



ROTHESAY
COUNCIL MEETING
Rothesay Town Hall
Monday, March 9, 2020
7:00 p.m.



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

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

ABSENT: COUNCILLOR GRANT BRENNAN

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

1. APPROVAL OF AGENDA

MOVED by Deputy Mayor Alexander and seconded by Counc. McGuire the agenda be approved with the following addition:

- Item 9.5 Wells Park Clearing and Grubbing

CARRIED.

2. ADOPTION OF MINUTES

- Regular Meeting 10 February 2020

MOVED by Counc. Lewis and seconded by Counc. Wells the Open Session Council minutes of 10 February 2020 be adopted as circulated.

CARRIED.

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

3. OPENING REMARKS OF COUNCIL

Mayor Grant reported there are three remaining sessions in the Speaker Series (Thursdays at 7:00 p.m.). Counc. Wells commented on the popularity of the Rothesay Common this winter, and commended staff for their hard work. Counc. McGuire noted residents have begun to remove fishing shacks from the river which will likely reduce the amount of debris left in the river.

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

4. DELEGATIONS

N/A

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5. CORRESPONDENCE FOR ACTION

5.1 19 December 2019 Email from resident RE: Location of fire hydrant on Edgemont Lane
MOVED by Counc. McGuire and seconded by Counc. Wells the email from resident RE: Location of fire hydrant on Edgemont Lane dated 19 December 2019 be referred to the Works and Utilities Committee.

CARRIED.

5.2 13 February 2020 Email from Devin Cooke RE: BrettLynn Farms Urban Bee Hive Initiative with attached proposal

10-11 February 2020 Emails from/to BrettLynn Farms RE: Urban Bee Hive Initiative
MOVED by Counc. Mackay French and seconded by Counc. Lewis the email from Devin Cooke RE: BrettLynn Farms Urban Bee Hive Initiative with attached proposal dated 13 February 2020, and the emails from/to BrettLynn Farms RE: Urban Bee Hive Initiative dated 10-11 February 2020 be referred to the Parks and Recreation Committee.

CARRIED.

5.3 *Various* Letters from Mulberry Lane residents (7) RE: Cost increase for Local Improvement Levy

MOVED by Deputy Mayor Alexander and seconded by Counc. Wells the letters from Mulberry Lane residents (7) RE: Cost increase for Local Improvement Levy be referred to the Works and Utilities Committee.

ON THE QUESTION:

Deputy Mayor Alexander noted Council had expressed concern regarding the increase in cost at the last meeting. Counc. Shea asked why the cost increased to the extent that it did. Town Manager Jarvie advised there were some unanticipated adjustments to the location of the cul-de-sac to ensure access and egress for emergency vehicles. He noted individual unit prices for material was determined beforehand; however the exact amount of material necessary was unclear until completion of the project. The process outlined in the By-law allows staff to provide an estimate to property owners using unit prices but highlights that the final cost may differ from the estimate. Counc. Shea questioned if unexpected changes to original plans are communicated to property owners. Town Manager Jarvie noted property owners are typically notified if there is reasonable time to do so, however this was not the case. Counc. Lewis asked if there was merit in the claim that the Town offered to assume 40% of the total cost. Town Manager Jarvie noted the Town, as a property owner on Mulberry Lane, is required to pay an equivalent portion of the total cost. This may have created some confusion as Council also approved a separate contribution of \$11,000 as the project is expected to reduce overall maintenance costs. When questioned, he noted if the letters are referred to the Works and Utilities Committee the eleven property owners along Mulberry Lane will be notified. He added staff are in the process of gathering the information requested in the letters.

CARRIED.

6. CORRESPONDENCE - FOR INFORMATION

6.1 7 February 2020 Letter from the Department of Public Safety RE: Town of Rothesay Flood Concerns

MOVED by Counc. Lewis and seconded by Deputy Mayor Alexander the letter from the Department of Public Safety RE: Town of Rothesay Flood Concerns dated 7 February 2020 be received/filed.

ON THE QUESTION:

In response to an inquiry, staff confirmed a link to the information will be shared on the Town website. Mayor Grant noted the letter may be a response to discussions that occurred during a meeting with the Regional Medical Officer.

CARRIED.

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6.2 19 February 2020 Letter from the Honourable Brenda L. Murphy RE: Order of New Brunswick Nominations

MOVED by Counc. Lewis and seconded by Counc. Wells the letter from the Honourable Brenda L. Murphy RE: Order of New Brunswick Nominations dated 19 February 2020 be received/filed.

