



ROTHESAY

COUNCIL MEETING
Rothesay Town Hall
Monday, April 8, 2019
7:00 p.m.



PRESENT: MAYOR NANCY GRANT
DEPUTY MAYOR MATT ALEXANDER
COUNCILLOR GRANT BRENNAN
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

ABSENT: COUNCILLOR PETER J. LEWIS

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

1. APPROVAL OF AGENDA

MOVED by Deputy Mayor Alexander and seconded by Counc. Wells the agenda be approved as circulated with the following amendments:

- Item 9.1.1 and 9.1.2 be brought forward to follow Item 4.2
- The memorandum from Town Clerk Banks dated 8 April 2019 RE: Local Improvement By-law 1-19 be added to Item 8.2
- The two memoranda from Town Manager Jarvie dated 8 April 2019 RE: Recommendations from EMO Committee meeting of April 8, 2019 and appointment of EMO Director be added to Item 7.3

CARRIED.

2. ADOPTION OF MINUTES

- Regular Meeting 11 March 2019

MOVED by Counc. Shea and seconded by Counc. Mackay French the Open Session Council minutes of 11 March 2019 be adopted as circulated.

CARRIED.

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

3. OPENING REMARKS OF COUNCIL

Mayor Grant reported: Council members and Town staff were honoured to welcome Siyabulela Mandela to Rothesay during his first official visit to Canada; changes to FERO's collection schedule will occur May 6th and a notice will be included in resident utility bills as well as on the Town website; and the official opening of the Rothesay Hive Age-Friendly Community Centre is scheduled for May 23rd. Counc. Brennan inquired if the change in FERO's collection schedule will impact the cost of the service. Town Manager Jarvie advised no changes in cost are expected.

3.1 Declaration of Conflict of Interest

Counc. Shea declared a conflict of interest with respect to Item 7.6 Planning Advisory Committee Meeting Minutes and Local Government Services Easement – Edgemont Lane.

Mayor Grant declared a conflict of interest with respect to Item 7.2 KV Oasis – Power of Determination Fundraiser.

4. DELEGATIONS

4.1 Arena / Ice Time requirements for the area Cody Fullerton, Chair of EDZA South, AAA hockey for Southern NB

Mayor Grant welcomed Mr. Cody Fullerton. Mr. Fullerton thanked Council and gave a brief overview of EDZA South – one of four zones under the Elite Hockey Council (a division of Hockey NB), residency numbers and existing ice allocation within the EDZA South region, average cost for a hockey player, and potential cost if non-resident rates are implemented in Saint John. Mr. Fullerton suggested there is not an ice shortage in the region but rather an ice allocation issue as the proportion of users does not match the percentage of ice time provided by each respective area. For instance, 16% of the players are from Rothesay however only 5% of the ice time is available in Rothesay. Additionally, Blacks Harbour contributes 23% of the ice time however Charlotte County only comprises 8% of the players. EDZA South hockey players frequently travel outside of their residential area to attend practices and games. He added Saint John and Charlotte County have capacity beyond the ice time provided. Mr. Fullerton requested the data be considered during discussions regarding arena usage in the region.

Counc. Shea questioned if there are best practices implemented in other jurisdictions that may be useful to follow. Mr. Fullerton commented on his experience travelling around the region for hockey, and the different efficiency of operations that occurs in facilities outside the region. Counc. Brennan noted EDZA, as an organization has morphed over time; the data provided by Mr. Fullerton does not include Midget division hockey teams which will likely alter the findings; the addition of female teams has created additional demand for ice time; and allocating ice time to meet changing demand is challenging.

Mayor Grant thanked Mr. Fullerton for his presentation and noted the item will be discussed later on the agenda.

4.2 Water By-law 1-18

Andrew Baskin

- (7) Letters from property owners (*see item 9.1.2*)

Mayor Grant welcomed Mr. Andrew Baskin. Mr. Baskin noted he, and a group of investors, recently purchased apartment buildings on Scribner Crescent. During the closing of the sale he was unaware of any discussion regarding Water By-law 1-18 or its financial impact on multi-unit and commercial properties. The apartment buildings impacted by the By-law provide affordable housing; and it is likely tenants are unable to burden the additional cost of rent increases necessary to cover the cost of compliance. Mr. Baskin read letters submitted by tenants stating their opposition to proposed rent increases as a result of compliance with By-law 1-18. Mr. Baskin stressed the importance of affordable housing in Rothesay citing a 2017 Housing Report commissioned by the Town suggesting existing housing in Rothesay is “moderately unaffordable”. There are significant additional costs that may vary considerably including connection fees (\$1,125 per unit), excavation, paving, landscaping, and plumbing. These costs deter potential investment in the community and impact affordable housing in Rothesay.

