



# ROTHESAY

COUNCIL MEETING  
Rothesay Town Hall  
Monday, May 13, 2019  
7:00 p.m.



**PRESENT:** MAYOR NANCY GRANT  
DEPUTY MAYOR MATT ALEXANDER  
COUNCILLOR GRANT BRENNAN  
COUNCILLOR PETER J. LEWIS (*arrived at 7:30 p.m.*)  
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 7:00 p.m.

## 1. APPROVAL OF AGENDA

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

- The letter from Teed Saunders Doyle and Co. RE: Communication of Audit Results dated 13 May 2019 be added to Item 9.1.2
- Items 9.1.2, 9.1.1, and 8.3 be brought forward to follow Item 4.2

**CARRIED.**

## 2. ADOPTION OF MINUTES

- Regular Meeting 8 April 2019

**MOVED** by Counc. Shea and seconded by Counc. Wells the Open Session Council minutes of 8 April 2019 be adopted as circulated.

**CARRIED.**

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

## 3. OPENING REMARKS OF COUNCIL

Mayor Grant reported representatives from the Fredericton Police Force (FPF) visited the Kennebecasis Valley last week to recognize members of the Kennebecasis Regional Police Force who provided assistance in the aftermath of the tragic shooting in Fredericton last August. FPF Chief Leanne Fitch also presented Mayor Grant and Mayor Clark with plaques of gratitude for their municipalities.

Mayor Grant invited all to attend the grand opening of the Rothesay Hive Age-Friendly Community Centre May 23, 2019 3 p.m. – 5 p.m.

### 3.1 Declaration of Conflict of Interest

N/A

#### 4. DELEGATIONS

##### 4.1 Water By-law 1-18

Mark Hatfield (*see item 9.1.1*)

Mayor Grant welcomed Mr. Hatfield. Mr. Hatfield thanked Council and noted due to the negative financial and socioeconomic impacts he requested Water By-law 1-18 be either repealed or amended. He highlighted the following: Water By-law 2-15 was tabled subsequent to receiving public feedback regarding the significant costs associated with compliance for multi-unit property owners; By-law 1-18 replaced By-law 2-15 and was enacted without direct notification to impacted property owners; the changes will result in considerable unforeseen expenses that will cause financial hardship on property owners and subsequently tenants through rent increases; there has been no cause for concern regarding existing water quality on his properties; an emergency response policy was developed in the event of a well disruption or contamination; knowledge of the cost of compliance with By-law 1-18 negatively impacted a potential sale of his property; rent increases will reduce affordable housing options in the Town; the Town's water supply is in close proximity to a gas station thus a similar risk exists for contamination; and some individuals prefer the taste of well water to Town water.

In response to an inquiry, Mr. Hatfield advised he pays an annual non-hookup charge of \$200 per property. Treasurer MacDonald confirmed this was the same cost borne by single-unit residential property owners. Councilor McGuire commented that this practice may not be viewed as fair considering each unit in an apartment building is considered a household. Treasurer MacDonald advised By-law 1-18 accounts for the inequity and charges multi-unit property owners a fee per unit based on the size of the connection required. Mr. Hatfield calculated that the new non-hookup charge for his property would result in an additional charge of \$5 per month per unit.

Council made the following comments: Mr. Hatfield and other property owners provide a service to the community by offering affordable housing options; it is important for both parties to work together towards a solution; there is no interest in negatively impacting low income tenants; other properties were "grandfathered in" for different matters; the amount of tenants that pay subsidized rent is minimal; and proper procedures were followed with respect to notification regarding the changes to the By-law.

Mr. Hatfield acknowledged Council's interest in compromising by extending the payback period, however, he noted there are recurring costs such as meter and usage fees that are also cause for concern. He added if tenants dislike the taste of Town water they may incur additional monthly costs of purchasing bottled water. He further noted multi-unit property owners did not account for such a considerable unexpected expense when their business plans were formalized. He reiterated the drastic rent increase that will be borne by tenants in order to offset the cost. Councilor Shea inquired if Mr. Hatfield would be amenable if the monthly cost per unit was lower than indicated in his report. Mr. Hatfield noted he would not. He added he knows of individuals that have connected to Town water and do not use the water for consumption due to the taste. Mayor Grant clarified that the meter charge is not a recurring fee once the meter cost has been paid. Councilor Wells commended Mr. Hatfield for preparing policies and procedures in the event of well disruption or contamination. She expressed concern that not all multi-unit properties may have similar policies. Mr. Hatfield suggested Council consider including a related condition in the Water By-law. Deputy Mayor Alexander commented on liability and suggested it be promoted that the Town is not responsible for the quality of water provided by multi-unit properties that are not connected to the Town water system. Mr. Hatfield commented on the Eriskay Drive and Iona Avenue project noting residents were polled regarding their interest in connecting to Town water. Deputy Mayor Alexander noted multi-unit property owners are expected to make decisions for a collective group rather than just themselves.