ON THE QUESTION:

Counc. Mackay French suggested the letter be shared on the Town website and social media. Town Clerk Banks confirmed the document will be shared electronically.

CARRIED.

6.3 2 March 2020 Letter from the Regional Development Corporation RE: Integrated Bilateral Agreement

MOVED by Deputy Mayor Alexander and seconded by Counc. Shea the letter from the Regional Development Corporation RE: Integrated Bilateral Agreement dated 2 March 2020 be received/filed.

ON THE QUESTION:

Mayor Grant expressed disappointment that funding was denied for the Wastewater Treatment Upgrade project despite the indication that wastewater projects are a priority. Town Manager Jarvie advised staff followed up and was informed the project met the criteria but due to limited budget capacity and other more urgent projects, funding was denied. He added should additional funding become available, it may be allocated to other priority projects that meet the current funding focus area, such as Rothesay's. Counc. Shea asked if a list of the approved projects is available online. Town Manager Jarvie noted it is expected a list will be posted online once the projects received final confirmation by the Federal government. Mayor Grant requested a formal follow-up on the matter.

CARRIED.

6.4 4 March 2020 Letter from Minister Oliver RE: 2020 Designated Highway Funding

MOVED by Deputy Mayor Alexander and seconded by Counc. Lewis the letter from Minister Oliver RE: 2020 Designated Highway Funding dated 4 March 2020 be received/filed.

ON THE QUESTION:

Mayor Grant noted similar to last year, Rothesay did not receive funding for the current year's application (Rothesay Road) but received funding for another project also in the five year plan (Fox Farm Road). Deputy Mayor Alexander noted the Provincial government, roughly two years ago, was not amenable to cost sharing construction of a retaining wall on Fox Farm Road. Town Manager Jarvie clarified a retaining wall will not be constructed; the project description was not changed from prior submissions. He added the Fox Farm Road project was listed as the second priority on the five year plan, and the Provincial contribution may be less than requested but is still a considerable amount (roughly \$409,000). He noted there was a significant reduction in funding for the Municipal Designated Highway Program (\$25 million to \$10 million) which has impacted the overall distribution of funds.

CARRIED.

7. REPORTS

7.0 **March 2020** Report from Closed Session
N/A

7.1 27 January 2020 Fundy Regional Service Commission (FRSC) Meeting Minutes

MOVED by Counc. Wells and seconded by Counc. Mackay French the Fundy Regional Service Commission (FRSC) Meeting Minutes dated 27 January 2020 be received/filed.

ON THE QUESTION:

Mayor Grant gave a brief summary of the minutes.

CARRIED.

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- 7.2 20 November 2019 Kennebecasis Public Library (KPL) Annual General Meeting Minutes
13 February 2020 KPL Board Members
28 November 2018 KPL Annual General Meeting Minutes

MOVED by Counc. Shea and seconded by Counc. Lewis the Kennebecasis Public Library (KPL) Annual General Meeting Minutes dated 20 November 2019, the KPL Board Members dated 13 February 2020, and the KPL Annual General Meeting Minutes dated 28 November 2018 be received/filed.

CARRIED.

- 7.3 29 January 2020 Kennebecasis Regional Joint Board of Police Commissioners (KRJBPC)
Meeting Minutes
31 December 2019 KRJBPC Statement of Financial Position
31 January 2020 KRJBPC Call Summary

MOVED by Deputy Mayor Alexander and seconded by Counc. Mackay French the Kennebecasis Regional Joint Board of Police Commissioners (KRJBPC) Meeting Minutes dated 29 January 2020, the KRJBPC Statement of Financial Position dated 31 December 2019, and the KRJBPC Call Summary dated 31 January 2020 be received/filed.

ON THE QUESTION:

Deputy Mayor Alexander noted the Chair and Vice-Chair were re-elected for 2020. Counc. Shea commented on the list of Board members, and suggested the members of the Kennebecasis Regional Police Force that are not official Board members be listed separately to reduce confusion. Counc. Mackay French relayed a message from the Board requesting Council encourage residents to ensure the property numbers on buildings are visible to emergency vehicles. It was noted blue and white reflective numbers are preferred and available at the Kennebecasis Valley Fire Department. When questioned, Deputy Mayor Alexander clarified the positions of Chair and Vice-Chair can be assumed by any Board member with the exception of the Provincial representative. Counc. Wells identified a typo on the top of page three noting "accumulation" should read "acclamation". Counc. Shea questioned if there is, or could be, a requirement and/or stipulations for property numbers in Town by-laws. Town Manager Jarvie advised staff will investigate and report back. Mayor Grant noted there are two statements of operation. Treasurer MacDonald advised one includes Public Sector Accounting Standard (PSAS) adjustments such as amortization, and the other one is the operating funding version.

