



ROTHESAY
COUNCIL MEETING
Rothesay Town Hall
Monday, August 12, 2019
7:00 p.m.



PRESENT: DEPUTY MAYOR MATT ALEXANDER
COUNCILLOR GRANT BRENAN
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

ABSENT: MAYOR NANCY GRANT

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

1. APPROVAL OF AGENDA

MOVED by Counc. Mackay French and seconded by Counc. Wells the agenda be approved as circulated.

CARRIED.

2. ADOPTION OF MINUTES

➤ Regular Meeting 8 July 2019

MOVED by Counc. Wells and seconded by Counc. Mackay French the Open Session Council minutes of 8 July 2019 be adopted as circulated.

CARRIED.

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

3. OPENING REMARKS OF COUNCIL

Deputy Mayor Alexander commended Rothesay residents Mira Stephenson, for receiving the 2019 Red Cross Humanitarian Award for New Brunswick, and Robyn Tingley, for her appointment to the Order of New Brunswick.

3.1 Declaration of Conflict of Interest

Counc. Lewis declared a conflict of interest with respect to Item 9.6 Summer Haven Crescent.

4. DELEGATIONS

4.1 Cameron Road Wayne Hatfield (*see Item 9.1.1*)

Deputy Mayor Alexander welcomed Mr. Hatfield. Mr. Hatfield thanked Council and Town staff, and provided an update with respect to the Cameron Road project and resident concerns. He gave a brief overview of the area highlighting common recreational uses associated with Jordan Miller Park and Stuart Dobbin Park. He commented on the impact of the spring freshet flood on the area, and the Town's timely work to raise Cameron Road to improve access. Mr. Hatfield identified four areas of concern: 1. safety on Cameron Road due to the raised road and steep slope, 2. a long-term flood

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mitigation plan, 3. restoration of residential properties, and 4. recreational access to the river. He reported DO McLean met with residents in the area to address their concerns and provide an update with respect to the Town's plans for restoration. He relayed that resident safety concerns will be addressed through signage, improvements to the grade of the slope, and the installation of guardrails. He further noted DO McLean also addressed concerns related to the restoration of residential properties. With concerns #1 and #3 addressed, Mr. Hatfield requested the Town consider providing recreational access to the river, and establishing either a plan or steering committee for long-term flood mitigation measures.

Deputy Mayor Alexander thanked Mr. Hatfield for his presentation, and noted the matter will be discussed later on the agenda.

5. CORRESPONDENCE FOR ACTION

5.1 4 July 2019 Email from resident RE: Speed concerns on Monaco Drive/Bel-Air Avenue

MOVED by Counc. Wells and seconded by Counc. McGuire the email from resident RE: Speed concerns on Monaco Drive/Bel-Air Avenue dated 4 July 2019 be referred to the Works and Utilities Committee.

CARRIED.

5.2 17 July 2019 Letter from residents RE: Request for French Village Road sidewalk
Dealt with under Item 7.6

5.3 22 July 2019 Letter from resident RE: Excessive noise from motorcycles
MOVED by Counc. Lewis and seconded by Counc. Wells the letter from resident RE: Excessive noise from motorcycles dated 22 July 2019 be referred to the Kennebecasis Regional Police Force.

CARRIED.

5.4 22 July 2019 Letter from resident RE: Traffic on Gondola Point Road
MOVED by Counc. Wells and seconded by Counc. Mackay French the letter from resident RE: Traffic on Gondola Point Road dated 22 July 2019 be referred to the Works and Utilities Committee.

CARRIED.

5.5 *Various* Emails (2) from resident RE: Request for curb on Grove Avenue
MOVED by Counc. Wells and seconded by Counc. McGuire the emails (2) from resident RE: Request for curb on Grove Avenue be referred to the Works and Utilities Committee.

CARRIED.