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

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Counc. Lewis arrived at the meeting.

## 4.2 2018 Audited Rothesay Financial Statements

Treasurer Doug MacDonald, CPA, CA  
Auditors Teed Saunders Doyle & Co. Peter Logan, CPA, CA (*see item 9.1.2*)

Mayor Grant welcomed Town Treasurer Doug MacDonald, and Mr. Peter Logan of Teed Saunders Doyle & Co. Treasurer MacDonald thanked Council and advised of the following:

- A general overview of the differences between the final audited financial statements (consolidated) and the monthly operating financial statements
- Jointly controlled entities (police, fire, and library) allocations are determined based upon funding formulas and contracts. 2018 change in ownership percentage (\$65,294)
- Reconciliation of Annual PSAS Surplus for 2018 was \$2,860,949 compared to \$4,169,420 in 2017
- Reconciliation of 2018 Annual Operating Fund Surplus:  
General Fund \$99,250                      Utility Fund \$80,211
- Revenue Sources
  - 68% Property Tax Warrant
  - 1% Unconditional Grant
  - 11% Conditional Grants
  - 13% Water and Sewer Fees
  - 2% Sale of Services
  - 5% Other
- Revenue variances include: Conditional Government transfers includes Gas Tax Funds used during the year (\$1,100,000), and Grants relating to the Sewer project (\$1,500,000), Disaster Financial Assistance (\$300,000), Flood insurance proceeds (\$160,000), Sale of used equipment (\$70,000), and Water and Sewer connection fees (\$180,000)
- 2018 summary of the property tax rate (\$1.24), the municipal tax base (\$1,251,068,506), the property tax warrant (\$15,513,249), the annual sewer rate (\$370), base water rate per cubic meter (\$1.15), and the total utility revenue (\$2,926,116).
- The water rate has not changed in the past 3 years. The sewer rate has remained the same for the last 2 years
- 1.2% increase in property tax warrant and 5.3% increase in utility revenue
- Expenses by Function:
  - 31% Transportation Services
  - 23% Protective Services
  - 10% General Government Services
  - 16% Water and Sewer Services
  - 14% Recreation and Cultural Services
  - 3% Environmental Development Services
  - 3% Environmental Health Services
- Expenditure variances include:
  - Town Hall Renovations (\$110,000) – offset by grants of \$55,000
  - Asset management plan (\$62,000) – offset by Federation of Canadian Municipalities grant of \$50,000
  - Flood costs (\$630,000) – offset by recoveries of \$460,000
  - Assets written off (\$184,000)
  - Salt and Sand (\$30,000)
  - Infiltration Study (\$90,000) – offset by \$60,000 grant
  - Water Treatment costs (\$60,000)
- Capital asset continuity: loss on disposal (\$184,874)
- Summary of new capital additions by major projects

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- Provincial rules for debt service cost are 20% maximum allowable for the general fund and 50% for water/sewer
- 2018 Rothesay debt service costs are 6.8% for general down from 7.10% (2017), and 16.9% for water/sewer up from 14.43% (2017)
- New debt acquired is \$1,202,000 for the major sewer project (utility) compared to \$1,298,000 in 2017

Mr. Logan explained the audit process and noted it was a clean audit, and full cooperation was received from Town staff.

Counc. McGuire commented on the debt service costs noting the percentages for general and utility are well below the provincially mandated maximum. Counc. Brenan inquired about the outstanding signed management representation letter indicated in the Communication of Audit Results dated 13 May 2019. Mr. Logan noted he expects to collect the letter this evening and clarified the letter is for this year's audit. In response to an inquiry, Mr. Logan advised the audit did not reveal any deficiencies with respect to internal controls. Counc. Brenan inquired as to whom, from Council, was questioned with respect to fraud and illegal acts. Mr. Logan advised Mayor Grant represented Council on the matter. In response to an inquiry, Mr. Logan advised the clean audit opinion was attached to the audited financial statements. Counc. Shea inquired about the Financial Management Professional Fees. Treasurer MacDonald advised this category includes the fees related to the audit as well as the consulting fees for the Asset Management Plan. Counc. Shea commented on the Rothesay Common and questioned why the item is over budget. Treasurer MacDonald noted the variance is due to operating expenses such as security and building repairs. Counc. Shea question why this was not included in the Parks and Gardens line item. Treasurer MacDonald noted the Parks and Gardens item is related to activities such as mowing the Common rather than operation of the facility.