CARRIED.

- 7.4 8 January 2020 Kennebecasis Valley Fire Department Inc. (KVFD) Board Meeting
Minutes
30 November 2019 KVFD Statement of Expense
9 October 2019 KVFD Chief's Report
8 January 2020 KVFD Chief's Report
2019 KVFD Response Report

MOVED by Counc. Lewis and seconded by Counc. Shea the Kennebecasis Valley Fire Department Inc. (KVFD) Board Meeting Minutes dated 8 January 2020, the KVFD Statement of Expense dated 30 November 2019, the KVFD Chief's Report dated 9 October 2019, the KVFD Chief's Report dated 8 January 2020, and the 2019 KVFD Response Report be received/filed.

ON THE QUESTION:

Deputy Mayor Alexander requested clarification on the fleet update noting he thought Engine 4 - 2009 International was to be sold once the new engine was acquired. He questioned why an engine that requires replacement would be moved to "reserve" status. Counc. Lewis noted the frame was repaired and the engine has been kept as a back-up rather than sold.

CARRIED.

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7.5 31 January 2020 Draft unaudited Rothesay General Fund Financial Statements
MOVED by Counc. Shea and seconded by Counc. Lewis the draft unaudited Rothesay General Fund Financial Statements dated 31 January 2020 be received/filed.

ON THE QUESTION:

Mayor Grant inquired about the Arena Revenue surplus of roughly \$8,500, and the appraisals for Oakville Lane and Appleby Drive. Treasurer MacDonald advised the variances are related to timing. Mayor Grant commented on the positive variance for snow and ice removal.

CARRIED.

31 January 2020 Draft unaudited Rothesay Utility Fund Financial Statements
MOVED by Counc. Shea and seconded by Counc. McGuire the draft unaudited Rothesay Utility Fund Financial Statements dated 31 January 2020 be received/filed.

CARRIED.

20 February 2020 Draft Finance Committee Meeting Minutes
MOVED by Counc. Shea and seconded by Counc. McGuire the Draft Finance Committee Meeting Minutes dated 20 February 2020 be received/filed.

CARRIED.

➤ Application for Financing

MOVED by Deputy Mayor Alexander and seconded by Counc. Shea the Clerk and/or Treasurer and/or Mayor be authorized to issue and sell to the New Brunswick Municipal Finance Corporation a Municipality of Rothesay debenture in the principal amount of \$1,000,000 on such terms and conditions as are recommended by the New Brunswick Municipal Finance Corporation, and be it resolved that the Municipality of Rothesay agree to issue post-dated cheques payable to the New Brunswick Municipal Finance Corporation as and when they are requested in payment of principal and interest charges on the above debenture.

ON THE QUESTION:

Mayor Grant noted the debenture is to cover the transportation cost of the 2019 Church Avenue project.

CARRIED.

➤ New Brunswick Medical Education Foundation Inc.

MOVED by Counc. Shea and seconded by Counc. McGuire Council approve funding to the New Brunswick Medical Education Foundation Inc. in the amount of \$5,000.

CARRIED.

➤ KRJBPC Budget Request

MOVED by Counc. McGuire and seconded by Counc. Shea Council approve an advance to the Kennebecasis Regional Joint Board of Police Commissioners relating to the 2019 extraneous costs in the amount of \$17,000 to be funded from the 2020 operating reserve.

CARRIED.

7.6 18 February 2020 Draft Rothesay Hive Advisory Committee Meeting Minutes
MOVED by Counc. Wells and seconded by Counc. Lewis the Draft Parks and Recreation Committee Meeting Minutes dated 18 February 2020 be received/filed.

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ON THE QUESTION:

Counc. Wells gave a brief summary of the minutes. She noted since the meeting, two co-op students have accepted positions in the Rothesay Hive upon completion of a screening process. It was noted dates have been scheduled and posted to the Town website for the Intergenerational Yoga Program with Touchstone Academy (March 13) and Rothesay High School (March 24). Counc. Wells commented on the success of an intergenerational activity at the Rothesay Hive on Valentine's Day.

CARRIED.

