



ROTHESAY
COUNCIL MEETING
By WebEx Videoconference
Monday, November 9, 2020
4:00 p.m.



PUBLIC NOTICE:

Rothsay Council meetings will be held by teleconference (or videoconference) while the Province is under a State of Emergency and physical distancing is mandatory.

Public access to the Live stream will be available online:

<https://www.rothesay.ca/town-hall/agendas/>

1. APPROVAL OF AGENDA

2. APPROVAL OF MINUTES

Regular Meeting

13 October 2020

➤ **Business Arising from Minutes**

3. OPENING REMARKS OF COUNCIL

3.1 Declaration of Conflict of Interest

4. DELEGATIONS

4.1 Fundy Regional Service Commission

Brenda MacCallum, Public Relations & Program
Development Officer (*See Item 9.1*)

5. CORRESPONDENCE FOR ACTION

5.1 9 October 2020 Letter from Rothesay High School students RE: Request for a skate park

Refer to the Parks and Recreation Committee

5.2 14 October 2020 Letter from resident RE: Vacant property on Bel-Air Avenue

Refer to staff

5.3 20 October 2020 Email from resident RE: Grooming the Hillside Trail for cross country skiing

Refer to staff

5.4 26 October 2020 Letter from Kennebecasis Crimestoppers RE: 2021 Budget Request

Refer to the Finance Committee

5.5 6 November 2020 Letter from Minister Allain RE: Safe Restart Agreement

Refer to staff

6. CORRESPONDENCE - FOR INFORMATION

6.1 30 September 2020 Thank you letter from the New Brunswick Medical Education Foundation

24 September 2020 Letter from recipient of 2020 Town of Rothesay Scholarship

6.2 30 October 2020 Letter from Quispamsis and Rothesay to Premier Higgs RE: Police Act –
Resolving Personnel Matters

7. REPORTS

7.0 November 2020 Report from Closed Session

- 7.1 28 September 2020 Fundy Regional Service Commission (FRSC) Meeting Minutes
- 7.2 7 October 2020 2019-2020 Fundy Library Annual Report
- 7.3 30 September 2020 Draft unaudited Rothesay General Fund Financial Statements
- 30 September 2020 Draft unaudited Rothesay Utility Fund Financial Statements
- 30 September 2020 Donation Summary
- 21 October 2020 Draft Finance Committee Meeting Minutes
- 7.4 20 October 2020 Draft Rothesay Hive Advisory Committee Meeting Minutes
- 7.5 21 October 2020 Draft Works and Utilities Committee Meeting Minutes
 - Local Improvement Levy - Mulberry Lane
 - Summer Haven Crescent Berm
 - Utility Bill – 72 Grove Avenue (PID 00255695)
 - Draft 2021 Works and Utilities Budgets
- 7.6 2 November 2020 Draft Planning Advisory Committee Meeting Minutes
 - Sagamore Heights - 55 Lot Subdivision (PIDs 00241240, 00246603, 30128680, 00062737, 00246595, 00223453, 00224147, 30145890, 30147318)
- 7.7 October 2020 Monthly Building Permit Report
- 7.8 4 November 2020 Capital Projects Summary

8. UNFINISHED BUSINESS

TABLED ITEMS

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

No action at this time

8.2 Mayor’s Round Table on Climate Change (Tabled October 2019)

No action at this time

9. NEW BUSINESS

9.1 BUSINESS ARISING FROM DELEGATIONS

Fundy Regional Service Commission

- 3 November 2020 Letter from the Fundy Regional Service Commission RE: Plastic Checkout Bag By-law Implementation Date

Refer to staff

ADMINISTRATION

9.2 Draft Fire Prevention and Protection By-law 3-20

- 30 October 2020 Memorandum from Town Clerk Banks
- DRAFT Fire Prevention and Protection By-law 3-20

DEVELOPMENT SERVICES

9.3 Civic Address Agreement with Service New Brunswick

- 2 November 2020 Report prepared by DPDS White

ROTHESAY

2020November9OpenSessionFINAL_003

Regular Council Meeting

Agenda

-3-

9 November 2020

OPERATIONS

9.4 Contract T-2020-003-C: One-Ton Plow Truck

4 November 2020

Report prepared by DO McLean

9.5 Contract S-2020-001: Easement/Land Acquisition Agreement

4 November 2020

Report prepared by DO McLean

9.6 Replacement of Second Floor Lift

6 November 2020

Memorandum from Town Manager Jarvie

10. NEXT MEETING

Public Budget Presentation

Monday, November 16, 2020 at 6:00 p.m.

Public Budget Approval

Monday, November 30, 2020 at 6:00 p.m.

Regular meeting

Monday, December 14, 2020 at 4:00 p.m.

11. ADJOURNMENT

Plastic Checkout Bag Bylaw

November 9, 2020



**Fundy Regional
Service Commission**

**Commission de Services
Régionaux de Fundy**

Plastic Bag Reduction Bylaw

- March 1, 2020 – Plastic bags no longer recyclable
- 35 Million Plastic Bags / year in the Fundy Region
- Costs \$72,000 / year



Plastic Bag Reduction Bylaw

- Bylaw aligns with: Moncton, Riverview & Dieppe (Oct 1, 2020)
 - PEI, Newfoundland, & Nova Scotia (Oct 30, 2020)
- Businesses not permitted to give a plastic bag at checkout
 - If business chooses to use a paper bag – must charge a fee
 - Reusable bags – made for a min 100 uses



Plastic Bag Reduction Bylaw

- Align bylaw with Moncton, Riverview & Dieppe
- Align across the Fundy Region
- Implement at the same time: June 30, 2021
- Business needs notification period to use their current stock



Plastic Bag Update

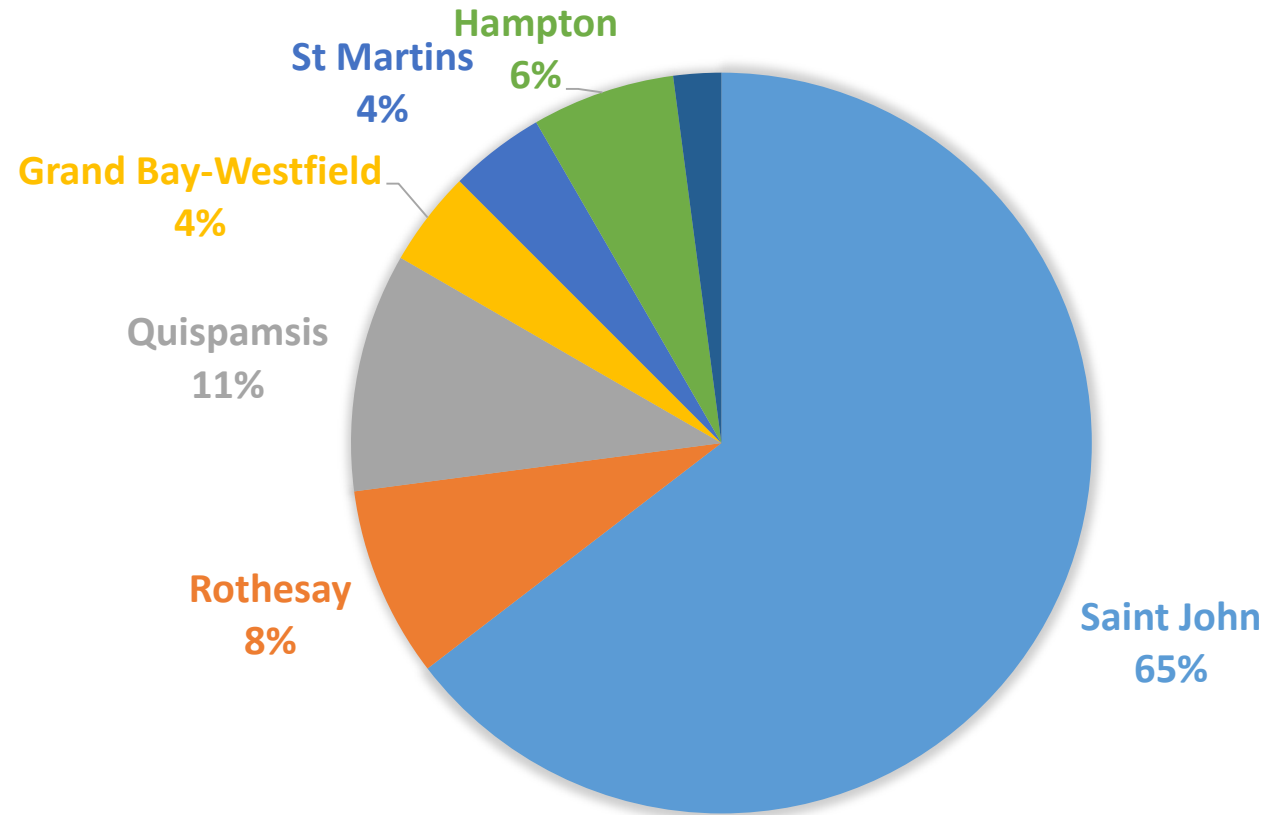
- Survey to local Business
- Conducted with Saint John Region Chamber of Commerce
- Distributed to their Members & Community



Survey Results

2020November9OpenSessionFINAL_017

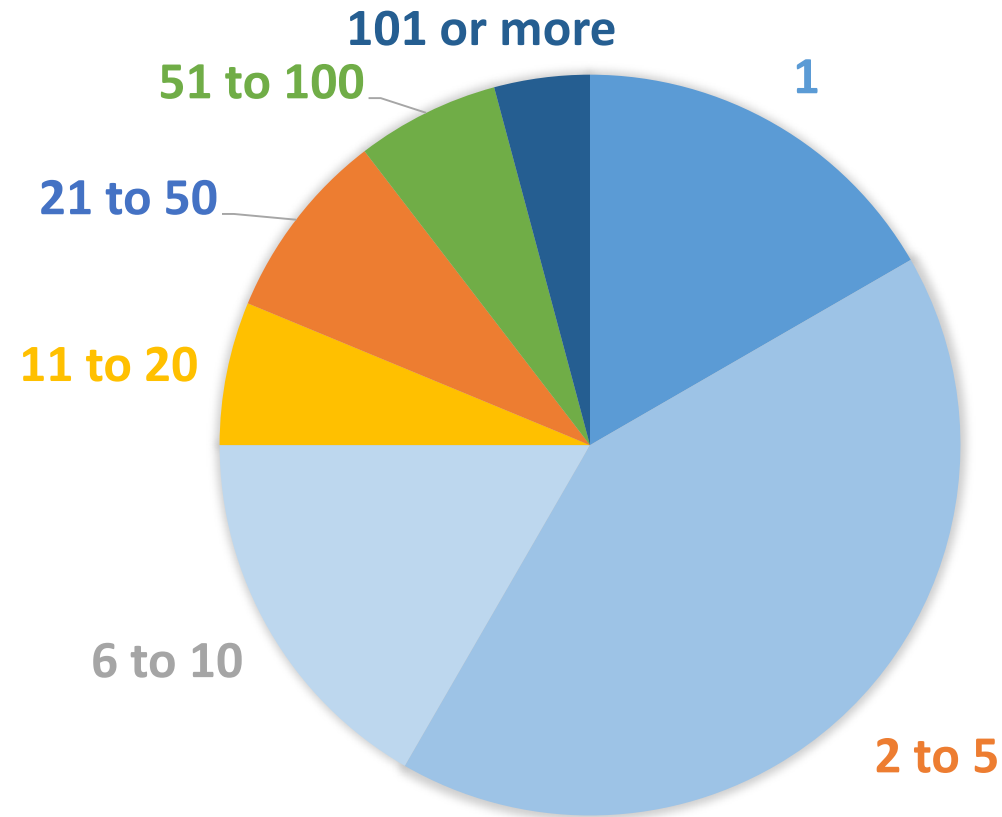
Where is your business located?



Survey Results

Number of Employees

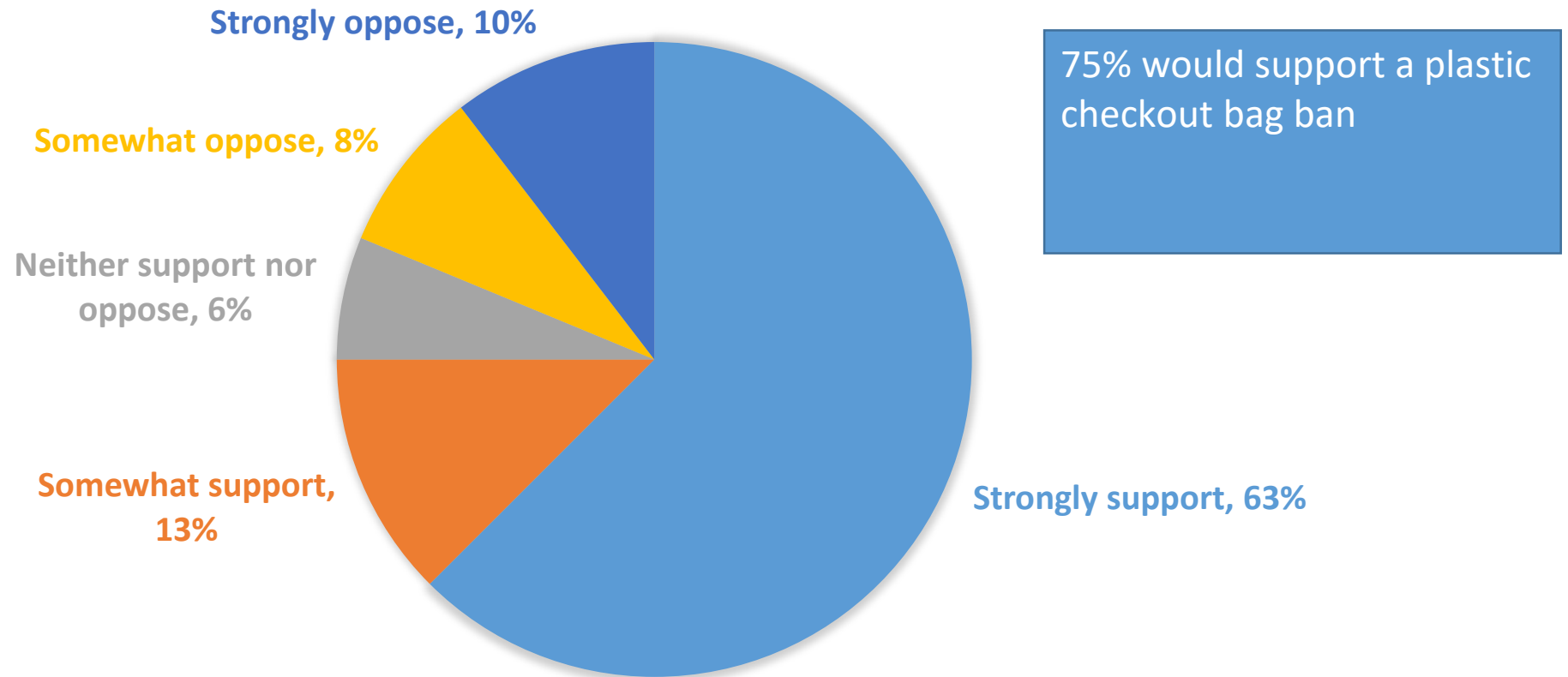
2020November9OpenSessionFINAL_018



Majority of respondents from small business
 $\frac{3}{4}$ have 10 or fewer employees

Survey Results

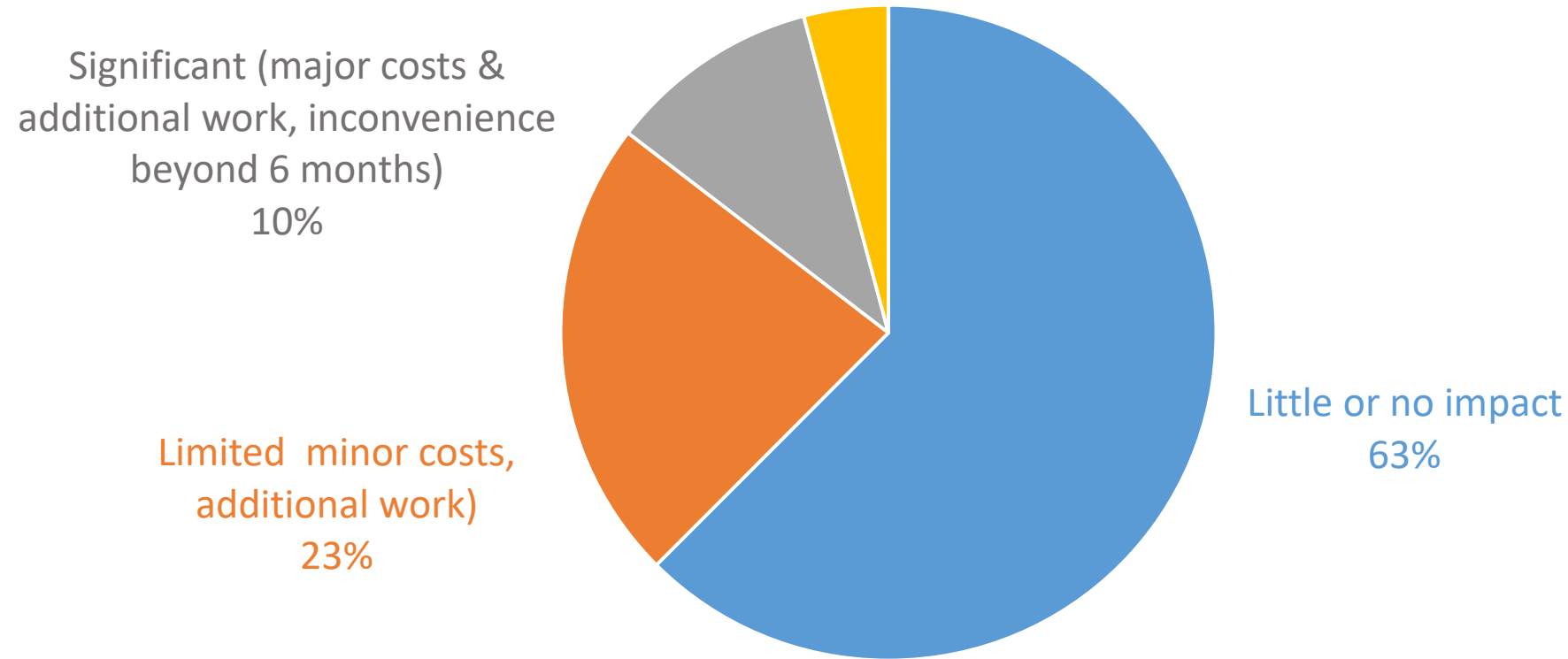
Would your business support a checkout bag ban?



Survey Results

2020November9OpenSessionFINAL_020

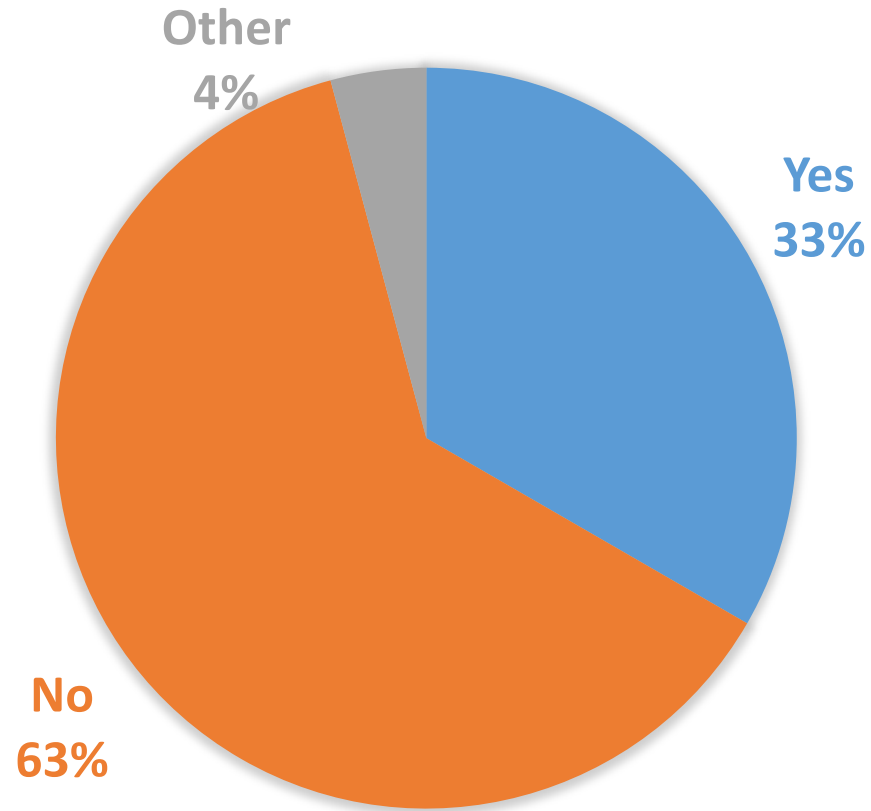
How would a ban impact your operation?



Survey Results

2020November9OpenSessionFINAL_021

Are plastic checkout bags needed during the pandemic?



Plastic Bag Reduction Bylaw

Ask: Council take steps to set a bylaw in place now to reduce plastic checkout bags

- Allow business & community sufficient time to prepare



October 9th, 2019

Dr. Nancy Grant
Mayor
Town of Rothesay
70 Hampton Road
Rothesay, NB
E2E 5Y2



Dear Dr. Grant,

We are students from Rothesay High School and are writing to you to request the town of Rothesay to explore the feasibility of building a public skateboard park on town property behind Casey's Pizza and Chicken Shack, near Rothesay High School. Having a skate park here would be a good investment to the community for many reasons:

- Within walking distance of four local schools and several daycare facilities.
- Increase recreational opportunities for youth
- Encourage more local tourism and new families to move here
- Generate more income for nearby businesses

According to our research, a skateboard park is a relatively inexpensive and cost-efficient project. For example, the town of Hampton constructed their skateboard park for a little over \$112,000, which is less expensive than most public playgrounds. And the costs for maintenance and upkeep are very little, if built properly.

A skateboard park in Rothesay would be a great opportunity to invest in youth; generating an even greater sense of pride and enthusiasm for our community.

Sincerely,

October 14, 2020

Mary Jane Bank, Town Clerk
Town of Rothesay
70 Hampton Road
Rothesay NB E2E 5L5



Dear Mary Jane,

RE: TOWN OF ROTHESAY – VACANT PROPERTY ON BEL-AIR AVENUE

Following up from our telephone conversation a few weeks ago with Mr. Brian White, we are formalizing our request to the Town of Rothesay to clean up and maintain the vacant property on Bel-Air. We are the last residents to Rothesay Landings, and in the 11 months we have lived on this street, no work has been done to address this unkept property.

You will note in the photos below, overgrown weeds, large boulders, felled and partially felled trees, piles of cut wood, remnants of construction debris, etc.

This property allows walking access to the gravel trail along the Rothesay water overflow, and the ground is uneven with rocks throughout. Dog feces is often evident, both on this site and always on the walking trail.

As the 60th home constructed on this development, it seems we are located at the entrance to Rothesay Landings, with Bel-Air now fully accessibility to Monaco Drive. This unkept property is not in keeping with a fully occupied residential development.





In closing, we would like to see this site continue to be accessible for the residents of Rothesay in a kept fashion until the future use of this Town of Rothesay property has been determined. By separate correspondence residents of Oakville Acres and Rothesay Landings, have formalized lodged a complaint to the Town of Rothesay on the pending zoning changes for this 1.14 acre property to a high-density residential development and instead request the town consider a green space for the area, maintaining access to the small walking path.

Thank you for taking the time to read this correspondence.

Sincerely,

76 Bel-Air Avenue

cc: Brian White, Town of Rothesay, Director of Planning & Development Services

Liz Pomeroy

From: Liz Pomeroy
Sent: October 20, 2020 2:02 PM
To: Liz Pomeroy
Subject: FW: X country ski grooming Hillside trail

-----Original Message-----

From:
Sent: October 20, 2020 12:16 PM
To: Rothesay Info <rothesay@rothesay.ca>
Cc: Nancy Grant <NancyGrant@rothesay.ca>; Charles Jensen <CharlesJensen@rothesay.ca>
Subject: X country ski grooming Hillside trail

Dear mayor and council,

A snowy winter is forecasted, perfect for cross country skiing.
Would the Town of Rothesay consider grooming the Hillside Trail to accommodate classic and skate skiers, as per the grooming at the Wells Recreation Park?

I look forward to hearing from you.

Almon Lane
Rothesay



KENNEBECASIS CRIMESTOPPERS



15 Leah Blvd.
Quispamsis, N.B.
E2E 6E7

October 26, 2020

Mayor & Council – Town of Rothesay
70 Hampton Road,
Rothesay, N.B.
E2E 5L5

RE: Budget Request – Year 2021

Dear Mayor & Council:

Since the inception of Kennebecasis Crime Stoppers in 1986, the Municipal Councils have been instrumental through financial support in helping us carry out the very important work that we do. In the past, we have received a significant share of our annual budget from contributions from each of the communities in the Kennebecasis Valley. In addition, we carry out fundraising activities to ensure that sufficient funds are available to pay for the important tips that provide substantial aide to our police forces in solving crimes.

In consideration of our financial needs, we ask the Mayor and Council of the Town of Rothesay to budget the amount of \$2800 to support the ongoing efforts of the Kennebecasis Crime Stoppers for the year 2021.

I thank you for your kind attention to this matter and should you need to contact me, I can be reached at 849-7139(home) or 651-4117(work).

Yours truly,

Alicia Allen
President



November 6, 2020

Mayors:

As announced on Friday, October 30, 2020, the Province of New Brunswick is pleased to partner with the Federal Government to provide financial support through the Safe Restart Agreement to cover COVID-19 related expenses incurred by local governments.

To access this portion of the Safe Restart funding, local governments are required to submit a resolution of council which clearly outlines the net impact of COVID-19 in 2020. Specifically, the following information is required:

	Total of additional COVID-19 specific costs
+	Total of COVID-19 specific losses
-	Total of COVID-19 specific operational savings
=	Net COVID-19 impact

Payments will be processed once resolutions of council have been received and reviewed for compliance. The deadline to submit information is December 31, 2020 and can either be emailed to CF.FC@gnb.ca or mailed to the following address:

Department of Environment and Local Government
Attention: Scott Lloy
20 McGloin St.
Fredericton, NB
E3A 5T8

If you have any questions or concerns regarding this payment, please communicate with Scott Lloy, Director of Community Funding, at your earliest convenience.

Please note this payment will be subject to potential future audits to ensure adherence to the spirit and intent of the funding.

Thank you,

A handwritten signature in black ink, appearing to read "Daniel Allain".

Daniel Allain
Minister of Local Government and Local Governance Reform





**The New Brunswick Medical
Education Foundation Inc.**
**La Fondation d'éducation médicale
du Nouveau Brunswick Inc.**

2020 November 9 Open Session FINAL_029

**Directors of the New
Brunswick Medical
Education Foundation
Inc.**

Jason Downey, Co-Chair
James O'Brien, MD, Co-Chair

Thomas Barry, MD

Carol Chapman

Mike Doyle

Bernadette Fernandes

David Huestis

Allison Kennedy, MD

Robert MacKinnon, BA, MA, PhD

David Marr, MD, Past Chair

Ron Outerbridge, CA

Michael Simon, MD

John Wallace, LLB

Darren McLeod
Executive Director
Darren.mcleod@nbmeded.ca

Phone: (506) 848-2109

Natalie Boyce
Foundation Coordinator
natalie.boyce@nbmeded.ca

Phone: (506) 848-0036
Fax: (506) 847-7153

**New Brunswick Medical
Education Foundation Inc.**
70C Hampton Road

Rothsay, NB

E2E 5L5

CRA No. 810513523RR0001

September 30, 2020

Mayor Nancy Grant and Council
70 Hampton Road
Rothsay, N.B. E2E 5L5

Dear Mayor Grant:

RECEIVED

OCT 21 2020

Thank you so much your extraordinary gift of providing scholarships to our best and brightest New Brunswick medical students. Your support truly makes a major difference in allowing our students to stay home or return to the province to practice medicine.

There are significant challenges in our healthcare system with 40,000 people on the waiting list for a family medicine practitioner, and 20 percent of the doctor workforce at 55 years old and above, which means a major retirement trend is coming. Our role is to assist in reducing those challenges by allowing our residents to have an opportunity to attend medical school and practice in this province. The scholarship recipients come from all walks of life and want to be here in New Brunswick and practice medicine in their communities and areas of medical interest.

Since 2010, there has been 143 Alumni or scholarship recipients and 132 of them have pledged a return to service and practice in our province. In addition, 20 of those recipients are now practicing medicine in New Brunswick. Every graduate means a new practice is created, more people come off the waiting list, and a better health care system is available to all our citizens. It also will bring young and dedicated doctors to our communities.

As a thank you for your truly impactful support, please find enclosed a letter of gratitude from Samuel Palmer who received \$5,000.00 from the Town of Rothsay Scholarship. Keeping our best and brightest medical students here in New Brunswick would not be possible without your support.

Thank you again and kind regards,

Darren McLeod
Executive Director, New Brunswick Medical Education Foundation Inc.

September 24th 2020

Dear Town of Rothesay,

I am sincerely honoured to have been selected as the recipient of the 2020 Town of Rothesay Scholarship through the New Brunswick Medical Education Foundation. Thank you for your generosity, which has allowed me to access my medical education with one less thing to worry about. I cannot stress enough just how impactful this award is for me as I tackle my first year as a medical student.

As I start this brand-new journey at Dalhousie Medicine New Brunswick, I can't help but feel a bit nervous and overwhelmed at times. There are many different responsibilities to juggle as a medical student, all while knowing that it costs a significant amount of money to go down this path. By receiving this kind of financial support, it feels as though a massive weight has been lifted off of my shoulders. By spending less time thinking about financial burdens, I feel like I've been able to focus on my studies more effectively. You're directly contributing to my personal medical journey here in New Brunswick, and I look forward to eventually paying it forward one day as I practice medicine here at home and give back to those in my community.

Please allow me to take this opportunity to thank you one more time for your generosity. Your support means that I can spend less time worrying about student debt and more time focusing on becoming the best possible physician that I can be. I can't wait to start practicing one day right here in the province that I've always called home.

Sincerely,

A handwritten signature in cursive script that reads "Samuel Palmer". The signature is written in dark ink and is positioned above the printed name.

Samuel Palmer
MD Candidate, Class of 2024
Dalhousie Medicine New Brunswick



October 30, 2020

The Honourable Blaine Higgs
Premier of New Brunswick
Office of the Premier
P.O. Box 6000
Fredericton, NB E3B 5H1

Dear Premier:

RE: Police Act – Resolving Personnel Matters

For more than four years, the Kennebecasis Joint Board of Police Commissioners and the municipalities it serves, Quispamsis and Rothesay, have been faced with ongoing costs related to alleged serious violations of the New Brunswick Police Act by a member of our shared regional force. To date, the cost of this protracted matter exceeds \$1 million, and though a resolution is pending, it seems unlikely any of the tax dollars expended will be recovered.

The Councils of Quispamsis and Rothesay have each moved to bring the matter to your attention in the hope that the Police Act be amended to expedite such situations.

While the Councils can appreciate the necessity to protect police officers from frivolous and vexatious accusations, the obligation to continue to provide wages and a full complement of benefits during a period of extended enquiry and negotiation seems, in our view, to be particularly offensive to the notion of 'taxpayer fairness'.

Premier Blaine Higgs

Oct. 30, 2020

Page 2

You and Min. Flemming represent the areas served by our regional police force. We are confident you can appreciate the gravity of this file and the negative financial impact it has had on our respective towns.

We hope you will see this of sufficient importance, and that your government will move forward with the appropriate amendments to the Police Act to prevent a similar situation from occurring in the future.

Yours truly,



Dr. Nancy Grant
Mayor, Rothesay



Gary Clark
Mayor, Quispamsis

CC: The Honourable Hugh J. Flemming Q.C., Minister of Public Safety
Quispamsis Council
Rothesay Council



**Fundy Regional
Service Commission**

Commission de Services
Régionaux de Fundy

**Regular Monthly Meeting
September 28, 2020**

Minutes of the meeting of the Board of Directors of Fundy Regional Service Commission held on Monday, September 28, 2020, at 10 Crane Mountain Rd., Saint John NB via teleconference.

1. Call to Order

The Board Chairperson, Nancy Grant, called the regular board meeting to order at 10:05 a.m.

2. Record of Attendance – via teleconference

Nancy Grant	Chairperson
Bette Anne Chatterton	Mayor, St. Martins
Shirley McAlary	Deputy Mayor, Saint John
Grace Losier	Mayor, Grand Bay-Westfield
Gary Clark	Mayor, Quispamsis
Cindy MacCready	Local Service District Representative (Alternate)
Brenda Rathburn	Local Service District Representative
John Cairns	Local Service District Representative

Absent

Jim Bedford – Vice Chairperson

OTHERS

Marc MacLeod, Executive Director, FRSC
Alicia Raynes, Recording Secretary, FRSC
Mark Porter, Chief Financial Officer, FRSC

3. Approval of the Order of Business

The Chairperson asked for approval of the Order of Business

Motion: To approve the September, 2020 Agenda as presented, with the renumbering of number eight (8) to number nine (9) and the addition of Westfield Elementary School – CMEI Funds as number eight (8)

Moved: Director Losier
Seconded: Director McAlary
Vote: *Motion Carried*

4. Disclosure of Conflict of Interest

Director MacCready explained there is a conflict of interest with her for number eight (8) Westfield Elementary School – CMEI Funds. Chairperson Grant advised that Cindy could present and answer any questions and then she would be required to leave the meeting prior to any discussion being held.

5. Approval of the Minutes

Motion: To approve the August 24, 2020 minutes as presented.

Moved: Director McAlary
Seconded: Director Clark
Vote: *Motion Carried*

6. RFP 2020-02 - Baler

Chairperson Grant explained that at the August 24, 2020 commission meeting, the Executive Director was authorized to issue a tender or RFP for a new baler for the material recovery facility at Crane Mountain Landfill.

Executive Director MacLeod explained that a request for proposals (RFP) was posted and 6 proposals were submitted. A recommendation was made based on price, service, warranty and the most helpful optional pricing recommendations.

Motion: To accept the Proposal submitted by Bale Force Recycling Equipment, dated September 14, 2020 to supply and install one (1) "American 7242 1050 horizontal baler" for the total of \$261,484.35 plus HST to be funded from the landfill capital reserve fund.

It was explained that although the cost range was initially expected to be around \$250,000.00, the 10% contingency allows for the cost of \$261,484.35. It was further explained that because this is the recycling department, the FRSC will get back the HST portion.

Moved: Director Losier
Seconded: Director McAlary
Vote: *Motion Carried*

7. Finance

a. Generator Rebuild - Borrowing

Executive Director MacLeod explained that the FRSC needs to borrow money for next year for generator rebuild. As per the Regional Service Delivery Act, the FRSC must provide 45 days notice to Communities of their intent to borrow funds. Once the Communities give their approval, the FRSC can submit an application to the Municipal Capital Borrowing Board.