5.6 4 July 2019 Letter from the Mayors of Grand Bay-Westfield, Quispamsis, Rothesay, and St. Martins to Saint John RE: Regional support for tax reform
1 August 2019 Letter from Saint John Mayor Don Darling RE: Heavy Industrial Property Tax Revenue

MOVED by Counc. Mackay French and seconded by Counc. McGuire the letter from the Mayors of Grand Bay-Westfield, Quispamsis, Rothesay, and St. Martins to Saint John RE: Regional support for tax reform, and the letter from Saint John Mayor Don Darling RE: Heavy Industrial Property Tax Revenue dated 1 August 2019 be referred to the Mayor.

CARRIED.

6. CORRESPONDENCE - FOR INFORMATION

6.1 28 June 2019 Letter from CN RE: Rail Safety Week September 23-29 Proclamation

MOVED by Counc. Lewis and seconded by Counc. Shea the letter from CN RE: Rail Safety Week

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September 23-29 Proclamation dated 28 June 2019 be received/filed.

CARRIED.

6.2 23 July 2019 Letter from Camp Glenburn attendee RE: Thank You
MOVED by Counc. Mackay French and seconded by Counc. Wells the letter from Camp Glenburn attendee RE: Thank You dated 23 July 2019 be received/filed.

CARRIED.

6.3 2 May 2019 Letter from CN RE: 2019 CN in your Community Report w/o attachment
(*rec'd 24 July 2019*) (*Report available at www.cn.ca*)
MOVED by Counc. Lewis and seconded by Counc. Wells the letter from CN RE: 2019 CN in your Community Report w/o attachment dated 2 May 2019 be received/filed.

CARRIED.

6.4 18 July 2019 Letter from resident to the Dept. of Transportation and Infrastructure RE:
Hampton Road/Marr Road Intersection
MOVED by Counc. Wells and seconded by Counc. Shea the letter from resident to the Dept. of Transportation and Infrastructure RE: Hampton Road/Marr Road Intersection dated 18 July 2019 be referred to the Works and Utilities Committee.

CARRIED.

6.5 29 July 2019 Letter to Post Road residents w/o attachment (14)
MOVED by Counc. Wells and seconded by Counc. Lewis the letter to Post Road residents w/o attachment (14) dated 29 July 2019 be received/filed.

CARRIED.

6.6 30 July 2019 Letter to Rothesay Park Road residents w/o attachment (32)
MOVED by Counc. Mackay French and seconded by Counc. Shea the letter to Rothesay Park Road residents w/o attachment (32) dated 30 July 2019 be received/filed.

CARRIED.

7. REPORTS

7.0 August 2019 Report from Closed Session

- Signage on Public Land – Kennebecasis Park

MOVED by Counc. Wells and seconded by Counc. Lewis the information regarding proposed signage for access to public land in Kennebecasis Park be shared with Kennebecasis Park residents via the Kennebecasis Park newsletter, the Kennebecasis Park Neighbours Facebook page, and posted at the annual Kennebecasis Park Corn Boil event.

ON THE QUESTION:

In response to an inquiry, it was noted there is no Town bulletin board in Kennebecasis Park.

CARRIED.

7.1 15 May 2019 Kennebecasis Public Library (KPL) Board Meeting Minutes
May 2019 KPL Librarian's Report
30 April 2019 KPL Comparative Income Statement
May 2019 KPL Building Maintenance Report

MOVED by Counc. Shea and seconded by Counc. Wells the Kennebecasis Public Library (KPL) Board Meeting Minutes dated 15 May 2019, the KPL Librarian's Report dated May 2019, the KPL Comparative Income Statement dated 30 April 2019, the KPL Building Maintenance Report dated May 2019 be received/filed.

CARRIED.