7.7 19 February 2020 Draft Works and Utilities Committee Meeting Minutes
MOVED by Deputy Mayor Alexander and seconded by Counc. Wells the Draft Works and Utilities Committee Meeting Minutes dated 19 February 2020 be received/filed.

ON THE QUESTION:

Counc. Lewis inquired if residents that live on properties that front on private lanes will be notified of the development of a Private Lanes Policy. Deputy Mayor Alexander noted discussions are currently in the preliminary stages; residents will be notified once an outline is formed. Counc. Wells added the Committee has expressed an interest in ensuring residents are notified.

CARRIED.

7.8 2 March 2020 Draft Planning Advisory Committee Meeting Minutes
MOVED by Counc. Shea and seconded by Counc. McGuire the Draft Planning Advisory Committee Meeting Minutes dated 2 March 2020 be received/filed.

CARRIED.

7.9 February 2020 Monthly Building Permit Report
MOVED by Counc. Wells and seconded by Counc. Lewis the Monthly Building Permit Report dated February 2020 be received/filed.

CARRIED.

7.10 3 March 2020 Capital Projects Summary
MOVED by Counc. Wells and seconded by Deputy Mayor Alexander the Capital Projects Summary dated 3 March 2020 be received/filed.

CARRIED.

8. UNFINISHED BUSINESS

TABLED ITEMS

8.1 **Wiljac Street Reconstruction and Extension – Design** (Tabled March 2019)
No action at this time

8.2 **Mayor's Round Table on Climate Change** (Tabled October 2019)
No action at this time

9. NEW BUSINESS

ADMINISTRATION

9.1 Public Information/Communication

5 March 2020 Memorandum from Town Manager Jarvie

FOR INFORMATION

MOVED by Counc. McGuire and seconded by Counc. Mackay French the memorandum from Town Manager Jarvie RE: Public Information/Communication dated 5 March 2020 be received/filed.

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ON THE QUESTION:

Council expressed appreciation for the document and suggested the file be shared on the Town website and social media. Town Clerk Banks confirmed a link to the entire document will be shared online.

CARRIED.

RECREATION

9.2 Structural Engineering – Arena Renovations

28 February 2020 Memorandum from Town Manager Jarvie

MOVED by Counc. Shea and seconded by Counc. Mackay French Estabrooks Engineering Inc. be engaged to design and supervise structural improvements to the Rothesay Arena at an estimated cost of \$35,000 including net HST.

ON THE QUESTION:

Mayor Grant noted she was of the understanding any action for the arena project would be deferred until after the municipal election. Town Manager Jarvie advised structural improvements are necessary to ensure the building meets National Building Code requirements regardless of what course of action is taken. He clarified structural collapse is not a concern but rather compliance with current regulations. Counc. Lewis inquired about a hazardous materials assessment. Town Manager Jarvie advised the assessment will be completed beforehand as the findings will be used to develop the design. When questioned, Town Manager Jarvie noted the outcome of the assessment will provide insight regarding the overall cost of the project. There may be expenses required to eliminate hazardous materials. Counc. Wells asked if the work is necessary to ensure safe operation of the facility. Town Manager Jarvie explained changes are made to the National Building Code to respond to the changing climate – stronger winds, and snow loads that are heavier than experienced in the past. He noted unless a catastrophic event occurs it is unlikely the building will collapse unexpectedly. He added completion of the proposed work will occur in the off-season to prevent disruption to regular operations.

CARRIED.

DEVELOPMENT SERVICES

9.3 Rothesay Highway Signage - Supplemental

4 March 2020 Report prepared by DPDS White

Mayor Grant noted Council requested an alternate design at the last meeting citing a substantial cost for an unbudgeted item. Counc. Mackay French questioned if the Chamber of Commerce may be interested in contributing funds as businesses in the community could benefit from the signage. Town Manager Jarvie advised staff will inquire. Counc. McGuire stated his appreciation for the new simplified design.

MOVED by Counc. McGuire and seconded by Counc. Shea Council proceed with the First Phase: sign site selection and New Brunswick Department of Transportation and Infrastructure engagement.

ON THE QUESTION:

Counc. Wells questioned if the signs should be placed along Rothesay Road since highway exit signs exist informing drivers they are entering Rothesay. Counc. McGuire noted his preference for site selection along the highway. Mayor Grant suggested municipal signage is used to help identify municipal borders. She added Rothesay is the only municipality in the region without highway signs.