A spreadsheet was presented indicating the FRSC debt profile and budget projections through to 2024. It was explained that an increase in tipping fees was assumed in the projection as well as the exit of the blue bins. It was noted that these are estimates only.

Motion: The Commission authorize the Executive Director to send written notice to all members that are local governments, of the intent to borrow for a capital expense for the following purpose, amount and terms:

Purpose: Generation Facility

Amount: \$250,000

Term: \$250,000 for a term not to exceed 4 years

Moved: Director Clark

Seconded: Director Rathburn

Vote: *Motion Carried*

b. Cell #9 - Borrowing

Executive Director MacLeod explained that the FRSC needs to borrow money for next year for the construction of cell #9. As per the Regional Service Delivery Act, the FRSC must provide 45 days notice to Communities of their intent to borrow funds. Once the Communities give their approval, the FRSC can submit an application to the Municipal Capital Borrowing Board.

Motion: The Commission authorize the Executive Director to send written notice to all members that are local governments, of the intent to borrow for a capital expense for the following purpose, amount and terms:

Purpose: Solid Waste Services (Environmental Health)

Amount: \$4,464,000

Term: \$4,464,000 for a term not to exceed 4 years

Moved: Director Clark

Seconded: Director Rathburn

Vote: *Motion Carried*

c. 5 Year Capital Plan

A 5-year Capital Plan for the Fundy Regional Service Commission (FRSC) was provided for consideration. Executive Director MacLeod explained that as part of the Regional Service Delivery Act, the FRSC should have a Capital Plan laid out. It was also noted that this plan is a projection only and is subject to approval on an annual basis.

Motion: The Commission adopt the 5-year Capital Investment Plan and sources of funding as presented.

Moved: Director McAlary

Seconded: Director Rathburn

Vote: *Motion Carried*

d. Credit Agreement

Executive Director MacLeod provided a brief background on the Operating Line of Credit with CIBC. It was explained that in order to reflect present day values of possible unforeseen expenses and the timing of projects for winter months which typically bring in less general revenue, our

accountant is recommending the FRSC should increase the line of credit to \$500,000. It was explained that there is no extra charge and this is a procedural requirement for the term.

Motion: The Commission authorize the setting of the line of credit to \$500,000 as per the recommendation of our contract accountant.

Moved: Director Losier
Seconded: Director McAlary
Vote: *Motion Carried*

8. Westfield Elementary School – CMEI Funds

Director MacCready explained that in 2019, CMEI Funds were allocated to the Westfield Elementary School to assist with the building of a new playground. The funds were to be spent by October 1, 2020. However, due to the COVID-19 pandemic, which began in March, 2020, schools were closed and as a result, fundraising efforts were also put on hold. As a result, the Westfield Elementary School is asking for a deferral of funds until 2021.

Director MacCready excused herself from the meeting at 10:27 am.

A discussion was held regarding whether or not the FRSC is allowed to defer funding. It was explained that since there is no clear policy, we have the right to deal with this as we see fit. Typically, the funds would go to a B project if the initial project could not be completed. During the initial approval of funds, \$15,185.35 was awarded to the Westfield Elementary School. However, when Morna Heights School was closed, they transferred their funding of \$3500 to the Westfield Elementary School, bringing their total to \$18,685.35.

Motion: To confirm with CMEI that \$3500 was transferred from Morna Heights School to Westfield Elementary School and to defer the total funding of \$18,685.35 for the project to 2021.

Moved: Director Losier
Seconded: Director Cairns
Vote: *Motion Carried*

Chairperson Grant called for a motion to adjourn.

Motion: To adjourn the meeting at 10:32 am.

Moved: Director McAlary
Seconded: Director Rathburn
Vote: *Motion Carried*

APPROVED (date) Oct. 26, 2020


Nancy Grant, Chairperson


Alicia Raynes, Recording Secretary

October 7, 2020

I am pleased to provide you with a copy of the Fundy Library Region's Annual Report for 2019-2020. Once again, we have seen our new patron membership increase, this year by 6,914 cardholders. The ten branches in our library region received 681,588 visits during the fiscal year, averaging 3,550 visits per day. The ten branches also saw a total of 570,834 items checked out from their collections during the fiscal year, almost 3,000 daily, and this does not include e-resources available online. Of note, due to the COVID-19 pandemic, our libraries and regional office closed as part of the province-wide lockdown near the end of the fiscal year, for the last few weeks in March 2020.

This naturally had some effect on our overall metrics for the fiscal year. Thankfully, though with reduced hours and services, all of our libraries reopened to the public in late May / early June 2020, and open hours and services are continually being added.

I hope you can take a few moments to review our streamlined annual report of activities. I am sure you will realize that many citizens in our region appreciate what an important asset the public library is to their community, and that they see their public library as a valued place to connect, learn, read, play, create and succeed!

Le 7 octobre 2020

J'ai le plaisir de partager avec vous le rapport annuel 2019-2020 de la Région des bibliothèques Fundy. Cette année, 5 822 personnes se sont ajoutées au nombre total des détenteurs d'une carte de bibliothèque. Durant le dernier exercice financier, les dix bibliothèques de la région ont accueilli 681 588 visiteurs, ce qui représente une moyenne de 3550 personnes par jour. Pour cette même période, 3000 documents ont été empruntés quotidiennement pour un total de 570 834. Ces données n'incluent pas les ressources électroniques. En raison de la pandémie COVID-19 et selon les mesures provinciales de confinement, nos bibliothèques et le bureau régional ont été fermés durant les dernières semaines du mois de mars 2020. Cette période coïncidant avec la fin de l'exercice financier, ces fermetures ont eu un impact sur nos paramètres. Malgré une diminution des heures d'ouverture et des services offerts, toutes nos bibliothèques ont rouvert leurs portes fin mai/début juin. Depuis, les heures d'ouverture augmentent et plus de services sont ajoutés. Je vous invite à prendre connaissance de ce rapport. Je suis certain que vous comprendrez à quel point les gens de la région accordent une grande importance à l'apport positif de la bibliothèque publique dans leur communauté et qu'elle est considérée comme le lieu idéal pour se connecter, apprendre, lire, jouer, créer et réussir !

Brian Steeves

Regional Director / Directeur régional

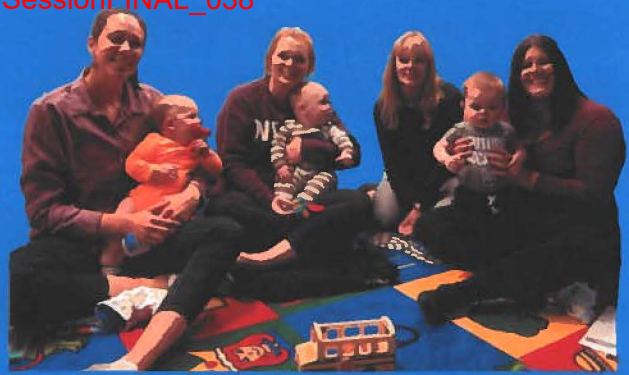
Fundy Library Region / Région des bibliothèques Fundy
1 Market Square
Saint John, NB E2L 4Z6
(506) 643-7222
fundy.libraryregion@gnb.ca

RECEIVED

OCT 22 2020

Fundy Library Region Annual Report

2019-2020



61,686
cardholders
+ **6,914** new members



+4%

3,550 visitors
per day
= **681,588** total



570,834
items circulated
★ not including eResources

= **2,973** checked out each day

405 holds
placed
each day

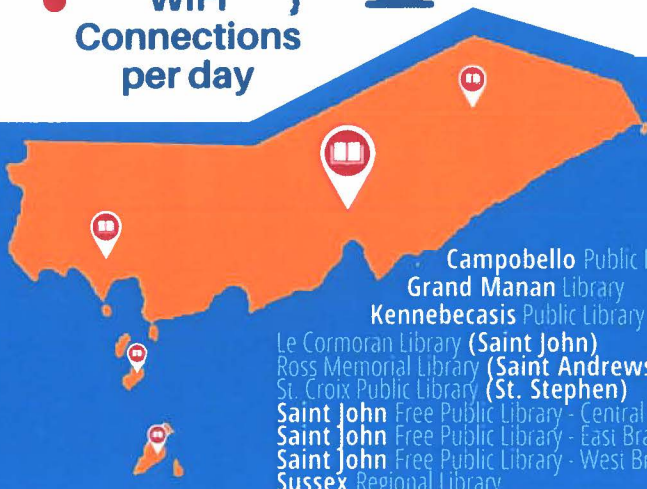
155 items added
to our libraries
each day



188
WiFi
Connections
per day



335 computers
used daily



Campobello Public Library
Grand Manan Library
Kennebecasis Public Library
Le Cormoran Library (Saint John)
Ross Memorial Library (Saint Andrews)
St. Croix Public Library (St. Stephen)
Saint John Free Public Library - Central Branch
Saint John Free Public Library - East Branch
Saint John Free Public Library - West Branch
Sussex Regional Library

5,963
programs
offered
in libraries



= **67,266**
participants

31 programs
offered each day with
350 participants



1,122 programs
offered
in our
communities

60,324
reference
questions
answered



314
per day

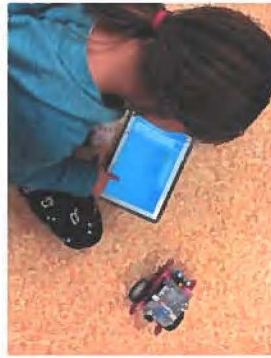
Anniversary

35 years
Kennebecasis
Public Library



New Brunswick
Public Library
Service

connect



LEARN

create



read



Play



\$181,607.42

worth of donations &
grants to support
programming &
collections development



126 volunteers

gave



5,752 hours!

THANK YOU

succeed



Town of Rothesay

General Fund Financial Statements

September 30, 2020

Includes:	
General Capital Fund Balance Sheet	G2
General Reserve Fund Balance Sheet	G3
General Operating Fund Balance Sheet	G4
General Operating Revenue & Expenditures	G5-G9
Variance Report	G10
Project Funding - September	G11
Project Funding -October draft to 10/19/2020	G12

Town of Rothesay

Balance Sheet - Capital General Fund 9/30/20

ASSETS

Capital Assets - General Land	4,515,620
Capital Assets - General Fund Land Improvements	8,374,468
Capital Assets - General Fund Buildings	5,492,528
Capital Assets - General Fund Vehicles	3,873,565
Capital Assets - General Fund Equipment	3,219,720
Capital Assets - General Fund Roads & Streets	42,018,169
Capital Assets - General Fund Drainage Network	20,247,324
Capital Assets - Under Construction - General	-
	<u>87,741,394</u>

Accumulated Amortization - General Fund Land Improvements	(3,774,301)
Accumulated Amortization - General Fund Buildings	(2,415,589)
Accumulated Amortization - General Fund Vehicles	(2,011,229)
Accumulated Amortization - General Fund Equipment	(1,366,936)
Accumulated Amortization - General Fund Roads & Streets	(20,706,080)
Accumulated Amortization - General Fund Drainage Network	(7,115,515)
	<u>(37,389,648)</u>

\$ 50,351,745

LIABILITIES AND EQUITY

Gen Capital due to/from Gen Operating	(210,000)
Total Long Term Debt	6,601,000

Total Liabilities \$ 6,391,000

Investment in General Fund Fixed Assets 43,960,745

\$ 50,351,745

Town of Rothesay

Balance Sheet - General Fund Reserves

9/30/20

ASSETS

BNS Gas Tax Interest Account	5,180,603
BNS General Operating Reserve #214-15	57,827
BNS - Gen Operating Reserve GIC	500,000
BNS General Capital Reserves #2261-14	56,606
BNS - Gen Capital Reserve GIC	800,000
BNS - Gas Tax Reserves - GIC	359,316
Gen Reserves due to/from Gen Operating	16,625
	<u>\$ 6,970,977</u>

LIABILITIES AND EQUITY

Def. Rev - Gas Tax Fund - General	5,170,246
Invest. in General Capital Reserve	667,677
General Gas Tax Funding	369,552
Invest. in General Operating Reserve	565,497
Invest. in Land for Public Purposes Reserve	144,251
Invest. in Town Hall Reserve	53,754
	<u>\$ 6,970,978</u>

Town of Rothesay
Balance Sheet - General Operating Fund
9/30/20

CURRENT ASSETS

Cash	850,826
BNS - General - REDA BANK	169,394
Receivables	185,124
HST Receivable	323,008
Payroll Clearing	(233)
Inventory	21,681
Gen Operating due to/from Util Operating	(476,846)
Total Current Assets	<u>1,072,955</u>
Other Assets:	
Projects	<u>3,569,409</u>
	<u>3,569,409</u>
TOTAL ASSETS	<u>4,642,365</u>

CURRENT LIABILITIES AND EQUITY

Accounts Payable	474,649
Other Payables	575,350
Gen Operating due to/from Gen Reserves	16,625
Gen Operating due to/from Gen Capital	210,000
Accrued Pension Obligation	191,509
Accrued Retirement Allowance	408,322
REDA Payable	165,017
Def. Rev-Quispamsis/Library Share	<u>37,631</u>
TOTAL LIABILITIES	<u>2,079,104</u>

EQUITY

Retained Earnings - General	(13,238)
Surplus/(Deficit) for the Period	<u>2,576,499</u>
	<u>2,563,261</u>
	<u>4,642,365</u>

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Town of Rothesay

Statement of Revenue & Expenditure
9 Months Ended 9/30/20

	CURRENT MONTH	BUDGET FOR MONTH	CURRENT Y-T-D	BUDGET Y-T-D	VARIANCE Better(Worse)	NOTE #	ANNUAL BUDGET
REVENUE							
Warrant of Assessment	1,374,375	1,374,372	12,369,351	12,369,348	3		16,492,464
Sale of Services	8,810	30,003	200,004	291,058	(91,055)		410,300
Services to Province of New Brunswick	5,000	5,000	45,000	45,000	0		60,000
Other Revenue from Own Sources	106,476	11,013	298,330	81,113	217,217		108,150
Unconditional Grant	10,692	10,695	96,247	96,251	(4)		128,335
Conditional Transfers	0	0	17,103	26,500	(9,397)		26,500
Other Transfers	250,000	250,000	849,251	849,251	0		1,099,251
	<u>\$1,755,353</u>	<u>\$1,681,082</u>	<u>\$13,875,286</u>	<u>\$13,758,521</u>	<u>\$116,765</u>		<u>\$18,325,000</u>
EXPENSES							
General Government Services	134,718	140,655	1,776,994	1,843,727	66,733		2,308,843
Protective Services	398,385	398,195	4,139,684	4,136,760	(2,924)		5,331,346
Transportation Services	251,132	241,240	2,502,723	2,694,121	191,398		3,606,766
Environmental Health Services	51,831	51,500	503,693	495,500	(8,193)		658,000
Environmental Development	36,120	46,438	413,450	466,626	53,176		605,940
Recreation & Cultural Services	100,541	121,611	1,515,567	1,638,677	123,110		2,112,991
Fiscal Services	240	333	446,676	436,556	(10,120)		3,701,113
	<u>\$972,967</u>	<u>\$999,973</u>	<u>\$11,298,787</u>	<u>\$11,711,967</u>	<u>\$413,180</u>		<u>\$18,324,999</u>
Surplus (Deficit) for the Year	<u>\$782,386</u>	<u>\$681,109</u>	<u>\$2,576,499</u>	<u>\$2,046,554</u>	<u>\$529,945</u>		<u>\$ 1</u>

Town of Rothesay

Statement of Revenue & Expenditure
9 Months Ended 9/30/20

	CURRENT MONTH	BUDGET FOR MONTH	CURRENT Y-T-D	BUDGET YTD	VARIANCE Better(Worse)	NOTE #	ANNUAL BUDGET
REVENUE							
Sale of Services							
Bill McGuire Memorial Centre	(980)	1,667	2,324	15,000	(12,676)	1	20,000
Town Hall Rent	1,191	6,083	51,865	54,750	(2,885)		73,000
Arena Revenue	40	12,403	80,109	133,525	(53,416)	2	220,800
Community Garden	0	0	840	1,000	(160)		1,000
Fox Farm Rental	0	850	8,500	7,650	850		10,200
Recreation Programs	8,559	9,000	56,366	79,133	(22,767)	3	85,300
	8,810	30,003	200,004	291,058	(91,055)		410,300
Other Revenue from Own Sources							
Licenses & Permits	102,393	6,250	148,712	56,250	92,462	4	75,000
Recycling Dollies & Lids	141	83	547	750	(202)		1,000
Interest & Sundry	608	833	9,250	7,500	1,750		10,000
Miscellaneous	335	846	125,487	7,612	117,874	5	10,150
Fire Dept. Administration	3,000	3,000	9,000	9,000	0		12,000
Local Improvement Levy Mulberry Lane	0	0	5,333	0	5,333		0
	106,476	11,013	298,330	81,113	217,217		108,150
Conditional Transfers							
Canada Day Grant	0	0	2,000	1,500	500		1,500
Grant - Other	0	0	15,103	25,000	(9,897)	6	25,000
	0	0	17,103	26,500	(9,397)		26,500
Other Transfers							
Surplus of 2nd Previous Year	0	0	99,251	99,251	0		99,251
Utility Fund Transfer	250,000	250,000	750,000	750,000	0		1,000,000
	250,000	250,000	849,251	849,251	0		1,099,251
EXPENSES							
General Government Services							
Legislative							
Mayor	2,938	4,036	27,655	34,893	7,238		47,000
Councillors	9,860	12,056	88,981	99,932	10,952		136,100
Regional Service Commission 9	0	0	2,698	5,250	2,552		7,000
Other	175	1,125	1,725	10,125	8,400		13,500
	12,972	17,217	121,058	150,200	29,141		203,600
Administrative							
Office Building	5,206	8,417	125,138	128,350	3,212		155,000
Solicitor	149	4,167	1,874	37,500	35,626	7	50,000
Administration - Wages & Benefits	84,412	83,320	821,729	791,697	(30,032)	8	1,081,656
Supplies	5,090	9,142	73,138	82,275	9,137		109,700
Professional Fees	0	1,667	28,418	25,000	(3,418)	9	30,000
Other	18,291	12,477	113,167	122,297	9,129		159,729
	113,148	119,189	1,163,464	1,187,119	23,655		1,586,085

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	CURRENT MONTH	BUDGET FOR MONTH	CURRENT Y-T-D	BUDGET YTD	VARIANCE Better(Worse)	NOTE #	ANNUAL BUDGET	
Other General Government Services								G7
Community Communications	0	833	835	7,500	6,665		10,000	
Civic Relations	6	167	13	1,500	1,487		2,000	
Insurance	0	0	194,165	195,131	966		195,131	
Donations	1,500	2,917	14,600	26,250	11,650		35,000	
Cost of Assessment	0	0	258,027	258,027	0		258,027	
Property Taxes - L.P.P.	0	0	16,469	15,000	(1,469)		15,000	
Fox Farm Rental Expenses	7,092	333	8,362	3,000	(5,362)		4,000	
	8,598	4,250	492,471	506,408	13,937		519,158	
	134,718	140,655	1,776,994	1,843,727	66,733		2,308,843	
Protective Services								
Police								
Police Protection	215,137	215,137	1,953,234	1,936,234	(17,000)	10	2,581,645	
Crime Stoppers	2,800	0	2,800	2,800	0		2,800	
	217,937	215,137	1,956,034	1,939,034	(17,000)		2,584,445	
Fire								
Fire Protection	166,704	166,704	1,727,290	1,725,535	(1,755)		2,225,646	
Water Costs Fire Protection	0	0	325,000	325,000	0		325,000	
	166,704	166,704	2,052,290	2,050,535	(1,755)		2,550,646	
Emergency Measures								
911 Communications Centre	13,063	13,063	117,566	117,566	0		156,755	
EMO Director/Committee	80	1,667	639	15,000	14,361		20,000	
	13,143	14,730	118,205	132,566	14,361		176,755	
Other								
Animal & Pest Control	602	792	5,334	7,125	1,791		9,500	
Other	0	833	7,821	7,500	(321)		10,000	
	602	1,625	13,155	14,625	1,470		19,500	
Total Protective Services	398,385	398,195	4,139,684	4,136,760	(2,924)		5,331,346	

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	CURRENT MONTH	BUDGET FOR MONTH	CURRENT Y-T-D	BUDGET YTD	VARIANCE Better(Worse)	NOTE #	ANNUAL BUDGET	
Transportation Services								G8
Common Services								
Administration (Wages & Benefits)	125,143	139,057	1,282,459	1,390,484	108,024	11	1,810,279	
Workshops, Yards & Equipment	48,989	51,477	456,653	545,292	88,640	12	693,723	
Engineering	1,564	625	4,425	5,625	1,200		7,500	
	<u>175,696</u>	<u>191,159</u>	<u>1,743,537</u>	<u>1,941,401</u>	<u>197,864</u>		<u>2,511,502</u>	
Street Cleaning & Flushing	8,566	1,000	16,070	22,000	5,930		40,000	
Roads & Streets	7,938	4,583	46,963	41,250	(5,713)		55,000	
Crosswalks & Sidewalks	741	3,031	9,087	15,969	6,882		21,063	
Culverts & Drainage Ditches	10,308	5,625	44,907	50,625	5,718		67,500	
Snow & Ice Removal	1,924	0	370,902	383,100	12,198		602,000	
2018 Flood Costs	0	0	315	0	(315)		0	
2020 Flood Costs	0	0	31,903	0	(31,903)	13	0	
	<u>29,477</u>	<u>14,240</u>	<u>520,147</u>	<u>512,944</u>	<u>(7,203)</u>		<u>785,563</u>	
Street Lighting	11,755	10,833	112,283	97,500	(14,783)	14	130,000	
Traffic Services								
Street Signs	8,668	667	9,078	6,000	(3,078)		8,000	
Traffic Lanemarking	0	1,000	27,326	29,000	1,674		30,000	
Traffic Signals	5,810	3,333	16,535	30,000	13,465		40,000	
Railway Crossing	1,778	2,000	15,102	18,000	2,898		24,000	
	<u>16,257</u>	<u>7,000</u>	<u>68,041</u>	<u>83,000</u>	<u>14,959</u>		<u>102,000</u>	
Public Transit								
Public Transit - Comex Service	17,800	17,800	53,401	53,401	(0)		71,201	
KV Committee for the Disabled	0	0	4,000	4,000	0		4,000	
Public Transit - Other	146	208	1,314	1,875	561		2,500	
	<u>17,946</u>	<u>18,009</u>	<u>58,715</u>	<u>59,276</u>	<u>561</u>		<u>77,701</u>	
Total Transportation Services	<u>251,132</u>	<u>241,240</u>	<u>2,502,723</u>	<u>2,694,121</u>	<u>191,398</u>		<u>3,606,766</u>	
Environmental Health Services								
Solid Waste Disposal Land Fill	17,069	16,250	152,430	146,250	(6,180)		195,000	
Solid Waste Disposal Compost	11,545	3,000	43,689	27,000	(16,689)		36,000	
Solid Waste Collection	23,217	24,167	208,940	217,500	8,560		290,000	
Solid Waste Collection Curbside Recycling	0	8,083	59,028	72,750	13,722		97,000	
Clean Up Campaign	0	0	39,606	32,000	(7,606)		40,000	
	<u>51,831</u>	<u>51,500</u>	<u>503,693</u>	<u>495,500</u>	<u>(8,193)</u>		<u>658,000</u>	
Environmental Development Services								
Planning & Zoning								
Administration	27,888	34,248	336,237	353,716	17,479		456,460	
Planning Projects	0	3,750	0	33,750	33,750		45,000	
Heritage Committee	0	208	0	1,875	1,875		2,500	
	<u>27,888</u>	<u>38,206</u>	<u>336,237</u>	<u>389,341</u>	<u>53,104</u>		<u>503,960</u>	
Economic Development Comm.	8,232	8,232	74,085	74,085	0		98,780	
Tourism	0	0	3,129	3,200	71		3,200	
	<u>8,232</u>	<u>8,232</u>	<u>77,213</u>	<u>77,285</u>	<u>72</u>		<u>101,980</u>	
	<u>36,120</u>	<u>46,438</u>	<u>413,450</u>	<u>466,626</u>	<u>53,176</u>		<u>605,940</u>	

2020November9OpenSessionFINAL_048

	CURRENT MONTH	BUDGET FOR MONTH	CURRENT Y-T-D	BUDGET YTD	VARIANCE Better(Worse)	NOTE #	ANNUAL BUDGET
G9							
Recreation & Cultural Services							
Administration	19,629	18,872	223,842	207,344	(16,497)	15	263,960
Beaches	20	0	36,384	45,500	9,116		45,500
Rothsay Arena	1,964	26,608	165,173	232,688	67,515	16	335,434
Memorial Centre	7,251	4,417	43,730	47,750	4,020		61,000
Summer Programs	335	1,000	59,209	60,500	1,291		62,000
Parks & Gardens	51,038	51,393	462,348	464,737	2,389		586,554
Rothsay Common Rink	645	2,889	38,133	46,004	7,871		57,672
Playgrounds and Fields	12,386	8,167	76,455	94,500	18,045	17	115,000
Regional Facilities Commission	0	0	338,769	338,769	0		451,692
Kennebecasis Public Library	7,179	7,179	64,608	64,608	0		86,144
Special Events	95	1,000	6,915	35,500	28,585	18	39,500
PRO Kids	0	0	0	0	0		7,500
Rothsay Living Museum	0	86	0	776	776		1,035
	<u>100,541</u>	<u>121,611</u>	<u>1,515,567</u>	<u>1,638,677</u>	<u>123,110</u>		<u>2,112,991</u>
Fiscal Services							
Debt Charges							
Interest	240	333	97,676	87,556	(10,120)	19	173,113
Debenture Payments	0	0	349,000	349,000	0		778,000
	<u>240</u>	<u>333</u>	<u>446,676</u>	<u>436,556</u>	<u>(10,120)</u>		<u>951,113</u>
Transfers To:							
Capital Fund for Capital Expenditures	0	0	0	0	0		2,750,000
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>		<u>2,750,000</u>
	<u>240</u>	<u>333</u>	<u>446,676</u>	<u>436,556</u>	<u>(10,120)</u>		<u>3,701,113</u>

2020 November 9 Open Session FINAL_049

9 months ending September 30, 2020

Note #		Actual	Budget	Better/(Worse)	Description of Variance
Revenue					
1	Bill McGuire Memorial Centre	\$ 2,324	\$ 15,000	\$ (12,676)	Closed
2	Arena Revenue	\$ 80,109	\$ 133,525	\$ (53,416)	Closed
3	Recreation Programs	\$ 56,366	\$ 79,133	\$ (22,767)	Soccer Revenue below budget
4	Licenses & Permits	\$ 148,712	\$ 56,250	\$ 92,462	New building
5	Miscellaneous	\$ 125,487	\$ 7,612	\$ 117,875	Insurance proceeds, sale of used equipment
6	Grant - Other	\$ 15,103	\$ 25,000	\$ (9,897)	Fewer summer students
Total				\$ 111,581	
Variance per Statement				\$ 116,765	
Explained				95.56%	
Expenses					
General Government					
7	Solicitor	\$ 1,874	\$ 37,500	\$ 35,626	Unused
8	Administration - Wages & Benefits	\$ 821,729	\$ 791,697	\$ (30,032)	Includes Covid expenses, \$63,700
9	Professional Fees	\$ 28,418	\$ 25,000	\$ (3,418)	Climate Change Adaption Plan
Protective Services					
10	Police Protection	\$ 1,953,234	\$ 1,936,234	\$ (17,000)	Extraneous costs
Transportation					
11	Administration - Wages & Benefits	\$ 1,282,459	\$ 1,390,484	\$ 108,025	Wages \$75,000 under, Overtime \$16,000 under budget
12	Workshops, Yards & Equipment	\$ 456,653	\$ 545,292	\$ 88,639	Fuel \$27,000 under, Trees \$22,500 under, Radios & Cells \$15,000 under, Vehicle Maint. \$36,000 over
13	Flood 2020	\$ 31,903	\$ -	\$ (31,903)	Unbudgeted
14	Street Lighting	\$ 112,283	\$ 97,500	\$ (14,783)	Budget low
Environmental Health					
				\$ -	
Environmental Development					
				\$ -	
Recreation & Cultural Services					
15	Administration - Wages & Benefits	\$ 223,842	\$ 207,344	\$ (16,498)	Salary allocation - wages costs under budgeted
16	Rothesay Arena	\$ 165,173	\$ 232,688	\$ 67,515	Lower operating costs due to closure
17	Playgrounds & Fields	\$ 76,455	\$ 94,500	\$ 18,045	Field Maintenance under budget
18	Special Events	\$ 6,915	\$ 35,500	\$ 28,585	Limited events
Fiscal Services					
19	Interest	\$ 97,676	\$ 87,556	\$ (10,120)	New debenture costs
Total				\$ 222,681	
Variance per Statement				\$ 413,180	
Explained				53.89%	

2020November9OpenSessionFINAL_050

Town of Rothesay

Capital Projects 2020
General Fund
9 Months Ended 9/30/20

	Original BUDGET		CURRENT Y-T-D	Remaining Budget		Budget	Actual
General Government							
12010560 Town Hall Improvements G-2020-009	170,000		20,683	149,317			
12010660 IT 2020 G-2020-008	45,000		17,924	27,076			
Total General Government	215,000		38,607	176,393			
Protective Services							
12011560 Protective Serv. Equipment Purchases P-2020-010	480,000		30,904	449,096			
Total Protective Services	480,000		30,904	449,096			
Transportation							
12021360 Transportation Equipment Purchases T-2020-003	615,000		56,825	558,175	Roller	45,000	
12027260 Asphalt Microseal 2020 T-2020-005	1,505,500	1,690,000	1,875,353	-185,353	Storm Pump		56,825
12027360 Sandbagging T-2020-006	0		0	0	Tandem Dump	300,000	
12027460 Fox Farm Designated Highway T-2020-012	545,000		632,862	-87,862	5500 1 ton	100,000	
12010060 Alexander Avenue Design	0		60,324	-60,324	F250 3/4 ton	60,000	
12027760 2021 Asphalt Engineering T-2021-001	60,000		0	60,000	F150 1/2 ton 4x4	50,000	
Unassigned:					1500 1/2 ton	60,000	
Designated Highway	585,000	0		0		615,000	56,825
Stormwater Master Plan	300,000			300,000			
Traffic Study	40,000			40,000			
Total Transportation	3,650,500	1,690,000	2,625,364	624,636			
Recreation							
12020860 Recreation Equipment Purchases R-2020-004	110,000		12,801	97,199	Truck	60,000	
12027160 Wells Field Replacement R-2020-002	550,000		210,173	339,827	Equipment	50,000	
12020760 Trail Development R-2020-007	50,000		493	49,507		110,000	
12012060 Arena Renovation R-2020-011	1,020,000		449,243	570,757			
Total Recreation	1,730,000		672,710	1,057,290			
Carryovers							
12026860 Church Avenue Reconstruction T-2019-002	0		187,769	-187,769			
12026960 Cameron Rd/Mulberry Lane T-2019-006	0		12,698	-12,698			
12025160 Designated Highway 2019	0		-11,838	11,838			
12026660 Asphalt/Microseal 2019 T-2019-001	0		13,195	-13,195			
	0		201,824	-201,824			
Total	\$ 6,075,500	\$ 1,690,000	\$ 3,569,409	\$ 2,105,591			
Funding							
General Government	215,000		215,000		Gas Tax		
Protective Services	480,000		112,500	367,500			
Transportation	3,650,500		2,242,500		560,500	847,500	
Recreation	1,730,000		180,000	1,550,000			
\$ 6,075,500	\$ 2,750,000	\$ 1,917,500	\$ 560,500	\$ 847,500			

2020November9OpenSessionFINAL_051

Town of Rothesay

Capital Projects 2020

General Fund

10 Months Ended 10/31/20

DRAFT!