## **Item brought forward.**

### **9.1.2 Audited 2018 Rothesay Financial Statements**

6 May 2019

Memorandum from Treasurer MacDonald

31 December 2018

Draft Rothesay Consolidated Financial Statements

13 May 2019

*Communication of Audit Results*

**MOVED** by Deputy Mayor Alexander and seconded by Counc. Brenan be it resolved that Council approves Rothesay's 2018 audited financial statements and authorizes the Mayor and Treasurer to sign the financial statements.

**CARRIED.**

**MOVED** by Deputy Mayor Alexander and seconded by Counc. McGuire be it resolved that Council authorize the Mayor and Treasurer to sign the audit communication letter from Teed Saunders Doyle & Co.

## **ON THE QUESTION:**

Treasurer MacDonald clarified this correspondence is from the Town to Teed Saunders and Doyle whereas the correspondence added to the agenda earlier was from the organization to the Town.

**CARRIED.**

**MOVED** by Deputy Mayor Alexander and seconded by Counc. Lewis be it resolved that Council appoints Teed Saunders Doyle & Co to complete the audit of Rothesay's 2019 financial statements at a fee to be negotiated.

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### ON THE QUESTION:

In response to an inquiry, Treasurer MacDonald advised while jointly controlled entities such as Fire, Police, and Library engage Teed Saunders Doyle & Co. to complete annual audits, Rothesay does not control each organization's choice of auditor.

**CARRIED.**

**MOVED** by Counc. Lewis and seconded by Counc. McGuire the correspondence from Teed Saunders Doyle & Co. RE: Communication of audit results dated 13 May 2019 be received/filed.

**CARRIED.**

Mayor Grant thanked Treasurer MacDonald and Mr. Logan for their presentation. Mr. Logan thanked Council and left the meeting.

### Item brought forward.

#### 9.1.1 Water By-law 1-18

7 May 2019

Report prepared by M. Hatfield RE: Negative Financial and Socioeconomic Consequences of By-law 1-18

**MOVED** by Counc. McGuire and seconded by Counc. Mackay French the report prepared by M. Hatfield RE: Negative Financial and Socioeconomic Consequences of By-law 1-18 dated 7 May 2019 be received/filed.

**Counc. Lewis abstained from voting.**

**CARRIED.**

#### 8.3 Water By-law 1-18

**MOVED** by Deputy Mayor Alexander and seconded by Counc. Wells staff be directed to prepare a draft amending by-law to By-law 1-18 and hold a meeting with property owners of Residential Apartment Complexes affected to review potential changes.

### ON THE QUESTION:

Counc. Brennan questioned if the intent is to establish a working committee. Town Manager Jarvie advised the decision is at the discretion of Council. Counc. Shea inquired about the total number of impacted property owners. Treasurer MacDonald advised notification letters were distributed to a mix of roughly 16 multi-unit and commercial property owners.

**Counc. Lewis abstained from voting.**

**CARRIED.**

In response to an inquiry, Town Manager Jarvie advised a letter will be sent to notify property owners of the meeting.

## 5. CORRESPONDENCE FOR ACTION

5.1 18 April 2019 Letter from the Registrar of Motor Vehicles RE: Traffic By-law 1-14

**MOVED** by Counc. Wells and seconded by Deputy Mayor Alexander the letter from the Registrar of Motor Vehicles RE: Traffic By-law 1-14 dated 18 April 2019 be referred to staff.

**CARRIED.**

5.2 23 April 2019  
10 April 2019

Letter from resident RE: Drainage on Frances Avenue

Letter from resident RE: Sewage system on Beach Drive and Frances Avenue

**MOVED** by Counc. Lewis and seconded by Deputy Mayor Alexander the letter from resident RE: Drainage on Frances Avenue dated 23 April 2019 and the letter from resident RE: Sewage system on Beach Drive and Frances Avenue dated 10 April 2019 be referred to the Works and Utilities

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Committee.

### ON THE QUESTION:

Counc. Shea inquired if the issues were discussed previously by the Works and Utilities Committee. Deputy Mayor Alexander noted he does not recall the Committee discussing these matters in the past.

**CARRIED.**

5.3 7 May 2019 Email from resident RE: Brock Court drainage

**MOVED** by Counc. Wells and seconded by Counc. McGuire the email from resident RE: Brock Court drainage dated 7 May 2019 be referred to staff.

### ON THE QUESTION:

Counc. Shea requested clarification with respect to how the Church Avenue project will improve drainage concerns on Brock Court. Town Manager Jarvie advised the project will increase capacity of the stormwater system in the area of Church Avenue. This will ensure the system is adequate to manage water entering the system from the directions of Hillcrest Drive and Brock Court. The Brock Court Drainage Report included recommendations for property owners to complete work with the intent of directing the water into the Town system. The project will ensure the system can handle the additional water. While the project does not directly eliminate the existing drainage issues on Brock Court it provides the groundwork to assist with a long-term solution. Counc. Mackay French commented on the issue of the sinkhole created by a collapsed wooden catch basin. She noted Council expressed interest in assisting the homeowners and stressed the importance of following through on those intentions. Town Manager Jarvie advised Town staff were dispatched to the area to investigate the sinkhole. He noted the matter is related to infrastructure maintenance and the wooden structures will be replaced with materials that meet Town standards. Counc. Wells commented that an easement was granted for 20 Goldie Court that would help mitigate concerns. Town Manager Jarvie advised the purpose of the easement is to install infrastructure to alleviate concerns by redirecting the water into the Town storm sewer system.