Mayor Grant summarized the process undertaken to enact By-law 1-18. She noted: By-law 1-18 was discussed on multiple occasions at both Council and Committee levels; the draft By-law and subsequent public hearing were duly advertised; Council and Committee meetings are open to the public; minutes

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of meetings are available to the public; and members of the public did not attend the public hearing.

Mr. Baskin expressed concern that notice was provided detailing enactment of By-law 2-15 and its implications to multi-unit and commercial property owners; however similar notice was not received regarding the public hearing and other discussions regarding Water By-law 1-18.

Counc. Brenan commented that since members of the public did not attend the public hearing, and as a new Council member who was not present during the 2015 discussions, he was unaware of the extent of prior concerns. He questioned if enactment of the By-law would have occurred if these concerns were raised at the public hearing. He expressed concern that notification with respect to the By-law was not provided directly to property owners until after enactment. He added minutes of Council and Committee meetings are available to the public; however it is unlikely individuals follow all Town activities.

Mr. Baskin noted he completed his due diligence as an investor and property owner in Rothesay. He argued it is expected a matter of this magnitude, in which the public has a vested interest, would warrant the courtesy of direct notification to property owners that may be impacted rather than assume community members maintain a watchful eye on all Town matters. He stressed the importance of obtaining public feedback.

Counc. Shea requested clarification with respect to Mr. Baskin's request. Mr. Baskin suggested action be taken to permit consideration of concerns raised by multi-unit and commercial property owners. Counc. Shea noted the By-law was enacted and procedural requirements may create difficulties for further discussion. Mr. Baskin commented on the concern of public safety noting there have been no issues with the well on his property in the past forty years. He added a recent well test did not identify cause for concern; however should issues arise he is amenable to taking necessary action to ensure the quality of water available on his property is adequate and complies with all safety regulations. Counc. Shea questioned the financial implications of By-law 1-18 on Mr. Baskin's property. Mr. Baskin estimated an additional cost of \$50,000 per building to comply with the By-law and receive a service currently provided at no charge.

Counc. Wells commented that discussions in 2015 identified cost as a significant concern of property owners. She noted consideration was given to prior concerns and to mitigate the issue the By-law enables property owners approximately three years to connect to Town water and a ten year period to pay access fees. Mr. Baskin posed a question to Counc. Shea inquiring if with presented the options of connecting to municipal water or continuing use of well water, which is preferred from his perspective as a property owner. Counc. Shea noted he was presented with the options in the past as a property owner and would have connected to municipal water if given the opportunity. Counc. Wells noted municipal water ensures properties maintain a reliable and safe supply of water in the event of power outages. Mr. Baskin contended the issue may not arise if properties have access to backup generators.

Counc. Mackay French noted, as a new member of Council, she was also unaware of the prior concerns. She commented that efforts were made to mitigate the concerns of property owners by permitting a ten year to pay access fees. Mr. Baskin noted that does not include considerable upfront costs such as excavation, paving, landscaping, and plumbing.

Mayor Grant thanked Mr. Baskin and noted the item will be brought forward on the agenda and discussed shortly.

Item brought forward.

9.1.1 Arena / Ice Time requirements for the area

C. Fullerton

MOVED by Deputy Mayor Alexander and seconded by Counc. Mackay French C. Fullerton's

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presentation RE: Arena/Ice Time Requirements for the area be received/filed.

CARRIED.

Item brought forward

9.1.2 Water By-law 1-18

2 April 2019

Report prepared by DO McLean

1 April 2019

Request to present to Council RE: Water By-law 1-18

Various

Emails/letters from property owners (9) RE: Water By-law 1-18

Deputy Mayor Alexander commented that compliance with the By-law provides many benefits to property owners. He noted concerns were addressed and efforts were made to mitigate these issues, more specifically the provision of a ten year period to pay access fees as well as a three year period to connect to municipal water.

MOVED by Deputy Mayor Alexander and seconded by Counc. Wells the report prepared by DO McLean RE: Water By-law 1-18 dated 2 April 2019, the request to present to Council RE: Water By-law 1-18 dated 1 April 2019, and the emails/letters from property owners (9) RE: Water By-law 1-18 be received/filed.