	Original BUDGET		CURRENT Y-T-D	Remaining Budget
General Government				
12010560 Town Hall Improvements G-2020-009	170,000		22,338	147,662
12010660 IT 2020 G-2020-008	45,000		17,924	27,076
Total General Government	215,000		40,262	174,738
Protective Services				
12011560 Protective Serv. Equipment Purchases P-2020-010	480,000		30,904	449,096
Total Protective Services	480,000		30,904	449,096
Transportation				
12021360 Transportation Equipment Purchases T-2020-003	615,000		233,736	381,264
12027260 Asphalt Microseal 2020 T-2020-005	1,505,500	1,690,000	1,879,303	-189,303
12027360 Sandbagging T-2020-006	0		0	0
12027460 Fox Farm Designated Highway T-2020-012	545,000		632,862	-87,862
12010060 Alexander Avenue Design	0		60,324	-60,324
12027760 2021 Asphalt Engineering T-2021-001	60,000		11,969	48,031
Unassigned:				
Designated Highway	585,000	0		0
Stormwater Master Plan	300,000			300,000
Traffic Study	40,000			40,000
Total Transportation	3,650,500	1,690,000	2,818,193	431,807
Recreation				
12020860 Recreation Equipment Purchases R-2020-004	110,000		12,801	97,199
12027160 Wells Field Replacement R-2020-002	550,000		210,173	339,827
12020760 Trail Development R-2020-007	50,000		493	49,507
12012060 Arena Renovation R-2020-011	1,020,000		449,243	570,757
Total Recreation	1,730,000		672,710	1,057,290
Carryovers				
12026860 Church Avenue Reconstruction T-2019-002	0		188,272	-188,272
12026960 Cameron Rd/Mulberry Lane T-2019-006	0		12,698	-12,698
12025160 Designated Highway 2019	0		-11,838	11,838
12026660 Asphalt/Microseal 2019 T-2019-001	0		13,195	-13,195
	0		202,327	-202,327
Total	\$ 6,075,500	\$ 1,690,000	\$ 3,764,397	\$ 1,910,603

	Budget	Actual
Roller	45,000	
Storm Pump		56,825
Tandem Dump	300,000	
5500 1 ton	100,000	
F250 3/4 ton	60,000	
F150 1/2 ton 4x4	50,000	
1500 1/2 ton	60,000	
	615,000	56,825
Truck	60,000	
Equipment	50,000	
	110,000	-

Funding

General Government
Protective Services
Transportation
Recreation

2020	Operating	Borrow	Gas Tax	Grant
215,000	215,000			
480,000	112,500	367,500		
3,650,500	2,242,500		560,500	847,500
1,730,000	180,000	1,550,000		
\$ 6,075,500	\$ 2,750,000	\$ 1,917,500	\$ 560,500	\$ 847,500

Town of Rothesay

Utility Fund Financial Statements

September 30, 2020

Attached Reports:

Capital Balance Sheet	U1
Reserve Balance Sheet	U2
Operating Balance Sheet	U3
Operating Income Statement	U4
Variance Report	U5
Project Listing - September	U6
Project Listing - October Draft to 10/19/2020	U7

Town of Rothesay

Capital Balance Sheet

As at 9/30/20

ASSETS

Assets:

Capital Assets Utilities Land	119,970
Capital Assets Utilities Buildings	1,953,740
Capital Assets Utilities Equipment	565,752
Capital Assets Utilities Water System	27,712,960
Capital Assets Utilities Sewer System	24,052,521
Capital Assets Utilities Land Improvements	42,031
Capital Assets Utilities Roads & Streets	220,011
Capital Assets Utilities Vehicles	113,001
	<u>54,779,988</u>

Accumulated Amortization Utilites Buildings	(638,871)
Accumulated Amortization Utilites Water System	(7,671,922)
Accumulated Amortization Utilites Sewer System	(8,556,857)
Accumulated Amortization Utilites Land Improvements	(42,031)
Accumulated Amortization Utilites Vehicles	(23,235)
Accumulated Amortization Utilites Equipment	(140,077)
Accumulated Amortization Utilites Roads & Streets	(16,135)
	<u>(17,089,128)</u>

TOTAL ASSETS	<u><u>37,690,859</u></u>
--------------	--------------------------

LIABILITIES

Current:

Util Capital due to/from Util Operating	<u>(400,000)</u>
Total Current Liabilities	<u>(400,000)</u>

Long-Term:

Long-Term Debt	<u>8,565,454</u>
Total Liabilities	<u>8,165,454</u>

EQUITY

Investments:

Investment in Fixed Assets	<u>29,525,405</u>
Total Equity	<u>29,525,405</u>
TOTAL LIABILITIES & EQUITY	<u><u>37,690,858</u></u>

Town of Rothesay
Balance Sheet - Utilities Fund Reserves
9/30/20

ASSETS

BNS Utility Capital Reserve # 00241 12	29,284
BNS - Util Capital Reserve GIC	1,300,000
Util Reserves due to/from Util Oper	11,069
	<u>\$ 1,340,354</u>

LIABILITIES AND EQUITY

Invest. in Utility Capital Reserve	963,669
Invest. in Utility Operating Reserve	105,259
Invest. in Sewerage Outfall Reserve	271,426
	<u>\$ 1,340,354</u>

Town of Rothesay

Utilities Fund Operating Balance Sheet

As at 9/30/20

ASSETS

Current assets:	
Accounts Receivable Net of Allowance	959,264
Total Current Assets	<u>959,264</u>
Other Assets:	
Projects	495,422
	<u>495,422</u>
 TOTAL ASSETS	 <u>\$ 1,454,686</u>

LIABILITIES

Accrued Payables	43,514
Due from General Fund	(476,846)
Due from (to) Capital Fund	400,000
Due to (from) Utility Reserve	11,069
Deferred Revenue	14,681
Total Liabilities	<u>(7,581)</u>

EQUITY

Surplus:	
Opening Retained Earnings	25,641
Profit (Loss) to Date	1,436,626
	<u>1,462,267</u>
 TOTAL LIABILITIES & EQUITY	 <u>\$ 1,454,686</u>

Town of Rothesay
Utilities Operating Income Statement
9 Months Ended 9/30/20

	CURRENT MONTH	BUDGET FOR MONTH	CURRENT YTD	BUDGET YTD	VARIANCE Better(Worse)	NOTE #	ANNUAL BUDGET
RECEIPTS							
Sale of Water	277,354	270,625	813,591	829,375	(15,784)	1	1,100,000
Meter and non-hookup fees	13,399	11,800	40,237	35,400	4,837		47,200
Water Supply for Fire Prot.	0	0	325,000	325,000	0		325,000
Local Improvement Levy	0	0	60,408	62,000	(1,592)		62,000
Sewerage Services	212	0	1,657,827	1,650,000	7,827		1,650,000
Connection Fees	42,950	5,833	97,725	52,500	45,225	2	70,000
Interest Earned	2,396	5,417	80,153	48,750	31,403	3	65,000
Misc. Revenue	450	49	4,450	442	4,008		589
Infrastructure Grants	27,029	0	48,079	0	48,079	4	0
Surplus - Previous Years	0	0	80,211	80,211	0		80,211
TOTAL RECEIPTS	363,790	293,724	3,207,681	3,083,678	124,004		3,400,000
WATER SUPPLY							
Share of Overhead Expenses	100,000	100,000	300,000	300,000	0		400,000
Audit/Legal/Training	690	708	7,011	9,375	2,364		11,500
Purification & Treatment	59,976	28,333	256,090	275,000	18,910		360,000
Transmission & Distribution	652	6,667	155,066	92,000	(63,066)	5	112,000
Power & Pumping	3,611	4,167	37,354	37,500	146		50,000
Billing/Collections	97	250	1,749	2,250	501		3,000
Water Purchased	416	63	1,176	563	(613)		750
Misc. Expenses	0	1,500	7,439	13,500	6,061		18,000
TOTAL WATER SUPPLY	165,442	141,688	765,884	730,188	(35,696)		955,250
SEWERAGE COLLECTION & DISPOSAL							
Share of Overhead Expenses	150,000	150,000	450,000	450,000	0		600,000
Audit/Legal/Training	0	500	6,363	11,500	5,137		13,000
Collection System Maintenance	23,526	34,667	42,766	56,000	13,234		64,000
Sewer Claims	0	0	14,924	15,000	76		20,000
Lift Stations	2,561	5,417	30,515	48,750	18,235		65,000
Treatment/Disposal	5,060	6,417	72,538	72,750	211		92,000
Infiltration Study	0	0	5,872	0	(5,872)	6	0
Misc. Expenses	2,915	1,167	9,966	10,500	534		14,000
TOTAL SWGE COLLECTION & DISPOSAL	184,062	198,167	632,944	664,500	31,556		868,000
FISCAL SERVICES							
Interest on Long-Term Debt	82,606	82,606	191,092	191,092	(0)		299,377
Principal Repayment	168,136	168,136	181,136	181,136	0		507,373
Transfer to Reserve Accounts	0	0	0	0	0		70,000
Capital Fund Through Operating	0	0	0	0	0		700,000
TOTAL FISCAL SERVICES	250,741	250,741	372,227	372,227	(0)		1,576,750
TOTAL EXPENSES	600,246	590,596	1,771,055	1,766,915	(4,140)		3,400,000
NET INCOME (LOSS) FOR THE PERIOD	(236,456)	(296,871)	1,436,626	1,316,763	119,863		1

Town of Rothesay

Variance Report - Utility Operating

9 months ending September-30-20

Note #	Account Name	Actual YTD	Budget YTD	Variance Better(worse)	Description of Variance
Revenue					
1	Sale of Water	813,591	829,375	\$ (15,784)	Commercial sales down
2	Connection Fees	97,725	52,500	\$ 45,225	Apartment building
3	Interest Earned	80,153	48,750	\$ 31,403	Interest on receivables
4	Infrastructure Grants	48,079	-	\$ 48,079	Balance of Small Communities Fund
Water Supply					
5	Transmission & Distribution	\$ 155,066	\$ 92,000	\$ (63,066)	Taylor Brook Bridge repairs
Sewerage Collection & Disposal					
6	Infiltration Study	\$ 5,872	\$ -	\$ (5,872)	Refunded by grants
Fiscal Services					
				\$ -	

Town of Rothesay

Capital Projects 2020

Utility Fund

9 Months Ended 9/30/20

	Original BUDGET	Revisions	CURRENT Y-T-D	Remaining Budget		
WATER						
12045330 Station Road Water Line Replacement W-2020-003	250,000		0	250,000		
12044330 Shadow Hill Watermain W-2020-002	400,000		0	400,000		
12043430 Well Development - Quality W-2020-004	250,000		56,348	193,652		
12045530 Water Tower Repairs W-2020-007	-		189,571	-189,571		
	<u>\$ 900,000</u>	<u>\$ -</u>	<u>\$ 245,918</u>	<u>\$ 654,082</u>		
SEWER						
12045030 Turnbull Court Design S-2020-001	1,110,000		73,405	1,036,595		
12044830 Sewer Costs in Asphalt Contract T-2020-005	100,000		23,257	76,743		
12045430 Conversion to Digital Radio S-2020-006	65,000		3,752	61,248		
12044130 WWTP Design Phase 2 S-2017-001	1,500,000		0	1,500,000		
12045630 Brock Court/Goldie Court Service Renewal W-2020-008	-	100,000	126,665	-26,665		
	<u>2,775,000</u>	<u>100,000</u>	<u>227,079</u>	<u>2,647,921</u>		
Total Approved	<u>3,675,000</u>	<u>100,000</u>	<u>472,997</u>	<u>3,302,003</u>		
Carryovers						
Funded from Reserves						
12042330 Wastewater Treatment Plant - S-2014-016-A	-		22,424	-22,424		
	<u>0</u>	<u>0</u>	<u>22,424</u>	<u>-22,424</u>		
	<u>3,675,000</u>	<u>100,000</u>	<u>495,422</u>	<u>3,279,578</u>		
Funding:						
	Total	Reserves	Gas Tax	Grants	Borrow	Operating
Water	900,000	200,000	250,000		200,000	250,000
Sewer	2,775,000		325,000	1,000,000	1,000,000	450,000
	<u>\$ 3,675,000</u>	<u>\$ 200,000</u>	<u>\$ 575,000</u>	<u>\$ 1,000,000</u>	<u>\$ 1,200,000</u>	<u>\$ 700,000</u>

Town of Rothesay

Capital Projects 2020

Utility Fund

10 Months Ended 10/31/20

DRAFT!

	Original BUDGET	Revisions	CURRENT Y-T-D	Remaining Budget		
WATER						
12045330 Station Road Water Line Replacement W-2020-003	250,000		0	250,000		
12044330 Shadow Hill Watermain W-2020-002	400,000		0	400,000		
12043430 Well Development - Quality W-2020-004	250,000		68,796	181,204		
12045530 Water Tower Repairs W-2020-007	-		189,571	-189,571		
	<u>\$ 900,000</u>	<u>\$ -</u>	<u>\$ 258,367</u>	<u>\$ 641,633</u>		
SEWER						
12045030 Turnbull Court Design S-2020-001	1,110,000		73,405	1,036,595		
12044830 Sewer Costs in Asphalt Contract T-2020-005	100,000		23,257	76,743		
12045430 Conversion to Digital Radio S-2020-006	65,000		3,752	61,248		
12044130 WWTP Design Phase 2 S-2017-001	1,500,000		0	1,500,000		
12045630 Brock Court/Goldie Court Service Renewal W-2020-008	-	100,000	126,665	-26,665		
	<u>2,775,000</u>	<u>100,000</u>	<u>227,079</u>	<u>2,647,921</u>		
Total Approved	<u>3,675,000</u>	<u>100,000</u>	<u>485,446</u>	<u>3,289,554</u>		
Carryovers						
Funded from Reserves						
12042330 Wastewater Treatment Plant - S-2014-016-A	-		22,424	-22,424		
	<u>0</u>	<u>0</u>	<u>22,424</u>	<u>-22,424</u>		
	<u>3,675,000</u>	<u>100,000</u>	<u>507,870</u>	<u>3,267,130</u>		
Funding:						
	Total	Reserves	Gas Tax	Grants	Borrow	Operating
Water	900,000	200,000	250,000		200,000	250,000
Sewer	2,775,000		325,000	1,000,000	1,000,000	450,000
	<u>\$ 3,675,000</u>	<u>\$ 200,000</u>	<u>\$ 575,000</u>	<u>\$ 1,000,000</u>	<u>\$ 1,200,000</u>	<u>\$ 700,000</u>

Town of Rothesay

2020-09-30

219500-60

Donations/Cultural Support

Budget
2020

Paid to date

KV3C	2,500.00	
NB Medical Education Trust	5,000.00	5,000.00
SJRH	2,500.00	
KV Food Basket	6,000.00	
Fairweather Scholarship	1,000.00	1,000.00
KV Oasis	2,500.00	2,500.00
Saint John Theatre Company	1,000.00	1,000.00
YMCA		
Vocational Training Centre	6,000.00	
sub	26,500.00	9,500.00

Other:

8,500.00

Imperial Theatre	250.00	East Indian
RNS	100.00	Youth for Youth concert
NB Competitive Festival	100.00	Ad
Kahlan Edwards	250.00	Forum for Young Canadians
WE Believe SJ	200.00	
Muscular Dystrophy	200.00	Walk
Arts Atlantic Symposium	1,500.00	
KV Food Basket	1,000.00	Emergency donation
St. Joseph's Hospital Foundation	1,000.00	research equipment
Make a Wish	500.00	
sub	8,500.00	5,100.00

35,000.00

14,600.00

G/L Balance

14,600.00

Other:

Kennebecasis Crimestoppers	2,800.00	2,800.00	Protective Services
KV Committee for the Disabled	5,500.00	4,000.00	Transportation
PRO Kids	7,500.00		Recreation

TOWN OF ROTHESAY

FINANCE COMMITTEE
HELD VIA CONFERENCE CALL

October 21, 2020

Open Session

In attendance:
Councillor Grant Brenan, Chairman
Mayor Nancy Grant
Deputy Mayor Matt Alexander
Councillor Don Shea
Town Manager John Jarvie
Treasurer Doug MacDonald

Absent: Financial Officer Ellen K. Steeves

The meeting was called to order at 9:10. The agenda and minutes of Sept. 23, 2020 were accepted as presented.

September Financial Statements

General Fund – Treasurer MacDonald reviewed the variance report and noted the following additional items; 1) Miscellaneous income includes the sale of equipment of approximately \$65,000. 2) Solid waste disposal fees are trending higher than the budget due to an increase in volume received of both solid waste and compost at the land fill. There is no obvious reason for the increase however staff will continue to monitor. 3) The Asphalt capital project appears to be over budget on the Capital report however it is related to engineering costs on various projects approved by Council. The expenditure will be summarized by project in a future report.

Utilities Fund – Treasurer MacDonald reviewed the variance report and noted the following; 1) Revenue from the sale of water still has a negative variance as it is lower than June as residential volume increased in the third quarter. 2) Infrastructure Grant revenue includes holdbacks on projects completed in 2019.

The financial statements were accepted as presented (MA/DS)

Donations

The donations summary was accepted as presented.

Town of Quispamsis/Food bank – The committee reviewed the request from Quispamsis to include the cost of parking lot plowing as a “direct expense” in the amount of \$596.52. Motion to deny the request was carried and the Treasurer instructed to inform Quispamsis accordingly (MA/DS).

KRJBPC – the request to be addressed as part of the year-end financial transfers therefore no further action is required at this time.

Compliance - For information.

The next Finance Committee is scheduled for Tuesday October 27th, 8:30am. The meeting adjourned at 9:45.

Councillor Grant Brenan, Chairman

Douglas MacDonald, Treasurer



ROTHESAY

2020 November 9 Open Session FINAL_063

ROTHESAY HIVE ADVISORY COMMITTEE MEETING BY WEBEX VIDEOCONFERENCE

Pursuant to the *Local Governance Act* and the Province of New Brunswick State of Emergency (declared 19 March 2020)

Tuesday, October 20, 2020 at 10:00 a.m.



DRAFT

PRESENT: MAYOR NANCY GRANT, *ex-officio member*
COUNC. MIRIAM WELLS, CHAIRPERSON
JULIE ATKINSON
CHRISTINA BARRINGTON
DIANE O'CONNOR, VICE-CHAIRPERSON
NEA STEPHENSON
ROBERT TAYLOR
JILL JENNINGS
DR. SHAWN JENNINGS

TOWN MANAGER JOHN JARVIE
INTERIM RECREATION COORDINATOR KIRSTIN DUFFLEY
RECORDING SECRETARY LIZ POMEROY

ABSENT: ANGELA CAMPBELL
JEAN PORTER MOWATT

Chairperson Wells called the videoconference to order at 10:00 a.m. and welcomed new Committee member Christina Barrington, principal of Rothesay High School.

1. APPROVAL OF AGENDA

MOVED by D. O'Connor and seconded by N. Stephenson the agenda be approved as circulated.

CARRIED.

2. APPROVAL OF MINUTES

2.1 Rothesay Hive Advisory Committee meeting of September 30, 2020.

MOVED by D. O'Connor and seconded by N. Stephenson the minutes of September 30, 2020 be adopted as circulated.

CARRIED.

3. RE-OPENING OF THE ROTHESAY HIVE (PROGRESS UPDATE)

K. Duffley reported the following:

Membership

The YMCA was asked to provide contact information for existing Rothesay Hive members (permission is required by each member before their information can be shared). To date 13 members have granted permission and their information has been received. The YMCA was asked to send another email as a reminder to the remaining members.

Programming

Town staff contacted the YMCA to ask if there is interest in offering a program(s) at the Rothesay Hive. The YMCA indicated they will look into opportunities but it may not be feasible in the near future. Three individuals have expressed interest in instructing fitness classes. One of the instructors is only available outside of the new business hours but her information will be kept on file in case the hours of operation are expanded. Committee members are encouraged to send referrals for instructors or volunteers by email to K. Duffley.

At this time it is not recommended social programs such as Coffee and Chat or potlucks be scheduled as refreshments will not be provided, and enjoyment of the programs may be dampened by Public Health restrictions. Masks are encouraged, but not required, for fitness classes where a safe distance of two meters can be maintained between individuals. Necessary precautions are being undertaken as the Rothesay Hive caters to a vulnerable demographic (seniors). Town staff will explore a suggestion from D. O'Connor to schedule "Mindful Moments" – a brief activity, performed with masks on, that will help members self-reflect, socialize, and is also intended to slow heart rates following higher intensity activities. Committee members are encouraged to submit suggestions for programming to K. Duffley.

Registration & Promotion.

A membership and pre-registration spreadsheet has been created; members will be able to register up to 48 hours before each program. The Rothesay Hive will have a designated page within the Town website; the website page has been developed but is unavailable to view publicly at this time. The page will include links to the schedule, operational plan, and volunteer forms.

In response to an inquiry, K. Duffley agreed to create materials to advertise the reopening of the Rothesay Hive on the Town's electronic signs. She added changes were made to the operational plan to reflect suggestions made at the last Committee meeting, as well as current provincial requirements. With respect to the facility, she noted plexiglass will be installed at the front desk, and cleaning supplies are scheduled to arrive at the end of the week.

K. Duffley commented on the rise in COVID-19 cases in New Brunswick and questioned if the Committee is still interested in reopening the facility at this time. There was consensus to go ahead as planned but to remain vigilant and cautious.

J. Jennings requested clarification with respect to the contact information for Rothesay Hive members. K. Duffley advised of the 57 existing members only 13 have given permission for their contact information to be provided to Town staff. Counc. Wells questioned if permission is necessary since the information was collected while the Town and the YMCA were in a partnership. Town Manager Jarvie advised regardless of the partnership, the YMCA must exercise proper due diligence with respect to privacy. It was noted some members may not have received, or understood, the initial email from the YMCA. It was further noted a smaller membership group would be easier to accommodate with limited space and less programs during the reopening phase. The Committee agreed to announce the reopening but limit promotional efforts for the time being to ensure there is sufficient space for members.

C. Barrington and K. Duffley agreed to discuss the logistics of inviting Rothesay High School students to volunteer at the Rothesay Hive. Counc. Wells asked how early students can start volunteering. C. Barrington advised students can begin as soon as the Rothesay Hive reopens.

When questioned, K. Duffley advised she does not have an opening date in mind but suggested two weeks would be sufficient to prepare the facility and give members time to register for programs.

4. COMMUNICATION TO MEMBERS OF THE HIVE

- Draft phone script
- Draft email

K. Duffley advised she will email or call members once a date is confirmed. Counc. Wells asked if she needs help contacting members. K. Duffley noted it is manageable now but she may need volunteers if the membership base grows in the future. In response to an inquiry, she noted the facility can accommodate ten individuals. Suggestions were made for options to promote the Rothesay Hive: Rothesay Road magazine, public service announcements (PSAs), an interview on CBC, the Town's website and electronic signs, posters in community buildings such as the post office, and word of mouth.

In response to an inquiry, Counc. Wells advised the Town must renew its Age-Friendly recognition status in the spring of 2021.

5. BUDGET FOR THE ROTHESAY HIVE

Counc. Wells explained it is the ideal time to discuss the budget for the Rothesay Hive as work is underway to prepare the 2021 budget for the Town. She asked if the Committee had any thoughts with respect to revenue generation or expenses.

D. O'Connor noted she was informed Go Ahead Seniors intends to contribute a \$100 monthly donation to the Rothesay Hive to be used as needed. She agreed to discuss the details with Town staff.

After a lengthy discussion, the Committee agreed to leave it up to Counc. Wells, Mayor Grant, and Town staff to discuss further. The Committee stressed the importance of having a budget that is sustainable but also reasonable with respect to expenses, and membership fees – especially during the uncertainty of the pandemic.

There was discussion with respect to instructor fees, and suggestions for potential instructors. D. O'Connor noted Zoomers has expressed interest in offering classes once the program expands into the Kennebecasis Valley.

Mayor Grant noted the importance of providing programming for seniors as the majority of the recreational programs in the Town cater to younger age groups.

6. ROTHESAY ELEMENTARY SCHOOL GREENHOUSE

- Email

Counc. Wells advised Council agreed to provide a letter of support for a funding application to construct a Rothsay Elementary School greenhouse. She added the initiative proposed an intergenerational element where seniors will be invited to teach, and help, the students learn how to garden. She further noted she reached out to the author to gauge interest in formalizing a program with the Rothsay Hive once the greenhouse is constructed. The Committee was amenable to this idea.

D. O'Connor noted a similar program exists in Saint John where a community garden was constructed in a seniors' complex and elementary school students are invited to help garden. She suggested her email be given to the author so she can connect the coordinators of both programs.

The Committee discussed drop-ins. K. Duffley advised drop-ins are not encouraged due to the limited capacity of the facility. However, she suggested a three day soft-opening could be scheduled, in lieu of programs, where individuals can visit the facility to view the space or ask questions.

In response to an inquiry, K. Duffley reported the Rothsay Hive Facebook page remains under the control of the YMCA, but members were invited to contact K. Duffley regarding the reopening. She agreed to ask the YMCA if she can be an administrator of the existing Facebook page to reach out to members. It was suggested a separate website be created for the Rothsay Hive. K. Duffley advised a website page was created for the Rothsay Hive on the Town website but is unavailable publicly at this time. D. O'Connor noted she will send more "Mindful Moments" and other ideas to K. Duffley.

7. DATE OF NEXT MEETING

The next meeting will be a WebEx videoconference on Tuesday, November 17, 2020 at 10:00 a.m.

8. ADJOURNMENT

MOVED by D. O'Connor and seconded by N. Stephenson the meeting be adjourned.

CARRIED.

The meeting adjourned at 11:00 a.m.

CHAIRPERSON

RECORDING SECRETARY



ROTHESAY
~~2020 November 9 Open Session FINAL_067~~
WORKS AND UTILITIES COMMITTEE MEETING
BY TELECONFERENCE
Pursuant to the *Local Governance Act* and the Province of New
Brunswick State of Emergency (declared 19 March 2020)
Wednesday, October 21, 2020 at 5:30 p.m.



DRAFT

PRESENT: DEPUTY MAYOR ALEXANDER, CHAIRPERSON
COUNCILLOR MIRIAM WELLS
PAUL BOUDREAU (*joined the teleconference at 5:35 p.m.*)
SHAWN CARTER
PETER GRAHAM, VICE CHAIRPERSON
ANN McALLISTER

TOWN MANAGER JOHN JARVIE
DIRECTOR OF OPERATIONS BRETT McLEAN
RECORDING SECRETARY LIZ POMEROY

ABSENT: MARK McALOON

Chairperson Alexander called the teleconference to order at 5:30 p.m.

1. APPROVAL OF AGENDA

MOVED by Counc. Wells and seconded by A. McAllister the agenda be approved as circulated.

CARRIED.

2. APPROVAL OF MINUTES

2.1 Regular Works and Utilities Committee meeting of September 2, 2020.

MOVED by S. Carter and seconded by Counc. Wells the minutes of September 2, 2020 be adopted as circulated.

CARRIED.

3. DELEGATIONS

N/A

4. REPORTS & PRESENTATIONS

N/A

5. UNFINISHED BUSINESS:

5.1 Capital Projects Summary

RECEIVED FOR INFORMATION.

5.2 Solid Waste Tonnage Report

Deputy Mayor Alexander commented on the increase in compost tonnage over last year. He suggested this may be related to individuals gardening more during the pandemic. DO McLean noted it is likely the total compost tonnage for 2020 will surpass the total for 2019. He added the compost fee has increased over the years but still remains significantly less than the fee for solid waste.

5.3 Mulberry Lane

- Proposed options for construction of turnaround (6)

MOVED by S. Carter and seconded by Counc. Wells the item be removed from the table.

CARRIED.

P. Boudreau joined the teleconference.

DO McLean explained permission was granted, and work was underway to clear the area and construct Option 5 when a stop order was issued by the property owner of civic #9. Following further discussion, the property owner ultimately agreed to Option 4. At that point a larger area had been cleared than was necessary for Option 4. Since the cleared area is on land acquired by the Town it will be used for snow storage. For clarity, he noted Option 4 was constructed but the cleared area mirrors the right-of-way limits for Option 5. There was general discussion with respect to the different options.

DO McLean advised despite the last minute changes, any option chosen may have required additional costs to construct the sub base; however these costs would have varied with each design. He clarified the original estimate included a cost to pave the turnaround but did not include an estimate for construction of the sub base. Counc. Wells expressed interest in seeing if a compromise can be found. DO McLean advised the cost overage of roughly \$17,000 is not entirely related to construction of the sub base. He noted a request was made by the property owners of civic #8 to reduce the local improvement levy by the total cost of the turnaround citing a turnaround was not necessary or included in the scope of the work. It was further noted property owners were aware construction of a turnaround was necessary to adhere to Town standards for public streets. The Committee agreed proposing the Mulberry Lane local improvement levy be reduced by 50% of the cost overrun would be a reasonable compromise.

MOVED by Counc. Wells and seconded by P. Graham the Works and Utilities Committee recommends the local improvement levy for Mulberry Lane be reduced by 50% of the cost overrun.

CARRIED.

5.4 Discussion on Private Lanes Policy

No action at this time.

5.5 Update on Summer Haven Crescent berm

DO McLean explained the Town cannot remove the trees because they are located on private property. However, it is suspected the primary concern relates to the mulch and weed growth. Since the mulch is on Town right-of-way, it can be removed and replaced with sod by the Town which may resolve the issue.

MOVED by S. Carter and seconded by A. McAllister the Works and Utilities Committee recommends the mulch on Town right-of-way between Summer Haven Crescent and adjacent to properties fronting on Gibbon Road be replaced with sod.

CARRIED.

5.6 Update on Highland Avenue/Crestwood Drive

Deputy Mayor Alexander reported a letter was received questioning the installation of a three way stop on Highland Avenue and Crestwood Drive. He added two other three way stops were also installed along Park Drive in Kennebecasis Park. DO McLean advised the signs were installed in response to a number of complaints received. Notwithstanding the aforementioned letter, Town staff have received several positive comments regarding the new stop conditions on both Highland Avenue and Park Drive. He added another three way stop was installed on Isaac Street near Fairvale Elementary School but there has been no feedback in favour of, or against, the installation.

5.7 Update on Islay Avenue placement of speed radar signs

DO McLean reported speed radar signs were recently placed on Islay Avenue. Once the data is collected it will be shared with the Kennebecasis Regional Police Force to determine if police presence may be required during specific time periods. When questioned, DO McLean advised three sets of speed radar signs are currently deployed in the Town (Rothesay Common – mobile but used permanently, Islay Avenue, and River Road). A line item was included in the proposed 2021 budget to acquire another set.

6. CORRESPONDENCE FOR ACTION

6.1 14 September 2020 Email from resident RE: Speeding on River Road

DO McLean reported he spoke with the author, and a pair of flashing speed radar signs were placed on River Road. Further action may be required if the data indicates speeding is problematic in the area.

6.2 1 October 2020 Email from resident RE: Traffic congestion and parked vehicles on Spruce Street

Deputy Mayor Alexander explained the concerns stem from individuals using the area as an unofficial drop off/pick up location for the adjacent schools. Counc. Wells reported the author contacted the Police and School Board citing safety concerns for students and blocked driveways. DO McLean explained during the pandemic the School Board is encouraging personal transportation with the intent to reduce congestion on the buses. It is anticipated the overall traffic in the area will lessen once the pandemic subsides and regular bus capacity resumes. Counc. Wells noted the email indicates the problem has occurred over the past three years. Suggestions were made for police involvement, and/or signage. DO McLean commented on a long-term plan to install sidewalks in the area. This will provide an alternative route for students but is not recommended at this time since the issue is of a temporary nature (a period of 20 minutes in the morning and afternoon), the substantial cost, and its dependence on other factors. DO McLean agreed to contact the author to ask for suggestions, or if the author is amenable to submitting a request to the School Board to remind individuals, through their regular automated messages, to be mindful of not blocking driveways while dropping off and picking up students.

ROTHESAY

Works and Utilities Committee (via teleconference) 2020 November 9 Open Session FINAL_070

Minutes

-4-

21 October 2020

6.3 15 October 2020 Letter from resident RE: Request for adjustment to 72 Grove Avenue utility bill

DO McLean advised it is not uncommon for property owners to request a reduction when an unusually high water bill is received. Typically these bills result from a spike in water consumption from an unknown leak on the property. When abnormal water consumption is recognized, Town staff will alert the owner and suggest the property be inspected for leaks. He clarified Town staff notify property owners as a courtesy but are not obligated to do so. In the past similar requests have been unsuccessful as Town utilities are operated on a net-zero profit model, and the property owner is responsible for all water usage on the property.

DO McLean noted this is a unique situation as the property is the first in line to receive water from the treatment facility. He explained during treatment a bump in pressure may occur and dislodge small amounts of manganese from the pipes. He noted it is difficult to determine if this is the actual cause of the issue. According to the owner the property has experienced similar issues in the past. In response to an inquiry, DO McLean advised the risk of suspended solids entering the system is less likely now due to improvements to the contact chamber that lengthen the filtering process before water is received by customers. The Committee was in favour of granting the request in light of the unique circumstances; however it is not the intent to set a precedent as the actual cause remains unclear.

MOVED by Counc. Wells and seconded by S. Carter the Works and Utilities Committee recommends the current utility bill for 72 Grove Avenue (PID 00255695) be reduced to the amount equal to the bill received in the same quarter of last year.

CARRIED.**7. NEW BUSINESS****7.1 Rothesay 5 Year Capital Plan for Designated Highways**

The Committee reviewed the 5 Year Capital Plan for Designated Highways. DO McLean explained the Plan was adjusted under the assumption the Province is not willing to contribute an amount exceeding \$500,000, as experienced over the past two years. He noted instead of continuing the procession along Rothesay Road from Hampton Road, Town staff have proposed the portion of Rothesay Road between Appleby Drive and Fox Farm Road due to its poor condition. DO McLean advised the information was provided to apprise the Committee as the 5 Year Capital Plan has been submitted.

7.2 Draft 2021 Works and Utilities Budgets

DO McLean presented the proposed 2021 Works and Utilities budgets, and highlighted the following:

- General Fund Operating Budget – Transportation/Environmental Health
 - An overall reduction for Workshops, Yards, and Equipment from \$693,723 (2020) to \$689,000 (2021)
 - Roads and Streets budget reduced from \$106,000 (2020) to \$104,000 (2021)
 - Item included for purchase of another set of flashing speed radar signs (\$12,000)
 - Increase in the Salt and Sand budget from \$602,000 (2020) to \$646,500 (2021) as more salt is required (1500 tons in the winter of 2018/2019, and 2000 tons in the winter 2019/2020). The cost of salt has also risen.
 - Significant increase expected in Solid Waste Collection owing to renewal of Solid Waste Collection contract

➤ General Capital Budget

- Municipal streets – asphalt and microseal program
 - \$160,000 in 2021 will see the completion of the microseal program in Wells
 - Dofred is scheduled to be repaved in 2021 (estimated at \$375,000)
- \$285,000 is earmarked for the installation of sidewalk on Highland Avenue between Kingswood Avenue and Grove Avenue
- \$275,000 allocated to Municipally Designated Highways is contingent upon external funding
- Municipal Equipment Replacement Program
 - The 11 year old street sweeper requires replacement as it has become costly to maintain; the resale value appears promising
 - A sidewalk plow and half ton utility vehicle are also scheduled for replacement

There was discussion with respect to the use of rental vehicles during the pandemic. DO McLean advised as seasonal work transitions into winter tasks the rental vehicles are no longer needed. He added costs related to exterior and interior maintenance of the Master Drive facility were deferred to offset the cost of renting the vehicles.

DO McLean advised there is intent to allocate funds in the 2021 budget for a signalized intersection at Spruce Street and Clark Road. The Committee recommended, and Council approved, consideration of funds in the 2021 budget for a signalized *crosswalk* in the area. Contemplating the matter further, staff are of the opinion a signalized crosswalk will not provide adequate protection for pedestrians in such a high traffic area. A signalized intersection with loop detection (estimated at a cost of \$300,000) is proposed as this creates a safer environment for pedestrians to cross and only interrupts traffic on Clark Road when necessary. This will increase the Capital Budget from \$2,870,000 to roughly \$3,170,000.

➤ Utility Operating Budget

- Increase from \$1,815,100 (2020) to \$1,912,958 (2021). Items of note are:
 - Increase in cost of chemicals for purification/treatment, more surface water is being treated to meet higher demand
 - Well cleaning efforts have proven successful but requires more development time for post acid treatment
 - Training – site visits to similar facilities to prepare staff for treatment plant project

➤ Utility Capital Budget

DO McLean gave a brief explanation of the proposed projects: Well 7 rehabilitation, Station Road cast iron water line replacement (deferred from 2020), Asphalt related sewer work, Turnbull Court sewer replacement – Taylor Brook sewer drill, Seville sewer repair, conversion to cell modems – SCADA, and share of 2021 portion of Wastewater Treatment Plant project.

A. McAllister inquired about the disposal process for chemicals used to clean the wells. DO McLean advised following treatment of the well the chemicals are pumped into a vacuum truck and either treated on-site, or transported to a facility for disposal.

MOVED by Counc. Wells and seconded by P. Graham the proposed 2021 Works and Utilities budgets: General Fund Operating Budget (Transportation/Environmental Health), the General Fund Capital Budget, the Utility Fund Operating Budget, and the Utility Fund Capital Budget be referred to the 2021 budget process for the Town.

CARRIED.

8. CORRESPONDENCE FOR INFORMATION

8.1 Contract S-2020-001: Turnbull Court Sewer Phase I

10 September 2020

Report prepared by DO McLean

DO McLean reported the project will begin soon and will proceed over the winter. He noted climate tailored measures will be used such as stone, rather than sand, bedding that will not freeze.

8.2 Digital Radio Conversion

7 October 2020

Report prepared by DO McLean

When questioned, DO McLean advised the conversion will provide the capability to GPS track Town vehicles and equipment eliminating the need for a third party. DO McLean explained it will also provide an opportunity to transmit SCADA (supervisory control and data acquisition) information – used to monitor and control Town facilities – for remote stations where cellular signals are not reliable. He added this is a more cost effective option than constructing a cellular tower.

8.3 Engineering Design Services: Drainage Network Review

8 October 2020

Report prepared by DO McLean

A. McAllister requested clarification. DO McLean explained the project will map the entire existing drainage system, model the (corrected) existing network for the 1:5 and 1:100 year storms, identify inefficiencies and inadequacies in the existing system, and create a list of recommended projects to enhance the system over the next ten years.

9. DATE OF NEXT MEETING

The next meeting will be Wednesday, November 18, 2020.