**CARRIED.**

5.4 *Various* Correspondence (2) from residents RE: Opposition to Water By-law 1-18  
**MOVED** by Counc. McGuire and seconded by Counc. Lewis the correspondence (2) from residents RE: Opposition to Water By-law 1-18 be received/filed.

**CARRIED.**

## 6. CORRESPONDENCE - FOR INFORMATION

6.1 21 March 2019 Letter from Minister Anderson-Mason RE: Infrastructure Plan Integrated  
(Rec'd 10 Apr 2019) Bilateral Agreement (IBA)

**MOVED** by Counc. Shea and seconded by Deputy Mayor Alexander the letter from Minister Anderson-Mason RE: Infrastructure Plan Integrated Bilateral Agreement (IBA) dated 21 March 2019 be received/filed.

**CARRIED.**

6.2 5 April 2019 Letter from Cheryl Gallant, MP RE: Bill C-68 Fisheries Act  
(Rec'd 16 Apr 2019)

**MOVED** by Counc. Lewis and seconded by Counc. Wells the letter from Cheryl Gallant, MP RE: Bill C-68 Fisheries Act dated 5 April 2019 be received/filed.

**CARRIED.**

6.3 9 April 2019 Letter from St. Joseph's Hospital Foundation RE: Thank You

**MOVED** by Counc. Mackay French and seconded by Deputy Mayor Alexander the letter from St. Joseph's Hospital Foundation RE: Thank You dated 9 April 2019 be received/filed.

**CARRIED.**

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6.4 18 April 2019 Email from Heather White Brittain RE: Imperial Theatre Ambassador Program

**MOVED** by Counc. Shea and seconded by Counc. Mackay French the email from Heather White Brittain RE: Imperial Theatre Ambassador Program dated 18 April 2019 be received/filed.

### ON THE QUESTION:

Mayor Grant encouraged Council members to inform Ms. White Brittain if interested in assuming the role of Council representative for the program.

**CARRIED.**

6.5 19 April 2019 Letter from Jeff Sparks RE: Thank You – Lip Sync Battle and Auction  
**MOVED** by Counc. Lewis and seconded by Counc. Shea the letter from Jeff Sparks RE: Thank You – Lip Sync Battle and Auction dated 19 April 2019 be received/filed.

**CARRIED.**

6.6 24 April 2019 Letter from Touchstone Academy RE: Thank You – Amazeatorium  
**MOVED** by Counc. Mackay French and seconded by Deputy Mayor Alexander the letter from Touchstone Academy RE: Thank You – Amazeatorium dated 24 April 2019 be received/filed.

**CARRIED.**

6.7 28 April 2019 Letter from C. Ross to Prime Minister Trudeau and Premier Higgs RE: Incentives for property owners impacted by flooding  
**MOVED** by Counc. Shea and seconded by Counc. McGuire the letter from C. Ross to Prime Minister Trudeau and Premier Higgs RE: Incentives for property owners impacted by flooding dated 28 April 2019 be received/filed.

**CARRIED.**

6.8 2 May 2019 Email from the Premier's Council on Disabilities RE: Disability Awareness Week May 26 – June 1, 2019  
**MOVED** by Deputy Mayor Alexander and seconded by Counc. Mackay French the email from the Premier's Council on Disabilities RE: Disability Awareness Week May 26 – June 1, 2019 be received/filed.

### ON THE QUESTION:

In response to an inquiry, Town Clerk Banks advised a response has been sent to the correspondent and the initiative will be promoted on the Town website and social media.

**CARRIED.**

6.9 2 May 2019 Letter from the Department of Transportation and Infrastructure RE: Designated Highway Funding  
**MOVED** by Deputy Mayor Alexander and seconded by Counc. Wells the letter from the Department of Transportation and Infrastructure RE: Designated Highway Funding dated 2 May 2019 be received/filed.

### ON THE QUESTION:

Mayor Grant noted the Town has not received funding since 2016.

**CARRIED.**

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**7. REPORTS**

**7.0 May 2019 Report from Closed Session**

**Water By-law 1-18 Financial Analysis**

10 May 2019 Memorandum from Town Manager Jarvie

10 May 2019 Memorandum from Treasurer MacDonald

**MOVED** by Counc. McGuire and seconded by Deputy Mayor Alexander the memorandums from Town Manager Jarvie and Treasurer MacDonald dated 10 May 2019 be received/filed.