ON THE QUESTION:

Counc. Brenan noted: three members of Council were not on Council during the 2015 discussions and unaware of prior public feedback; property owners were not directly informed of the public hearing thus unaware and unable to respond to the draft By-law 1-18; not all members of the public have access to social media nor is it likely that community members track Town activity on a regular basis; however proper process was followed with respect to enactment of the By-law.

Counc. Wells noted: Council was surprised by the lack of community member attendance at the public hearing; the matter was tabled in 2015 thus further discussion was expected; Council and Committee meetings are open to the public; it is expected residents will follow-up on Town matters of personal interest; and opportunities were available to submit concerns throughout the year the draft by-law was discussed.

Counc. Shea questioned if there are options available to Council to allow consideration of the new information received. He inquired if Council's decision to enact By-law 1-18 could be reconsidered. Town Clerk Banks advised Council's decision resulted in the enactment of a by-law and proper procedure must be followed in order to amend or repeal a by-law. Town Manager Jarvie added there is a time period that must be adhered to in order to revisit a matter previously discussed by Council. He further noted a public hearing was not required but held as a courtesy to provide a forum to collect public feedback; and it is expected another public hearing will be scheduled if the matter is revisited. Counc. Shea stressed the importance of providing an opportunity to receive public input.

CARRIED.

MOVED by Deputy Mayor Alexander and seconded by Counc. Brenan Council direct staff to prepare a report detailing options with respect to revisiting discussion regarding Water By-law 1-18.

CARRIED.

5. CORRESPONDENCE FOR ACTION

5.1 27 March 2019

Letter from the town of Quispamsis RE: Proposed amendment to

Regional Agreement to reduce quorum number for Fire Board meetings

Mayor Grant noted there was an oversight and the quorum was not reduced following Council's agreement to change the composition of the Fire Board.

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MOVED by Deputy Mayor Alexander and seconded by Counc. Wells Council agree to the amendment, more specifically to change Section 4.03 – *Quorum for Meetings* of the Regional Agreement to read as follows:

“The presence of ~~five (5)~~ *four (4)* voting members in attendance throughout a meeting of the Fire Board shall be a quorum of any meeting of the Fire Board provided that each participating municipality has at least two members in attendance at such meetings.”

CARRIED.

5.2 2 April 2019 Letter from resident RE: Active Transportation Plan improvements
MOVED by Deputy Mayor Alexander and seconded by Counc. Wells the letter from resident RE: Active Transportation Plan improvements dated 2 April 2019 be referred to staff for a response.

ON THE QUESTION:

Deputy Mayor Alexander commented that Rothesay was commended by a member of Saint John Cycling on actions undertaken to improve active transportation within the Town.

CARRIED.

5.3 *Various* (2) Letters from property owners RE: Water By-law 1-18 (*see item 9.1.2*)
Dealt with above.

5.4 3 April 2019 Letter from resident RE: Sewage issue on Christopher Lane
MOVED by Counc. McGuire and seconded by Counc. Mackay French the letter from resident RE: Sewage issue on Christopher Lane dated 3 April 2019 be referred to the Works and Utilities Committee.
CARRIED.

5.5 19 February 2019 Email from Joe Kennedy to Deputy Mayor Doucet, Hampton RE:
Nuisance Deer Hunter Contact List with attachment
2 April 2019 Letter from Quispamsis to Joe Kennedy RE: NDMAP – Nuisance Deer
Hunter Contact List

Mayor Grant reported a regional meeting was held on February 2nd, 2019 in Hampton to discuss the Nuisance Deer Management Assistance Program. She noted deer remain an issue in the region, not all permits available are used, and Quispamsis has agreed to maintain a hunter contact list.

MOVED by Deputy Mayor Alexander and seconded by Counc. Wells Rothesay maintain contact information for hunters interested in participating in the annual Nuisance Deer Management Assistance Program and the information be provided to landowners looking for hunters to utilize their permits and that Rothesay, when releasing the contact information, note that it does not attest to the skills or experience of the hunters on the list and that it is the sole responsibility of the landowner to select hunters who they trust to safely hunt on their land.