Counc. Wells suggested the next meeting be held via WebEx videoconference. The Committee was amenable to this idea.

10. ADJOURNMENT

MOVED by Counc. Wells and seconded by A. McAllister the meeting be adjourned.

CARRIED.

The meeting adjourned at 6:50 p.m.

CHAIRPERSON

RECORDING SECRETARY



2020 November 9 Open Session FINAL_073

ROTHESAY

MEMORANDUM



TO : Mayor and Council
FROM : Works & Utilities Committee
DATE : October 23, 2020
RE : Local Improvement Levy – Mulberry Lane

Recommendation:

It is recommended the local improvement levy for Mulberry Lane be reduced by 50% of the cost overrun.

Background:

Please be advised the Works & Utilities Committee passed the following motion at its regular teleconference on Wednesday, October 21, 2020:

MOVED ... and seconded ... the Works and Utilities Committee recommends the local improvement levy for Mulberry Lane be reduced by 50% of the cost overrun.

CARRIED.



2020 November 9 Open Session FINAL_074

ROTHESAY

MEMORANDUM



TO : Mayor and Council
FROM : Works & Utilities Committee
DATE : October 23, 2020
RE : Summer Haven Crescent Berm

Recommendation:

It is recommended the mulch on Town right-of-way between Summer Haven Crescent and adjacent to properties fronting on Gibbon Road be replaced with sod.

Background:

Please be advised the Works & Utilities Committee passed the following motion at its regular teleconference on Wednesday, October 21, 2020:

MOVED ... and seconded ... the Works and Utilities Committee recommends the mulch on Town right-of-way between Summer Haven Crescent and adjacent to properties fronting on Gibbon Road be replaced with sod.

CARRIED.



2020 November 9 Open Session FINAL_075
ROTHESAY
MEMORANDUM



TO : Mayor and Council
FROM : Works & Utilities Committee
DATE : October 23, 2020
RE : Utility Bill – 72 Grove Avenue (PID 00255695)

Recommendation:

It is recommended the current utility bill for 72 Grove Avenue (PID 00255695) be reduced to the amount equal to the bill received in the same quarter of last year.

Background:

Please be advised the Works & Utilities Committee passed the following motion at its regular teleconference on Wednesday, October 21, 2020:

MOVED ... and seconded ... the Works and Utilities Committee recommends the current utility bill for 72 Grove Avenue (PID 00255695) be reduced to the amount equal to the bill received in the same quarter of last year.

CARRIED.



2020 November 9 Open Session FINAL_076

ROTHESAY

MEMORANDUM



TO	:	Mayor and Council
FROM	:	Works & Utilities Committee
DATE	:	October 23, 2020
RE	:	Draft 2021 Works and Utilities Budgets

Recommendation:

It is recommended the proposed 2021 Works and Utilities budgets: General Fund Operating Budget (Transportation/Environmental Health), the General Fund Capital Budget, the Utility Fund Operating Budget, and the Utility Fund Capital Budget be referred to the 2021 budget process for the Town.

Background:

Please be advised the Works & Utilities Committee passed the following motion at its regular teleconference on Wednesday, October 21, 2020:

MOVED ... and seconded ... the proposed 2021 Works and Utilities budgets: General Fund Operating Budget (Transportation/Environmental Health), the General Fund Capital Budget, the Utility Fund Operating Budget, and the Utility Fund Capital Budget be referred to the 2021 budget process for the Town.

CARRIED.



~~2020 November 9 Open Session FINAL_077~~
ROTHESAY
PLANNING ADVISORY COMMITTEE MEETING
BY TELECONFERENCE

Pursuant to the *Local Governance Act* and the Province of New Brunswick State of Emergency (declared 19 March 2020)

Monday, November 2, 2020 at 5:30 p.m.



DRAFT

PRESENT: COLIN BOYNE, CHAIRPERSON
COUNCILLOR BILL MCGUIRE
COUNCILLOR DON SHEA (*left the teleconference at 5:35 p.m.*)
TRACIE BRITTAIN
JOHN BUCHANAN
ELIZABETH GILLIS
ANDREW MCMACKIN
CRAIG PINHEY, VICE-CHAIRPERSON

TOWN MANAGER JOHN JARVIE
TOWN CLERK MARY JANE BANKS
DIRECTOR OF PLANNING/DEVELOPMENT (DPDS) BRIAN WHITE
DIRECTOR OF OPERATIONS (DO) BRETT McLEAN
RECORDING SECRETARY LIZ POMEROY

Chairperson Boyne called the teleconference to order at 5:30 p.m. noting he, Director of Planning Brian White, Director of Operations Brett McLean, Town Clerk Mary Jane Banks, and the two applicants Mr. Patrick Shea and Mr. Edward Harley are in the Common Room at Rothesay Town Hall wearing masks, and observing physical distancing requirements.

1. APPROVAL OF THE AGENDA

MOVED by Counc. Shea and seconded by C. Pinhey the agenda be approved as circulated.

CARRIED.

2. ADOPTION OF MINUTES

2.1 Regular Meeting of September 8, 2020

MOVED by Counc. McGuire and seconded by T. Brittain the minutes of September 8, 2020 be adopted as circulated.

CARRIED.

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

3. NEW BUSINESS

3.1 Sagamore Heights

OWNER:

PIDs:

PROPOSAL:

Mr. Edward Harley and Mr. Patrick Shea

Mr. Edward Harley and Mr. Patrick Shea

00241240, 00246603, 30128680, 00062737, 00246595,
00223453, 00224147, 30145890, 30147318

55 Lot Subdivision

DPDS White presented the proposal, highlighting the following from the staff report:

- In 1973 the village of Fairvale approved the Sagamore Point subdivision plan which vested Maliseet Drive as a public street
- The 1973 plan showed a future conceptual phase for Sagamore Point with 41 building lots and additional public streets
- The current proposal for that future conceptual phase, now known as “Sagamore Heights”, includes 55 building lots and new public streets

- The 55 lots:
 - will be zoned Single Family Residential R1B – no zoning changes or variances are required
 - range in size from 1350m² to 2950m² (1/3 acres to 3/4 acres) meeting all applicable zoning by-law requirements
 - will be serviced by municipal water and sewer
- The subdivision includes:
 - streetlights at intersections
 - a 1/4 acre neighbourhood playground park
 - an asphalt trail along the main public streets
 - new public streets: Sage Street, Greenbrier Street, Juneberry Court, and Goldenrod Lane (the names represent native New Brunswick plants)
- The following parcels being offered in fulfillment of the Land for Public Purposes requirement totals 15.94 acres, which well exceeds the calculated by-law requirement of 2.44 acres:
 - 1/4 acre for a park/playground at Goldenrod Lane and Sage Street
 - 1.02 acres at Maliseet Drive and River Road
 - 14.68 acres pre-confederation water lot on the Kennebecasis River
- Rothesay Subdivision By-law No. 4-10 requires the developer enter into a subdivision agreement with Council that specifies their obligations to provide within the proposed subdivision public streets, curbing, sidewalks, culverts, stormwater drainage infrastructure, water and sewer lines, street lights, and street trees
 - The agreement also specifies that a professional engineer will design the proposed municipal infrastructure (roads, water, sewer, stormwater, etc.) and provide certification that all infrastructure is constructed to Town standards

DPDS White reviewed the following from the thematic summary of staff responses to concerns received through the polling process:

RESIDENT CONCERN	STAFF RESPONSE
Groundwater Protection of existing wells	The proposed subdivision will be connected to Town water and sewer. No wells will be drilled into the existing groundwater resource in the area.
Stormwater Management	The subdivision agreement requires that a Professional Engineer design and certify that the storm water system is constructed in accordance with Rothesay specifications. Furthermore, much of the drainage concerns that were raised are related to existing problems or very specific issues on individual properties that cannot be addressed until the project engineering is completed.

Maliseet Drive (road street connection vs Cul-de-Sac)	<p>Maliseet Drive does not connect to the proposed Greenbrier Street as the existing road right of way would not allow for a public street geometric design that could meet the standards for a safe intersection. Furthermore, Staff are concerned about speeding along Maliseet and the potential for speeding on Greenbrier.</p> <p>*The original 1973 design identified Greenbrier Street as Fern Street</p>
Street Lighting (Concerns regarding additional lighting)	<p>NB Power will install and maintain street LED lights at the intersections of the new public streets including the 3 new intersection on Maliseet (Goldenrod, Sage and Greenbrier). All building lots will be required to have driveway lights.</p>
Lot Size (Concern about the size of the lots being smaller than Maliseet properties)	<p>All of the proposed lots meet the R1B zone minimum requirement of 1350m² and more than half of the total lots are ~2000m² (½ acre) sized lots.</p>
Traffic Concerns (River Road/Maliseet/Gondola Point Intersection)	<p>Staff do not anticipate the need for signalization at the Gondola Point / River Road intersection. However, Staff will continue to monitor the level of service (LOS) for this intersection and recommend improvements if required.</p>
Environmental Assessment	<p>Rothsay has no by-law requirement for an environmental assessment of development projects. Furthermore, only major residential subdivisions located outside incorporated areas are required to be registered under the provincial Environmental Impact Assessment Regulation.</p>

The Committee inquired about the following: condition of the land for the park/playground, beach rights, completion of a traffic study, and timeframe for completion of the project.

Mr. Harley and Mr. Shea responded with the following: the land for the park/playground will be fully prepared for the installation of the recreational amenities upon completion of the project; there is intent to provide beach rights to the 55 new lots; personal experience indicates traffic concerns are not anticipated; and 6-7 years is the estimated timeframe for completion of the project.

DO McLean added the applicants are required to submit a traffic impact statement prepared by a qualified traffic engineer. However, it is not anticipated total traffic, with the addition of traffic generated by the new lots, will exceed the standard vehicle movements (1000) warranting a signalized intersection.

The Committee further inquired about: traffic calming measures, Town use of the 14.68 acre water lot, stormwater management for 55 – rather than 41 – lots, and if additional school buses will be required.

Town staff responded with the following: the design of curbing at anticipated problematic areas will produce narrow lanes that act as a structural deterrent for speeding; there are no plans to install speed bumps or traffic circles; use of the water lot will be for recreational purposes, and intended to provide future opportunities for improvements following construction of the Wastewater Treatment facility; regardless of the number and size of the lots, the subdivision agreement states a stormwater management system will be constructed to ensure the subdivision drainage does not create a nuisance on other properties; the specific issues identified by residents may be mitigated by the construction of a stormwater management system; the initial proposal for 41 lots was only a conceptual design and was not formally approved by the village of Fairvale; the proposal meets, or exceeds, all Town by-law requirements; and it is not anticipated the subdivision will produce a need for additional school buses but the matter could be brought to the attention of the School Board.

MOVED by T. Brittain and seconded by E. Gillis the Planning Advisory Committee hereby recommends that Council authorize the Mayor and Clerk to enter into a subdivision development agreement with 619699 N.B. Inc. to subdivide vacant land accessed off Maliseet Drive to allow for 55 single-family home building lots with new public road connections to Maliseet Drive and River Road.

CARRIED.

MOVED by C. Pinhey and seconded by T. Brittain the Planning Advisory Committee hereby recommends that Council assent, as per Section 88(2) of the Act, to the creation of public streets Sage Street, Greenbrier Street, Juneberry Court, and Goldenrod Lane with connections to Maliseet Drive and a future street connection to River Road and as shown on the Sagamore Heights Subdivision tentative plan Drawing No. T-0758-R1 for the subdivision of land (PIDs 00241240, 00246603, 30128680, 00062737, 00246595, 00223453, 00224147, 30145890, 30147318).

CARRIED.

MOVED by Counc. McGuire and seconded by J. Buchanan the Planning Advisory Committee hereby recommends that Council assent, as per Section 88(3) of the Act, to setting aside of land for public purposes as shown on the Sagamore Heights Subdivision tentative plan Drawing No. T-0758-R1 for the subdivision of land (PIDs 00241240, 00246603, 30128680, 00062737, 00246595, 00223453, 00224147, 30145890, 30147318).

CARRIED.

MOVED by Counc. McGuire and seconded by T. Brittain the Planning Advisory Committee hereby recommends that Council assent, as per Section 88(7) of the Act, to the creation of a Local Government Service Easement as shown on the Sagamore Heights Subdivision tentative plan Drawing No. T-0758-R1 for the subdivision of land (PIDs 00241240, 00246603, 30128680, 00062737, 00246595, 00223453, 00224147, 30145890, 30147318).

CARRIED.

Chairperson Boyne thanked the applicants, and Mr. Shea and Mr. Harley left the meeting.

4. OLD BUSINESS

TABLED ITEMS

Tabled February 5, 2018 – *no action at this time*

4.1 Subdivision Approval - 7 Lots off Appleby Drive (PID 30175467)

Tabled September 8, 2020 – *no action at this time*

4.2 Removal of PAC conditions and variance – 59 Dolan Road (PID 00094938)

5. CORRESPONDENCE FOR INFORMATION
N/A

6. DATE OF NEXT MEETING(S)

The next meeting will be held on **Monday, December 7, 2020.**

7. ADJOURNMENT

MOVED by Counc. McGuire and seconded by J. Buchanan the meeting be adjourned.

CARRIED.

The meeting adjourned at 6:10 p.m.

CHAIRPERSON

RECORDING SECRETARY



2020 November 9 Open Session FINAL_082

ROTHERSEY

MEMORANDUM



TO : Mayor and Council
FROM : Planning Advisory Committee
DATE : November 2, 2020
RE : Sagamore Heights – 55 Lot Subdivision

Recommendations

- Council authorize the Mayor and Clerk to enter into a subdivision development agreement with 619699 N.B. Inc. to subdivide vacant land accessed off Maliseet Drive to allow for 55 single-family home building lots with new public road connections to Maliseet Drive and River Road.
- Council assent, as per Section 88(2) of the Act, to the creation of public streets Sage Street, Greenbrier Street, Juneberry Court, and Goldenrod Lane with connections to Maliseet Drive and a future street connection to River Road and as shown on the Sagamore Heights Subdivision tentative plan Drawing No. T-0758-R1 for the subdivision of land (PIDs 00241240, 00246603, 30128680, 00062737, 00246595, 00223453, 00224147, 30145890, 30147318).
- Council assent, as per Section 88(3) of the Act, to setting aside of land for public purposes as shown on the Sagamore Heights Subdivision tentative plan Drawing No. T-0758-R1 for the subdivision of land (PIDs 00241240, 00246603, 30128680, 00062737, 00246595, 00223453, 00224147, 30145890, 30147318).
- Council assent, as per Section 88(7) of the Act, to the creation of a Local Government Service Easement as shown on the Sagamore Heights Subdivision tentative plan Drawing No. T-0758-R1 for the subdivision of land (PIDs 00241240, 00246603, 30128680, 00062737, 00246595, 00223453, 00224147, 30145890, 30147318).

Background

The Planning Advisory Committee passed the following motions at its regular meeting on Monday, November 2, 2020:

MOVED ... and seconded ... the Planning Advisory Committee hereby recommends that Council authorize the Mayor and Clerk to enter into a subdivision development agreement with 619699 N.B. Inc. to subdivide vacant land accessed off Maliseet Drive to allow for 55 single-family home building lots with new public road connections to Maliseet Drive and River Road.

CARRIED.

ROTHESAY

TO: Mayor and Council

FROM: Planning Advisory Committee

RE: Sagamore Heights – 55 Lot Subdivision -2-

2020 November 9 Open Session FINAL_083

November 2, 2020

MOVED ... and seconded ... the Planning Advisory Committee hereby recommends that Council assent, as per Section 88(2) of the Act, to the creation of public streets Sage Street, Greenbrier Street, Juneberry Court, and Goldenrod Lane with connections to Maliseet Drive and a future street connection to River Road and as shown on the Sagamore Heights Subdivision tentative plan Drawing No. T-0758-R1 for the subdivision of land (PIDs 00241240, 00246603, 30128680, 00062737, 00246595, 00223453, 00224147, 30145890, 30147318).

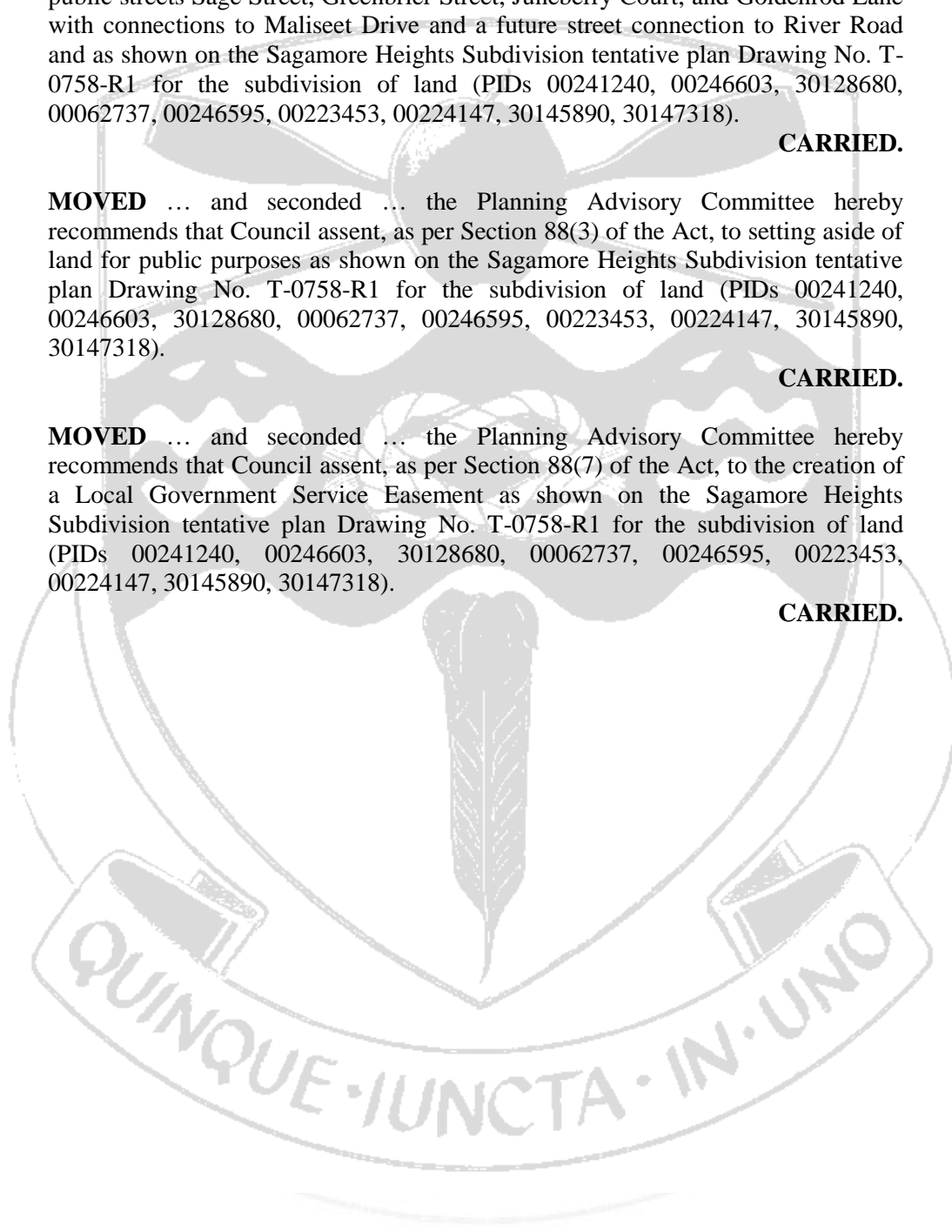
CARRIED.

MOVED ... and seconded ... the Planning Advisory Committee hereby recommends that Council assent, as per Section 88(3) of the Act, to setting aside of land for public purposes as shown on the Sagamore Heights Subdivision tentative plan Drawing No. T-0758-R1 for the subdivision of land (PIDs 00241240, 00246603, 30128680, 00062737, 00246595, 00223453, 00224147, 30145890, 30147318).

CARRIED.

MOVED ... and seconded ... the Planning Advisory Committee hereby recommends that Council assent, as per Section 88(7) of the Act, to the creation of a Local Government Service Easement as shown on the Sagamore Heights Subdivision tentative plan Drawing No. T-0758-R1 for the subdivision of land (PIDs 00241240, 00246603, 30128680, 00062737, 00246595, 00223453, 00224147, 30145890, 30147318).

CARRIED.





To: Chair and Members of Rothesay Planning Advisory Committee

From: Brian L. White, MCIP, RPP
Director of Planning and Development Services

Date: Friday, October 30, 2020

Subject: Sagamore Heights - 55 Lot Subdivision

Applicant:	Mr. Edward Harley and Mr. Patrick Shea	Property Owner:	Mr. Edward Harley and Mr. Patrick Shea, Directors
Mailing Address:	619699 N.B. Inc. 270 Eriskay Drive Rothesay, NB E2E 5G7	Mailing Address:	619699 N.B. Inc. 270 Eriskay Drive Rothesay, NB E2E 5G7
Property Location:	Vacant Land off Maliseet Drive	PIDs:	00241240, 00246603, 30128680, 00062737, 00246595, 00223453, 00224147, 30145890, 30147318
Plan Designation:	Low Density	Zone:	Single Family Residential – Standard Zone [R1B]
Application For:	Subdivision Agreement		
Input from Other Sources:	Director of Operations, KVFD, KRPF		

Origin:

An application from Mr. Edward Harley and Mr. Patrick Shea, Directors of 619699 N.B. Inc. (developer) to subdivide 31.3 acres of vacant land in Sagamore Point. The subdivision involves 55 new single-family home lots, with new public roads connected to Maliseet Drive and River Road. (See Attached)

Background:

In 1973 the Village of Fairvale approved the Sagamore Point a subdivision plan which vested Maliseet Drive as a public street. That 1973 plan also showed a future conceptual phase for Sagamore Point with 41 building lots and additional public streets. The developer's application for that future conceptual phase, now known as "Sagamore Heights", includes 55 building lots and new public streets. (See Figure 2)

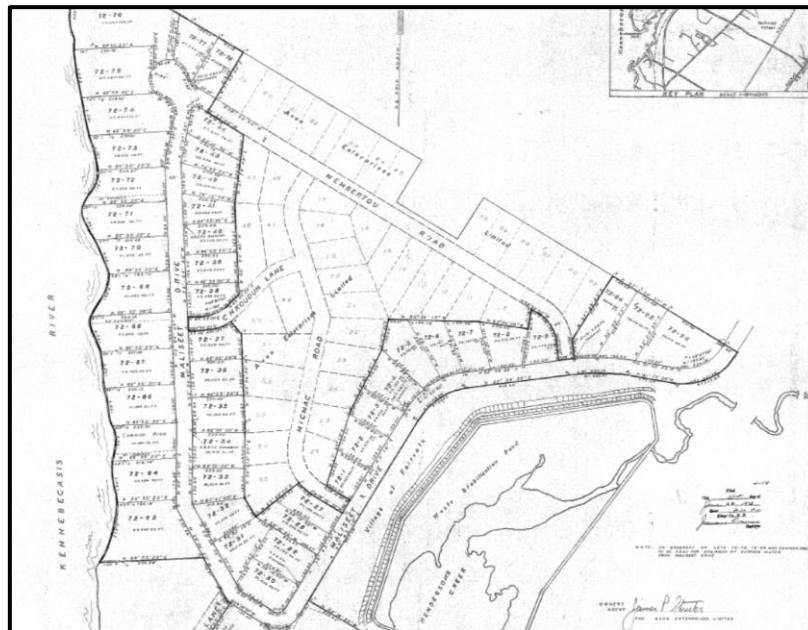


Figure 1 - 1973 Plan of Subdivision Sagamore Point

The subdivision for 55 single family homes will continue to be zoned Single Family Residential R1B and zoning changes or no variances are required. The 55 proposed lots range between 1350m² to 2950m² (1/3 acres to 3/4 acres) in size and meet all applicable zoning by-law requirements. The subdivision proposal is for fully serviced lots with both municipal sewer and water. Additionally the subdivision includes streetlights at intersections; a 1/4-acre neighbourhood playground park and asphalt trail along the main public streets. The subdivision process requires that Council consider entering into a subdivision agreement (Attachment A) with the developer.



Figure 2 - Proposed Sagamore Heights Subdivision

PAC will also note that the subdivision includes the new public streets named Sage Street, Greenbrier Street, Juneberry Court, and Goldenrod Lane all representing New Brunswick plants. The following excerpt from the subdivision bylaw explains the role of the PAC the street in naming process.

7. STREET NAMES AND STREET SIGNAGE

When new streets are proposed the owner of lands being subdivided shall submit proposed street names to the Planning Advisory Committee for consideration. Street names with spelling or pronunciation similar to existing street names in Rothesay or the immediately surrounding communities shall not be considered acceptable.

The proposed street names were scrutinized by Staff for civic address name conflicts or for confusion with street names presently in use throughout the Greater Saint John area and Staff determined that no conflicts exist.

Land for Public Purposes

The Community Planning Act gives Council the authority to accept an amount of land equal to 10% of the area contained in a subdivision as Land for Public Purposes. The amount of land for all 55 building lots excluding roads equals a total area of 98,870.25m² (24.43 Acres) the amount of land required is accordingly 10% 9887m² (2.44 acres). The developer has agreed to provide Rothesay with 1000m² (1/4 acres) of land for a park/playground on the corner of Goldenrod Lane and Sage Street.

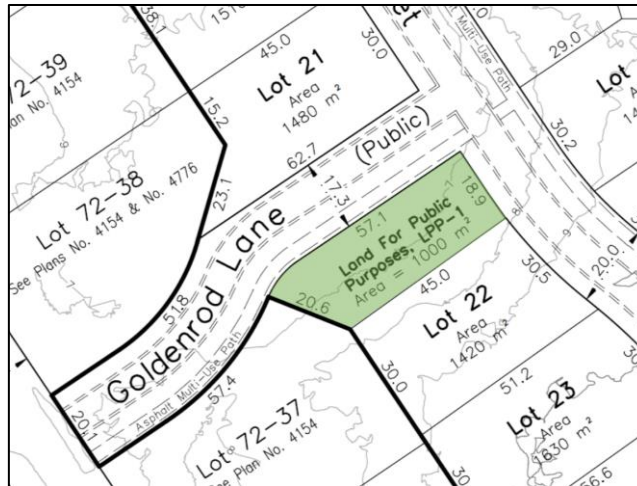


Figure 3 - Proposed LPP Park (Goldenrod Lane and Sage Street)

The LPP dedication also includes an assembly of land parcels at Maliseet and River Road totaling 4137m² (1.02 acres) and a 59,400.60m² (14.68 acres) pre-confederation water lot¹ on the Kennebecasis River. The total area of all the parcels being offered in fulfillment of the LPP requirement is 64,531.83m² (15.94 acres) which well exceeds the by-law requirement of 2.44 acres.

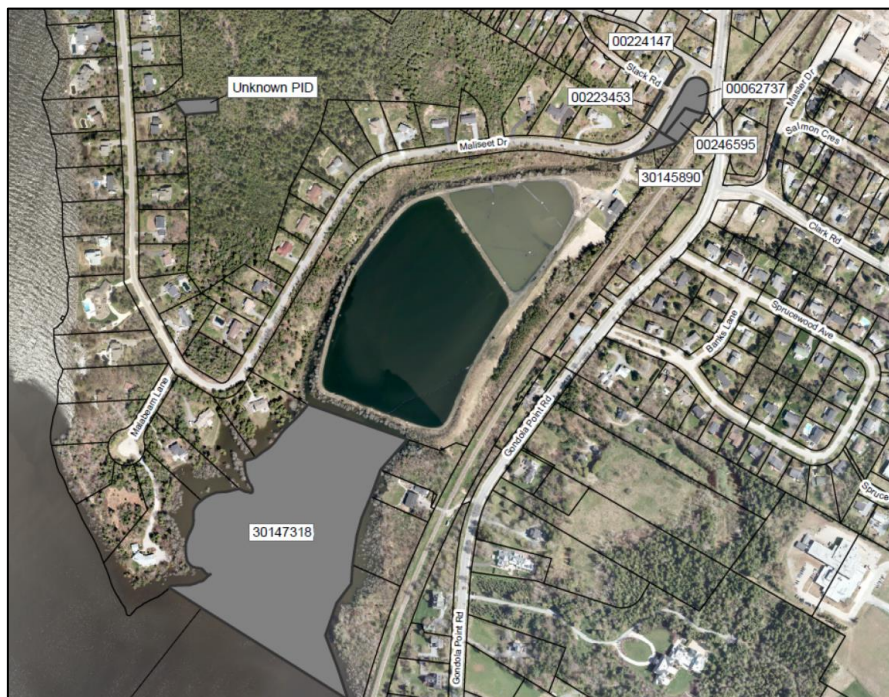


Figure 4 - Parcels to be designated as Land for Public Purposes

Subdivision Agreement

Rothsay's Subdivision By-law No. 4-10 requires that the developer provide within the proposed subdivision public streets, curbing, sidewalks, culverts, storm water drainage infrastructure, water and sewer lines, streetlights, and street trees. The by-law also requires that the developer enter into a subdivision agreement with Council that is registered on title and specifies their obligations to construct and pay the cost of the infrastructure required. The agreement (Attachment A) also specifies

¹ This property pre-dates Canadian Confederation and was part of a land grant from 1829. Whereas the Province of New Brunswick has property rights (see Submerged Crown Lands Policy) over most rivers, this property and section of the Kennebecasis River is not subject to that specific provincial policy regulation. The water lot is however subject to other Provincial and Federal legislation such as the NB Clean Water Act, and the Federal Navigable Waters Protection Act.

that a Professional engineer will design the proposed municipal infrastructure (roads, water, sewer, stormwater, etc.) and provide certification that all infrastructure is constructed to Town standards.

Polling

Polling was conducted and Staff did receive ample correspondence from neighbouring residents (see Attachment B). The concerns regarding the proposed subdivision are many. Staff have prepared a short thematic summary of those responses along with Staff comments to those concerns:

RESIDENT CONCERN	STAFF RESPONSE
Groundwater Protection of existing wells	The proposed subdivision will be connected to Town water and sewer. No wells will be drilled into the existing groundwater resource in the area.
Stormwater Management	The subdivision agreement requires that a Professional Engineer design and certify that the storm water system is constructed in accordance with Rothesay specifications. Furthermore, much of the drainage concerns that were raised are related to existing problems or very specific issues on individual properties that cannot be addressed until the project engineering is completed.
Maliseet Drive (road street connection vs Cul-de-Sac)	Maliseet Drive does not connect to the proposed Greenbrier Street as the existing road right of way would not allow for a public street geometric design that could meet the standards for a safe intersection. Furthermore, Staff are concerned about speeding along Maliseet and the potential for speeding on Greenbrier.
Street Lighting (Concerns regarding additional lighting)	NB Power will install and maintain street LED lights at the intersections of the new public streets including the 3 new intersection on Maliseet (Goldenrod, Sage and Greenbrier). All building lots will be required to have driveway lights.
Lot Size (Concern about the size of the lots being smaller than Maliseet properties)	All of the proposed lots meet the R1B zone minimum requirement of 1350m ² and more than half of the total lots are ~2000m ² (½ acre) sized lots.
Traffic Concerns (River Road/Maliseet/Gondola Point Intersection)	Staff do not anticipate the need for signalization at the Gondola Point / River Road intersection. However, Staff will continue to monitor the level of service (LOS) for this intersection and recommend improvements if required.
Environmental Assessment	Rothesay has no by-law requirement for an environmental assessment of development projects. Furthermore, only major residential subdivisions located outside incorporated areas are required to be registered under the provincial Environmental Impact Assessment Regulation.
Services for Existing Neighborhood Streets	Observations regarding the lack of amenities or state of existing municipal infrastructure along existing streets has been noted by Staff and will be assessed against effective municipal spending by Council's desire to focus financial and staff resources where they are most needed throughout Rothesay.
Property Values (Negative Effects)	Staff do not support the theory that infill development as proposed would negatively affect existing housing prices in the area. Staff note that property values of new homes, of comparable size and amenity, are often higher than homes of a later vintage. However, site-specific factors such as home age, location and impacts from river flooding may have a greater effect on property values.

Recommendation:

Staff recommended THAT the Planning Advisory Committee consider the following Motions:

- a) Rothesay PAC HEREBY Recommends that Council authorize the Mayor and Clerk to enter into an subdivision development agreement with 619699 N.B. Inc. to subdivide vacant land accessed off Maliseet Drive to allow for 55 single-family home building lots with new public road connections to Maliseet Drive and River Road;
- b) Rothesay PAC HEREBY Recommends that Council Assent, as per Section 88(2) of the Act, to the creation of **public streets** Sage Street, Greenbrier Street, Juneberry Court, and Goldenrod Lane with connections Maliseet Drive and a **future street** connection to River Road and as shown on the Sagamore Heights Subdivision tentative plan Drawing No. T-0758-R1 for the subdivision of land (PIDs 00241240, 00246603, 30128680, 00062737, 00246595, 00223453, 00224147, 30145890, 30147318).
- c) Rothesay PAC HEREBY Recommends that Council Assent, as per Section 88(3) of the Act, to setting aside of **land for public purposes** as shown on the Sagamore Heights Subdivision tentative plan Drawing No. T-0758-R1 for the subdivision of land (PIDs 00241240, 00246603, 30128680, 00062737, 00246595, 00223453, 00224147, 30145890, 30147318).
- d) Rothesay PAC HEREBY Recommends that Council Assent, as per Section 88(7) of the Act, to the creation of a **Local Government Service Easement** as shown on the Sagamore Heights Subdivision tentative plan Drawing No. T-0758-R1 for the subdivision of land (PIDs 00241240, 00246603, 30128680, 00062737, 00246595, 00223453, 00224147, 30145890, 30147318).

Attachments:

Attachment A	Proposed Sagamore Heights Subdivision Agreement
Attachment B	Polling Results - Correspondence from Neighbouring Properties



Report Prepared by: Brian L. White, MCIP, RPP

Date: Friday, October 30, 2020

Rothesay

SUBDIVISION AGREEMENT

Land Titles Act, S.N.B. 1981, c.L-1.1, s.24

Parcel Identifiers
of Parcels Burdened
by Agreement: 00241240, 00246603, 30128680, 00062737,
00246595, 00223453, 00224147, 30145890,
30147318

Owner of Land Parcels: 619699 N.B. Inc.
270 Eriskay Drive
Rothesay, NB
E2E 5G7 (Hereinafter called the "Developer")

Agreement with: Rothesay
70 Hampton Road
Rothesay, N.B.
E2E 5L5 (Hereinafter called "Rothesay")

a body corporate under and by virtue of the
Municipalities Act, RSNB 1973, Chapter M-22,
located in the County of Kings and Province of New
Brunswick

WHEREAS the Developer is the registered owner of certain lands
accessed from Maliseet Drive (PIDs # 00241240, 00246603, 30128680,
00062737, 00246595, 00223453, 00224147, 30145890, 30147318) and which
said lands are more particularly described in Schedule A hereto (hereinafter called
the "Lands");

AND WHEREAS the Developer is desirous of entering into a subdivision
agreement to allow for a 55 lot residential subdivision including new public roads
Sage Street, Greenbrier Street, Juneberry Court, and Goldenrod Lane with
connections to River Road and Maliseet Drive identified as **Sagamore Heights
Subdivision** on the Lands as described in Schedule A.