**CARRIED.**

**Sandbags refund of payments**

10 May 2019 Memorandum from Town Manager Jarvie

**MOVED** by Counc. Shea and seconded by Counc. Lewis Council authorize refunds for those requesting the refunds and producing receipts.

**ON THE QUESTION:**

Town Manager Jarvie explained feedback received from the public indicated charging for sandbags was unfair as other municipalities were distributing the bags at no cost. He added the limit imposed on the total amount of sandbags per individual was intended to ensure sandbags were available as Rothesay began distribution earlier than other municipalities.

The following comments were made: communities in the region should discuss a uniform strategy for sandbag distribution so as to prevent public confusion; the letter to residents in flood prone areas should be distributed earlier; roughly 15,000 bags were sold; receipts will be required to obtain refunds; sales were not restricted to residents; as contractors may have received profit for the bags refunds should be provided to residents only; and returned unused bags can be stored for use the following year.

Town Manager Jarvie advised steps are taken to prepare residents in advance of the rising water levels, however some resources may become available as needs arise, and without sufficient time to notify residents in advance.

**CARRIED.**

- 7.1 20 February 2019 Kennebecasis Public Library (KPL) Board Meeting Minutes
- February 2019 KPL Librarian's Report
- 31 December 2018 KPL Comparative Income Statement
- 2018 KPL Annual Report

**MOVED** by Counc. Shea and seconded by Counc. Wells the Kennebecasis Public Library (KPL) Board Meeting Minutes dated 20 February 2019, the KPL Librarians Report dated February 2019, the KPL Comparative Income Statement dated 31 December 2018, and the 2018 KPL Annual Report be received/filed.

**ON THE QUESTION:**

In response to an inquiry, Town Manager Jarvie advised there is no interest in acquiring the Smart Board.

**CARRIED.**



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- 7.2 27 February 2019 Kennebecasis Regional Joint Board of Police Commissioners (KRJBPC) Meeting Minutes  
31 March 2019 KRJBPC Statement of Financial Position  
16 April 2019 KRJBPC Call Summary

**MOVED** by Deputy Mayor Alexander and seconded by Counc. Brenan the Kennebecasis Regional Joint Board of Police Commissioners (KRJBPC) Meeting Minutes dated 27 February 2019, the KRJBPC Statement of Financial Position dated 31 March 2019, and the KRJBPC Call Summary dated 16 April 2019 be received/filed.

**CARRIED.**

- 7.3 17 December 2018 Kennebecasis Valley Fire Department Inc. (KVFD) Board Meeting Minutes  
31 December 2018 KVFD Draft Operating and Capital Budgets  
31 October 2018 KVFD Statement of Expense with Budget Variance  
12 December 2018 KVFD Chief's Report  
30 November 2018 KVFD Response Report  
31 December 2018 KVFD 2018 Audited Financial Statements  
16 April 2019 KVFD 2018 Annual Report

**MOVED** by Counc. Brenan and seconded by Counc. Lewis the Kennebecasis Valley Fire Department Inc. (KVFD) Board Meeting Minutes dated 17 December 2018, the KVFD Draft Operating and Capital Budgets dated 31 December 2018, the KVFD Statement of Expense with Budget Variance dated 31 October 2018, the KVFD Chief's Report dated 12 December 2018, the KVFD Response Report dated 30 November 2018 be received/filed.

**ON THE QUESTION:**

Counc. McGuire noted he is pleased to see Epipens are now available in fire trucks.

**CARRIED.**

**MOVED** by Counc. Brenan and seconded by Counc. Lewis the Kennebecasis Valley Fire Department Inc. (KVFD) 2018 Audited Financial Statements dated 31 December 2018 be received/filed.

**ON THE QUESTION:**

In response to an inquiry, Treasurer MacDonald advised the \$253,000 deficit on the consolidated statements is reflective of the amortization of capital assets. He added it is expected the funding deficit is due to the settlement of the union contract and retroactive salary payments.

**CARRIED.**

**MOVED** by Counc. Brenan and seconded by Counc. Shea the Kennebecasis Valley Fire Department Inc. (KVFD) 2018 Annual Report dated 16 April 2019 be received/filed.

**CARRIED.**

- 7.4 31 March 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 31 March 2019 be received/filed.

**ON THE QUESTION:**

Treasurer MacDonald advised variances were due to an increase in salt and sand costs and significant repairs necessary for the Salt Shed roof however insurance proceeds are expected to reduce the overall cost. He noted the budgeted amount for salt and sand will be reviewed during budget deliberations.

**CARRIED.**

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31 March 2019 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 March 2019 be received/filed.

### ON THE QUESTION:

Treasurer MacDonald advised more revenue was generated than budgeted, and there were higher costs related to the operation of the sewer system.