ON THE QUESTION:

Counc. Brenan expressed concern noting municipalities cannot attest to the skills or experience of hunters. He added some residents that own eligible properties may oppose the program and deny access to hunters. He commented that it would be advantageous to increase the number of deer per permit. Mayor Grant reported the matter was discussed at the February 2nd meeting and the Department of Energy and Natural Resources was not amenable to the request. She added it is the responsibility of the Department and property owners to determine if hunters possess the necessary qualifications. Counc. Wells commented that neighbouring properties can agree to collectively participate in the program if the combined size of the properties meets the criteria.

CARRIED.

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- 5.6 *Various* Emails to/from Hammond River Angling Association RE: Grant Application
4 April 2019 Letter from Hammond River Angling Association RE: Application for Rothesay Municipal Grant with attachment

MOVED by Counc. Mackay French and seconded by Counc. Wells the emails to/from Hammond River Angling Association RE: Grant Application, and the letter from the Hammond River Angling Association RE: Application for Rothesay Municipal Grant with attachment dated 4 April 2019 be referred to the Finance Committee for final decision.

ON THE QUESTION:

Concern was expressed that the request was not submitted prior to budget deliberations, the organization is not located in Rothesay, and approval may set a precedent.

DEFEATED.

MOVED by Counc. Brenan and seconded by Counc. Shea Council deny the Application submitted by the Hammond River Angling Association as the request was not submitted prior to budget deliberations.

CARRIED.

6. CORRESPONDENCE - FOR INFORMATION

- 6.1 12 March 2019 Letter to Minister Anderson-Mason RE: Funding for Rothesay Wellness Centre

MOVED by Counc. Wells and seconded by Counc. Mackay French the letter to Minister Anderson-Mason RE: Funding for Rothesay Wellness Centre dated 12 March 2019 be received/filed.

ON THE QUESTION:

Counc. Shea requested clarification regarding the amount requested. He noted the letter creates confusion as he was of the understanding Council agreed to a cost not to exceed \$7.5 million dollars for the project. Mayor Grant noted the construction cost of the project is \$7.5 million dollars, however additional costs are required such as expenses for engaging consultants. Town Manager Jarvie clarified that the correspondence identifies an estimated total cost (\$10 million) and requests the Provincial and Federal governments contribute a portion of the cost (\$6.4 million – roughly \$3.2 million each). He added it is anticipated a response may indicate if the amounts requested are reasonable. Counc. Brenan identified a recent media article in the Fredericton Gleaner that indicates the allocation for infrastructure spending may be limited in the Provincial and Federal budgets.

CARRIED.

- 6.2 19 March 2019 Letter from the Saint John Regional Hospital Foundation Inc. RE: Thank You – The GIVE: Clinic 1 Expansion

MOVED by Counc. Wells and seconded by Counc. McGuire the letter from the Saint John Regional Hospital Foundation Inc. RE: Thank You – The GIVE: Clinic 1 Expansion dated 19 March 2019 be received/filed.

CARRIED.

- 6.3 20 March 2019 Email from the Union of Municipalities New Brunswick (UMNB) RE: Update on Provincial and Federal Budgets with attachment

MOVED by Counc. Wells and seconded by Deputy Mayor Alexander the email from the Union of Municipalities New Brunswick (UMNB) RE: Update on Provincial and Federal Budgets with attachment dated 20 March 2019 be received/filed.

ON THE QUESTION:

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Counc. Brenan commented on the reduction in the Designated Highway program.

CARRIED.

7. REPORTS

7.0 April 2019 Report from Closed Session
N/A

7.1 31 December 2018 Kennebecasis Public Library 2018 Audited Financial Statements
MOVED by Counc. Shea and seconded by Deputy Mayor Alexander the Kennebecasis Public Library 2018 Audited Financial Statements dated 31 December 2018 be received/filed.

ON THE QUESTION:

Treasurer MacDonald clarified that the annual deficit of \$273,000 is a result of the inclusion of the amortization of assets as required by Public Sector Accounting Board (PSAB) standards. He added the organization has a cash operating surplus of \$29,704 in 2018.

CARRIED.

7.2 28 February 2019 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 28 February 2019 be received/filed.

ON THE QUESTION:

Counc. Brenan commented on the reduced revenues recorded for the Bill McGuire Centre and the Arena. DRP Jensen advised the issue relates to timing. Town Manager Jarvie added unforeseen issues arose during finalization of flood restoration work for the Bill McGuire Centre which impacted rental revenues. Counc. Brenan commented on the negative variance for Asphalt/Microseal. Treasurer MacDonald advised the item was a carryover from 2018; work was completed however invoices were not received. Mayor Grant requested clarification with respect to the negative variance for the Salt Shed repairs. Treasurer MacDonald advised wind damage to the roof resulted in an unexpected cost. He noted an insurance claim was submitted but the amount of reimbursement has not been confirmed.