NOW THEREFORE THIS AGREEMENT WITNESSETH that for and in the
consideration of the mutual covenants and agreements herein expressed and
contained, the parties hereto covenant and agree as follows:

1. The Developer agrees that the number of Lots situated on the Lands
indicated on Schedule A shall not exceed fifty-five (55) building lots.
2. The Developer agrees that the number of residential dwellings situated on
the Lands indicated on Schedule A shall not exceed fifty-five (55) single-
family dwellings.
3. The Developer agrees that the Greenbrier Street intersection with Maliseet
Drive shall be used solely for all construction machinery, heavy equipment
and related vehicles until such time that Phases 1 to 3 are substantially
complete.
4. The Developer agrees to submit for approval by Rothesay, prior to
commencing any work on the subdivision, the following plans, each in
accordance with the minimum requirements, standards and specifications
as prescribed in the Standard Specifications for Developers of Rothesay
Subdivision By-law No. 4-10;
 - a) Plan of Subdivision prepared by a person registered to practice
land surveying in the Province of New Brunswick;
 - b) a letter of engagement from the project engineer retained by the
Developer to design the proposed works, along with

engineering design drawings for all municipal services as specified herein.

5. The Developer agrees that Rothesay shall not issue a building permit to the Developer for work directly connected with the development of the Lands, nor shall the Developer be entitled to such a permit unless and until the Developer deposits with Rothesay an Irrevocable Letter of Credit from a Canadian Chartered Financial Institution or other security acceptable to Rothesay:
 - a) Valued at 50% of the cost of construction to execute the work approved by the Engineer pursuant to this agreement; and
 - b) Containing a provision that upon the expiration of a thirty-six (36) month term it be renewed and extended (with appropriate amendments to reduce the sum to an amount sufficient to recover the remaining work) from year to year until such time as Rothesay has accepted "final completion" of the work mentioned in this agreement, by resolution of Rothesay Council.

Schedules

6. The Developer agrees to develop the Lands in a manner, which, in the opinion of Rothesay's Development Officer, is generally in conformance with the following Schedules attached to this Agreement:
 - a. Schedule A Legal Description of Parcels (PID #s)
 - b. Schedule B Proposed Plan of Subdivision
 - c. Schedule C Proposed Phasing of Public Infrastructure

Subdivision

7. Rothesay and Developer agree that a maximum 20 percent reduction in the total number of building lots and the resulting applicable and necessary changes to Schedule B as non-substantive and generally in conformance with this Agreement.
8. The Developer agrees, that except as otherwise provided for herein, the development, subdivision and use of the Lands shall comply with the requirements of the Rothesay Zoning By-law and Subdivision By-law, as may be amended from time to time.

Land for Public Purposes

9. Rothesay and the Developer agree that the 1000 square meter parcel located on the corner of Goldenrod Lane and Sage Street as indicated on Schedule B along with the following parcels shall be vested to Rothesay as Land for Public Purposes (LPP):
 - a) PID # 00062737
 - b) PID # 00246595
 - c) PID # 00223453
 - d) PID # 00224147
 - e) PID # 30145890
 - f) PID # 30147318

Site Development

10. The Developer agrees to develop the Lands in a manner, which, in the opinion of Rothesay's Development Officer, is generally in conformance with Schedule B.
11. The Developer agrees to not commence clearing of trees, excavation of

topsoil or blasting activities in association with the construction of the subdivision until Rothesay's Development Officer and Engineer have provided approval of the engineering design and the laying out of new public streets.

12. The Developer agrees that all building lots developed and maintained by the successive lot owner(s) their successors and assigns shall as conform as follows:

- a) All areas used for vehicular traffic or the parking or storage of a vehicle shall be paved with asphalt, concrete, interlocking stone or other environmentally safe and dust-free equivalent surface.
- b) Every developed building lot shall have one (1) permanent driveway lighting fixture that shall as follows:
 - i. provide illumination of the primary driveway entrance to the public street right of way;
 - ii. be supplied from the lot owner's electrical system;
 - iii. automatically switch on when there is insufficient daylight;
 - iv. be located not closer than 1.5 meters to the paved driveway edge and not closer than 2 meters to the public street right of way boundary; and
 - v. be maintained to ensure continuous operation during nighttime hours.

Municipal Streets

13. The Developer shall carry out, subject to inspection and approval by Rothesay representatives, and pay for the entire actual cost of the following:

- a. surveying and staking of lots and streets;
- b. rough grading of streets to profiles approved by Rothesay;
- c. fine grading of streets to profiles approved by Rothesay;
- d. hard surfacing of the streets as shown on the plan to Rothesay specifications; sub-grade standards, compaction and finish as approved by Rothesay's Engineer, in writing, before final hard surfacing may be installed;
- e. constructing the proposed roads as shown on the plan of subdivision by completing the clearing, grubbing, grading and aggregate subbase of Greenbrier Street and Sage Street through to their Maliseet Drive intersection(s) as the first phase of the development;
- f. supply and maintenance of for a period of two (2) years the topsoil, sod, landscaping and the planting of street trees calculated as no more than one tree for each 10 meters measured along the linear centre line of the public street right of way, planted on alternating street side location(s) approved by Rothesay and where such street trees are as follows:
 - i. Not smaller than six centimeters (6 cm) in diameter measured at a point being 2 meters above the root ball such trees species as approved by Rothesay.
 - ii. Inspected by Rothesay 12 months from time of planting and again then at 24 months. The Developer shall replace trees identified for replacement during warranty inspections.
- g. Engineering design and inspection of those works referred to in clauses b), c) d), e) and f) of this section.

14. The Developer agrees to provide, upon completion of Part (13), signed documentation and progress reports from a practicing Professional Engineer, licensed in New Brunswick ensuring that applicable codes and standards have been met and that the work was completed and utilizing

such materials as in accordance with the terms of this Agreement and approved specifications.

15. The Developer agrees to provide as-built drawings that delineate all public infrastructure to be submitted to Rothesay in compliance with the minimum standards and requirements specified in Rothesay's Digital Data Submission Standards for Infrastructure and Construction Drawings.
16. Rothesay reserves the right to assign public street names, notwithstanding that names may not correspond with those shown on Schedule B.
17. The Developer agrees that all items, materials, pipes, fittings, and other such infrastructure following acceptance of delivery on site by the Developer shall remain the full responsibility of the Developer against their accidental breakage or vandalism until Rothesay accepts the completed works.
18. The Developer agrees that it will not occupy any dwelling and no occupancy permit will be issued by Rothesay for any such dwelling until such time as the street, which provides the normal access, to each dwelling, has been constructed to Rothesay standards least beyond the point which shall be used as the normal entrance of the driveway to service such dwelling.
19. The Developer agrees to restore all disturbed or damaged areas of the public street and right of way to the satisfaction of Rothesay's Engineer following installation of the required municipal services.

Storm Water

20. The Developer agrees to accept responsibility for all costs associated with the construction of a storm water system including pipes, fittings, precast sections for manholes and catch basins capable of removing surface water, to a predetermined location designated by the Developer's Engineer and accepted by Rothesay's Engineer.
21. The Developer agrees to submit for approval by Rothesay, prior to commencing any work on the storm water system such plans, as required by Rothesay, that shall conform with the design schematics and construction standards of Rothesay, unless otherwise acceptable to Rothesay's Engineer.
22. The Developer agrees that all roof leaders, down spouts, and other storm water drains from all proposed dwelling shall not be directed or otherwise connected or discharged to Rothesay's sanitary collection system.
23. The Developer agrees that the storm water drainage from all dwellings shall not be discharged:
 - a. directly onto the ground surface within one meter of a proposed dwelling;
 - b. within 1.5 m of an adjacent property boundary;
 - c. to a location where discharged water has the potential to adversely impact the stability of a side yard or rear yard slope or a portion of the property where there exists a risk of instability or slope failure; or
 - d. to a location or in such a manner that the discharge water causes or has the potential to cause nuisance, hazard or damage to adjacent dwellings or structures.
24. The Developer agrees to provide to Rothesay's Engineer written certification of a Professional Engineer, licensed to practice in New Brunswick that the storm water system has been satisfactorily completed and constructed in accordance with Rothesay specifications.

Water Supply

25. The Developer agrees to connect to Rothesay's existing water system utilizing methods of connection and at a location as determined by Rothesay's Engineer.
26. Rothesay agrees to supply potable water for the purposes and for those purposes only for a maximum of fifty-five (55) single-family residential dwellings and for minor and accessory purposes incidental thereto and for no other purposes whatsoever.
27. Rothesay agrees to extend the existing water system on Maliseet Drive from its current location to a location along Maliseet Drive and on the opposite street side of the proposed intersection with the new public street labelled as Greenbrier Street. Extending the water system across Maliseet Drive shall be the cost of the Developer.
28. The Developer agrees to pay Rothesay a connection fee for each residential unit to Rothesay water system calculated in the manner set out by By-law as amended from time to time, to be paid to Rothesay on issuance of each building permit.
29. The Developer agrees that Rothesay does not guarantee an uninterrupted supply or of a sufficient or uniform water pressure or a defined quality of water. Rothesay shall not be liable to the Developer or to any person, firm or corporation for any damage or injury caused by the interruption of the supply of water, the lack of uniform pressure thereof or the quality of water.
30. The Developer agrees that all connections to Rothesay water mains shall be approved and inspected by Rothesay's Engineer or their representative prior to backfilling and that the operation of water system valves is the sole responsibility of Rothesay.
31. The Developer agrees to comply with Rothesay's Water By-law and furthermore that a separate water meter shall be installed, at their expense, for each residential connection made to Rothesay's water system.
32. The Developer agrees that Rothesay may terminate the Developer's connection to Rothesay water system in the event that Rothesay determines that the Developer is drawing water for an unauthorized purpose or for any other use that Rothesay deems in its absolute discretion.
33. The Developer agrees to provide, prior to the occupation of any buildings or portions thereof, written certification of a Professional Engineer, licensed to practice in New Brunswick that the connection of service laterals and the connection to the existing Rothesay water system has been satisfactorily completed and constructed in accordance with Rothesay specifications.

Sanitary Sewer

34. The Developer agrees to connect to the existing sanitary sewer system at a location identified by Rothesay's Engineer and utilizing methods of connection approved by Rothesay's Engineer.
35. The Developer agrees to pay Rothesay a connection fee for each residential unit to Rothesay sewer system calculated in the manner set out by By-law as amended from time to time, to be paid to Rothesay on issuance of each building permit.
36. The Developer agrees to carry out subject to inspection and approval by Rothesay representatives, and pay for the entire actual costs of the Engineering design, supply, installation, inspection and construction of all service lateral(s) necessary to connect to the existing sanitary sewer system inclusive of all pipes, laterals, fittings, and precast concrete units.
37. The Developer agrees to submit for approval by Rothesay, prior to

commencing any work to connect to the sanitary sewer system, any plans required by Rothesay, with each such plan meeting the requirements as described in Rothesay specifications for such development.

38. The Developer agrees that all connections to Rothesay sanitary sewer system shall be supervised by the Developer's engineer and inspected by Rothesay's Engineer or such other person as is designated by Rothesay prior to backfilling and shall occur at the sole expense of the Developer.

Local Government Service Easements

39. The Developer agrees to secure and grant to Rothesay, its successors and assigns, unencumbered easements crossing the Lands of the Developer in the form customarily used by Rothesay, providing for the full, free and uninterrupted right, liberty, privilege and easement to install, construct, reconstruct, repair, clean, maintain, inspect and use as part of the municipal services of Rothesay and as appurtenant thereto, and for all times hereafter, including sewers, water system mains, storm water collection infrastructure and other municipal services of such kind, size, type and number as Rothesay may from time to time determine necessary.

Retaining Walls

40. The Developer agrees that dry-stacked segmental concrete (masonry block) gravity walls shall be the preferred method of retaining wall construction for the purpose of erosion control or slope stability on the Lands and furthermore that the use of metal wire basket cages filled with rock (gabions) is not an acceptable method of retaining wall construction.
41. The Developer agrees to obtain from Rothesay a Building Permit for any retaining wall, as required on the Lands, in excess of 2 meters in height and that such retaining walls will be designed by a Professional Engineer, licensed to practice in New Brunswick.

Indemnification

42. The Developer does hereby indemnify and save harmless Rothesay from all manner of claims or actions by third parties arising out of the work performed hereunder, and the Developer shall file with Rothesay prior to the commencement of any work hereunder a certificate of insurance naming Rothesay as co-insured evidencing a policy of comprehensive general liability coverage on "an occurrence basis" and containing a cross-liability clause which policy has a limit of not less than Two Million Dollars (\$2,000,000.⁰⁰). The aforesaid certificate must provide that the coverage shall stay in force and not be amended, canceled or allowed to lapse within thirty (30) days prior to notice in writing being given to Rothesay. The aforesaid insurance coverage must remain in full force and effect during the period available to the Developer pursuant to this agreement to complete the work set out as described in this Agreement.

Notice

43. Any notice or advice which is to be given under this Agreement shall be deemed to have been satisfactorily given to the Developer if delivered personally or by prepaid mail addressed to **619699 N.B. Inc.**, 270 ERISKAY DRIVE, ROTHESAY, NB, E2E 5G7 and to Rothesay if delivered personally or by prepaid mail addressed to **ROTHESAY**, 70 HAMPTON ROAD, ROTHESAY, NEW BRUNSWICK, E2E 5L5. In the event of notice by prepaid mail, the notice will be deemed to have been received four (4) days following its posting.

By-laws

44. The Developer agrees to be bound by and to act in accordance with the

By-laws of Rothesay as amended from time to time and such other laws and regulations that apply or may apply in future to the site and to activities carried out thereon.

Termination

45. Rothesay reserves the right and the Developer agrees that Rothesay has the right to terminate this Agreement without compensation to the Developer if the specific proposal has not commenced on or before **DATE of Council Approval** being a date **10 years (120 months)** from the date of Council's decision to enter into this Agreement accordingly the Agreement shall have no further force or effect and henceforth the development of the Lands shall conform with the provisions of the Rothesay Zoning By-law.
46. Notwithstanding Part 45, the Parties agree that development shall be deemed to have commenced if within a period of not less than three (3) months prior to **DATE of Council Approval** the construction of the public street and municipal service infrastructure has begun and that such construction is deemed by Rothesay's Development Officer in consultation with Rothesay's Engineer as being continued through to completion as continuously and expeditiously as deemed reasonable.
47. The Developer agrees that should Rothesay terminate this Agreement Rothesay may call the Letter of Credit described herein and apply the proceeds to the cost of completing the work or portions thereof as outlined in the agreement. If there are amounts remaining after the completion of the work in accordance with this agreement, the remainder of the proceeds shall be returned to the Institution issuing the Letter of Credit. If the proceeds of the Letter of Credit are insufficient to compensate Rothesay for the costs of completing the work mentioned in this agreement, the Developer shall promptly on receipt of an invoice pay to Rothesay the full amount owing as required to complete the work.

Security

48. The Developer expressly agrees and understands that notwithstanding any provision of Rothesay's Building By-laws or any statutory by-law or regulatory provision to the contrary, the Building Inspector shall not issue a building permit to the Developer for work directly connected with the development of the Lands, nor shall the Developer be entitled to such a permit unless and until the Developer deposits with Rothesay an Irrevocable Letter of Credit from a Canadian Chartered Financial Institution or other security acceptable to Rothesay; and
 - a. Valued at 50% of the cost of construction to execute the work approved by the Engineer pursuant to this agreement; and
 - b. Containing a provision that upon the expiration of a thirty-six (36) month term it be renewed and extended (with appropriate amendments to reduce the sum to an amount sufficient to recover the remaining work) from year to year until such time as Rothesay has accepted "final completion" of the work mentioned in this agreement, by resolution of Rothesay Council.

Failure to Comply

49. The Developer agrees that after 60 days written notice by Rothesay regarding the failure of the Developer to observe or perform any covenant or condition of this Agreement, then in each such case:
 - (a) Rothesay shall be entitled to apply to any court of competent jurisdiction for injunctive relief including an order prohibiting the Developer from continuing such default and the Developer hereby submits to the jurisdiction of such Court and waives any defense based upon the allegation that damages would be an adequate remedy;

- (b) Rothesay may enter onto the Lands and perform any of the covenants contained in this Agreement or take such remedial action as is considered necessary to correct a breach of the Agreement, whereupon all reasonable expenses whether arising out of the entry onto the Lands or from the performance of the covenants or remedial action, shall be a first lien on the Lands and be shown on any tax certificate issued under the Assessment Act;
- (c) Rothesay may by resolution discharge this Agreement whereupon this Agreement shall have no further force or effect and henceforth the development of the Lands shall conform with the provisions of the Land Use By-law; and/or
- (d) In addition to the above remedies, Rothesay reserves the right to pursue any other remediation under the *Community Planning Act* or Common Law in order to ensure compliance with this Agreement.

Entire Agreement

50. This Agreement contains the whole agreement between the parties hereto and supersedes any prior agreement as regards the lands outlined in the plan hereto annexed.

Severability

51. If any paragraph or part of this agreement is found to be beyond the powers of Rothesay Council to execute, such paragraph or part or item shall be deemed to be severable and all other paragraphs or parts of this agreement shall be deemed to be separate and independent therefrom and to be agreed as such.

Reasonableness

52. Both parties agree to act reasonably in connection with any matter, action, decision, comment or approval required or contemplated under this Agreement.

This Agreement shall be binding upon and endure to the benefit of the parties hereto and their respective heirs, administrators, successors and assigns.

IN WITNESS HEREOF the parties have duly executed these presents the day and year first above written.

Date: _____, 2020

619699 N.B. Inc.

Witness:

Harley, Edward M.H., Director

Witness:

Shea, Patrick D., Director

Rothesay:

Witness:

Dr. Nancy E. Grant, Mayor

Witness:

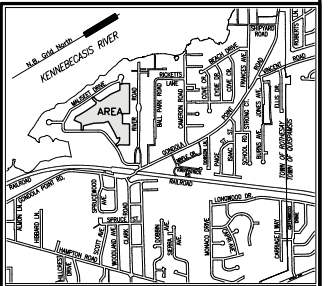
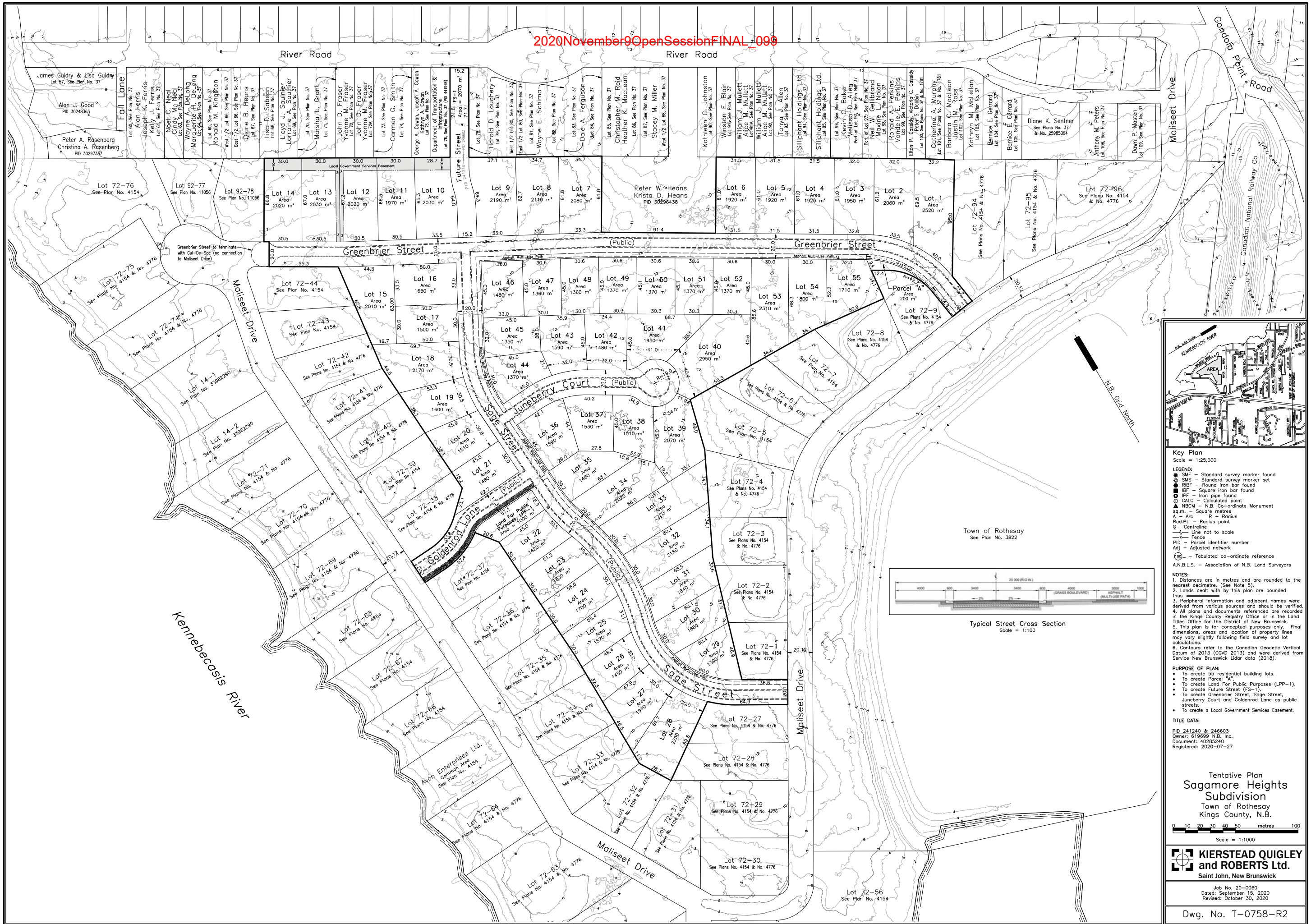
Mary Jane Banks, Clerk

SCHEDULE A

Parcel Identification Numbers

- 00241240
- 00246603
- 30128680
- 00062737
- 00246595
- 00223453
- 00224147
- 30145890
- 30147318

DRAFT



Key Plan
Scale = 1:25,000

LEGEND:

- SMF - Standard survey marker found
- SMS - Standard survey marker set
- RIBF - Round iron bar found
- IBF - Square iron bar found
- IPF - Iron pipe found
- CALC - Calculated point
- NBCM - N.B. Co-ordinate Monument
- sq.m. - Square metres
- A - Arc
- R - Radius
- Rad.Pt. - Radius point
- C - Centreline
- Line not to scale
- Fence
- PID - Parcel identifier number
- Adj - Adjusted network
- Tab - Tabulated co-ordinate reference
- A.N.B.L.S. - Association of N.B. Land Surveyors

NOTES:

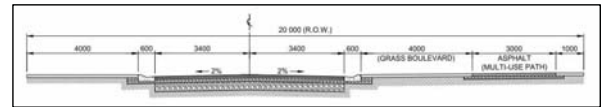
- Distances are in metres and are rounded to the nearest decimetre. (See Note 5).
- Lands dealt with by this plan are bounded thus
- Peripheral information and adjacent names were derived from various sources and should be verified.
- All plans and documents referenced are recorded in the Kings County Registry Office or in the Land Titles Office for the District of New Brunswick.
- This plan is for conceptual purposes only. Final dimensions, areas and location of property lines may vary slightly following field survey and lot calculations.
- Contours refer to the Canadian Geodetic Vertical Datum of 2013 (CGVD 2013) and were derived from Service New Brunswick Lidar data (2018).

PURPOSE OF PLAN:

- To create 55 residential building lots.
- To create Parcel "A".
- To create Land For Public Purposes (LPP-1).
- To create Future Street (FS-1).
- To create Greenbrier Street, Sage Street, Juneberry Court and Goldenrod Lane as public streets.
- To create a Local Government Services Easement.

TITLE DATA:

PID: 241240 & 246603
Owner: 619699 N.B. Inc.
Document: 40285240
Registered: 2020-07-27



Typical Street Cross Section
Scale = 1:100

Tentative Plan
Sagamore Heights
Subdivision
Town of Rothesay
Kings County, N.B.

0 10 20 30 40 50 metres 100
Scale = 1:1000

KIERSTEAD QUIGLEY and ROBERTS Ltd.
Saint John, New Brunswick

Job No. 20-0060
Dated: September 15, 2020
Revised: October 30, 2020

Dwg. No. T-0758-R2

Form 45

AFFIDAVIT OF CORPORATE EXECUTION

Land Titles Act, S.N.B. 1981, c.L-1.1, s.55

Deponent: Patrick D. Shea, Director
619699 N.B. Inc.
270 Eriskay Drive
Rothesay, NB
E2E 5G7

Office Held by Deponent: Director

Corporation: 619699 N.B. Inc.

Place of Execution: Rothesay, Province of New Brunswick.

Date of Execution: _____, 2020.

I, **Patrick D. Shea**, the deponent, make oath and say:

1. That I hold the office specified above in the corporation specified above, and am authorized to make this affidavit and have personal knowledge of the matters hereinafter deposed to;
2. That the attached instrument was executed by me as the officer(s) duly authorized to execute the instrument on behalf of the corporation;
3. The signature "**Patrick D. Shea**" subscribed to the within instrument is the signature of me and is in the proper handwriting of me, this deponent.
4. The Seal affixed to the foregoing indenture is the official seal of the said Corporation was so affixed by order of the Board of Directors of the Corporation to and for the uses and purposes therein expressed and contained;
5. That the instrument was executed at the place and on the date specified above;

DECLARED TO at Rothesay,
in the County of Kings,
and Province of New Brunswick,
This ____ day of _____, 2020

BEFORE ME:

Commissioner of Oaths

Patrick D. Shea

Form 45

AFFIDAVIT OF CORPORATE EXECUTION

Land Titles Act, S.N.B. 1981, c.L-1.1, s.55

Deponent: Edward M.H Harley, Director
619699 N.B. Inc.
270 Eriskay Drive
Rothesay, NB
E2E 5G7

Office Held by Deponent: Director

Corporation: 619699 N.B. Inc.

Place of Execution: Rothesay, Province of New Brunswick.

Date of Execution: _____, 2020.

I, **Edward M.H Harley**, the deponent, make oath and say:

1. That I hold the office specified above in the corporation specified above, and am authorized to make this affidavit and have personal knowledge of the matters hereinafter deposed to;
6. That the attached instrument was executed by me as the officer(s) duly authorized to execute the instrument on behalf of the corporation;
7. The signature "**Edward M.H Harley**" subscribed to the within instrument is the signature of me and is in the proper handwriting of me, this deponent.
8. The Seal affixed to the foregoing indenture is the official seal of the said Corporation was so affixed by order of the Board of Directors of the Corporation to and for the uses and purposes therein expressed and contained;
9. That the instrument was executed at the place and on the date specified above;

DECLARED TO at Rothesay,
in the County of Kings,
and Province of New Brunswick,
This ____ day of _____, 2020

BEFORE ME:

Commissioner of Oaths

Edward M.H Harley

Form 45

AFFIDAVIT OF CORPORATE EXECUTION

Land Titles Act, S.N.B. 1981, c.L-1.1, s.55

Deponent: MARY JANE E. BANKS

Rothesay
70 Hampton Road
Rothesay, N.B.
E2E 5L5

Office Held by Deponent: Clerk

Corporation: Rothesay

Other Officer Who Executed the Instrument: Dr. Nancy E. Grant

Rothesay
70 Hampton Road
Rothesay, N.B.
E2E 5L5

Office Held by Other Officer Who Executed the Instrument: Mayor

Place of Execution: Rothesay, Province of New Brunswick.

Date of Execution: _____, 2020.

I, MARY JANE E. BANKS, the deponent, make oath and say:

- 1. That I hold the office specified above in the corporation specified above, and am authorized to make this affidavit and have personal knowledge of the matters hereinafter deposed to;
- 10. That the attached instrument was executed by me and Dr. Nancy E. Grant, the other officer specified above, as the officer(s) duly authorized to execute the instrument on behalf of the corporation;
- 11. the signature "Dr. Nancy E. Grant" subscribed to the within instrument is the signature of Dr. Nancy E. Grant, who is the Mayor of Rothesay of Rothesay, and the signature "Mary Jane E. Banks" subscribed to the within instrument as Clerk is the signature of me and is in the proper handwriting of me, this deponent, and was hereto subscribed pursuant to resolution of the Council of the said Rothesay to and for the uses and purposes therein expressed and contained;
- 12. the Seal affixed to the foregoing indenture is the official seal of the said Rothesay and was so affixed by order of the Council of the said Rothesay, to and for the uses and purposes therein expressed and contained;
- 13. That the instrument was executed at the place and on the date specified above;


DECLARED TO at Rothesay of
Rothesay, in the County of Kings,)
and Province of New Brunswick,)
This ____ day of _____, 2020.)

BEFORE ME:)

Commissioner of Oaths)

MARY JANE E. BANKS

2020November9OpenSessionFINAL_104
POLLING RESULTS


18 Maliseet Drive.

Town of Rothesay,

As a landowner and taxpayer in the town of Rothesay, I am conveying my concerns regarding the planned expansion of the Sagamore Point subdivision.

My wife and I purchased our property in 2006, we were well aware of the possible future plans to expand Sagamore point and develop the wooded section behind our home. At that time we asked some of the long term residents on the street if they were aware of the plans, and what the expansion may look like. It was common knowledge through the Streeters that the lot size would be similar to what we enjoy and beach rights as stated in each and everyone's deed would not be compromised. As you can see by the attachment included, the lot size as planned ALL along is significantly larger and equaling 28 lots in total! Much different from the current proposal of 55 lots.

My concerns are as follows:

-There are NO sidewalks on our street, and the street is narrow with blind rises and sharp turns. Combine this with an active and elderly population on the street, the risk of being struck by a vehicle increases tremendously with another 75 vehicles travelling in and out daily. There are also many younger families on this street and kids ride bicycles to and from the deeded beach. Their safety will be compromised with the added traffic on an already narrow street. Please do not suggest a few street lights will remedy this, many of us walk during the day, not the evening. Further to the point of lighting, many on the street do not want lighting anyway, as the dark, quiet, low traffic is what attracted many to the street. I have spoken to the majority of the homeowners on the street, and this rings true for most.

-The added traffic trying to merge onto Gondola Point road will add strain to an already busy and at times seemingly impossible merge between 7:30 and 8:30 A.M. There is simply no other way, all traffic needs to get on gondola point road, whether through river road, or Ballpark or Maliseet. Traffic lights are the only option and they will back up Gondola point road and drastically slow everything to a crawl. Simply look at the Clarke road stop sign and the Marr road lights at the intersection of Hampton road during rush hour.....the lights will slow things down and back traffic up. Just as all traffic has slowed and backed up in Rothesay in just the 15 years since I moved here. The town of Rothesay at some point need to consider what their future will look like?? Traffic is becoming an issue all across KV.....the arterial, ramps to the throughways, the McKay is arguably dangerous during peak times! All a result of blind expansion on the part of the town. Traffic and infrastructure need to be addressed on all fronts, without subdivision after subdivision.

-Lot size all along was slated around 30 lots, NOT 55. The residents of Sagamore point have a municipal right to have property value protected by municipal planning committees and town council. Can anyone reviewing this proposal tell me seriously that looking out my backyard and seeing two homes to my one is going to maintain or increase my property value?? If there is ANY possibility of a decrease in value

than it cannot be built as planned!! Read any municipal planning laws across Canada (I have) and maintaining OR increasing property value is the driving force of town and subdivision planning. The citizens that built Rothesay and have been paying taxes for 20, 30, 40 years deserve this guarantee at the very least. Will people think about leaving Rothesay in 20 years because the way of life that originally attracted people is now lost due to overpopulation and congestion thanks to tax greedy council? To that point the tax rate has been stable for a very long time so tax money seems unlikely to be the driving force of CONSTANT expansion??

-The proposed lots at the beginning of Maliseet Drive are all above the current properties. We have already had drainage ditch and culvert issues with some properties. Are we now going to have flooded ditches and yards as a result of runoff and storm drains? Can the stream handle the storm drain activity of all the paved areas that no longer have soil to gather moisture? What prevents a new homeowner from trenching his property the way they like only to have their runoff end up following gravity in my ditch or front yard or backyard?

-Has an environmental impact assessment been completed for the proposed subdivision? I would like to see it, you may send me a copy please.

-Has the effect on groundwater and water table been assessed by a civil engineering company? ALL of Sagamore Point are on wells!! A single issue with a well as a result of soil activity will lead to legal battles. We have a long history of good quality AND quantity of water in Sagamore point, any deviations as a result of soil activity will be difficult to dismiss as coincidence. If an assessment has been done I would also like to see it, please forward to my email.

-Can the current sewage treatment pond handle 55 more homes? It is NO secret that the current pond struggles when there is little rain, too much rain.....The infrastructure pipe was layed 2 years ago to divert the pond from K-Park, the pump house has been constructed, when does the rest of the upgrade take place? I would expect that if a subdivision is proposed to add 55 homes that these things need to be considered? I have a call and email to the NB Department of Environment, at this time I am awaiting a response. If you have this information, then please forward to my email.

In Closing,

I am not opposed to improving the Town of Rothesay, I question if development is the only way to this? Rothesay needs to look at traffic flow across the entire valley in order to sustain growth. When do we slow development to address infrastructure? When traffic comes to a standstill? When pedestrians are at risk and vehicle accidents increase? There is nothing wrong with adding a proposed subdivision in Sagamore point.....but 55 homes is not what the residents signed up for, 28 was the plan. Even with 28, there is no way to merge the traffic effectively? Can the town of Rothesay ensure my property value remains the same or increases with a proposed 55 homes? Can the town of Rothesay ensure that my yard will not become the path of runoff from higher ground? Can the town of Rothesay ensure our wells will remain clean and deliver the current volume? Can the town of Rothesay ensure that the increase in traffic will not put our residents at risk while walking on their narrow sidewalkless street? Can the town of Rothesay ensure that the developer leaves a tree line between our lots and any new ones?

-I would like the town to send me the details of the application for this plan. The developer needs to produce the findings of many impact assessments to the town for an approval of a project of this size. As a taxpayer this information should be readily available. I will gladly attend a council meeting before this is approved to ask for this information, however with covid, I suspect the town will need to send these documents to me via email.

I look forward to your correspondence.

Regards,

A solid black rectangular box used to redact a signature.

-T

Brian White

Director of Planning and Development Services,

Town of Rothesay

October 26, 2020

Dear Mr. White,

We spoke on the phone earlier today, and I am writing in response to your letter of October 13th concerning the development of Sagamore Point. My wife and I live at 48 Maliseet Drive and have enjoyed being here for over thirty years.

I looked over the survey map and the information in your letter and have several concerns:

Lot size

The new subdivision has been zoned as R1B which allows for the 55 homes in the plan. Although this may be the “standard” residential zone I feel that R1A would conform better with the existing lots and homes on Maliseet Drive.