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- 7.2 22 May 2019 Kennebecasis Regional Joint Board of Police Commissioners (KRJBPC)
Meeting Minutes
31 May 2019 KRJBPC Statement of Financial Position
16 June 2019 KRJBPC Call Summary

MOVED by Counc. Mackay French and seconded by Counc. Lewis the Kennebecasis Regional Joint Board of Police Commissioners (KRJBPC) Meeting Minutes dated 22 May 2019, the KRJBPC Statement of Financial Position dated 31 May 2019, the KRJBPC Call Summary dated 16 June 2019 be received/filed.

ON THE QUESTION:

Counc. McGuire suggested individuals be identified more formally by name and/or title in the minutes, as opposed to just first names.

CARRIED.

- 7.3 30 June 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 30 June 2019 be received/filed.

ON THE QUESTION:

Treasurer MacDonald advised the wrong copy of the variance report (page 89) was circulated. The correct document was distributed to Council before the meeting.

CARRIED.

- 30 June 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 30 June 2019 be received/filed.

CARRIED.

- 18 July 2019 Draft Finance Committee Meeting Minutes
MOVED by Counc. Brenan and seconded by Counc. Shea the Draft Finance Committee Meeting Minutes dated 18 July 2019 be received/filed.

CARRIED.

- St. Joseph's Hospital Foundation – Late Night with the Foundation

MOVED by Counc. Brenan and seconded by Counc. Shea Council approve a donation to St. Joseph's Hospital Foundation in the amount of \$1,000.00 relating to the "Late Night with the Foundation" fundraising event.

CARRIED.

- Amendment to Grants and Donations Policy

MOVED by Counc. Brenan and seconded by Counc. Mackay French Council approve an amendment to the Grants and Donations Policy to include Section 2(g) – Council will consider requests for financial support from groups that have not made a request for funding within the previous 12 months.

ON THE QUESTION:

Counc. Wells requested clarification. Counc. Brenan noted the amendment is to deter multiple donation requests from organizations that have received donations in the past twelve months. Deputy Mayor Alexander noted the policy also encourages applicants to submit donation requests prior to annual

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budget deliberations.

CARRIED.

➤ Gas Tax Plan

MOVED by Council. Brenan and seconded by Council. Shea the document entitled *Rothersay Five-Year Capital Investment Plan for the Gas Tax Fund Administrative Agreement 2019-2023* be adopted.

RESIGNED 9 SEPTEMBER 2019 MJB WJ

CARRIED.

7.4 16 July 2019 Draft Rothesay Hive Advisory Committee Meeting Minutes

MOVED by Council. Wells and seconded by Council. Mackay French the Draft Rothesay Hive Advisory Committee Meeting Minutes dated 16 July 2019 be received/filed.

CARRIED.

7.5 16 July 2019 Draft Parks and Recreation Committee Meeting Minutes

MOVED by Council. Wells and seconded by Council. Lewis the Draft Parks and Recreation Committee Meeting Minutes dated 16 July 2019 be received/filed.

CARRIED.

7.6 17 July 2019 Draft Works and Utilities Committee Meeting Minutes

MOVED by Council. Wells and seconded by Council. Lewis the Draft Works and Utilities Committee Meeting Minutes dated 17 July 2019 be received/filed.

ON THE QUESTION:

Council. Brenan suggested the vacant land across from Rothesay Park School that previously housed a service station may be an ideal location for an overflow parking lot. He noted this may alleviate parking on Gondola Point Road. Council. Wells noted there is an informal agreement with Our Lady of Perpetual Help Church to allow overflow parking for the Common. Council. Lewis indicated residents may not be aware of the arrangement. It was suggested a formal agreement may be required in order to install signage to direct residents to park at the church. There was discussion with respect to suggestions for an overflow parking lot. Council. Wells noted additional measures may not be required as overflow parking is available at Our Lady of Perpetual Help, there is a signalized crosswalk on Gondola Point Road near the church, and the Works and Utilities Committee discussed the matter at length and is satisfied parking for the Rothesay Common is sufficient.