CARRIED.

28 February 2019 Draft unaudited Rothesay Utility Fund Financial Statements
MOVED by Counc. Brenan and seconded by Counc. McGuire the draft unaudited Rothesay Utility Fund Financial Statements dated 28 February 2019 be received/filed.

ON THE QUESTION:

Treasurer MacDonald advised the negative variance is a result of emergency water leak repairs.

CARRIED.

28 February 2019 Donation Summary
MOVED by Counc. Brenan and seconded by Counc. Wells the Donation Summary dated 28 February 2019 be received/filed.

CARRIED.

21 March 2019 Draft Finance Committee Meeting Minutes
MOVED by Counc. Brenan and seconded by Deputy Mayor Alexander the Draft Finance Committee Meeting Minutes dated 21 March 2019 be received/filed.

ON THE QUESTION:

Counc. Shea requested clarification with respect to quorum. Town Clerk Banks advised if members

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declare a conflict of interest the quorum is reduced but there is a minimum needed.

CARRIED.

Mayor Grant declared a conflict of interest and left the meeting. Deputy Mayor Alexander assumed the Chair.

➤ KV Oasis – Power of Determination Fundraiser

MOVED by Counc. Wells and seconded by Counc. Brenan Council deny the request submitted by KV Oasis with respect to the Power of Determination Fundraiser.

ON THE QUESTION:

Concern was expressed regarding the amount, timing, and the frequency of requests submitted by the organization. It was noted: Council approved a donation to the organization in the 2019 budget; the Grants and Donations Policy does not restrict the number of requests that can be submitted by an individual or organization; and submissions are encouraged prior to annual budget deliberations.

CARRIED.

Mayor Grant returned to the meeting.

7.3 11 March 2019 Draft Emergency Measures Committee Meeting Minutes

MOVED by Counc. McGuire and seconded by Counc. Mackay French the Draft Emergency Measures Committee Meeting Minutes dated 11 March 2019 be received/filed.

CARRIED.

Addenda:

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*Memorandum from EMO Committee RE: Preparation for 2019
Spring Freshet*

MOVED by Counc. McGuire and seconded by Deputy Mayor Alexander Council:

1. Authorize the immediate acquisition of 20,000 sandbags to be distributed to vulnerable property owners at a reasonable price with carrying costs from the operating reserve;
2. Direct staff to arrange for a supply of sand and filling stations in at least one location where property owners and volunteers can prepare sandbags for their own use;
3. Encourage the public to utilize the Rothesay Facebook page and the Provincial “River Watch” regular updates on emerging flood conditions and volunteer opportunities and needs; and
4. Direct that a letter be sent to property owners in flood prone areas advising them concerning Town preparations and communication channels.

ON THE QUESTION:

Counc. Wells commented that the recommendation does not identify if a limit will be imposed on the amount of sandbags an individual can purchase or the cost. She noted she is in favour of ensuring sandbags are available to residents should flooding occur. Mayor Grant stated any unused sandbags can be stored and made available the following year. There was discussion with respect to cost and resale price of the sandbags, Provincial support, and communication. Counc. Brenan inquired about delivery of the letter to property owners. Town Manager Jarvie advised, if approved, a letter will be sent to property owners as soon as possible. In response to an inquiry, DO McLean advised Town staff do not anticipate a shortage of sand for distribution to the public. Counc. Wells suggested a list of sandbag suppliers be included in the correspondence sent to property owners in flood prone areas. Counc. McGuire commented that the Town will offer support to residents however protection of private property is the sole responsibility of the property owner.

CARRIED.

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*Memorandum from EMO Committee RE: Appointment of EMO
Director*

MOVED by Counc. McGuire and seconded by Counc. Brenan Council appoint the Chief of the Kennebecasis Valley Fire Department, or their designate, as the EMO Director for Rothesay subject to the concurrence of the Fire Board.