Environmental

The Rothesay Municipal Plan states that *“one of Rothesay’s greatest assets is our mature urban forest canopy. Elevating the importance of the urban forest in Rothesay will create an environment that is resilient to change and enhance our reputation as a place where people want to live, raise families, and retire”*. I do not think that fully developing one of the remaining forested areas in the town will enhance this asset. The town council is also a member of the Partners for Climate Protection program and as such has committed to reducing energy consumption and emissions. The forest on Sagamore Point would be expected to absorb about 80 tonnes of CO2 every year. What is the town’s plan to offset and mitigate this?

Removing trees and building roads and houses will affect rainfall and snowmelt runoff. What are the town’s and developer’s plans to protect the environment from these adverse effects during the period of construction and into the future?

We love our dark skies here on Sagamore Point and have resisted installation of streetlights in the past. If there must be streetlights in the new subdivision they should not be any brighter than necessary and should be on low poles with the light facing down. Ideally there should be no streetlights.

Traffic

1. Fern St should connect through to Maliseet Drive. This would make much more sense for access to the new area as well as Maliseet Drive. There is a large turning circle at the end of Maliseet Drive which would make it easier for large vehicles such as fire trucks, ambulances, snow ploughs, school buses and construction trucks to turn there. As you know Maliseet Drive was partially cut off during the floods of 2018 and 2019 by flooding at the corner by Malabean Lane. If this happened again then everyone driving in or out from Maliseet Drive would be wanting to make their way out through the new roads, and Fern St is a far more direct exit than winding through the smaller connection between lots 37 and 38.
2. Traffic calming measures are required on the long straight stretch of Fern St, as well as on Maliseet Drive. Our neighbours towards the end of Maliseet Drive frequently pass our driveway at 60 km/hr or more, in a 40 km/hr zone.
3. The lane between lots 37 and 38 should be for pedestrians and bikes only. A road there (especially if Fern St does not connect to Maliseet) will attract traffic adjacent to a possible playground. There is no parking next to this "Land for Public Purpose" at the corner with Sage St, so there could be cars parked at the roadside there as well.
4. Fifty-five new homes will increase the traffic exiting onto Gondola Point Road at River Rd, especially in the mornings. What plans are being made to deal with this and avoid backups? One car turning left could cause major delays.

Infrastructure

What effect will 55 new homes have on the sewer lagoon? During the floods of 2018 and 2019 the sewer was flooded and portable toilets had to be brought in. Has the wastewater planning taken this into account?

Lastly, our infrastructure on Maliseet Drive is underground and long overdue for an upgrade. We have many times spoken with the various Bell/Aliant/Rogers/NB Power repairmen on the street and they bemoan the difficulty with accessing cables that are not in a conduit. Also, Maliseet Drive itself has not been resurfaced for decades. This would be a good opportunity to get all the service providers together to run modern (eg fibreoptic cable) services in a proper conduit.

Yours sincerely,

[REDACTED]

48 Maliseet Drive

Rothsay, NB

E2E 2G3

[REDACTED]

67 Maliseet Drive
Rothesay, NB
E2E 2G1
28 October 2020

Town of Rothesay
70 Hampton Road
Rothesay, NB
E2E 5L5

Subject: Proposed Sub-division Sagamore Heights

Reference: Public Notice dated October 13th, 2020

Dear Planning and Advisory Committee,

We received the tentative subdivision plan for Sagamore Heights and are writing to ask some questions and express concerns about the development.

It is clear that the lots on the subdivision are smaller than the lots on Maliseet Drive. Is there any consideration being given to a requirement for lot sizes to be consistent with the other 'Sagamore' Point properties ie: Maliseet and Malabean lots?

Our property at 67 Maliseet Drive and the [REDACTED] property has a stream that flows out to the river. We are concerned that development of these lots may lead to increased water flow during rain events. Can you assure us that this will not be the case?

Thank-you

Sincerely,

[REDACTED]

**54 Maliseet Drive
Rothsay NB E2E 2E9**

October 28, 2020

Brian L White
Director of Planning and Development Services
Town of Rothsay
70 Hampton Road
Rothsay NB E2E 5L5

Re: Proposed Subdivision (Sagamore Heights)

Dear Mr. White,

We have a number of comments and concerns regarding the proposed Sagamore Heights subdivision. Some refer to the long-term nature of the subdivision itself; some refer to its impact on the residents of Maliseet Drive and River Road during the subdivision's development phase and beyond.

Green space within the proposed subdivision – a half-lot-sized green space as the only public green space within a 55-lot development seems minuscule by today's standards when new subdivisions in many cities are focussed around much more substantially sized parks, forested areas or even wetlands. The additional lands which we understand are being transferred from the developer to the town as part of this process are essentially undevelopable and will not directly benefit the residents of the new subdivision.

Rainwater retention and evacuation – The proposed subdivision lands have a significant water retention capacity absorbing both regular precipitation and melt water. How is the loss of this capacity going to be offset and how will the increased runoff (especially given the possibility of increased heavy rain events due to climate change) be managed?

Limited exit from Sagamore Point – For both traffic flow and emergency reasons Sagamore Point, with 55 new homes, should have an exit to Gondola Point Road via River Road. Such a potential route is shown on the map but does not seem to be part of the development plan. During the freshet, half of Maliseet Drive has been blocked off from town twice in the last three years. Water has closed off the street halfway down with no exit. Walking through the woods and over private backyards has been our only way out. Driving was not possible. An exit should absolutely be provided to this area now with the development happening.

Dead-end streets – Why would Fern Street not be a through street to Maliseet Drive? It appears to be an afterthought to draw the line across it on the map. It should be a through road for fire department access.

The "(Public)" area off Sage Street – The previous owner/developer had this area reserved as a green space which would allow residents of a future subdivision pedestrian or bicycle access to the deeded

water access off Maliseet Drive. Continuing with this purpose for this narrow piece of land would enhance the size and continuity of the very small public green space in the subdivision.

Construction process – with simply an announcement of the proposed subdivision and a map of its proposed final appearance, current residents have no idea how the significant construction process involved with such a development will impact them. When will it start? Will it be done all at once or be done in phases over a decade? How will services (water, sewer, storm runoff, electricity, cable/internet/phone and others) be brought into the proposed subdivision? Will the construction process bring service interruptions to existing residents? Will the end result bring worse or improved services to existing residents?

Street lighting - We have been informed that the new subdivision will have “LED streetlights at intersections”. Can the town assure residents that these street lights will use a shade or other mechanism to light downwards only, reducing glare, increasing pedestrian and driver safety, benefitting migrating wildlife and continuing to allow residents who wish to see the dark night sky the chance to do so?

Yours truly,

SIGNED

[REDACTED]

cc: Council Members
Town of Rothesay

Brian White

From: [REDACTED]
Sent: October 28, 2020 2:53 PM
To: Brian White
Subject: Sagamore Heights
Attachments: 20201027_170909.jpg; 20201027_162112.jpg; 20201027_162017.jpg; 20201027_161855.jpg

Hi Brian thank you for forwarding my questions and concerns to tha PAC.
Would you please forward my pictures as well .It will help with the context of my concerns .

Thank You

[REDACTED]
Resident ,37 River Rd.

Sent from my Bell Samsung device over Canada's largest network.

Brian White

From: [REDACTED] >
Sent: October 28, 2020 2:20 PM
To: Brian White
Subject: Proposed subdivision

We are owners of 53 River Road and have some questions/ concerns regarding the proposed subdivision.

- 1) Our major concern is potential flooding of our property when the developers build up the land. What will be the elevation of the land?
- 2) Since municipal water is being put on the properties, will this service be offered to River Road residents?
- 3) Will there be an on-going mechanism and recourse put in place for residents to voice concerns and resolve issues as the project develops? If so, what will it be?
- 4) What will be put in the area called "municipal services", behind Lots 10-14?
- 5) Why are the names of the owners of River Road published on the plans, but the owners of Maliseet Drive are not?
- 6) We have 8 years of outstanding sewerage charges not paid by a previous owner or by PNB when they confiscated the property. We would like this issue resolved.

[REDACTED]

Sent from my iPhone

Brian White

From: [REDACTED]
Sent: October 28, 2020 1:47 PM
To: Brian White
Subject: Public Notice (October 13, 2020) - Proposed Subdivision (Sagamore Heights) - Questions/Comments

As a resident of Sagamore Point, I have several concerns, questions and observations related to the proposed subdivision, Sagamore Heights, as per the following:

- The new proposed plan, how does it compare to the original proposed plan? I'm new to the neighborhood and was aware that there was a Phase II, however it included considerably less number of lots that were larger in size. Why was the original plan not considered by the Town of Rothesay on receipt of the application?
- Has an environmental assessment been completed for the new proposed sub-division? The main aspect of the report being the hydrology report – information as follows:
 - Drainage impacts / issues (both during construction execution and at completion)
 - Mitigating impacts for the above
 - Wells may be affected on Maliseet Drive (opposite side of water) of the neighborhood / grey water run-off for the new area as Maliseet has been prone to flooding
 - Storm water management as part of the above.
- Has an assessment been completed with adding 55 new single family homes on new sewer system and can the Town of Rothesay accommodate with the current (sewer) septic field system?
- Has a traffic assessment been done taking into consideration the new subdivision / River Road and Maliseet Drive access to the Gondola Point Road at peak hours? (morning and late afternoon). With the addition of 55 new single family homes that could add up to 100 more cars leaving the subdivision out of one access point each morning, if most owners living in the new development work and own two vehicles.
- Who now owns the deeded access to the water on Maliseet Drive? Will the new subdivision residents have access to this area?
- Lighting Management Plan for the new sub-division?

Opportunities:

- Is there an opportunity to have an upgrade of the internet service as part of the new infrastructure being put in for the new subdivision? There currently is issues with the internet services with the street as the WIFI has been dropping off on a continual bases down at the end of Maliseet. Rogers has been contacted and they are still looking into the issue.

- 2020 Planning Post Session FINAL 15
- Currently there is no fire system or fighting infrastructure (hydrants) on Maliseet Drive except at the entrance of the road; assuming hydrants will be placed at new traffic access points and cul-du sac?
 - With the two (2) years of flooding happening in the area. The road (Maliseet Drive) could use an upgrade as there are several areas with settlement.

Other:

On receipt of the public notice, why was there not a public consultation process with residents, the developer and the Town? Why only allow questions to be submitted? How do we know concerns will be taken into consideration? Are we only to see the results of discussion with the Town of Rothesay (Planning Advisory Committee) and Developer?

If you have any questions or clarifications, feel free to contact me.

[REDACTED]
66 Maliseet Drive
[REDACTED]

Brian White

From: [REDACTED]
Sent: October 28, 2020 9:18 AM
To: Brian White
Subject: Sagamore Heights SD Proposal

Hello, as long-time residents of the River Rd (24yrs), my wife and I have a few questions/concerns about the new sub-division being proposed which will directly border the rear of our property. I would also like to say that we are not, in principle, or generally, against the idea of any development of this or any property because we recognize the overall values and positive aspects in projects such as this. However, that being said, we still would like to have some input, and air our concerns.

In no particular order, here are our questions/concerns;

-- Being that the River Rd is a long and narrow road, with what we consider to already have a traffic problem (speeding) and also because it has no sidewalks, we are concerned that the proposed access road to the new sub-division, which will connect to the River Rd, will only add to our traffic problem. For its length, and being that most homes are on narrow lots, the River Rd has quite a few family homes on it, so it also sees quite a bit of foot and bicycle traffic. So we ask what plan or considerations (if any) may be offered to address these particular concerns? Also, being that the new sub-division will have 3 access roads off of Maliseet Dr, we question as to why another access road even needs to be connected to the River Rd at all? If not, can it be omitted from the plan?

-- On the proposed plan it shows a shaded area that runs across the back of our property. This treed area contains what we consider to be a wetland (which may be environmentally protected) that provides drainage to not only our own property, but also many others. So we are concerned about what exactly may happen to that and how it will affect the drainage for us and others.

-- Additionally, the land to be developed is home to what we think is a fairly large population of deer. Being that deer are already a big problem in Rothesay, we are concerned that once construction starts and continues, the deer on that land will be forced out (displaced) and onto roads and other properties and will add to our deer problem. So we ask what, if any plan there may be to address this concern?

Thank you very much.

Sincerely,

[REDACTED]
57 River Rd
Rothesay, NB
[REDACTED]

Brian White

From: [REDACTED]
Sent: October 27, 2020 9:56 PM
To: Brian White; [REDACTED]
Subject: Proposed Subdivision (Sagamore Heights)

From Rothesay Resident, 37 River Rd.

To Whom it concerns,

As a resident of River Rd., We do see there is possibly a large impact that will occur along the 300 feet of property border if this proposed subdivision is as per the drawing provided.

My concerns are as follows:

- No natural tree buffer between property and proposed road.
- Possible flooding and land deterioration during construction.
- Potential extra cost of maintenance due to Natural surroundings.
- Possible shortage of Well water due to loss of land for rain absorption.
- Possible Air Quality deterioration in winter due to extra wood stove use.
- Possible sewer backups and poor air quality due to chemical smells from sewer Lagoon.

Question are as follows:

- Will the land be clear-cut immediately or will roads and infrastructure be installed, and properties cleared as sold?
- How high of an elevation will the proposed Fern St. be to the 300ft of property border?
- How will flooding and land debris be alleviated during, and after construction of the 300ft of property border?
- Is the new sewer system capable of handling all these new houses along with all the possible new development as proposed in the new Town Municipal Plan 2020?
- What studies have been done, or will be done, to be sure of Water Quality and Quantity for the future of River Rd. residents?
- What studies if any have or will take place on the possible Air Quality changes due to more possible wood stove smoke?
- Is it possible to limit or not have any Wood Burning appliances in this new subdivision?
- How will flooding on the 75ft of road frontage (ditch & front lawn) on River Rd. be alleviated if the proposed future street from Sagamore Heights to River Rd. goes through. It already floods now in the winter due to ditch drainage.?
- What rights do we have as a property owner ?
- How will our rights as a property owner or developer be protected by the Town?
- Why does the new proposal have to be 55 houses ?
- Which side will the new Paved Pathway on Fern [St.be](#) located?
- What time of day will construction be allowed to start and have to end by, each work day?
- Will construction be allowed on weekends?

2020 November 9 Open Session Final 118
Beside the concerns and questions 2020 November 9 Open Session Final 118 from the ambiance and unique character of our property at 37 River Rd. As you can see in the pictures provided, back in 1995 this property had a \$500 a year tax bill. Today, It is almost \$3,000. We have worked very hard to change what was once a JUNK YARD into a beautiful yard worthy of a \$3,000 tax bill. Please enjoy the pictures I have included. With the help of mother nature and some patience; We have created a wonderful Oasis .We feel very blessed to have this property, and to be able to enjoy our days off from work without to much interference from neighbors. This is our Home and Cottage all in one package .

Please note we are not against this proposed project of Sagamore Heights. We are concerned about the amount of houses proposed and the impact on our property.

Thank you for the opportunity to have a chance to voice our concerns and we will be looking forward to the answer to our questions.

Resident(s).

[REDACTED]

37 River Rd.

[REDACTED]

 20201027_170909.jpg

 20201027_162419.jpg

 20201027_161855.jpg

 20201027_162017.jpg

 20201027_162112.jpg



Brian White

From: [REDACTED]
Sent: October 27, 2020 9:54 PM
To: Brian White
Subject: Sagamore Point
Attachments: Letter to RPAC re SagPt.docx

Hello Brian,

Thanks for talking to me on the phone yesterday. I have attached a letter outlining some of the concerns my wife and I (and now adult children who have fond memories of growing up here) have about this proposed development.

I look forward to hearing the results of the PAC meeting. Please do not hesitate to contact me if you have any questions.

And, as we discussed, if you could send me a larger version of the development map that would be great. Thank you very much.

[REDACTED]
48 Maliseet Dr, Rothesay, NB E2E 2G3

Brian White

From:



October 27, 2020 9:38 PM

To:

Brian White

Cc:

Nancy Grant; Matthew Alexander; Miriam Wells; Tiffany Mackay French; Bill McGuire;
Peter Lewis; Don Shea; Grant Brenan

Subject:

Proposed Subdivision - Sagamore Heights

Attachments:

Town of Rothesay - Sagamore Heights Subdivision.pdf

Please see attached letter



Brian White

From: [REDACTED]
Sent: October 27, 2020 4:29 PM
To: Brian White
Subject: Sagamore Heights

Good afternoon Brian,

As requested, we are submitting our comments prior to October 28th regarding the proposed Sagamore Heights development.

With few facts from the developer and no proposed open public forum by the town, unfortunately we must rely upon conversation with other neighbours and scattered information. We have heard that the original development called for approximately 29 single family homes, not 55. 55 is an excessive density of development. Additionally, to our understanding from recent Maliseet Drive purchasers, the adjacent sewage lagoon has already reached its capacity.

We want to further define that the western end of Fern Street would have a vehicle barrier permanently in place restricting any drivable connection to or from Maliseet Drive, assuring that Maliseet Drive remain a cut-de-sac in its current condition.

We also want to be assured that the town would allocate the required green space within the development, with due advisement from the New Brunswick Department of the Environment, Wetland Division.

Sincerely,

[REDACTED]

Brian White

From: [REDACTED]
Sent: October 27, 2020 4:27 PM
To: Brian White
Cc: [REDACTED]
[REDACTED] Proposed development between Maliseet and River

Hi there Mr. White,

I am emailing you today to express our strong disapproval over the plan that I received in the mail. Wasn't the plan originally for far fewer houses? This whole area of gondola point toward Vincent road is getting so crowded. At times, it is very difficult to even get out of River on to Gondola point, especially when making a left turn before work. I turn off Gondola onto Vincent at about 7:45 and every day I feel badly for the lineup of cars. I have counted up to 35 trying to turn left. This must be very trying on their patience and I am certain it is stirring up feelings of regret over the location of their homes!

This community does not need more development, this area between Maliseet and Vincent is one of the few untouched green spaces left in this area. If the town does decide to allow the developers to proceed, please, please, insist that they subdivide into far fewer lots and increase the amount of green space. If not, this will be a shame and a missed opportunity! We are losing something very special about our community and when it is gone I am afraid it will be lost forever.

Thanks for taking the time to read and consider my very concerned thoughts.

with thanks, [REDACTED]

[REDACTED]

Brian White

From: [REDACTED]
Sent: October 27, 2020 2:40 PM
To: Brian White
Subject: proposed subdivision

I am concerned about the drainage from this new subdivision. I notice that there is a lot of swampy water in the area behind my property at 16 Maliseet Dr.

With this many houses going up behind me there will be increased traffic. This makes it difficult to get out on the main road. It is very difficult with out these extra families. It is also a concern with all the extra traffic to feel safe walking on the side of the road. Is it possible that we can get sidewalks as well?

[REDACTED]

Brian White

From: [REDACTED]
Sent: October 27, 2020 8:33 AM
To: Brian White
Cc: Matthew Alexander
Subject: Sagamore Point
Attachments: sub plan original.jpg; [REDACTED].docx

Regards,

[REDACTED]

Brian White

From: [REDACTED]
October 26, 2020 9:30 PM
To: Brian White
Cc: [REDACTED]
Subject: RE: Proposed Subdivision (Sagamore Heights)

To Mr. Edward Harley, Mr. Patrick Shea and the Town of Rothesay Planning Advisory Committee,

The following questions, concerns and comments are those that myself ([REDACTED]) and my wife ([REDACTED]) have concerning the proposed expansion of the Sagamore Point subdivision. In respect to this email, it should be noted that my wife and I have lived within the Sagamore Point neighbourhood since we built our house in 2003. We ask that you consider our tenure within the Sagamore Point community upon consideration of the highlighted points below:

1. Vehicle Traffic (Volume and Speeding): My wife and I have noticed the vehicle traffic on Maliseet Drive has increased drastically over the last 10 years and with this expansion proposal it would appear that it would continue to increase two to three times. With the lack of sidewalks and street lights currently in place, walking or biking in our own neighbourhood can be dangerous. This is further compounded with the fact that we have also seen a great deal more speeding on this road as well. With a 4 year old son of our own, we were already growing concerned with the volume of traffic and speeding taking place and I do not see anyway how this will get better with this expansion. There is already a sign posting the maximum speed limit of 40km/h when entering the subdivision, and a "Child at Play" sign at the turn near 18 Maliseet Drive. These have had little effect.

How does the Town of Rothesay and/or the developer plan to not only improve these current issues but help to prevent them in the future if expansion takes place?

2. Environmental Impact - Specifically Water Table: As we are all on wells, how does the developer plan on dealing with run-off during expansion? Have there been studies done as to whether the water table can actually support such expansion? If so we would request to have access to this. The idea of drilling 55 new wells, all within such close proximity, is very concerning. We just experienced an incredibly dry summer and want to know what impact this will have. We would request that this be addressed before any future plans are approved.

3. Change in Proposed Neighbourhood Expansion & How it Affects Property Values: When we first purchased our land lot from the previous land owner back in 2002, the Phase 2 and 3 expansion plans yielded far fewer lots being subdividing. To be honest, knowing the layout of the neighbourhood in future (along with many other factors) led us to closing on our property. In reviewing the current proposal however, it appears the current developers have decided to plan for more smaller lots. We are concerned how this will affect our property value.

Can the developers comment on this?

~~2020 Nov 10 Open Session FINAL 127~~
4. Services for Existing Neighborhood: Currently many modern services missing within the current Sagamore Point subdivision. While it seems these gaps will be addressed in the proposed expansion (walking paths, LED street lights, etc) I did not see a detailed plan for the current Phase 1 development. To be clear, the services I speak of include but are not limited to the following:

- street lights
- speed bumps
- sidewalks
- bike lanes
- access to Bell FiberOp services

Is there a plan to modernize the current neighbourhood in addition to the planned expansions? If so please be specific in regards to what services will be implemented.


5. Trees & Privacy: Current land covenants state that land owners cannot freely remove trees on their property. Seeing how small many of these lots are, we are greatly concerned with rampant clear cutting that most likely will need to happen to support these lots. How is this going to protect the existing tree-lines on already developed lots? We are incredibly concerned about losing privacy - again, another main feature that brought us to our neighbourhood, and something that helps to hold our property value in the real estate market.

6. Deeded Beach Rights: Current residents of Maliseet Drive and Malabeam Lane have access to a shared beach lot via deeded beach rights. If deeded beach rights for the same shared beach lot (which is small) extend to new residents within the expanded community, we feel this would dilute the worth and usage of these rights for the current residents.

What is the plan for deeded beach rights for new residents?

Thank you for reviewing our feedback. We look forward to the outcome(s) of this meeting.

Best Regards,


28 Maliseet Drive
Rothesay

Brian White

From: [REDACTED]
Sent: October 26, 2020 2:48 PM
To: [REDACTED]
Cc: Brian White
Subject: Re: Questions - Proposed Sagamore Point Subdivision

Hello Mr. White,

I have been looking at the proposed subdivision on the map and have spent more time thinking about it. While I do believe there are many positives to having new families move into the area, I would like to have a couple of concerns addressed.

There is a dark line on the map at the end of Fern St. It appears that it will not connect with Maliseet on both ends. I think this will make things difficult for traffic flow especially for school buses, garbage trucks etc. It will also create a safety issue for EMS vehicles.

What plan does the town have in place prior to the start of construction to deal with possibly 110 additional cars trying to access Gondola Point Road in the morning from River Rd. River Road is narrower than Maliseet, has no sidewalks and is not adequate to handle such traffic. I oppose moving forward unless there is to be a traffic light to be installed for both safety and efficient traffic flow.

Kind regards,
[REDACTED]

On Wed, Oct 21, 2020 at 7:06 AM [REDACTED] wrote:

Hi Brian,

That was PROMPT!

Many thanks for the replies and clarifications.

[REDACTED]

From: Brian White <BrianWhite@rothesay.ca>

Sent: October 20, 2020 9:09 AM

[REDACTED]

Subject: RE: Questions - Proposed Sagamore Point Subdivision

CAUTION: The Sender of this email is not from within Dalhousie.

[REDACTED]

Here are answers to your questions: **2020November9OpenSessionFINAL_129**

1. Lot 77 on River Road appears to be owned by the development company requesting this proposal. Does the plan include turning this lot into a roadway? It is in line with "Future Street" coming off Fern Street. The Department of Transportation and Infrastructure appears to own the next lot.

Answer: Yes you are correct the long term plan for the area would be to have a road connection through Lot 77, and yes it is in alignment with the Future Street from Fern.

2. Near lot 82, River Road appears to "bulge" (it does not now). What sort of road alteration is planned here?

Answer: That road bulge has existed since 1913 when the original plan for River Road was created. In 1913 they envisioned a very small park in the middle of that street "bulge". Today there is no such plan.

3. It appears that the present Stack Lane will be extended to join River Road near lot 103. What is the proposed traffic circulation from this area to Gondola Point Road? Straight traffic on River Road currently has the right-of-way at Maliseet Drive.

Answer: This is not the case, what the plan of subdivision shows is the existing property lines. The property boundary for Stack Lane already connects to River Road however the Road does not connect and there is no plan to make it connect.

4. For those of us on wells, who do we contact if there is an unforeseen deterioration in our water quality/supply?

Answer: Aquifer protection is the responsibility of the NB DEPT. of Environment specifically REGULATION 90-79 under the Clean Water Act. The proposed subdivision will be entirely serviced with Town water and sewer and no wells will be drilled into the existing groundwater resource.

5. Are there any plans for a sidewalk on any of the street sections that will see a significant increase in traffic?

Answer: The new streets (FERN and SAGE) will have a new sidewalk (asphalt multi-use trail) incorporated into its design.

6. The residents of River Road have deeded beach access rights along a path beyond the end of the road. As it is close to Jordan Miller Park used by other residents, how does the town propose to enforce the River Road access?

Answer: The "common beach" at the end of River Road is privately owned and the Town has no legal ability to enforce or control access on private land.

I hope this answers your questions but please call me if you need clarification.

Brian



Sent: October 19, 2020 7:54 PM

To: Brian White <BrianWhite@rothesay.ca>

Subject: Questions - Proposed Sagamore Point Subdivision

Hi Mr. White,

Thank you for the Public Notice of October 13. We appreciate any answers to these few questions.

1. Lot 77 on River Road appears to be owned by the development company requesting this proposal. Does the plan include turning this lot into a roadway? It is in line with "Future Street" coming off Fern Street. The Department of Transportation and Infrastructure appears to own the next lot.
2. Near lot 82, River Road appears to "bulge" (it does not now). What sort of road alteration is planned here?
3. It appears that the present Stack Lane will be extended to join River Road near lot 103. What is the proposed traffic circulation from this area to Gondola Point Road? Straight traffic on River Road currently has the right-of-way at Maliseet Drive.
4. For those of us on wells, who do we contact if there is an unforeseen deterioration in our water quality/supply?
5. Are there any plans for a sidewalk on any of the street sections that will see a significant increase in traffic?
6. The residents of River Road have deeded beach access rights along a path beyond the end of the road. As it is close to Jordan Miller Park used by other residents, how does the town propose to enforce the River Road access?

Many thanks,

75 River Road

Any correspondence with employees, agents, or elected officials of the town of Rothesay may be subject to disclosure under the provisions of the Right to Information and Protection of Privacy Act, S.N.B. 2009, c. R-10.6.

Brian White

From: [REDACTED]
Sent: October 26, 2020 2:08 PM
To: Brian White
Subject: Sagamore Heights

The proposal for 'Sagamore Heights' raises serious concerns for us and we wish to register strong objections.

The present collection of houses on Sagamore Point are built on 3/4 of an acre or more. The proposal from Messrs. Harley and Shea would have 55 houses on lots of 1/3 to 1/2 an acre. This significantly alters the character of Sagamore Point, creates more traffic throughout the point and would depress the value of many of the properties already built. The preservation of the Deeded / Covenanted 'Common Lot' which is enjoyed by many residents of Maliseet Drive is very important to us and it's future should be guaranteed to all residents of Sagamore Point. it's disposition at this time is unclear.

Maliseet Drive has enjoyed the absence of street lights in the past and the installation of street lights in areas other than intersections would not be welcome.

Last but not least there is the issue of the sewage lagoon for which the Town of Rothesay has had grand plans to radically improve the system rid us of the odour and cover it, but instead, the load has been increased and the addition of more houses will not help.

[REDACTED]
50 Maliseet Drive,
Rothesay, N.B. E2E 2G3

Brian White

From: [REDACTED]
To: Brian White
Cc: Nancy Grant; Matthew Alexander; Miriam Wells; Tiffany Mackay French; Bill McGuire; Peter Lewis; Don Shea; Grant Brenan
Subject: Sagamore Heights - Proposed Subdivision

Dear Mr. White

This is in response to the Public Notice dated October 13, 2020 regarding the proposed subdivision named Sagamore Heights. We have resided at 42 Maliseet Dr. since 1999. I have had the opportunity to review the DRAFT Rothesay Municipal Plan 2020 to understand some of the principles pertaining to new developments and in particular the responsibilities of the developer and the town. While we understand the desire to foster development in the town, we have a number of concerns regarding the impact of development of this parcel of land as outlined in the tentative plan you provided.

The following are our concerns regarding this development:

1) Stormwater Management

We are very concerned about the impact this development will have on stormwater runoff at the back of our property upon clearing of land and cutting of trees. The Municipal Plan deals with this issue in general in a separate section. Stormwater drainage is already very poor on the front of our property as a result of inadequate grading when this original development was completed. We have standing water year round in our ditches. This is a potential health hazard. We strongly advise that Policy SWM-1 be applied and enforced for this development. We have heard rumours about changes to the elevation of Maliseet Dr in the near future as a result of our recurring spring flooding. Undoubtedly, both existing deficiencies could be addressed concurrently. Also, there is a significant elevation difference between proposed Lots 26-28 and the back of our property which will lead to increased runoff as well.

2) Tree Canopy

We expect that the developers will not be able to completely clear the lots of existing trees. Sagamore Point has maintained a natural treed setting and it should be expected that Sagamore Heights have a similar aesthetic.

3) Traffic Volume and Safety

There will be a significant increase in traffic volume on sections of Maliseet Dr. Access to River Rd and Gondola Point Rd is already problematic during high traffic times. Given the 100% increase in homes, consideration should be given to the installation of traffic lights at the intersection of River Rd and Gondola Point Rd.

The increased traffic on Maliseet Dr will also increase the risk to pedestrians. Consideration should be given to installation of street lighting and sidewalks.

4) Sewage Capacity

2020November9OpenSessionFINAL_133

This development will double the number of homes compared to the original Sagamore Point development. The current sewer/waste management system is already plagued with terrible odour on Maliseet Dr. This system requires immediate upgrade to deal with this situation. Mitigation steps also need to be taken to deal with the recognized flood issues to help prevent sewage system failure each spring.

5) Home Assessment Impact

Sagamore Point has covenants in place to help maintain a certain standard of dwelling and home value. Although enforcement has been suspect, I would recommend that similar or elevated level of covenants be in place and enforced in Sagamore Heights.

Thank you for the opportunity to provide feedback on this proposed development. Please respond to the above at your earliest convenience in addition to any future plan to alter the elevation of Maliseet Dr as a flood mitigation measure.

Yours sincerely,

[REDACTED]

42 Maliseet Dr
Rothesay, NB
E2E2G2

[REDACTED]

Brian White

From: [REDACTED]
Sent: October 24, 2020 12:36 PM
To: Brian White
Subject: Proposed Subdivision(Sagamore Heights)

Hi Brian.Further to our conversation of Friday Oct 23,I would like to know if the town is planning to raise the elevation of Maliseet Drive to alleviate the flooding problems of access to the inner half of the street that were encountered in 2018 and 2019.

Thank-you,

[REDACTED]
49 Maliseet Drive
Rothesay,N.B.
[REDACTED]

Brian White

From: [REDACTED]
Sent: October 23, 2020 2:08 PM
To: Brian White
Subject: Re: Sagamore Heights Subdivision

Thank you Brian...I appreciate your response.

In regards to the truck traffic, we have just spoken with a neighbour who is in the process of building a berm, so that mystery is solved.

I will be in touch with any further questions or concerns that arise. Please advise as to the timing decision of the Planning Advisory Committee.

[REDACTED]

> On Oct 23, 2020, at 1:34 PM, Brian White <BrianWhite@rothesay.ca> wrote:

>

[REDACTED]

>

> [REDACTED] The subdivision plan is NOT approved, and I will forward your concerns on timing to the Planning Advisory Committee. I am not sure what the nature of the truck traffic is, if you have more details to share I would be happy to investigate further.

>

> I am available anytime to speak with you and please forward any thoughts, concerns or questions...

>

> Brian

>

> -----Original Message-----

> From: [REDACTED]

> Sent: October 23, 2020 1:02 PM

> To: Brian White <BrianWhite@rothesay.ca>

> Subject: Oct 23

>

> Good morning Brian,

>

> Thank you for taking my phone call regarding the proposed Sagamore Heights subdivision.

>

[REDACTED]

>

> As mentioned during our call, I feel there's insufficient time for those concerned, to properly prepare a written response by October 28th. Has the subdivision already been approved? There is truck after truck coming and going here on Maliseet Drive.

>

> With thanks,

>

[REDACTED]

Brian White

From: [REDACTED]
Sent: October 22, 2020 5:19 PM
To: Brian White
Subject: Comment on Proposed Subdivision (Sagamore Heights)

Dear Mr. Brian White,

Hello! My name is [REDACTED]. My family resides on 26 Maliseet Drive. We would like to express our strong disagreement with the plan of the proposed subdivision Sagamore Heights.

We chose to live on Maliseet Drive because of its high privacy and quietness. My husband is very sensitive to sound, so we take noise as one of the prioritized factors when we were purchasing our house. A long period construction project nearby would affect his health largely. Moreover, after the new subdivision is constructed, the neighborhood would be more crowded and noisier than before. As a result, the negative effect of noise does not occur only during the construction period, it would become a long-term concern for our family.

As immigrants, we feel very welcomed in this neighborhood and we love this caring community. We have considered our house and this community home. We would like to maintain this community's precious high privacy and quietness. Therefore, we ask the Rothesay Planning Advisory Committee to reconsider this proposal as it will affect existing residents' life severely. Thank you very much.

Yours sincerely,

[REDACTED]

Brian White

From: [REDACTED]
Sent: October 22, 2020 2:45 PM
To: Brian White
Subject: Sagamore Heights

Hello Mr white

I'm sending this email to ask what will with the ditch /brook that runs between the two properties at 51,49 when they put the road through connecting River Road and Fern Street? Because the water that runs through the ditch runs across my property at 55 River Road ?

Thanks

[REDACTED]

[Sent from Yahoo Mail on Android](#)

Brian White

From: [REDACTED]
Sent: October 21, 2020 6:52 PM
To: Brian White
Cc: [REDACTED]
Subject: Proposed subdivision (Sagamore Heights)

Dear Sir/Madam:

My name is [REDACTED] My address is 24 Maliseet drive. My wife and I strongly against this new subdivision! This subdivision will destroy our community and destroy our environment, it is totally unacceptable!!!
Best regards!

[REDACTED]

Sent from my iPhone

Brian White

From: [REDACTED]
Sent: October 21, 2020 7:07 AM
To: Brian White
Cc: [REDACTED]
Subject: Re: Questions - Proposed Sagamore Point Subdivision

Hi Brian,

That was PROMPT!

Many thanks for the replies and clarifications.