**CARRIED.**

30 April 2019 Donation Summary  
**MOVED** by Counc. McGuire and seconded by Counc. Lewis the Donation Summary dated 30 April 2019 be received/filed.

**CARRIED.**

25 April 2019 Draft Finance Committee Meeting Minutes  
**MOVED** by Counc. Brenan and seconded by Counc. Shea the Draft Finance Committee Meeting Minutes dated 25 April 2019 be received/filed.

**CARRIED.**

- 2018 Audited Financial Statements (*see item 9.1.2*)  
**Dealt with above.**
- Appointment of Auditors (*see item 9.1.2*)  
**Dealt with above.**

7.5 8 April 2019 Draft Emergency Measures Committee Meeting Minutes  
**MOVED** by Counc. Lewis and seconded by Counc. McGuire the Draft Emergency Measures Committee Meeting Minutes dated 8 April 2019 be received/filed.

### ON THE QUESTION:

Counc. Brenan inquired about the tender process for the Cameron Road project. Town Manager Jarvie advised the project was included in the tender awarded for the 2019 Asphalt and Microseal program. He added the start date of the project was expedited to help mitigate flood concerns. In response to an inquiry, DO McLean advised the tender was awarded to Galbraith Construction.

**CARRIED.**

7.6 16 April 2019 Draft Rothesay Hive Advisory Committee Meeting Minutes  
**MOVED** by Counc. Wells and seconded by Counc. Mackay French the Draft Rothesay Hive Advisory Committee Meeting Minutes dated 16 April 2019 be received/filed.

### ON THE QUESTION:

There was discussion with respect to use of the electronic kiosks. Counc. Wells advised due to improper use of the kiosks the content is now static as opposed to providing access to the web. She added due to the recent flooding events there was a delay in updating the community bulletin boards. In the future the Hive Coordinator will assist with ensuring the information is current. Counc. Lewis commented on the usefulness of electronic kiosks. Counc. Shea commented that he has not witnessed use of the electronic kiosks. He noted, when questioned, students of Rothesay Park School indicated they do not use the kiosks because they have cellphones. Counc. Wells suggested the students were not the target audience.

**CARRIED.**

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7.7 17 April 2019 Draft Works and Utilities Committee Meeting Minutes  
**MOVED** by Deputy Mayor Alexander and seconded by Council. Wells the Draft Works and Utilities Committee Meeting Minutes dated 17 April 2019 be received/filed.

### ON THE QUESTION:

Council. Shea inquired if permission is required to widen Church Avenue. Town Manager Jarvie advised permission is not needed as the road will be widened within the Town right-of-way. Council. Shea noted he was surprised to see his email to DO McLean regarding Marr Road included in the Committee agenda package. He added he received feedback that the condition of the infrastructure may not require replacement. Council. Lewis inquired about the duckbill valve in Kennebecasis Park. Deputy Mayor Alexander noted it is a rubber device that is used to control the flow of water into the Town's storm sewer system. DO McLean clarified the valve will be monitored to ensure efficiency. In response to an inquiry, DO McLean advised no progress has been made with CN Rail to change the designation of the East Riverside-Kingshurst Park crossing from a private to a public one. There was general discussion with respect to Christopher Lane. Town Manager Jarvie clarified the pipe in question is a lateral and not a main line therefore it is the responsibility of the property owner. In response to an inquiry, DO McLean advised work near East Riverside-Kingshurst Park is part of completion of the pumping station project.

**CARRIED.**

### ➤ Christopher Lane

**MOVED** by Deputy Mayor Alexander and seconded by Council. Wells Council uphold the Utility's position that Christopher Lane is a private driveway and the sewer lateral, whether it is shared or not, is a private responsibility.

### ON THE QUESTION:

Council. Brennan requested clarification. Deputy Mayor Alexander noted the lateral is shared between two property owners. Town Manager Jarvie advised the lateral connects to a Town sewer main, and laterals are the responsibility of property owners. He added typically there is one lateral per house.

**CARRIED.**

7.8 6 May 2019 Draft Planning Advisory Committee Meeting Minutes  
**MOVED** by Council. McGuire and seconded by Council. Shea the Draft Planning Advisory Committee Meeting Minutes dated 6 May 2019 be received/filed.

**CARRIED.**

### ➤ Hillside Secondary Plan

**MOVED** by Council. Shea and seconded by Deputy Mayor Alexander Council adopt in principle the April 2019 Hillside Secondary Plan Final Report, as amended, prepared by Crandall Engineering Ltd. and UPLAND planning, in fulfillment of the 2010 Municipal Plan secondary planning requirement and direct that staff shall be guided by the principles described in the plan in preparation of a new Municipal Plan and Zoning By-law.