Council. Brenan inquired if impacted property owners are amenable to the proposed revisions to Water By-law 1-18. Town Manager Jarvie advised the proposed revisions were based on feedback received from the meeting with property owners. Council. Brenan requested clarification with respect to the proposed water testing requirements. Deputy Mayor Alexander noted the item will be discussed further under Item 9.4.

Council. Lewis commented that individuals will likely utilize the additional four spaces on Church Avenue, reducing overall parking on Gondola Point Road and subsequently alleviating safety concerns. Council. Wells contended that residents may not be amenable to the loss of greenspace required to produce the extra spaces. She noted safety measures were implemented by the Town such as eliminating parking on one side of Gondola Point Road, installing flashing speed signs to deter speeding, and establishing crosswalks to ensure safe access to the Common. She added residents must also assume responsibility for their own safety. Council. Lewis noted there are additional measures that can be taken. Council. McGuire stated the addition of four spaces is not worth the considerable cost and encroachment onto the Common.

In response to an inquiry, it was noted the options for parking on Church Avenue include accessible

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parking spots.

CARRIED.

MOVED by Counc. Lewis and seconded by Counc. Brenan staff contact the property owner of the vacant service station property across from 7 Hampton Road to inquire about possible use as an overflow parking lot for the Rothesay Common.

NAY vote recorded from Counc. Wells.

CARRIED.

➤ Common Parking

MOVED by Counc. Wells and seconded by Counc. McGuire Council direct staff to pursue a configuration with parallel parking on both sides of Church Avenue (per the design prepared by exp.).

ON THE QUESTION:

Clarification was requested. DO McLean advised the existing project to widen Church Avenue includes a design for parallel parking. The motion reaffirms that there will not be a change to the current design. Counc. Brenan questioned how much space is required to encroach onto the Common in order to widen Church Avenue. DO McLean advised the road will be widened roughly 1.8 metres into the Town's right-of-way. Some Council members expressed concern the size of the images in Mr. Allaby's report made it difficult to review the options. It was noted the report explains all three options in detail. In response to an inquiry, DO McLean advised Church Avenue will be widened to permit two-way traffic flow and parallel parking.

NAY votes recorded from: Councils. Lewis and Brenan.

CARRIED.

➤ French Village Road Sidewalk

MOVED by Counc. Wells and seconded by Counc. McGuire Council consider the installation of sidewalk on French Village Road between Hooper Drive and Dofred Road, and between Acadia Avenue and 70 French Village Road during 2020 budget deliberations.

ON THE QUESTION:

In response to an inquiry, it was noted there is a five year plan for sidewalks that is reviewed annually.

CARRIED.

7.7 22 July 2019 Draft Emergency Measures Committee Meeting Minutes

MOVED by Counc. Lewis and seconded by Counc. McGuire the Draft Emergency Measures Committee Meeting Minutes dated 22 July 2019 be received/filed.

ON THE QUESTION:

Counc. Wells identified an error in the minutes noting sandbags were provided prior to the April long weekend, not May. She inquired if one sandbag machine will be sufficient. Counc. Lewis noted more information on costs will be gathered prior to budget deliberations. Counc. McGuire commented the machine may prove worthwhile if spring freshet flooding continues to occur annually. Counc. Brenan requested information be provided with respect to cost and effectiveness of the machine.

CARRIED.

➤ Sandbagging Equipment

MOVED by Counc. Lewis and seconded by Counc. McGuire Council consider the purchase of a sandbag machine during 2020 budget deliberations.

CARRIED.

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➤ Emergency Management Training

MOVED by Counc. Lewis and seconded by Counc. Mackay French progressive training in emergency management be a priority.

ON THE QUESTION:

Counc. Brennan requested clarification regarding “progressive” training. Counc. Lewis noted some staff members have obtained level one certification, and there are various levels. Counc. Brennan inquired about the benefits. DPDS White advised higher levels of training provide more detail and will ensure individuals are better prepared for emergencies.

CARRIED.