[REDACTED]

From: Brian White <BrianWhite@rothesay.ca>
Sent: October 20, 2020 9:09 AM

[REDACTED]
Subject: RE: Questions - Proposed Sagamore Point Subdivision

CAUTION: The Sender of this email is not from within Dalhousie.

[REDACTED]

Here are answers to your questions:

1. Lot 77 on River Road appears to be owned by the development company requesting this proposal. Does the plan include turning this lot into a roadway? It is in line with "Future Street" coming off Fern Street. The Department of Transportation and Infrastructure appears to own the next lot.

Answer: Yes you are correct the long term plan for the area would be to have a road connection through Lot 77, and yes it is in alignment with the Future Street from Fern.

2. Near lot 82, River Road appears to "bulge" (it does not now). What sort of road alteration is planned here?

Answer: That road bulge has existed since 1913 when the original plan for River Road was created. In 1913 they envisioned a very small park in the middle of that street "bulge". Today there is no such plan.

3. It appears that the present Stack Lane will be extended to join River Road near lot 103. What is the proposed traffic circulation from this area to Gondola Point Road? Straight traffic on River Road currently has the right-of-way at Maliseet Drive.

Answer: This is not the case, what the plan of subdivision shows is the existing property lines. The property boundary for Stack Lane already connects to River Road however the Road does not connect and there is no plan to make it connect.

4. For those of us on wells, who do we contact if there is an unforeseen deterioration in our water quality/supply?

Answer: Aquifer protection is the responsibility of the NB DEPT. of Environment specifically REGULATION 90-79 under the Clean Water Act. The proposed subdivision will be entirely serviced with Town water and sewer and no wells will be drilled into the existing groundwater resource.

5. Are there any plans for a sidewalk on any of the street sections that will see a significant increase in traffic?

Answer: The new streets (FERN and SAGE) will have a new sidewalk (asphalt multi-use trail) incorporated into its design.

6. The residents of River Road have deeded beach access rights along a path beyond the end of the road. As it is close to Jordan Miller Park used by other residents, how does the town propose to enforce the River Road access?

Answer: The "common beach" at the end of River Road is privately owned and the Town has no legal ability to enforce or control access on private land.

I hope this answers your questions but please call me if you need clarification.





Brian L. White, MCIP, RPP
Director of Planning & Development Services
Rothesay
(506) 848-6609 Work
brianwhite@rothesay.ca
70 Hampton Road
Rothesay, New Brunswick
E2E 5L5



Sent: October 19, 2020 7:54 PM



Subject: Questions - Proposed Sagamore Point Subdivision

Hi Mr. White,

Thank you for the Public Notice of October 13. We appreciate any answers to these few questions.

1. Lot 77 on River Road appears to be owned by the development company requesting this proposal. Does the plan include turning this lot into a roadway? It is in line with "Future Street" coming off Fern Street. The Department of Transportation and Infrastructure appears to own the next lot.
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- 2020 November 20 Open Session FINAL 141
4. For those of us on wells, would we contact if there is an unforeseen deterioration in our water quality/supply?
 5. Are there any plans for a sidewalk on any of the street sections that will see a significant increase in traffic?
 6. The residents of River Road have deeded beach access rights along a path beyond the end of the road. As it is close to Jordan Miller Park used by other residents, how does the town propose to enforce the River Road access?

Many thanks,

[REDACTED]

75 River Road

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Brian White

From: [REDACTED]
Sent: October 20, 2020 2:58 PM
To: Brian White
Subject: questions regarding new subdivision

Today we received a letter regarding an application for a subdivision at Sagamore Heights. As you are inviting residents to respond to this application I have 3 questions:

1. Besides Harley and Shea who are the others within 619699 NB Inc. in case there is a conflict of interest?
2. What was the Department of transportation and infrastructure doing with the lot that runs beside the proposed future street to River Road or has the town in talks to purchase it?
3. Is there a clearer reproduction than the photocopied one we received on the back of the letter?

Thank you

[REDACTED]
71 River Road

Brian White

From: [REDACTED]
Sent: October 19, 2020 7:54 PM
To: Brian White
Cc: [REDACTED]
Subject: Questions - Proposed Sagamore Point Subdivision

Hi Mr. White,

Thank you for the Public Notice of October 13. We appreciate any answers to these few questions.

1. Lot 77 on River Road appears to be owned by the development company requesting this proposal. Does the plan include turning this lot into a roadway? It is in line with "Future Street" coming off Fern Street. The Department of Transportation and Infrastructure appears to own the next lot.
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Many thanks,

[REDACTED]
75 River Road



ROTHESAY

2020November9OpenSessionFINAL_144

BUILDING PERMIT REPORT

10/1/2020 to 10/31/2020

Date	Building Permit No	Property Location	Nature of Construction	Value of Construction	Building Permit Fee
10/01/2020	BP2020-00013	7 HIGHLAND AVE	ADDITION	\$25,000.00	\$181.25
10/26/2020	BP2020-00069	19 BROADWAY ST	FENCE	\$8,000.00	\$58.00
10/16/2020	BP2020-00138	3 BENJAMIN	FENCE	\$10,000.00	\$72.50
10/01/2020	BP2020-00143	2056 ROTHESAY ROAD	STORAGE SHED	\$1,000.00	\$20.00
10/05/2020	BP2020-00152	19 RIVER RD	RENOVATION	\$5,000.00	\$36.25
10/30/2020	BP2020-00170	15 HUTSON ST	STORAGE SHED	\$2,500.00	\$21.75
10/22/2020	BP2020-00177	76 LONGWOOD DR.	IN GROUND POOL	\$20,000.00	\$145.00
10/16/2020	BP2020-00200	172 GONDOLA POINT RD	DETACHED GARAGE	\$35,000.00	\$253.75
10/01/2020	BP2020-00202	32 ISAAC ST	FENCE	\$4,600.00	\$36.25
10/23/2020	BP2020-00203	5 MAPLE CRES	STORAGE SHED	\$1,200.00	\$20.00
10/05/2020	BP2020-00204	93 APPLEBY DR	ELECTRICAL UPGRADE	\$1,000.00	\$20.00
10/19/2020	BP2020-00205	2432 ROTHESAY RD	ACCESSORY STRUCTURE	\$3,500.00	\$29.00
10/01/2020	BP2020-00206	2160 ROTHESAY RD	WINDOWS	\$3,200.00	\$29.00



BUILDING PERMIT REPORT

10/1/2020 to 10/31/2020

Date	Building Permit No	Property Location	Nature of Construction	Value of Construction	Building Permit Fee
10/05/2020	BP2020-00207	1 DEVONAYER CT	WINDOWS	\$600.00	\$20.00
10/01/2020	BP2020-00208	3 WOODLAND AVE	DECK	\$1,200.00	\$20.00
10/01/2020	BP2020-00209	3 WOODLAND AVE	SIDING AND WINDOWS	\$4,000.00	\$29.00
10/06/2020	BP2020-00211	24 ISLAY DR	ELECTRICAL UPGRADE	\$2,000.00	\$20.00
10/14/2020	BP2020-00212	39 CHATWIN ST	DETACHED GARAGE	\$30,000.00	\$652.00
10/07/2020	BP2020-00213	18 WANDA CRES	ELECTRICAL UPGRADE	\$1,500.00	\$20.00
10/13/2020	BP2020-00214	149 JAMES RENFORTH DR	TEMPORARY ELECTRICAL	\$300.00	\$20.00
10/20/2020	BP2020-00216	106 FRENCH VILLAGE RD	DETACHED GARAGE	\$26,500.00	\$195.75
10/30/2020	BP2020-00217	30 CHAPEL RD	ELECTRICAL UPGRADE	\$1,000.00	\$20.00
10/14/2020	BP2020-00218	62 RIVER RD	ELECTRICAL UPGRADE	\$1,200.00	\$20.00
10/14/2020	BP2020-00219	98 WILJAC ST	ELECTRICAL UPGRADE	\$800.00	\$20.00
10/23/2020	BP2020-00220	44 BURPEE AVE	DETACHED GARAGE	\$15,000.00	\$108.75
10/14/2020	BP2020-00221	22 MAPLECREST DR	ELECTRICAL UPGRADE	\$1,000.00	\$20.00



ROTHESAY

2020 November 9 Open Session FINAL 146

BUILDING PERMIT REPORT

10/1/2020 to 10/31/2020

Date	Building Permit No	Property Location	Nature of Construction	Value of Construction	Building Permit Fee
10/22/2020	BP2020-00222	2240 ROTHESAY RD	ADDITION	\$30,000.00	\$217.50
10/22/2020	BP2020-00223	21 SHIPYARD RD	STORAGE SHED	\$1,000.00	\$20.00
10/23/2020	BP2020-00224	22 CHARLES CRES	SIDING AND WINDOWS	\$20,000.00	\$145.00
10/15/2020	BP2020-00225	105 GARDEN ST	ELECTRICAL UPGRADE	\$1,500.00	\$20.00
10/30/2020	BP2020-00226	1 NORTH ST	ELECTRICAL UPGRADE	\$1,500.00	\$20.00
10/19/2020	BP2020-00227	3 HIBISCUS CT	STORAGE SHED	\$1,500.00	\$20.00
10/19/2020	BP2020-00228	9 DOBBIN ST	SIDING	\$20,000.00	\$145.00
10/20/2020	BP2020-00229	6 DOBSON LN	ELECTRICAL UPGRADE	\$1,500.00	\$20.00
10/23/2020	BP2020-00230	291 GONDOLA POINT RD	DECK	\$500.00	\$20.00
10/22/2020	BP2020-00231	15 SILVERTON CRES	WINDOWS	\$3,300.00	\$29.00
10/30/2020	BP2020-00232	9 DOBBIN ST	IN GROUND POOL	\$60,000.00	\$435.00
10/26/2020	BP2020-00233	1954 ROTHESAY RD	WINDOWS	\$10,000.00	\$72.50
10/30/2020	BP2020-00234	141 HAMPTON RD	ADDITION	\$35,000.00	\$253.75



ROTHESAY

2020 November 9 Open Session FINAL 147

BUILDING PERMIT REPORT

10/1/2020 to 10/31/2020

Date	Building Permit No	Property Location	Nature of Construction	Value of Construction	Building Permit Fee
10/30/2020	BP2020-00235	3 SIMONE ST	ELECTRICAL UPGRADE	\$600.00	\$20.00
10/27/2020	BP2020-00236	9 SILVERTON CRES	STORAGE SHED	\$2,700.00	\$21.75
10/30/2020	BP2020-00238	31 CHAPEL RD	ACCESSORY BUILDING	\$3,500.00	\$29.00
Totals:				\$397,700.00	\$3,576.75
Summary for 2020 to Date:				\$19,991,649.00	\$147,787.00

2019 Summary

	<u>Value of Construction</u>	<u>Building Permit Fee</u>
Monthly total:	\$960,750.00	\$7,507.25
Summary to Date:	\$9,243,745.99	\$69,605.00



ROTHESAY

INTEROFFICE MEMORANDUM



TO : Mayor Grant & Council
FROM : John Jarvie
DATE : 4 November 2020
RE : Capital Project – Status Report

The following is a list of 2020 capital projects, the 2019 capital projects and the status of each along with continuing projects from 2016.

	PROJECT	BUDGET	\$ TO 31/09/20*	COMMENTS
2016	General Specification for Contracts	40,000	40%	Draft document under review by staff
	WWTP Phase II	\$22M	-	Funding Application resubmitted
2019	Trail & sidewalk connector Wells	\$1.62M	-	Subject to grants; estimate revised to current – land acquisition discussions with Province underway
	Secondary Plan road design	50,000	-	Wiljac – decision tabled
	Shadow Hill Court water	450,000	1%	Preliminary design and cost estimates complete
	Turnbull Ct sewer replacement	\$1.11M	7%	Clearing and grubbing for pipeline underway
	Production Wells	250,000	28%	Will follow completion of the model development being created under “water quantity” section
	Station Rd cast iron replacement	250,000	-	Deferred until 2021
	Digital Radio	65,000	5%	Hardware ordered
	Town Hall (elevator)	120,000	-	
	IT equipment & software	45,000	40%	
	Fire Department	480,000	6%	
	2020 Street Resurfacing	\$1.3M	100%	Substantially complete
	Curb & Sidewalk	305,500	100%	Substantially complete
	2020 Designated Highways	525,000	100%	Work complete
	Fleet Renewal	675,000	35%	1 Ton truck to be purchased; new tandem truck has arrived; half ton still on back order (Covid)
	Scribner Field replacement (Wells)	550,000	40%	Work underway
	Parks Equipment	50,000	26%	
	Trails	50,000	-	
	Arena renovations	1.02M	45%	Structural improvements underway, seating removed; work to be completed in spring 2021
	2021 Resurfacing Design	60,000	20%	Estimated complete; design underway
	Brock/Goldie service renewals	125,000	100%	Completed
	Water Tower repairs	175,000	100%	Completed

* Funds paid to this date.



**Fundy Regional
Service Commission**
Commission de Services
Régionaux de Fundy

2020November9OpenSessionFINAL_149

PO Box / CP 3032, Grand Bay-Westfield, NB E5K 4V3

T. 506 738-1212 • F. 506 738-1207

hotline@fundyrecycles.com

November 3, 2020

Mary Jane Banks, Town Clerk
Town of Rothesay
70 Hampton Road
Rothesay NB E2E 5L5

Dear Ms. Banks:

Reference: Plastic Checkout Bag Bylaw Implementation Date

With the onset of COVID-19, Fundy Regional Service Commission was asked, and subsequently put the plans of a Plastic Bag Reduction Bylaw on hold for six months to help businesses and the community through these uncertain times. Now, with the announcement from the Federal Government and a recent survey of local business, it is clear that the community wants and is ready for this bylaw.

The Commission, at the October 26, 2020 meeting, unanimously supported the following motion:
Municipalities in the Fundy Region adopt the Plastic Bag Reduction Bylaw with an implementation date of June 30, 2021

We ask that your council take steps to set the bylaw in place now, so the date of June 30, 2021 can be met by all municipalities in the region, and local business can be given sufficient notification to prepare and use up any current stock of plastic bags.

Businesses in the Greater Saint John area agree that plastic checkout bags should be banned. From a survey conducted with the Saint John Region Chamber of Commerce in September 2020, 75% of local businesses stated they support a plastic checkout bag ban, and 63% stated that plastic checkout bags are not needed during the pandemic.

Furthermore, the Federal Government has initiated a program to address single use plastics, the regulations will be drafted for the end 2021. By adopting this Bylaw, we can ensure that plastic bags are removed from the system in our area in a timely manner. It is aligned with the regulations that recently came into effect in Moncton, Riverview & Dieppe, and the legislation in PEI, Nova Scotia and Newfoundland.

The plastic bag reduction bylaw, drafted, translated and attached, would eliminate more than 35 million plastic bags per year in the Fundy Region. In March of 2020, the Commission had to stop accepting plastic bags in the recycling due to a collapse of the market. However, plastic bags continue to enter the recycling stream, landfill and the environment, the handling of these bags costs the Commission, and ultimately, tax payers \$72,000 / year.

In order to give business and the public sufficient time to prepare for the June 30, 2021 timeline, we request your timely attention to this matter. Brenda MacCallum, Public Relations and Program Development Officer with the Commission is prepared to attend your Council meeting to present the findings of the survey, the need for the regional municipal bylaw and answer questions.

Sincerely,

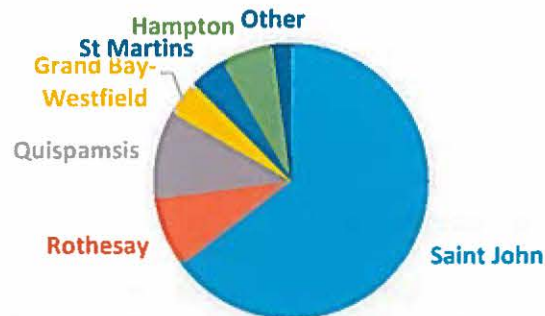
Nancy Hart
Chair FRSC

Nancy Grant, Chair

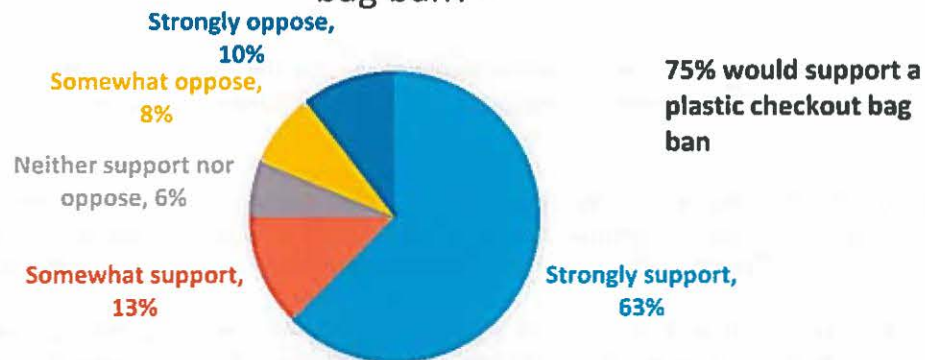
Fundy Regional Service Commission

Results from the Plastic Bag Bylaw Survey conducted in conjunction with the Saint John Region Chamber of Commerce.

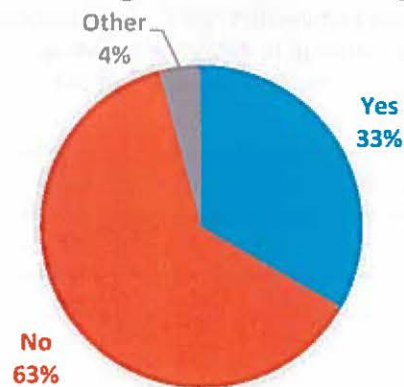
BUSINESS LOCATION



Would your business be supportive of a plastic checkout bag ban?



Are plastic checkout bags needed during the pandemic?



BY-LAW

BY-LAW RESPECTING THE REDUCTION OF SINGLE-USE PLASTIC BAGS IN THE _____

BE IT ENACTED by the _____ under the authority vested in it by the *Local Governance Act*, S.N.B., 2017, c. 18, as follows:

1. Title

This by-law may be cited as the "Plastic Bag Reduction By-law".

2. Definitions

In this by-law:

"business" means any corporation, individual, partnership or co-operative association engaged in a retail operation and, for the purposes of section 3, includes a person employed by, or acting on behalf of, a business; (*entreprise*)

"checkout bag" means

- (a) any bag intended to be used by a customer for the purpose of transporting items purchased or received by the customer from the business providing the bag, or
- (b) a bag used to package take-out food or food to be delivered,

and includes a paper bag or plastic bag, but does not include a reusable bag. (*sac à emplettes*)

"Council" means _____ Council; (*conseil municipal*)

"paper bag" means a bag made out of paper that is recyclable; (*sac en papier*)

"plastic bag" means any bag made with plastic, including biodegradable plastic or compostable plastic, but does not include a reusable bag; (*sac en plastique*)

"reusable bag" means a bag with handles that is

- (a) designed and manufactured to be capable of at least 100 uses, and
- (b) primarily made of cloth or other durable material suitable for reuse; (*sac réutilisable*)

"small paper bag" means any bag made out of paper that is less than 15 centimetres by 20 centimetres when flat. (*petit sac en papier*)

3. Checkout bag prohibition

(1) Except as provided in this by-law, no business shall

ARRÊTÉ N°

ARRÊTÉ CONCERNANT LA RÉDUCTION DES SACS EN PLASTIQUE À USAGE UNIQUE _____

En vertu du pouvoir que lui confère la *Loi sur la gouvernance locale*, L.N.-B. 2017, ch. 18, le conseil municipal _____ édicte :

1. Titre

Titre usuel : *Arrêté sur la réduction des sacs en plastique*.

2. Définitions

Les définitions qui suivent s'appliquent au présent arrêté.

« conseil municipal » Le conseil municipal _____. (*Council*)

« entreprise » Toute société, personne ou association coopérative ou tout partenariat s'adonnant à des opérations de vente au détail; sont notamment visées, pour l'application de l'article 3, les personnes employées par une entreprise ou agissant pour son compte. (*business*)

« petit sac en papier » Tout sac fait de papier qui mesure moins de 15 centimètres sur 20 centimètres lorsqu'il est à plat. (*small paper bag*)

« sac à emplettes » S'entend notamment d'un sac en papier ou d'un sac en plastique, à l'exclusion d'un sac réutilisable, qui est destiné à l'une ou l'autre des fins suivantes :

- a) l'utilisation par un client pour transporter les objets qu'il a achetés ou reçus de l'entreprise qui lui fournit le sac;
- b) l'emballage de mets à emporter ou à livrer. (*checkout bag*)

« sac en papier » Sac fait de papier qui est recyclable. (*paper bag*)

« sac en plastique » Tout sac fait de plastique, y compris de plastique biodégradable ou compostable, mais ne s'entend pas des sacs réutilisables. (*plastic bag*)

« sac réutilisable » S'entend d'un sac muni de poignées qui est, à la fois :

- a) conçu et fabriqué pour pouvoir être utilisé au moins 100 fois;
- b) principalement fait de tissu ou d'un autre matériau durable qui convient à la réutilisation. (*reusable bag*)

3. Interdiction relative aux sacs à emplettes

(1) Sauf disposition contraire du présent arrêté, il est interdit à

provide a checkout bag to a customer.

- (2) A business may provide a checkout bag to a customer only if
- (a) the customer is first asked whether, and confirms that, the customer needs a bag;
 - (b) the bag provided is a paper bag; and
 - (c) the bag is not provided free of charge to the customer.

(3) No business shall deny or discourage the use by a customer of the customer's own reusable bag for the purpose of transporting items purchased or received by the customer.

4. Exemptions

- (1) Section 3 does not apply to
- (a) small paper bags; or
 - (b) bags used to
 - (i) package loose bulk items such as fruit, vegetables, nuts, grains or candy;
 - (ii) package loose small hardware items such as nails and bolts;
 - (iii) contain or wrap frozen foods, meat, poultry or fish, whether pre-packaged or not;
 - (iv) wrap flowers or potted plants;
 - (v) protect prepared foods or bakery goods that are not pre-packaged,
 - (vi) contain prescription drugs received from a pharmacy;
 - (vii) transport live fish;
 - (viii) protect linens, bedding or other similar large items that cannot easily fit in a reusable bag;
 - (ix) protect newspapers or other printed material intended to be left at the customer's residence or place of business;
 - (x) protect clothes after professional laundering or dry cleaning;
 - (xi) protect tires that cannot easily fit in a reusable bag; or
 - (xii) collect and dispose of animal waste.

(2) Section 3 does not limit or restrict the sale of bags, including plastic bags, intended for use at the customer's home or business, that are sold in packages of multiple bags.

5. Enforcement

- (1) Every person duly appointed by Council as a by-law enforcement officer is hereby authorized to carry out any inspection that is necessary for the administration or enforcement of this by-law.
- (2) Any peace officer or by-law enforcement officer is hereby

une entreprise de fournir un sac à emplettes à un client.

- (2) Une entreprise ne peut fournir un sac à emplettes à un client que si les conditions suivantes sont réunies :
- a) on a d'abord demandé au client s'il avait besoin d'un sac, et le client a confirmé que oui;
 - b) le sac fourni est un sac en papier;
 - c) le sac n'est pas offert sans frais au client.

(3) Il est interdit à une entreprise de refuser ou de décourager l'utilisation, par un client, de son propre sac réutilisable afin de transporter des objets qu'il a achetés ou reçus.

4. Exceptions

- (1) L'article 3 ne s'applique pas à ce qui suit :
- a) les petits sacs en papier;
 - b) les sacs destinés aux usages suivants :
 - (i) emballer des aliments en vrac comme des fruits, des légumes, des noix, des grains ou des bonbons,
 - (ii) emballer des petits articles de quincaillerie en vrac comme des clous et des boulons,
 - (iii) contenir ou envelopper des aliments congelés, de la viande, de la volaille ou du poisson, qu'ils soient préemballés ou non,
 - (iv) envelopper des fleurs ou des plantes en pots,
 - (v) protéger des plats préparés ou des produits de boulangerie-pâtisserie qui ne sont pas préemballés,
 - (vi) contenir des médicaments sur ordonnance reçus d'une pharmacie,
 - (vii) transporter des poissons vivants,
 - (viii) protéger des linges de maison, de la literie ou d'autres articles semblables de taille importante qui ne peuvent être facilement contenus dans un sac réutilisable,
 - (ix) protéger des journaux ou d'autres documents imprimés destinés à être laissés à la résidence ou au lieu d'affaires du client,
 - (x) protéger des vêtements après qu'ils ont été professionnellement blanchis ou nettoyés à sec,
 - (xi) protéger des pneus qui ne peuvent pas être facilement contenus dans un sac réutilisable,
 - (xii) ramasser et jeter des déchets animaux.

(2) L'article 3 n'a pas pour effet de limiter ou de restreindre la vente de sacs, y compris les sacs en plastique, qui sont destinés à être utilisés à la résidence ou au lieu d'affaires du client et qui sont vendus en paquets contenant plusieurs sacs.

5. Application

- (1) Les personnes régulièrement nommées agents d'exécution des arrêtés par le conseil municipal sont autorisées à réaliser les inspections nécessaires à l'administration ou à l'application du présent arrêté.
- (2) Les agents de la paix et les agents d'exécution des arrêtés

authorized to take such actions, exercise such powers and perform such duties, as may be set out in this by-law or in the *Local Governance Act* and as they may deem to be necessary to enforce any provisions of this by-law.

6. Offences

(1) Any person who violates any provision of this by-law is guilty of an offence and is liable on conviction to a fine.

(2) The minimum fine for an offence committed under this by-law is one hundred and forty dollars (\$140) and the maximum fine for an offence committed under this by-law is two thousand one hundred dollars (\$2,100).

(3) If an offence committed under this by-law continues for more than one (1) day:

- (a) the minimum fine that may be imposed is the minimum fine established in this by-law multiplied by the number of days during which the offence continues; and,
- (b) the maximum fine that may be imposed is the maximum fine established in this by-law multiplied by the number of days during which the offence continues.

7. Severability

Where a Court of competent jurisdiction declares any section or part of a section of this by-law invalid, the remainder of this by-law shall continue in force unless the Court makes an order to the contrary.

8. Commencement

This by-law comes into force on **June 30, 2021**.

ORDAINED AND PASSED _____

First Reading:

Second Reading: _____

Third Reading: _____

sont habilités à prendre les mesures et à exercer les pouvoirs et les fonctions énoncés dans le présent arrêté et dans la *Loi sur la gouvernance locale* qu'ils estiment nécessaires à l'application des dispositions du présent arrêté.

6. Infractions

(1) Quiconque contrevient à l'une des dispositions du présent arrêté commet une infraction et est passible, sur déclaration de culpabilité, d'une amende.

(2) L'amende minimale infligée en cas d'infraction au présent arrêté est de 140 \$ et l'amende maximale est de 2 100 \$.

(3) Si une infraction au présent arrêté se poursuit pendant plus d'un jour :

- a) l'amende minimale qui peut être infligée est l'amende minimale prévue par le présent arrêté multipliée par le nombre de jours pendant lesquels l'infraction se poursuit;
- b) l'amende maximale qui peut être infligée est l'amende maximale prévue par le présent arrêté multipliée par le nombre de jours pendant lesquels l'infraction se poursuit.

7. Divisibilité

Lorsque tout ou partie d'une disposition du présent arrêté est déclarée invalide par un tribunal compétent, le reste du présent arrêté demeure en vigueur, sauf ordonnance contraire du tribunal.

8. Entrée en vigueur

Le présent arrêté entre en vigueur le **30 juin 2021**.

FAIT ET ADOPTÉ le _____

Première lecture :

Deuxième lecture : _____

Troisième lecture : _____



ROTHESAY

MEMORANDUM



TO	:	Mayor and Council
FROM	:	Town Clerk Banks
DATE	:	30 October 2020
RE	:	Draft Fire Prevention & Protection By-law 3-20

RECOMMENDATION:

- Council give 1st Reading by Title, to By-law 3-20, "A By-law of the Municipality of Rothesay Respecting Fire Prevention and Protection"
- Council give 2nd Reading by Title, to By-law 3-20, "A By-law of the Municipality of Rothesay Respecting Fire Prevention and Protection"
- Council authorize staff to advertise on the Town website as to the content of By-law 3-20, "A By-law of the Municipality of Rothesay Respecting Fire Prevention and Protection", in accordance with the *Local Governance Act*, SNB 2017, c 18

BACKGROUND:

Rothesay and Quispamsis began a review of their respective Fire Prevention By-laws in April 2019, at the request of the Joint Board of Fire Commissioners.

Discussions and meetings were held with KVFD Fire Chief Ireland and representatives from both Towns. In September 2019, a delay was requested to allow for a more thorough review of the collection of fees for service and administrative penalties processes.

The process was further delayed in the spring of 2020 with the onset of the COVID-19 pandemic.

A subsequent virtual meeting was held in mid-October with KVFD Fire Chief Ireland and representatives from both Towns and the final proposed draft of By-law 3-20 is presented for Council review and adoption. Quispamsis Council will be considering enactment of the same By-law.

Mary Gore

**A BY-LAW OF THE MUNICIPALITY OF ROTHESAY
Respecting Fire Prevention and Protection**

Rothesay Council, under authority vested in it by Section 10 and Section 186 of the *Local Governance Act*, SNB 2017, c 18 and regulations thereunder, hereby enacts as follows:

TITLE

1. This By-law may be cited as the “Fire Prevention & Protection By-law”.

DEFINITIONS

2. In this By-law:

- a) **“Automatic alarm system”** includes an automatic fire sprinkler system, a fire alarm system and a carbon monoxide alarm system;
- b) **“Council”** means the elected Council of Rothesay;
- c) **“Department”** or **“Fire Department”** means the Kennebecasis Valley Fire Department Inc.;
- d) **“Order”** means an order made under authority of this By-law by the Fire Chief, his designate, or a Fire Prevention Officer;
- e) **“Municipality”** means Rothesay;
- f) **“Fire Chief”** means the Fire Chief, or his designate, of the Kennebecasis Valley Fire Department;
- g) **“Fire Prevention Officer”** means the Fire Chief and those persons appointed pursuant to the *Fire Prevention Act* and Section 5 of this By-law;
- h) **“Officer in Charge”** means the senior officer of the Kennebecasis Valley Fire Department on scene;
- i) **“Consumer Firework”** means an outdoor, low hazard, recreational firework that is dealt with in Part 16, Sections 354 to 359 of the Explosive Regulations, 2013 (SOR/2013-211) of the Federal Explosives Act, and includes but is not limited to fireworks showers, fountains, golden rain, lawn lights, pin wheels, Roman candles, volcanoes and sprinklers;
- j) **“Display Firework”** means an outdoor, high hazard, recreational firework that is dealt with in Part 18, Sections 410 to 449 of the Explosive Regulations, 2013 (SOR/2013-211) of the Federal Explosives Act, and includes but is not limited to rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, bombardos, waterfalls, fountains, batteries, illumination, set pieces and pigeons;

- k) **“Owner”** means the registered owner of property and includes any person, firm or corporation having control over or possession of the property or any portion thereof.
- kl **“Recreational Fire”** means a small, controlled, outdoor fire that is contained in a fire pit or outdoor burning appliance and is normally used for cooking, warmth, or personal enjoyment.

ADOPTION OF CODES/STANDARDS

- 3. Except as modified by this By-law, it is declared that the most recent edition of The National Fire Code, plus any codes/standards referenced therein, is in force in the Municipality.
- 4. The *Fire Prevention Act*, RSNB, 1973, c. F-13, amendments thereto and regulations thereunder, is deemed to be part of this By-Law in like manner as if it were set out herein.

APPOINTMENT OF FIRE PREVENTION OFFICERS

- 5. a) Any person appointed by the Fire Marshal for the Province of New Brunswick as a Fire Prevention Officer shall be a Fire Prevention Officer for purposes of this By-law.
b) Council may appoint any person as a municipal By-law Enforcement Officer for the specific purposes of enforcement under this By-law.
- 6. A Fire Prevention Officer is authorized to enforce the National Fire Code, the *Fire Prevention Act*, amendments thereto and regulations thereunder, together with any other laws of the Province of New Brunswick and the town of Rothesay relating to the prevention and extinguishment of fires.
- 7. Without limiting the generality of the foregoing, a Fire Prevention Officer shall have the same powers under the same conditions as are conferred upon the Fire Marshal by Sections 11, 12, 16, 19(3), 21(1) and 23 of the *Fire Prevention Act*.
- 8. The Fire Chief may establish, revise and maintain a regular system of property fire inspections of buildings and premises. The frequency of such inspections shall be at the discretion of the Fire Chief.

GENERAL PROVISIONS

- 9. Whenever the Fire Chief or Officer in Charge at the scene of a fire deems it advisable to guard the locality of such fire from the crowding of persons or vehicles, they may place or cause to be placed a barrier across any street or public place to indicate the area from which persons or vehicles are prohibited.
- 10. No person, except a member of the Kennebecasis Valley Fire Department, a member of the Kennebecasis Regional Police Force, or persons authorized by the Fire Chief or Officer in Charge shall enter or be within an area marked off by barriers to indicate an area from which persons or vehicles are prohibited.

11. No person shall disobey the orders or directions of the Fire Chief or Officer in Charge while in the performance of their duties at a fire nor shall any person interfere with or obstruct any such officer or any fire fighter while in the performance of any duty at a fire.
12. Every person attending a fire shall, upon the request of the Fire Chief or Officer in Charge, assist any firefighter engaged at such a fire and shall obey all orders and directions given to them by the Fire Chief or Officer in Charge in connection with such fire.

OPEN-AIR BURNING

13. Except as permitted in Section 14, no person shall burn or cause to burn any material out of doors on public or private property within the limits of the Municipality.
14. Recreational fires are permitted within the Municipality provided the following conditions are complied with and subject to any provincial laws or regulations to the contrary:
 - a) The fire is to be in a contained area using only dry, seasoned wood as a fuel and being no larger than one (1) square metre in area;
 - b) The owner of the property where the recreational fire is located has given consent for the fire;
 - c) Not more than one recreational fire is located on a private lot at any one time;
 - d) The recreational fire is attended at all times;
 - e) A means of extinguishment of the recreational fire is readily available;
 - f) The fire is completely extinguished prior to the recreational fire area being vacated;
 - g) Recreational fires shall not be set in windy conditions conducive to creating a running fire or when the wind is in such a direction or intensity so that the fire or smoke causes discomfort or safety risk to any person or causes loss of enjoyment of normal use of the property in the immediate area as determined by the Fire Chief;
 - h) If smoke from a recreational fire causes an unreasonable interference with the use and enjoyment of another person's property, the fire shall be extinguished immediately;
 - i) No person shall fail to immediately extinguish a recreational fire upon the request of the Fire Chief or Officer in Charge.

BURN BAN

15. Recreational fires are not permitted during periods when the Province has restricted or prohibited open-air burning.

16. Notwithstanding the provisions of this By-law, the Fire Chief may institute a burn ban at any time, as may be deemed necessary in the opinion of the Fire Chief to be in the interests of public safety.

