She suggested the organization be contacted to discuss opportunities to improve accessibility within the Town. Counc. Shea noted the recommendation applies to planning and development within the Town, not just recreation. He added the endeavor also aligns with the Town's Age-Friendly initiatives.

**CARRIED.**

### 9.12 Disposal of Surplus Town Equipment

25 September 2018

Recommendation from Works and Utilities Committee

2 October 2018

Email from Counc. Lewis RE: Auction Issues with attachments

**MOVED** by Deputy Mayor Alexander and seconded by Counc. Wells that the current practice for disposal of surplus Town equipment is acceptable.

### ON THE QUESTION:

Counc. Lewis stated that the current practice does not provide an open and transparent forum, the Provincial government has a standard practice of submitting items to a public auction, and the Town should investigate the adoption of a similar policy. He questioned if the bids received from Kijiji are revealed publicly. Town Manager Jarvie advised the opening of the bids is not advertised however the public can attend. Counc. Brenan noted he was informed the public auction that sells surplus equipment for the Provincial government is well attended and may generate more bids than Kijiji. He noted he is in favour of adopting a similar approach to ensure there is no apprehension of bias during the disposal process. Counc. McGuire commented that Saint John has developed a policy that prohibits the sale of equipment to Council members and City staff to avoid the apprehension of bias. There was general discussion with respect to the apprehension of bias.

In response to an inquiry, DO McLean advised an email containing a bid for an item on Kijiji is similar to a "sealed envelope" in a tendered process. He noted Kijiji is used as the medium to advertise the sale. He added some items advertised on Kijiji have received roughly 500 views. In response to an inquiry, Town Manager Jarvie advised a formal policy for the disposal of surplus Town equipment does not exist. Mayor Grant reported the matter was discussed by the Works and Utilities Committee and it was recommended the current practice is acceptable.

Deputy Mayor Alexander commented that he is unaware of a current Provincial policy outlining the disposal of surplus equipment. Counc. Lewis commented that the Works and Utilities Committee minutes indicated that multiple bids were received in response to items on Kijiji however an email from Town Manager Jarvie states only two bids were received. Counc. Brenan suggested the motion be amended to direct staff to investigate a policy. Deputy Mayor Alexander confirmed he did not wish to amend the motion.

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Counc. Wells expressed concern that a significant portion of revenue may be lost if the items are sold at auction. She added due to many variables some processes may not translate well from Provincial to local government. She further noted she is in favour of developing a policy for future disposal of surplus equipment. There was further discussion with respect to the process of selling items on Kijiji. Town Manager Jarvie advised Council can direct staff to dispose of surplus equipment through an auction. He added in the past the Town has not received reasonable revenue from sales of items at auctions thus Kijiji was introduced as an alternative method. He cautioned Council that additional costs typically arise including transportation of the items to an auction.

**YEA votes recorded from:** Deputy Mayor Alexander and Councils. McGuire and Wells.

**NAY votes recorded from:** Councils. Brennan, Lewis, Mackay French, and Shea.

**DEFEATED.**

It was noted a majority vote of Council is required to extend the meeting past the three hour deadline, in order to continue the discussion.

**MOVED** by Council. Brennan and seconded by Council. Shea the meeting be extended.

**NAY vote recorded from Council. Wells.**

**CARRIED.**

**MOVED** by Council. Lewis and seconded by Council. Brennan the matter of the disposal of surplus Town equipment be referred back to the Works and Utilities Committee to discuss creation of a policy that allows fair and transparent disposal of Town inventory, and further liquidation of Town owned inventory be ceased until a policy is created and a recommendation is received by Council ~~within sixty days~~.

ON THE QUESTION:

Deputy Mayor Alexander commented that the Committee is scheduled to meet next week and due to other additional requests submitted by Council the timeframe may be unreasonable. It was agreed the deadline be removed on the condition that liquidation of Town owned inventory, with the exception of items currently listed for sale, cease until a policy is created.

**Amending motion:**

**MOVED** by Council. Lewis and seconded by Council. Brennan "within sixty days" be removed.

**Main motion:**

**NAY vote recorded from Council. McGuire.**

**Amending motion CARRIED.**

**MAIN motion, as amended, CARRIED.**

### 9.13 Work Truck Purchases

2 October 2018

Email from Council. Lewis RE: Work Truck Purchases with attachments

**MOVED** by Council. Lewis and seconded by Council. Mackay French the email from Council. Lewis RE: Work Truck Purchases with attachments be referred to the Works and Utilities Committee.

ON THE QUESTION:

Deputy Mayor Alexander commented that he would have liked to see further information with respect to the origin of the cost estimate for wrapping Town vehicles as well as a description of how each photo relates to the matter.

**CARRIED.**



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**10. NEXT MEETING**

The next meetings are scheduled as follows:

**Regular meeting**

**TUESDAY, November 13, 2018**

**Public Hearing – Bridlewood Estates**

**TBD**

**11. ADJOURNMENT**

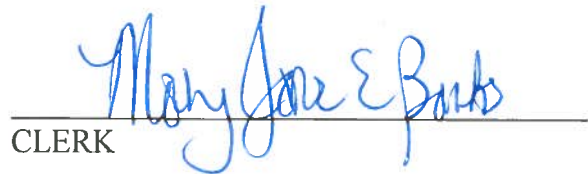
**MOVED** by Counc. Mackay French and seconded by Counc. Wells the meeting be adjourned.

**CARRIED.**

The meeting adjourned at 10:10 p.m.

  
\_\_\_\_\_

MAYOR

  
\_\_\_\_\_

CLERK