### ON THE QUESTION:

Council. Shea inquired about potential legal ramifications of the recommendation. DPDS White advised: if the Plan is adopted in principle staff will use the document as a guideline for development of the new Municipal Plan and Zoning By-laws; other similar documents exist such as Rothesay's Recreation Master Plan, Active Transportation Plan, and Emergency Measures Plan; though the plans were adopted, Council is not obligated to follow the recommendations as they do not possess the same

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authority as by-laws; and enactment of the new Municipal Plan and Zoning By-laws are subject to Council and public review.

Counc. McGuire expressed concern regarding the extension of Wiljac Street. DPDS White advised Council approval is required to award a tender for the project thus Council will have the opportunity to discuss the matter further. Counc. Brenan questioned why approval in principle is necessary if matters will be discussed in the future. DPDS White advised if approved in principle staff will use the Plan as direction to guide development of the Municipal Plan, the Zoning By-law, and operations. Mayor Grant clarified the document will be used to guide private developers in the area. There was discussion with respect to the relationship between the Hillside Secondary Plan, the Municipal Plan and Zoning By-law.

Counc. Mackay French commented she believed the public interest is in preserving greenspace. She expressed concern the Plan accommodates residential development however there is insufficient population growth and developer interest to warrant these plans. She noted her disagreement with providing blanket approval for development in the area. DPDS White advised the Plan will enable staff to determine how well applications for development conform to the interests of Council, and subsequently present the findings to Council during deliberations. He added greenspace in the area is privately owned thus land must be donated or sold to the Town, or acquired through land for public purposes prior to development. There was discussion with respect to the three options and recommendation for the "hybrid" option indicated in the final report.

Counc. Wells commented on her appreciation for the Plan noting the document will eliminate a haphazard approach to development in the area, as well as assist planning for land for public purposes. Counc. Lewis inquired as to what measures can be taken to reduce development of greenspace. DPDS White advised the Plan will guide zoning in the Municipal Plan and the Zoning By-law thus controlling development. Counc. Shea inquired about the cost of the Secondary Plan. DPDS White advised the budget for the Plan was \$60,000. Mayor Grant added the initiative was completed over a two year period. Counc. Shea inquired about the anticipated outcome if Council does not approve the Plan in principle. DPDS White advised it may impact the Municipal Plan and Zoning By-law review. He added two items, the design of the Wiljac Street extension and the Appleby Drive subdivision, have been tabled pending completion of the Plan. Counc. Mackay French questioned if staff spoke with the property owner of Spyglass Hill to inquire about acquiring the land to designate as public greenspace. DPDS White advised direction must be provided from Council for staff to investigate the matter. Town Manager Jarvie advised the property owner has indicated that the land is not available for public use. Counc. Shea inquired if the Plan may impact negotiations with respect to land acquisition in the future. DPDS White advised the Plan helps individuals understand the development potential of the area and can assist identification of reasonable costs for parcels of land.

**YEA votes recorded from:** Deputy Mayor Alexander and Councs. Lewis, Shea, and Wells.

**NAY votes recorded from:** Councs. Brenan, Mackay French, and McGuire

**CARRIED.**

7.9 April 2019 Monthly Building Permit Report

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

**CARRIED.**

7.10 8 May 2019 Capital Projects Summary

**MOVED** by Counc. Wells and seconded by Deputy Mayor Alexander the Capital Projects Summary dated 8 May 2019 be received/filed.

**CARRIED.**

**8. UNFINISHED BUSINESS**

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**TABLED ITEMS**

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

*No action at this time*

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**8.2 Master Local Improvement By-law 1-19** (Tabled April 2019)

*Remove from table*

9 May 2019

Memorandum from Town Clerk Banks

8 May 2019

Summary of By-law 1-19

DRAFT

Local Improvement By-law 1-19

26 April 2019

Website notice

**MOVED** by Council. Lewis and seconded by Council. Shea Council remove By-law 1-19, “A By-law Describing the Procedure for Directing the Undertaking of a Work as a Local Improvement”, from the table.

**CARRIED.**

**MOVED** by Deputy Mayor Alexander and seconded by Council. Wells Council give Reading by summary to By-law 1-19, “A By-law Describing the Procedure for Directing the Undertaking of a Work as a Local Improvement”.

**CARRIED.**

Town Clerk Banks read the summary of By-law 1-19.

Council. Brenan questioned how residents will be notified. He noted feedback was received from the public indicating the Town’s communication strategies may be inadequate at reaching residents. Town Manager Jarvie advised the By-law requires letters be sent to impacted property owners. He added it is the responsibility of the property owner to update mailing addresses in the land registry to ensure notification is delivered to the correct address. Council. Brenan inquired if neighbouring property owners are polled with respect to projects. Town Manager Jarvie advised only property owners that will share the cost are notified. Council. Shea inquired about the total number of active local improvement levies. Town Manager Jarvie advised there is one active file, and three anticipated projects – Hillsvie Crescent, Shadowhill Court, and Mulberry Lane. He added depending on the funding formula, property owners may not be expected to pay the entire cost of the project. Council. Mackay French expressed concern that social media is not a reliable source to notify the public as not all posts appear on user newsfeeds. It was noted messages on the Town’s social media are also available on the Town website; and different communication strategies are used to promote various messages.