Amending motion:

MOVED by Counc. McGuire and seconded by Counc. Lewis to add “, and tender preparation” so as to read:

“MOVED by Counc. McGuire and seconded by Counc. Shea Council proceed with the First Phase: sign site selection and New Brunswick Department of Transportation and Infrastructure engagement, and tender preparation.”

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ON THE QUESTION:

Town Manager Jarvie advised clarification is required on the preferred option as each will require a different tender package to be prepared. There was consensus to proceed with Option 3 – two 5 ft x 16 ft foot wooden sandblasted etched signs. Counc. Lewis requested clarification with respect to an “unsolicited estimate”. DPDS White advised a sign manufacturer submitted a quote without a request from staff. Staff were informed the company is prepared to honour the quote however Council is not obligated to accept the offer. Counc. Lewis suggested the company’s awareness of Council’s interest in the signage may have been sparked through Council’s discussion at the last meeting. DPDS White noted it is likely. Town Manager Jarvie suggested there are other factors to be considered, including the location of the site, whether illumination should be considered and, if so, the need for a power source. Use of solar lights was suggested. There was agreement to proceed with the First Phase and not a tender for the time being.

**Amending motion WITHDRAWN.
MAIN motion CARRIED.**

OPERATIONS

9.4 T-2020-006 Filled Sandbags Supply Contract

5 March 2020 Report prepared by DO McLean

MOVED by Counc. Lewis and seconded by Counc. McGuire Council award Contract T-2020-006: Filled Sandbags Supply Contract to the low tenderer, Brown’s Paving Ltd., at the tendered price of \$60,950.00 (including HST), and further that the Mayor and Town Clerk be authorized to execute the necessary contract documents.

ON THE QUESTION:

Counc. McGuire noted purchasing filled sandbags will reduce several concerns and alleviate pressure on the Town for protection of private properties. He indicated due to the frequency of annual spring freshet flooding, residents will likely be prepared for future events therefore lessening the need for sandbagging operations. Mayor Grant clarified that the Town’s primary focus can be redirected to protecting municipal assets. Counc. Wells commented on measures undertaken by the Town to help residents such as raising roads to improve emergency access. She noted despite the best efforts of property owners there are some circumstances, relating to municipal infrastructure, which are beyond a property owner’s control and require Town assistance. It was noted the wellbeing of residents is a priority of the Town, however the protection of private property is the sole responsibility of property owners.

CARRIED.

Meeting addendum

9.5 R-2020-002-A-Wells Park Clearing and Grubbing

9 March 2020 Report prepared by DRP Jensen

MOVED by Deputy Mayor Alexander and seconded by Counc. Wells Council award contract R-2020-002-A-Wells Park Clearing and Grubbing in the amount of \$22,100.00 + HST to 513356 NB Ltd. (High Tech Construction) and further that the Director of Parks and Recreation be authorized to issue a purchase order in that regard.

ON THE QUESTION:

Council expressed concern regarding the large discrepancy between the successful and unsuccessful bids. Town Manager Jarvie advised staff followed up and was assured the work will be completed as specified for the cost presented. When questioned, DRP Jensen advised a bond was secured, the Town has not had experience with the contractor in the past, and roughly 2.5 – 3 acres of land will be cleared and grubbed.

CARRIED.

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10. NEXT MEETING

The next meetings are scheduled as follows:

EMO Open House Wednesday, March 25, 2020 (McGuire Centre, James Renforth Drive)
Regular meeting **TUESDAY**, April 14, 2020

Town Manager Jarvie advised in response to the global outbreak of COVID-19, public health officials recommend large gatherings be postponed or cancelled to reduce the spread of the disease. He noted it may be advantageous to cancel the EMO Open House scheduled for March 25th. He clarified spring freshet preparation letters will be sent to property owners in vulnerable areas. Meetings in flood prone areas will also be scheduled as they are expected to be smaller gatherings of a shorter duration. He added residents will also be updated regularly through the Town website and social media.

MOVED by Counc. Shea and seconded by Counc. McGuire the EMO Open House on Wednesday, March 25, 2020 at the Bill McGuire Centre be cancelled.

CARRIED.

11. ADJOURNMENT

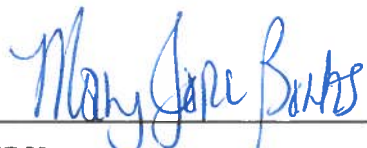
MOVED by Counc. McGuire and seconded by Deputy Mayor Alexander the meeting be adjourned.

CARRIED.

The meeting adjourned at 8:10 p.m.



MAYOR



CLERK