ON THE QUESTION:

Counc. McGuire reported Quispamsis is amenable to the proposed appointment. The Committee believes personnel in the Fire Department have the training and resources necessary and are best positioned to fulfil this important function. He added the EMO Committee suggested a session be scheduled to discuss the role of Council in the event of a flood. In response to an inquiry, it was noted the Fire Chief was informed and is amenable to the appointment. Counc. Brenan added the next Fire Board meeting is scheduled for Wednesday, April 10th.

CARRIED.

7.4 19 March 2019 Draft Parks and Recreation Committee Meeting Minutes

MOVED by Counc. Wells and seconded by Counc. Mackay French the Draft Parks and Recreation Committee Meeting Minutes dated 19 March 2019 be received/filed.

ON THE QUESTION:

There was general discussion with respect to the circus scheduled for July 3, 2019 at the Rothesay Arena and it was noted it is the same organization that booked last year.

CARRIED.

7.5 20 March 2019 Draft Works and Utilities Committee Meeting Minutes

MOVED by Deputy Mayor Alexander and seconded by Counc. Wells the Draft Works and Utilities Committee Meeting Minutes dated 20 March 2019 be received/filed.

CARRIED.

- Local Improvement By-law 1-19 revisions
See item 8.2

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

7.6 1 April 2019 Draft Planning Advisory Committee Meeting Minutes

MOVED by Counc. Brenan and seconded by Counc. Wells the Draft Planning Advisory Committee Meeting Minutes dated 1 April 2019 be received/filed.

CARRIED.

- Local Government Services Easement – Edgemont Lane

MOVED by Counc. McGuire and seconded by Counc. Wells Council, pursuant to Section 88(7) of the Community Planning Act, hereby assents to the Hillcrest Gardens Subdivision Plan Phase 8 Dwg. No. 3819 dated March 12, 2019 prepared by Kierstead Quigley and Roberts Ltd. showing a Local Government Services Easement located on Lot 10 off Edgemont Lane (PID 30279137).

ON THE QUESTION:

In response to an inquiry, it was noted the easement will not impact the existing building on the property. There was general discussion with respect to the property.

CARRIED.

Counc. Shea returned to the meeting.

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7.7 March 2019 Monthly Building Permit Report

MOVED by Deputy Mayor Alexander and seconded by Counc. Wells the Monthly Building Permit Report dated March 2019 be received/filed.

CARRIED.

7.8 5 April 2019 Capital Projects Summary

MOVED by Counc. Wells and seconded by Counc. Mackay French the Capital Projects Summary dated 5 April 2019 be received/filed.

CARRIED.

8. UNFINISHED BUSINESS

TABLED ITEMS

8.1 Wiljac Street Reconstruction and Extension – Design (Tabled March 2019)

No action at this time

8.2 Master Local Improvement By-law 1-19 Revisions

5 April 2019

Memorandum from Town Manager Jarvie

DRAFT

By-law 1-19 “A By-law Describing the Procedure for Directing the Undertaking of A Work as A Local Improvement”

Addendum:

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Memorandum from Town Clerk Banks

MOVED by Deputy Mayor Alexander and seconded by Counc. Wells Council amend By-law 1-19, “A By-law Describing the Procedure for Directing the Undertaking of a Work as a Local Improvement”, as outlined in the memorandum from Town Manager Jarvie, dated 5 April 2019.

ON THE QUESTION:

Counc. Brenan requested clarification. Town Manager Jarvie advised: By-law 1-19 describes the procedures for undertaking all work as a local improvement; however each project will require an individual by-law to identify details of the projects including a cost sharing formula; residents will be notified of upcoming projects; and one letter of opposition from an affected property owner will require a public hearing be held to discuss the project. Town Manager Jarvie gave a brief overview of the proposed local improvement projects including Mulberry Lane, Hillview Crescent, and Shadowhill Court.

CARRIED.

MOVED by Counc. Wells and seconded by Deputy Mayor Alexander Council authorize staff to advertise on the Town website as to the content of By-law 1-19, “A By-law Describing the Procedure for Directing the Undertaking of a Work as a Local Improvement”, as amended, in accordance with the *Local Governance Act*, SNB 2017, c 18.

CARRIED.

MOVED by Counc. Wells and seconded by Deputy Mayor Alexander Council table Reading in its Entirety, 3rd Reading and Enactment of By-law 1-19, “A By-law Describing the Procedure for Directing the Undertaking of a Work as a Local Improvement”.

CARRIED.