17. No person shall open air burn or allow open air burning at any time during a burn ban.

FIRE PROTECTION SYSTEMS

18. Following the activation, or during a shut-down for any reason, of an automatic alarm system, and where the Fire Department has been unable to make contact with the owner, contact person or occupier, or that person fails to attend and reset the system within forty-five (45) minutes after being contacted, the Fire Chief may contact a qualified service person to restore the Fire Protection/Life Safety System to normal operating conditions. The total cost of restoration of the equipment and related costs of hiring the qualified service person, shall be the responsibility of the owner or occupier.

19. Whereas an inoperable automatic alarm system constitutes an emergency, the Fire Chief may take whatever actions or measures are necessary to meet the emergency, including, but not limited to, evacuating the building or requiring the posting of a fire watch.

20. An owner of property containing an automatic alarm system, where there has been more than 1 false alarm within a 30 day period, is guilty of an offence.

21. Every owner or occupier of premises having an automatic alarm system, monitored or non-monitored, shall submit, on a form prescribed by the Fire Department, the names and telephone numbers of 3 persons who are available to attend, enter and secure the premises ("Contact Person"). The prescribed form may be obtained from the Fire Department and shall be submitted yearly and upon any change in Contact Person. The form must contain the written consent of each person named to act as a Contact Person.

22. At least one of the Contact Persons established in Section 21 must attend at the premises within 45 minutes when requested by the Fire Department and must secure the premises and when appropriate, release the Fire Department from the incident. When the Fire Department responds to an alarm where the owner has failed to provide a Contact Person or where a Contact Person fails to attend within 45 minutes, the owner or occupier shall pay the applicable standby fee prescribed in Schedule "A".

23. When an owner or occupier fails to provide proper Contact Person information they are guilty of an offence.

24. Upon attending a fire incident, a Contact Person must identify him/herself to the Officer in Charge on scene.

25. A Contact Person must have full access to the building and or occupancy of which they have responsibility and be able to take control of the building or occupancy from the Officer in Charge on completion of the incident.

CONSTRUCTION FIRE SAFETY PLANS

26. Fire safety at construction or demolition sites must be in compliance with Section 5.6 of the National Fire Code and Part 8 of the National Building Code.
27. The owner of a building under construction or renovation which requires the issuance of a building permit under Part 3 or Part 9 (excluding single family dwellings and associated accessory buildings) of the Building Code must submit a Construction Fire Safety Plan for review and approval by the Fire Chief. A Construction Fire Safety Plan template is available from the Fire Department.
28. Subject to Section 27, every building owner undertaking a construction or demolition project which requires a Construction Fire Safety Plan must appoint a responsible person as the Construction Fire Safety Director and submit the name and contact information to the Fire Chief prior to the commencement of the construction or demolition work.

FIREWORKS

29. No person shall set off fireworks when there is a burning ban issued by the Fire Chief or the Province of New Brunswick.

Consumer Fireworks

30. Every person who sets off consumer fireworks shall:
- a) provide and maintain fully operational fire extinguishing equipment ready for immediate use and present at all times for a reasonable period thereafter, at the location or site of the setting off of the consumer fireworks. This includes having knowledge of the operational procedures associated with said fire extinguisher equipment;
 - b) Follow the manufacturer's requirements for the discharge of the fireworks;
 - c) Permit the inspection of any site where consumer fireworks may be stored, set off or displayed, and the consumer fireworks themselves, together with all associated equipment, by anyone authorized to enforce this By-law, forthwith upon demand; and
 - d) comply with the Municipality's Noise By-law.
31. No person shall store, handle or set off Consumer fireworks in an unsafe manner or in a manner that creates a nuisance, taking into account the noise, danger from fire and explosion, and risk of death, injury and damage to property inherent in the storage, handling or use of fireworks.

Display Fireworks

32. No person shall hold a public fireworks display using Display fireworks without first obtaining a permit from the Fire Chief and paying the fee as set out in Schedule "A".

33. A public fireworks display using Display fireworks shall be conducted under the direct supervision of a person who is a licensed fireworks operator.
34. The person holding the display shall be responsible to ensure that the display is conducted in conformance with the current Fireworks Display Manual prepared by Natural Resources Canada.
35. The handling, storage and use of Display fireworks shall be in conformance with the Explosives Act and its Regulations, the National Fire Code and the *Fire Prevention Act*.

FEES AND COST RECOVERY

36. Fees for services provided by the Fire Department are set out in Schedule "A" attached hereto.
37. A person who receives a service listed in Schedule "A" shall pay to the Fire Department the corresponding fee, which is also set out in Schedule "A".
38. Schedule "A" may be amended from time to time by resolution of Council, on consultation with the Fire Chief.

OFFENCES

39. A person who breaches or fails to comply with a provision of this By-law or fails to comply with an order of the Fire Chief, an Officer in Charge or a Fire Prevention Officer commits an offence punishable under Part II of the *Provincial Offences Procedure Act*, SNB1987 c-22.1 as a category E offence, with a maximum fine of five thousand, two hundred dollars (\$5,200.00).
40. No person shall refuse or neglect to carry out any direction of the Fire Chief or Officer in Charge or a Fire Prevention Officer, made pursuant to this By-Law.

ADMINISTRATIVE PENALTIES

41. a) All contraventions of this By-law are designated By-law contraventions that may be dealt with by a notice of penalty pursuant to the provisions of the *Local Governance Act*.
- b) The Administrative penalty for each applicable contravention of this By-law shall be as set out in Schedule "A", failing which the penalty shall be two hundred fifty dollars (\$250.00).
- c) A person to whom a penalty notice is delivered may pay the administrative penalty within 30 days of receipt of the penalty notice at the Municipality's Office.

- d) A person who pays the administrative penalty shall be deemed to have contravened the provision of the by-law in respect of which the payment was made and shall not be charged with an offence in respect of the same incident that gave rise to the administrative penalty.
- e) If the administrative penalty is not paid in accordance with Section 41.c), the person may be charged with an offence pursuant to Section 39 and is liable on conviction to a minimum fine of one thousand, five hundred dollars (\$1,500.00).
- f) Payment of an administrative penalty or a fine does not alleviate the responsibility for compliance with the By-law.

SEVERABILITY

42. If any part of this By-law shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this By-law.

REPEAL and ENACTMENT

43. By-law 3-98, "A BY-LAW OF THE TOWN OF ROTHESAY RESPECTING THE PREVENTION AND SUPPRESSION OF FIRES AND THE REMOVAL, DEMOLITION OF BUILDINGS, STRUCTURES OR OTHER MATERIAL LIABLE TO FIRE" is hereby repealed.

44. The repeal of By-law 3-98 shall not affect any By-law infraction, penalty, forfeiture or liability, incurred before such repeal or any proceeding for enforcing the same completed or pending at the time of repeal.

EFFECTIVE DATE

This By-law comes into effect on the date of final enactment thereof.

FIRST READING BY TITLE:

SECOND READING BY TITLE:

(Advertised as to content on the Rothesay website in accordance with Section 15 of the Local Governance Act (S.N.B. 2017, c.18)

READ IN SUMMARY:

THIRD READING BY TITLE
AND ENACTMENT

Nancy Grant
MAYOR

Mary Jane E. Banks
CLERK

SCHEDULE "A"

ATTACHED TO AND FORMING PART OF BY-LAW 3-20

FIRE SERVICES FEES AND CHARGES

Type	Description	FEE (incl. HST)
Admin	Reports (fire incident, fire investigation, etc.)	\$50 per report
	File search	\$35 per address
	Fire Code compliance letter	\$50 per address
Prevention	Liquor License Inspection	\$100
	Special Occasion permit inspection	\$100
	Annual re-license inspections (non-liquor)	\$75
	Display Fireworks permit	\$100
	Requested Inspection (owner initiated)	\$50/hour
	Apparatus Standby	\$200/hour
Administrative Penalties		
For an offence under Sections 13, 14, 15, 16 and 17	Response to non-compliant open-air burning 1 st time	Penalty N/C
	2 nd response to same address within 30 days	Penalty \$50
	3 rd and subsequent response to same address within 30 days	Penalty \$175
For an offence under Section 20	False alarm – automatic alarm system 1 st time	Penalty N/C
	2 nd response within 30 day period	Penalty \$175
	3 rd and subsequent response within 30 day period	Penalty \$350
For an offence under Section 22	Standby Fees – Section 22	Penalty \$200/hr



70 Hampton Road
Rothesay, NB
E2E 5L5 Canada

Rothesay Council
September 14th, 2020

TO: Mayor Grant and Rothesay Council

SUBMITTED BY:

John Jarvie, Town Manager

DATE: Monday, November-02-20

SUBJECT: Civic Address Agreement with Service New Brunswick

RECOMMENDATION:

It is recommended that Rothesay Council consider the following Motion:

Rothesay Council HEREBY authorizes the Mayor and Clerk to enter into a Data Use and Confidentiality agreement with Property Assessment Services of Service New Brunswick for property assessment data.

BACKGROUND:

On September 22, 2020 Rothesay received a letter from Property Assessment Services (PAS) that property assessment information for property located within Rothesay would no longer be provided to the Town. (see Attachment B)

Prior to September of 2020 Rothesay received all of our GIS property data from the Land Registry office and Council did on September 14th, 2020 renew an agreement to that effect. The GIS data we received for all properties in Rothesay, included a property assessment database from another provincial department that contains information regarding property ownership, assessments, and personal addresses.

Rothsay uses that information to determine who owns land parcels. Furthermore, the property data is vital to the Town's GIS mapping system which is also tied to our permitting software. Consequently, Staff undertook to negotiate with Property Assessment Services for a reasonable remedy to the data sharing.

The attached agreement allows Rothsay to continue accessing the information necessary to process building permits and maintain other internal processes.

FINANCIAL IMPLICATIONS:

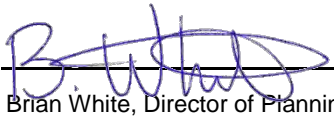
There are no financial costs directly associated with this agreement.

ATTACHMENTS

Attachment A – DRAFT Agreement with Service New Brunswick

Attachment B - September 22, 2020 Letter from Property Assessment Services (SNB)

Report Prepared by:



Brian White, Director of Planning and Development Services



DATA USE AND CONFIDENTIALITY AGREEMENT

THIS AGREEMENT made in duplicate as of the 30 of October 2020 until 29 of October 2021.

BETWEEN:

Service New Brunswick,

a Crown corporation with head offices at 850 Lincoln Road,
Fredericton, NB E3B 4Z7
(hereafter called "SNB")

OF THE FIRST PART

-and-

Rothsay,

70 Hampton Road, Rothsay, New Brunswick, E2E 5L5
A body corporate located in the County of Kings and
incorporated under the laws and regulations of the
Province of New Brunswick.
(hereafter called "Rothsay")

OF THE SECOND PART

WHEREAS pursuant to section 23(4.1) of the Assessment Act, the Director may release information contained in the real property assessment list to any person or body that the Director considers appropriate if the person to whom the information or documentation is released agrees in writing that the information or documentation will be restricted to use in the assessment functions of that government.

AND WHEREAS the parties are entering into this agreement whereby *Rothsay* will be supplied with certain Confidential Information belonging to SNB for the purpose of _____;

AND WHEREAS for the purpose of preventing the unauthorized disclosure of Confidential Information as defined below, the parties agree to enter into a confidential relationship with respect to the disclosure of this Confidential Information.

NOW THEREFORE in consideration of the mutual covenants and agreements contained in this agreement and other good and valuable consideration, the parties agree as follows:

- 1. (a) Definition of Confidential Information.** For purpose of this Agreement, "Confidential Information" includes but is not limited to any documents, instructions, guidelines, data, material,

advice or any other information, whether received orally, in printed form, recorded electronically, or otherwise and whether or not labeled as proprietary or confidential that is disclosed to Rothesay.

(b) Exclusion From Confidential Information. Rothesay's obligations under this Agreement do not extend to information that is:

- (i) publicly known at the time of disclosure or subsequently becomes publicly known through no fault of Rothesay;
 - (ii) discovered or created by Rothesay before disclosure by SNB;
 - (iii) learned by Rothesay through legitimate means other than from SNB or SNB's representatives; or
 - (iv) is disclosed by Rothesay with SNB's prior written approval.
2. The parties acknowledge that each is bound by the provisions of privacy legislation in force from time to time with respect to the provision of this Agreement, including but not limited to the *Right to Information and Protection of Privacy Act* c. R-10.6; or any other applicable privacy legislation in effect from time to time.
3. The Confidential Information is provided on an "as is" basis and SNB makes no representations or warranties whatsoever with respect to the Information, whether expressed or implied, in relation to the Information and expressly disclaims any implied warranty of merchantability or fitness for a particular purpose.

Obligations of Rothesay.

4. **(a) Strict Confidence.** Rothesay shall hold and maintain the Confidential Information in strictest confidence. Rothesay shall carefully restrict access to Confidential Information to parties with a "need-to-know", or in response to a subpoena, warrant, order, or demand of a Canadian court of law.

(b) Use. Rothesay shall use the Confidential Information only for the purpose of _____.

Rothesay shall not, without prior written approval of SNB, use for Rothesay's own benefit, publish, copy or otherwise disclose to others, or permit the use by others for their benefit or to the detriment of SNB, any Confidential Information.

(c) Notification. Rothesay shall notify SNB's Property Assessment Services Director of Gama and System Support immediately upon discovery of any unauthorized use or disclosure of Confidential Information or any other breach of this Agreement. Rothesay will cooperate with SNB in every reasonable way to help SNB regain possession of the Confidential Information and prevent its further unauthorized use or disclosure, and to cooperate with SNB's investigation of the circumstances surrounding its loss.

5. **Time Periods.** The parties agree that this Agreement shall begin on the date of signing. The nondisclosure provisions of the Agreement shall survive the termination of this Agreement.

6. **Relationships.** Nothing contained in the Agreement shall be deemed to constitute the Service Provider an employee of SNB for any purpose.

- 7. No Assignment.** Neither this Agreement nor any rights or obligations hereunder, in whole or in part, may be assigned by a party without the prior written consent of the other party.
- 8. Severability.** If a court finds any provision of this Agreement invalid or unenforceable, the remainder of this Agreement shall be interpreted so as best to affect the intent of the parties.
- 9. Entire Agreement.** This Agreement expresses the complete understanding of the parties with respect to the subject matter and supersedes all prior proposals, agreements, representations and understandings. This Agreement may not be amended except in a writing signed by both parties.
- 10. Applicable Law.** This Agreement will be governed by the laws of the Province of New Brunswick and the federal laws of Canada. The parties submit to the exclusive jurisdiction of the courts of the Province of New Brunswick.
- 11. Waiver.** A waiver must be made in writing and signed by the party claimed to have waived or consented. Such waiver and consent will not be considered a waiver of any other right. Any waiver does not prevent the party who has waived from insisting on compliance at a later date.
- 12. Execution.** This Agreement may be executed in any number of counterparts, which together shall constitute one instrument. Delivery of an executed counterpart of a signature page of this Agreement by facsimile or electronically shall be effective as delivery of a manually executed counterpart of this Agreement.

Service New Brunswick

Name: Stephen Walsh
Title: PAS System Support Manager

Rothesay

Name: Nancy E. Grant
Title: Mayor

Name: Mary Jane Banks
Title: Clerk

Schedule “A” – Data to be Provided by SNB to Rothesay

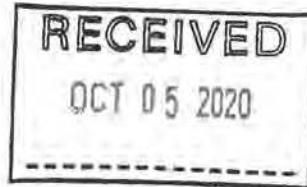
Data Being Shared

REGION, PAN, OWNER_1, OWNER_2, ADDRESS_1, ADDRESS_2, POSTAL_COD, P_LOCATION, P_DESCRIPTION, P_TYPE_COD, SEQ_NUMBER, PID, PID2, PID_OVERFL, MAP_SHEET, TAX_AUTH, NBHD_CODE, TAX_CLASS, CURR_ASSMT, TAX_CREDIT, SUB_UNIT, VOL_NUM_1, PAG_NUM_1, DOC_NUM_1, TRAN_DAT_1, TRAN_TYP_1, VOL_NUM_2, DOC_NUM_2, TRAN_DAT_2, TRAN_TYP_2, VOL_NUM_3, PAG_NUM_3, DOC_NUM_3, TRAN_DAT_3, TRAN_TYP_3, YEAR_FIRST, STATUS, L_TYP_HOLD, SPEC_ID_CO, NUM_UNITS, FLIP_CODE, COUNTY, CUR_NT_LEV, CUR_BIA_TX, BLDG_CLASS, BLDG_AGE, P_TYP_CD2, P_TYP_CD3, P_TYP_CD4, P_TYP_CD5, P_TYP_CD6, P_TYP_CD7, P_TYP_CD8, P_TYP_CD9, P_TYP_CD10, STOREY_HT, RES_ASSMT, NRES_ASSMT, CRED_PORT



September 22, 2020

Town of Rothesay
Attn: Darcy Hudson
70 Hampton Road
Rothesay, NB
E1E 5L5



COPY

RE: Request for Property Assessment Information

Further to previous discussions regarding the sharing of Property Assessment information for the real property located within the municipal limits of Saint John and Kings County, it has been determined that going forward Service New Brunswick is not able to provide you with the requested information.

Section 12 of the *Assessment Act* (the *Act*) prohibits the disclosure of any information collected by employees of the Province that is not found in the assessment and tax roll, with limited exceptions. While section 12(3.2) does allow for the release of information or documentation relating to the determination of value of any real property subject to assessment, this disclosure is only permissible to employees of the Government of Canada or any Provincial or Territorial Government. Additionally, while Section 23 of the *Act* provides authority for Assessment Services to disclose certain information found in the assessment and tax roll, the disclosure of names and mailing addresses of persons in whose name real property is assessed is specifically prohibited in subsection 23(4.1). As per section 23(5), Service New Brunswick makes the assessment and tax roll accessible for viewing by the public and does so electronically.

We recognize that this information has been provided in some form in the past through disclosures by Land Registry on Property Assessment Services behalf. However, pursuant to section 12(3.4) Land Registry should not have been granted direct access to Assessment Services database.

Please note, mass data is available for public consumption via:

- GeoNB data catalogue: <http://www.snb.ca/geonb1/e/index-E.asp>
- Property Assessment Services Online: <https://paol.snb.ca/>
- Land Registry Planet Database: <https://www2.snb.ca/content/snb/en/sites/land-registry.html>

A team member from Property Assessment Services will be reaching out to you to discuss any questions or concerns you may have. We appreciate your understanding and if needed, please feel free to contact:

A handwritten signature of Stephen Walsh, written in black ink, positioned above a horizontal line.

Stephen Walsh

System Support Manager
Service New Brunswick
Phone: (506)-343-6601
Email: stephen.walsh@snb.ca



70 Hampton Road
Rothesay, NB
E2E 5L5 Canada

Rothesay Council
November 9, 2020

TO: Mayor Grant and Members of Rothesay Council

SUBMITTED BY: _____
John Jarvie, Town Manager

DATE: November 4, 2020

SUBJECT: Contract T-2020-003-C: One- Ton Plow Truck

RECOMMENDATION

It is recommended that the supply of a truck mounted flat bed and Crane to outfit a one-ton truck, to be tendered as part of the 2020 Fleet budget, be awarded to Parts for Trucks Inc. in the amount of \$40,250.00 plus HST and further that the Director of Operations be authorized to issue a purchase order in that regard.

ORIGIN

The 2020 General Fund Capital Budget included funds to purchase and rig (as required for) a One-Ton Truck to serve the Rothesay Public Works Department.

BACKGROUND

The 2020 General Fund Capital Budget included funding for the purchase of a One-Ton Truck to replace a resource that is currently 11 years old. A tender call for the supply of the cab and chassis portion of this truck will be issued through the New Brunswick Opportunities Network in

November 2020, however quotes were solicited for supply of the flatbed and crane first as the lead time required for assembly and delivery is considerably longer than it is for the cab and chassis portion.

QUOTE RESULTS

Requests for quotation for the specified flat bed and crane yielded the following results:

- | | |
|---|----------------------|
| 1. Part for Trucks, Saint John, NB (HIAB brand crane) | \$40,250.00 plus HST |
| 2. Miklyn Mobile Service, Severn, Ont (IMT brand crane) | \$56,336.37 plus HST |

ANALYSIS

The quotes and specifications were reviewed by staff and found to be formal in all respects. Staff is of the opinion that the low bidder has met all of the requirements and specifications outlined in request for quotations and recommend acceptance of their tender.

FINANCIAL IMPLICATIONS

The tender includes the supply of equipment that will be charged against the 2020 General Fund Capital Budget. Assuming award to the low bidder, a budget analysis has been completed.

The analysis concludes that a total amount of \$100,000 was provided in the General Fund Capital Budget for the purchase a one-ton truck and associated equipment. The delivered cost of the flatbed and HIAB brand crane will be \$41,975.11. The balance of the \$100,000 budget will be sufficient to purchase the one-ton cab and chassis.



Report Prepared by: Brett McLean, Director of Operations



Report Reviewed by: Doug MacDonald, Treasurer

A copy of this report can be obtained by contacting the Rothesay Town Clerk, 70 Hampton Road, Rothesay, NB E2E 5L5 (506-848-6664).



70 Hampton Road
Rothesay, NB
E2E 5L5 Canada

Rothesay Council
November 9, 2020

TO: Mayor Grant and Members of Rothesay Council

SUBMITTED BY: _____
John Jarvie, Town Manager

DATE: November 4, 2020

SUBJECT: Contract S-2020-001:
Easement / Land Acquisition Agreement

RECOMMENDATION

It is recommended that Council authorize the Mayor and Town Clerk to enter into an agreement with the owners of civic # 3055 Rothesay Road, Rothesay, NB PID 00255919 to allow for the construction of a sanitary sewer pump station, granting of an easement for access to the pump station and sale (to the Town) of the lands the pump station will occupy as per the attached agreement.

ORIGIN

The 2020 Utility Fund Capital Budget includes funding for the first phase of the Turnbull Court Sewer Upgrade project.

BACKGROUND

The main sanitary sewer line between Turnbull Court and Tennis Court Road is in excess of 50 years old and has experienced several localized collapses in recent years. The sewer line extends over the surface of Taylor Brook and has been affected in recent years by ice flows that posed serious risk to the local environment.

A decision was made during the 2020 budget deliberations (in 2019) to break this costly project into two phases. The first phase consisted of construction of a new pump station at Taylor Brook and replacement

of main line sewer between Taylor Brook and Tennis Court Road. This phase was included in the 2020 Utility Capital Budget. The second phase which will include replacement of the sewer line between Taylor Brook and Turnbull Court will be proposed for the 2021 Utility Capital Budget.

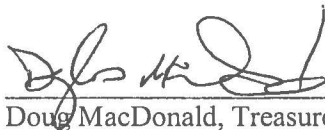
Staff have negotiated an agreement with the owners of PID 00255919 to provide the land and access necessary to allow for construction of the (Phase I) pump station.

FINANCIAL IMPLICATIONS

There are no actual payment terms included as part of the agreement to acquire the lands necessary for the pump station or for the easement required to access the pump station in the future. The owners of PID 00255919 acknowledge the mutual benefit of this project for both the Town and their property. The agreement requires that an existing shed be demolished to make way for the new pump station and that the shed be replaced with a building of equal size at another location on the property. The shed demolition and replacement was included in the tendered cost for the overall project which has already been awarded by Council.



Report Prepared by: Brett McLean, Director of Operations



Report Reviewed by: Doug MacDonald, Treasurer

A copy of this report can be obtained by contacting the Rothesay Town Clerk, 70 Hampton Road, Rothesay, NB E2E 5L5 (506-848-6664).

**CONSTRUCTION EASEMENT AND HOLD
HARMLESS AGREEMENT**
2020 November 9 Open Session FINAL_174
3055 Hampton Road

THIS TEMPORARY CONSTRUCTION EASEMENT made and entered into this ____ day of November, 2020, between Ewen R. Cameron & Tammy Legacy, party of the first (Cameron/Legacy) and Rothesay, a municipality under the Municipalities Act, Kings County, New Brunswick, party of the second part (Rothesay).

WITNESSETH, that Cameron/Legacy, for and in consideration of the sum of One Dollar and No Cents (\$1.00) paid by the Rothesay, and other property improvement considerations included as Schedule "A", the receipt and sufficiency of which are hereby acknowledged, grant unto Rothesay, its agents, contractors, subcontractors and assigns, the following:

- 1) temporary easement to engage in construction activity in and upon the premises at 3055 Rothesay Road, Rothesay, PID 00255919, situated in the County of Kings, New Brunswick.; and
- 2) agreement to transfer ownership of the property, as shown in Schedule "A", to Rothesay for the purpose of expanding constructing, maintaining and operating a sanitary sewer pump station, and
- 3) a permanent easement over the (owned portion of) driveway from Rothesay Road to the pump station for purposes of installing underground pipe works and accessing the pump station.

This Construction Easement is granted for the purpose of **allowing the Town and its contractors Galbraith Construction Ltd. access to private property including the entirety of the (owned portion) of driveway from Rothesay Road to the west boundary of the property as shown in Schedule "A" intended to be the permanent location of the proposed sanitary sewer pump station.**

Upon satisfactory completion of the above mentioned project this easement shall terminate and will be replaced by a newly registered survey plan depicting the new boundaries of PID 00255919, the severed portion which will be registered as Rothesay property with a new PID and a permanent easement over the driveway to allow for the underground pipe works and access to the pump station.

The parties agree that Rothesay's responsibility shall include:

1. Grubbing, filling and positively grading (to Taylor Brook) the entire portion of the property that will be acquired by Rothesay as well as any surrounding area disturbed by the construction;
2. Protecting the existing natural environment (surrounding the property to be acquired by Rothesay) to the greatest extent possible which will include minimal, if any, tree cutting, protection of ferns, ground cover and natural undulations of the landscape;
3. Paying all costs associated with survey, plan creation and registration of the reconfigured PID 00255919 and the newly created parcel to be registered as Rothesay property;
4. Asphalt paving of the driveway in its entirety from Rothesay Road to the building which will house the sanitary sewer pump station equipment including a turnaround area presently defined by a crushed stone surface as shown on Schedule "A" to be completed on or before October 15, 2021 with general timing of the work at the discretion of the property owner;
5. Removal of existing utility shed and replacement with a new utility shed of equal dimensions and exterior finish including electrical power hookup and water & sewer service stubs to be completed in a good and workmanlike manner in consultation with homeowners regarding design. Replacement to include any necessary grading and land prep in homeowner's desired placement area. Floor level to be at or above 5.83m geodetic elevation;
6. Cladding of proposed pump station to match existing garage;
7. Installation of underground power from Rothesay Road to the proposed pump station such that no additional poles or overhead wires are installed on the property;
8. Associated survey costs and all reasonable legal fees and disbursements incurred by the property owners in connection with this agreement to be borne by the Town;
9. Cleanup and reinstatement as required;
10. The Town shall reimburse the Owners for any bank fees and/or penalties involved (to a maximum of \$1000.00) in getting the current mortgage released and reinstated on the property for the purpose of this Agreement;
11. The Town shall install water & sewer service stubs to the existing garage foundation wall.
12. This agreement shall terminate upon satisfactory completion of the property improvements listed above, sale and transfer of the property and registration of the aforementioned easement.

The following covenants apply to this agreement:

- It is understood and agreed that the real property on which the Town wishes to construct the pump house shall be used by the Town on an "as is, where is" basis and shall be subsequently acquired by the Town on an "as is, where is" basis and the Owners make no representations or warranties whatsoever regarding i) the fitness of the real property for any particular use, or ii) the compatibility of any existing encumbrances registered on title to the real

property with the proposed construction easement to be granted to the Town and the proposed pump house lot to be granted to the Town.

2020November9OpenSessionFINAL_175

- The Town and its workers, agents and contractors shall comply with any and all federal, provincial and municipal statutes, regulations, order or by-laws, including but not limited to environmental laws, now and hereinafter in force, in its use of the real property.
- The Town shall ensure that its workers, agents and contractors are covered by worker's compensation insurance.
- The Town shall indemnify and save harmless the Owners from and against any and all claims, actions, damages, liabilities and expenses in connection with loss of life, personal injury or damage to property arising from or out of any occurrence in, upon or at the real property of the Owners, or the occupancy or use by the Town of the real property of the Owners or any part thereof; or occasioned wholly or in part by any act, omission, negligence or misconduct of the Town, its agents, contractors, employees, servants, licensees or any of them permitted by the Town to be on the real property of the Owners. In case the Owners, without fault on their part are made parties to litigation commenced by or against the Town, or otherwise, then the Town will protect and hold the Owners harmless, and will pay all costs, expenses and reasonable legal fees incurred or paid by the Owners in connection with such litigation.
- The Town covenants with the Owners that the Owners shall not be liable for death or injury or for damage to property of the Town or of others located on the real property of the Owners, nor for loss or damage to any property of the Town or of others by theft or otherwise, from any cause whatsoever.
- If the Town fails to observe the covenants, terms and conditions herein, then the Owners, in addition to any other rights or remedies they may have, will have the right to terminate this agreement and remove all persons and property from the real property of the Owners, all without service of notice or resort to legal process and without being deemed guilty of trespass or conversion.
- The Town covenants that it will not register or cause to be registered this Agreement on title to the real property of the Owners.
- The Town shall not have the right to assign this Agreement.

The Party of the first part does hereby covenant to Rothesay that he is lawfully seized and possessed of the real estate above described and has full authority to grant this easement.

IN WITNESS WHEREOF, the said party of the first part has executed these presents the day and year first above written.

Homeowners

Tammy L. Legacy

Ewan R. Cameron

Witness

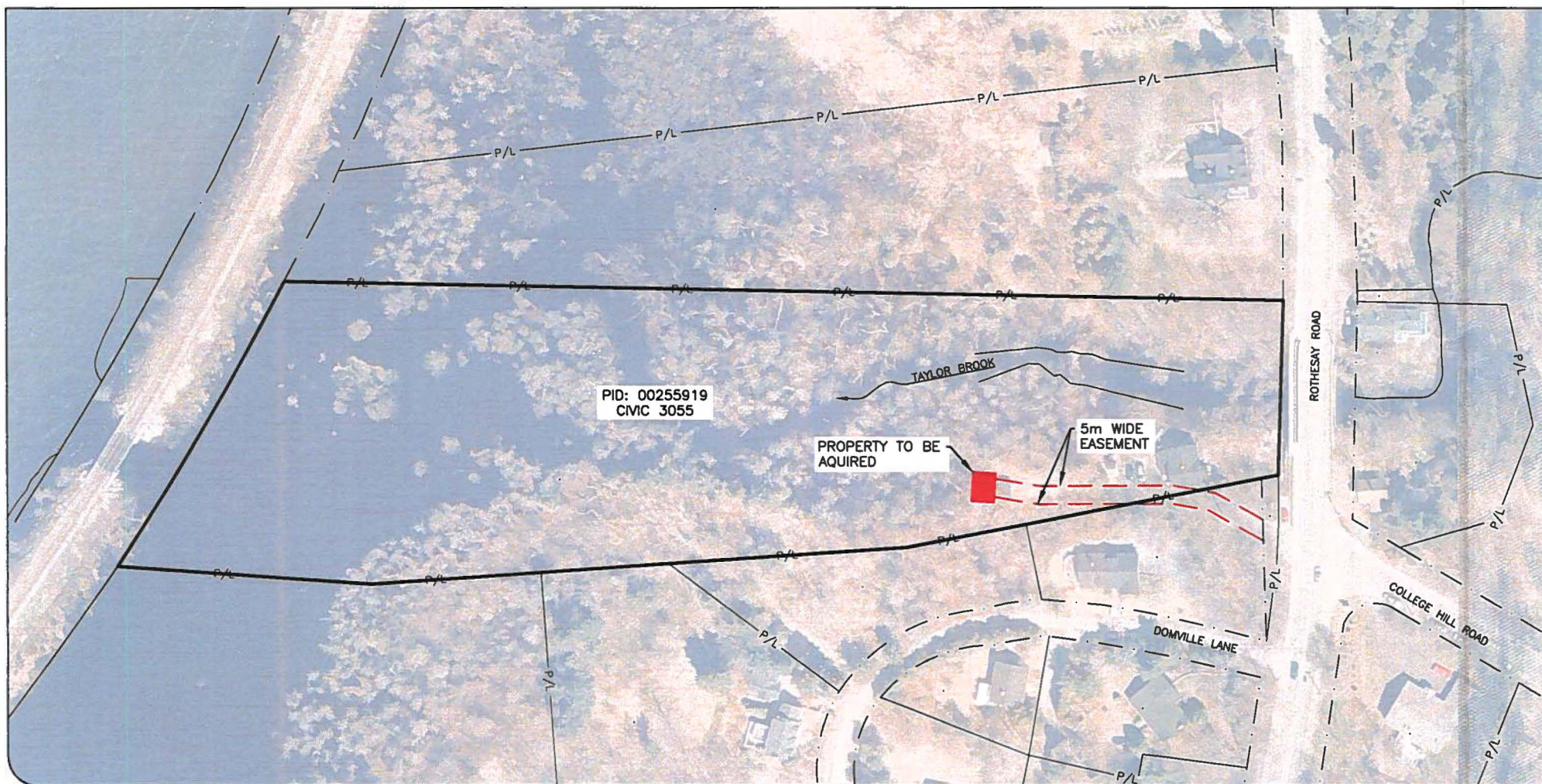
Rothesay

Dr. Nancy Grant, Mayor

Mary Jane Banks, Clerk

Witness

On this _____ day of _____, 20____,



TOWN OF ROTHESAY
TURNBULL COURT SEWER DESIGN

**AERIAL OF PROPOSED PROPERTY
ACQUISITION AND EASEMENT**
SCHEDULE A



File Location:
c:\pw\working directory\projects\2010\01\calmest\1 Jan 2010\1-25-jpg\rp.jpg
November, US, 2010 12:27 PM

-ALL PROPERTY LINE INFORMATION OBTAINED FROM SNEB
AND IS APPROXIMATE ONLY.

SCALE 1:1,000



DILLON
CONSULTING

PROJECT: 10 9689
STATUS: DRAFT
DATE: 2020-11-00



ROTHESAY

INTEROFFICE MEMORANDUM



TO	:	Mayor Grant and Council
FROM	:	John Jarvie
DATE	:	6 November 2020
RE	:	Replacement of Second Floor Lift

Recommendation:

It is recommended Council approve the awarding of the installation of a new passenger lift in the Town Hall to Lawton's Home Health Care in an amount of \$34,496.00 plus applicable HST.

Background:

When the Town Hall was constructed in 1992 a passenger lift was installed to provide access to and from the main to second floor for those with mobility challenges. Over the years there have been various issues with the lift and latterly it has proven to be unsafe with users caught between floors, slow operation and limitations in the capacity. To address these issues an amount of \$140,000 was included in the capital budget to replace the lift with a full elevator. Such a project would involve major disruption to the foyer and significant expense. As staff have been researching this matter further, it is apparent a new, modern lift with some changes in functionality should be adequate to serve the second floor tenants.

Staff have received some advice on the matter from an elevator consultant and have identified an installer in Atlantic Canada that could provide and install a satisfactory lift. The price quoted includes installation. Staff will explore availability of grants from other orders of governments before finalizing the purchase.

CLIENT CHARGE	34,496.00
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