➤ Emergency Measures Plan Review

MOVED by Counc. Lewis and seconded by Counc. Mackay French a review of the Emergency Measures Plan be undertaken with Les Weber to be completed by the end of 2019.

ON THE QUESTION:

Counc. Wells suggested a formal review schedule be established. Counc. Lewis noted the deadline will ensure an updated Emergency Plan is available for the incoming Council in 2020. DPDS White advised the standardization of all municipal emergency plans is a Provincial initiative. Counc. Brennan noted he is pleased to see a timeline for the review.

CARRIED.

7.8 6 August 2019 Draft Planning Advisory Committee Meeting Minutes

MOVED by Counc. Shea and seconded by Counc. McGuire the Draft Planning Advisory Committee Meeting Minutes dated 6 August 2019 be received/filed.

ON THE QUESTION:

Counc. Wells inquired about the purpose of changing the designation of the Riverside Golf Club from Recreation to Commercial Recreation. DPDS White advised the change is intended to ensure that the land use and zoning align with the actual use of the property. Counc. Mackay French questioned the size of the land proposed as Parks and Conservation in the vicinity of Spyglass Hill. DPDS White advised the area is roughly 15 acres, as recommended in the Secondary Plan.

CARRIED.

7.9 July 2019 Monthly Building Permit Report

MOVED by Counc. Lewis and seconded by Counc. Shea the Monthly Building Permit Report dated July 2019 be received/filed.

CARRIED.

7.10 7 August 2019 Capital Projects Summary

MOVED by Counc. Wells and seconded by Counc. Lewis the Capital Projects Summary dated 7 August 2019 be received/filed.

ON THE QUESTION:

In response to an inquiry, Town Manager Jarvie advised the date listed under “amount to date” is incorrect, it should read June 30, 2019.

CARRIED.

8. UNFINISHED BUSINESS

TABLED ITEMS

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

No action at this time

8.2 Highland Avenue Storm Sewer Installation (Tabled July 2019)

No action at this time

9. NEW BUSINESS

9.1 BUSINESS ARISING FROM DELEGATIONS

9.1.1 Cameron Road

15 July 2019

Email from resident RE: Request to address Council regarding Cameron Road with attachment

9 July 2019

Letter from residents RE: Request for restoration of Cameron Road

MOVED by Counc. Wells and seconded by Counc. McGuire the email from resident RE: Request to address Council regarding Cameron Road with attachment dated 15 July 2019, and the letter from residents RE: Request for restoration of Cameron Road dated 9 July 2019 be received/filed.

ON THE QUESTION:

Counc. Wells noted it may be advantageous to explore the suggestion to establish a plan or steering committee for flood mitigation efforts.

WITHDRAWN.

MOVED by Counc. Wells and seconded by Counc. Mackay French the request from Cameron Road residents to establish a plan or a steering committee for long-term flood mitigation efforts be referred to the Works and Utilities Committee.

ON THE QUESTION:

Counc. McGuire noted the Town can assist in some ways, however it is important for residents to proactively protect private property. Counc. Wells stated she agreed and stressed the importance of ensuring emergency access to flood prone areas is available.

CARRIED.

DEVELOPMENT SERVICES

9.2 Encroachment Agreement – 71 Elizabeth Parkway

26 July 2019

Report prepared by DPDS White

MOVED by Counc. Mackay French and seconded by Counc. Wells Council hereby authorizes the Mayor and Clerk to enter into an Encroachment Agreement with Lorraine and Michael Zed, of 71 Elizabeth Parkway.

ON THE QUESTION:

Counc. Shea questioned how the payment of \$200 was calculated. Town Manager Jarvie advised it is the anticipated cost to register the agreement. It was noted the agreement is renewable after five years.

CARRIED.

9.3 Encroachment Agreement – 73 Elizabeth Parkway

26 July 2019

Report prepared by DPDS White

MOVED by Counc. Wells and seconded by Counc. McGuire Council hereby authorizes the Mayor and Clerk to enter into an Encroachment Agreement with Lauren and Mark Anderson of 73 Elizabeth Parkway.