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8.3 Regional Ice Strategy

5 April 2019 Memorandum from Town Manager Jarvie

Mayor Grant briefly summarized the discussion at the March 25, 2019 Fundy Regional Service Commission (FRSC) meeting noting: she voted in favour of the Regional Ice Strategy Working Group's proposal as recommended by Council; the four Local Service Districts and Saint John voted in opposition of the proposal and it was defeated; Saint John Mayor Don Darling submitted an alternative proposal encouraging municipalities to commit, before May 1st, to sharing the operating deficits of arenas in the region, and total costs will be determined once commitment is confirmed; the proposal was not seconded, however FRSC members agreed to discuss the proposal with their respective councils. She requested Council direction on the matter.

MOVED by Deputy Mayor Alexander and seconded by Counc. McGuire:

- (a) Council continue to endorse the February 22nd Regional Ice Strategy as proposed by the Fundy Regional Service Commission;
- (b) should the City of Saint John proceed with its ultimatum to charge user fees to Rothesay residents, Council direct staff to identify any actions to be considered in response; and further
- (c) Rothesay Council recommends moving forward with the recommendations contained within the Fundy Region Ice Strategy Working Group's 22 February 2019 report and therefore is not in favour of the City of Saint John Mayor Don Darling's motion he presented for consideration at the 25 March 2019 Regional Service Commission Board Meeting.

ON THE QUESTION:

Mayor Grant stressed the importance of collecting data beforehand to ensure Council is able to make an informed decision. Deputy Mayor Alexander referenced the message circulated at the Regional Ice Strategy workshop held in August 2018 stating the intention of the Strategy is to benefit all areas in the region. He suggested Saint John's interest may not align with other municipalities in the region. He agreed with Mayor Grant and encouraged due diligence by collecting data regarding financial implications before committing to a funding formula. Counc. Brenan noted he is in favour of the Working Group's proposal. He requested clarification with respect to the discussion regarding cross flow of usage for regional arenas. Mayor Grant noted the Commission indicated a willingness to pursue the specific collection of data in the future. She further noted there are different operating costs and deficits for each arena in the region. Town Manager Jarvie added rental rates also differ between arenas thus analysis must be undertaken to ensure proper comparison. There was general discussion with respect to potential outcomes.

CARRIED.

9. NEW BUSINESS

9.1 BUSINESS ARISING FROM DELEGATIONS

9.1.1 Arena / Ice Time requirements for the area C. Fullerton

Dealt with above.

9.1.2 Water By-law 1-18

2 April 2019

Report prepared by DO McLean

1 April 2019

Request to present to Council RE: Water By-law 1-18

Various

Emails/letters from property owners (9) RE: Water By-law 1-18

Dealt with above.

ADMINISTRATION

9.2 Committee Appointments

3 April 2019

Memorandum from the Nominating Committee

Mayor Grant noted Counc. Wells was appointed to serve on the Rothesay Hive Advisory Committee.

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MOVED by Counc. Wells and seconded by Counc. McGuire Council appoint the following representatives to serve on the Rothesay Hive Advisory Committee, with terms to expire 31 December 2020, subject to completion and acceptance through the YMCA volunteer screening policies and practices:

Robert Taylor
Shawn Jennings
Jill Jennings
Jean Porter Mowatt
Diane O'Connor
Gina Chiarella
Nea Stephenson - Under 55 years of age representative
Stephanie Tomilson – Rothesay High School representative
Julie Atkinson - Elementary / Middle School representative
Natalie Reid - YMCA representative

ON THE QUESTION:

In response to an inquiry, Counc. Wells noted representation of specific age groups or external organizations will continue should a member resign from the Committee.

NAY vote recorded from Counc. Brenan.

CARRIED.

MOVED by Counc. Wells and seconded by Counc. McGuire Council appoints Scott Cochrane to serve on the Rothesay Hive Advisory Committee, with a term to expire 30 June 2020, subject to completion and acceptance through the YMCA volunteer screening policies and practices.

CARRIED.

MOVED by Counc. Wells and seconded by Deputy Mayor Alexander Council appoint Shawn Jennings to the Rothesay Parks and Recreation Committee for a term to expire 31 December 2020.

CARRIED.

OPERATIONS

9.3 Contract T-2019-002: Church Avenue Reconstruction

5 April 2019 Report prepared by DO McLean

MOVED by Deputy Mayor Alexander and seconded by Counc. Wells Council award Contract T-2019-002: Church Avenue Reconstruction to the low tenderer, TerraEx Inc., at the tendered price of \$2,117,546.75 (including HST), as calculated based on estimated quantities, and further that the Mayor and Town Clerk be authorized to execute the necessary contract documents.