**MOVED** by Deputy Mayor Alexander and seconded by Council. Wells Council give 3<sup>rd</sup> Reading by Title and Enactment to By-law 1-19, “A By-law Describing the Procedure for Directing the Undertaking of a Work as a Local Improvement”.

**CARRIED.**

Town Clerk Banks read By-law 1-19 by title.

**8.3 Water By-Law 1-18 – Options**

10 May 2019

Memorandum from Town Manager Jarvie

**Dealt with above.**

## ROTHESAY

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### 9. NEW BUSINESS

#### 9.1 BUSINESS ARISING FROM DELEGATIONS

##### 9.1.1 Water By-law 1-18

7 May 2019

Report prepared by M. Hatfield RE: Negative Financial and Socioeconomic Consequences of By-law 1-18

Dealt with above.

##### 9.1.2 Audited 2018 Rothesay Financial Statements

6 May 2019

Memorandum from Treasurer MacDonald

31 December 2018

Draft Rothesay Consolidated Financial Statements

Dealt with above.

### ADMINISTRATION

#### 9.2 Committee Appointments

7 May 2019

Memorandum from the Nominating Committee

**MOVED** by Counc. Wells and seconded by Counc. McGuire Council appoint Shawn Carter to the Works and Utilities Committee and Ronald Higgins to the Trade and Convention Centre Board for terms to expire on 31 December 2020.

**CARRIED.**

#### 9.3 Fire Prevention and Protection By-law 2-19

9 May 2019

Memorandum from Town Clerk Banks

16 April 2019

Letter from the Kennebecasis Valley Fire Department RE: New draft Fire Prevention and Protection By-law

DRAFT

Fire Prevention and Protection By-law 2-19

Fire By-law Comparison Table of Concordance

**MOVED** by Counc. Lewis and seconded by Counc. Brenan Council refer the draft Fire Prevention and Protection By-law to staff for review and for further discussion with Quispamsis.

#### ON THE QUESTION:

It was noted the new by-law will replace existing by-laws and permit the collection of fire related fees.

**CARRIED.**

#### 9.4 Police Protection By-law 3-19

9 May 2019

Memorandum from Town Clerk Banks

DRAFT

Police Protection By-law 3-19

3 May 2019

Quispamsis Staff Report to Council

**MOVED** by Deputy Mayor Alexander and seconded by Counc. Shea Council give 1<sup>st</sup> Reading by Title to By-law 3-19, "A By-law of the town of Rothesay Respecting Police Protection in the town of Rothesay".

#### ON THE QUESTION:

Mayor Grant noted legislation now requires municipalities enact a Police Protection By-law. Council expressed concern that the joint funding formula for the Kennebecasis Regional Police Force (KRPF) was not revised despite an indicated agreement by Quispamsis in exchange for Rothesay's agreement to change the name of the department from the Rothesay Regional Police to the KRPF.

**CARRIED.**

Town Clerk Banks read By-law 3-19 by title.

# ROTHESAY

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**MOVED** by Counc. McGuire and seconded by Deputy Mayor Alexander Council give 2<sup>nd</sup> Reading by Title to By-law 3-19, "A By-law of the town of Rothesay Respecting Police Protection in the town of Rothesay".

**CARRIED.**

Town Clerk Banks read By-law 3-19 by title.

## OPERATIONS

### 9.5 Turnbull Court Sewer Design

8 May 2019

Report prepared by DO McLean

**MOVED** by Counc. Wells and seconded by Counc. McGuire Council accept the proposal submitted by Dillon Consulting Ltd. in the amount of \$78,660.00 including HST to plan and complete detailed design drawings for reconfiguration of the sanitary sewer collection system through the Turnbull Court neighbourhood.

#### ON THE QUESTION:

Town Manager Jarvie commented on the importance of completing the work as the system involves a link across the surface of Taylor Brook that is susceptible to damage from ice flows during certain periods of the year.

**CARRIED.**

### 10. NEXT MEETING

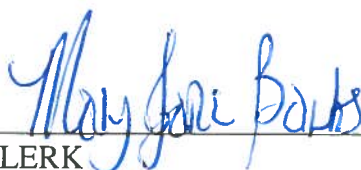
The next meeting is scheduled for Monday, June 10, 2019.

### 11. ADJOURNMENT

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

The meeting adjourned at 9:27 p.m.

  
MAYOR

  
CLERK