CARRIED.

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ADMINISTRATION

9.4 Draft Revisions to Water By-law 1-18

7 August 2019

Memorandum from Town Manager Jarvie

MOVED by Counc. Lewis and seconded by Counc. Brenan Council discuss the draft revisions to Water By-law 1-18.

ON THE QUESTION:

Town Manager Jarvie advised after meeting with property owners it was determined the proposed revisions provide a mutually beneficial solution. Regular water testing, and the submission of proof that a building can connect to an emergency power source, will eliminate the cost to connect to Town water in the medium term, while ensuring a safe and reliable source of water remains available to tenants. He reported it has been challenging to confirm a definitive provincial position on potable water quality for apartment buildings. Counc. Brenan cautioned that the testing schedule should not exceed other testing schedules implemented by the Provincial government. It was noted further investigation is required to determine an appropriate coliform and inorganic testing schedule.

MOVED by Counc. Brenan and seconded by Counc. Lewis Water By-law 1-18 revisions be tabled pending further information with respect to provincial water testing requirements.

CARRIED.

9.5 Mulberry Lane

9 August 2019

Memorandum from Town Manager Jarvie

MOVED by Counc. Wells and seconded by Counc. McGuire Council give 1st Reading, by title, to By-law 1-19-01, "To Direct the Undertaking of Hard Surfacing of the Roadway Known as Mulberry Lane as a Local Improvement".

ON THE QUESTION:

Counc. Brenan questioned why there is interest in acquiring the road as a public street. Town Manager Jarvie advised it will ensure the road meets Town standards, improving the overall condition of the road and reducing regular maintenance. He added it will also improve the quality of access to properties. He noted once first reading is given, the by-law will be circulated to impacted property owners; if a single property owner objects a public hearing will be held. He added there is interest in acquiring other private lanes however some are too narrow to meet Town standards. Counc. Shea inquired about the inclusion of 40 Cameron Road. Town Manager Jarvie advised the driveway fronts on Mulberry Lane thus the property would benefit from the project. He added the list of properties is at the discretion of Council.

CARRIED.

Town Clerk Banks read By-law 1-19-01 by title.

MOVED by Counc. Wells and seconded by Counc. McGuire Council direct that a notice be sent to the owners of the properties listed on Schedule 'A' of draft By-law 1-19-01.

CARRIED.

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

OPERATIONS

9.6 Maintenance of Berm on Summer Haven Crescent

2 August 2019

Memorandum from Town Manager Jarvie

MOVED by Counc. Wells and seconded by Counc. Mackay French the memorandum from Town

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Manager Jarvie RE: Maintenance of Berm on Summer Haven Crescent dated 2 August 2019 be received/filed.

CARRIED.

Counc. Lewis returned to the meeting.

9.7 Test Well Drilling – Carpenter Pond

7 August 2019 Report prepared by DO McLean

MOVED by Counc. Wells and seconded by Counc. McGuire the proposal submitted by E.R. Steeves Ltd. in the amount of \$45,856.25 for the drilling of two test wells in the Carpenter Pond Wellfield be accepted, and further that the Mayor and Town Clerk be authorized to execute the appropriate documentation in that regard.

CARRIED.

MOVED by Counc. Wells and seconded by Counc. Mackay French the Director of Operations be authorized to approve additional drilling, if required, such that the total project cost does not exceed the 2019 Utility Fund Capital Budget allocation of \$70,000.

CARRIED.

10. NEXT MEETING

The next meeting is scheduled for Monday, September 9, 2019.

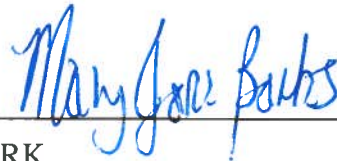
11. ADJOURNMENT

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

The meeting adjourned at 8:15 p.m.



MAYOR



CLERK