ON THE QUESTION:

Counc. Brenan inquired about the location of the low tenderer and the shortfall of \$366,103.82. It was noted TerraEx. is a company based in Saint John, and the shortfall will be funded from Gas Tax funds.

CARRIED.

9.4 One Ton Truck Purchase – Works Department

4 April 2019 Report prepared by DO McLean

MOVED by Counc. Wells and seconded by Counc. McGuire Council accept the submission from Dobson Chrysler Dodge for the purchase of a one-ton truck cab and chassis at the base price of \$69,625.00 plus HST and further that the Director of Operations be authorized to issue a purchase order in that regard.

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ON THE QUESTION:

Counc. Brenan inquired about the build sheet. DO McLean advised the build sheet reviewed by Council at its regular meeting in December was distributed to both potential suppliers.

CARRIED.

MOVED by Counc. Wells and seconded by Deputy Mayor Alexander Council accept the submission from Parts for Trucks Inc. for the purchase of a landscape style box and dump cylinder at the price of \$19,700.00 plus HST and further that the Director of Operations be authorized to issue a purchase order in that regard.

CARRIED.

9.5 Contract T-2019-005: Single Axle Dump Trucks

2 April 2019 Report prepared by DO McLean

MOVED by Counc. McGuire and seconded by Counc. Wells the Equipment Supply Tender T-2019-005: One (1) Single Axle Dump Truck, be awarded to the only eligible tenderer, Universal Truck and Trailer, at the tendered price of \$158,500.00 plus HST and the Director of Operations be authorized to issue a purchase order in that regard; and further the supply of Tenco plow rigging be awarded to Parts for Trucks Inc., in the amount of \$110,178.00 plus HST (for one), and further that the Director of Operations be authorized to issue a purchase order in that regard.

ON THE QUESTION:

In response to an inquiry, DO McLean advised deferring the purchase of one of the single axle dump trucks to the 2020 budget will not adversely impact operations. Counc. Brenan inquired about the build sheet. DO McLean noted the build sheets included in the tender are similar to documents used in previous purchases.

CARRIED.

9.6 Carpenter Pond Wellfield Testing and Modelling

4 April 2019 Report prepared by DO McLean

MOVED by Counc. Wells and seconded by Deputy Mayor Alexander Council accept the proposal submitted by Wood Environment and Infrastructure Solutions in the amount of \$84,853.00 including HST to conduct pump tests on existing production wells, create a 3D numerical model of the Carpenter Pond Wellfield and present findings to provincial regulators.

ON THE QUESTION:

Counc. Brenan questioned if increasing the maximum withdrawal rate will negatively impact the aquifer. Deputy Mayor Alexander noted the pump tests and 3D numerical model of the Carpenter Pond Wellfield will identify if the maximum daily withdrawal rate can be increased sustainably. He added provincial regulators indicated amenableness to increasing the daily withdrawal rate if the data confirms the practice can be done without adversely impacting the aquifer.

CARRIED.

9.7 Contract T-2019-001 Asphalt Resurfacing and Microseal Placement

3 April 2019 Report prepared by DO McLean

MOVED by Deputy Mayor Alexander and seconded by Counc. McGuire Council award Contract T-2019-001: Asphalt Resurfacing and Microseal Placement to the low tenderer, Galbraith Construction Ltd., at the tendered price of \$1,577,812.65 (including HST), as calculated based on estimated quantities, and further that the Mayor and Town Clerk be authorized to execute the necessary contract documents.

ROTHERSAY

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ON THE QUESTION:

Counc. McGuire noted the contract secures a reasonable cost for asphalt and permits the undertaking of additional work up to a specified amount should the need arise. Town Manager Jarvie added submission of additional work is at the discretion of Council.

CARRIED.

10. NEXT MEETING

The next meeting is scheduled for Monday, May 13, 2019.

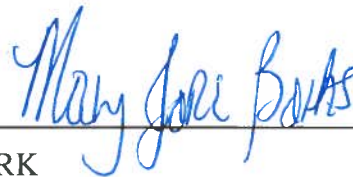
11. ADJOURNMENT

MOVED by Deputy Mayor Alexander and seconded by Counc. McGuire the meeting be adjourned.

The meeting adjourned at 9:16 p.m.



MAYOR



CLERK