

ROTHESAY

COUNCIL MEETING BY TELECONFERENCE

Pursuant to the *Local Governance Act* and
the Province of New Brunswick
State of Emergency (declared 19 March 2020)
Monday, May 11, 2020 at 4:00 p.m.



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

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

Mayor Grant called the meeting to order at 4:00 p.m. noting the meeting is being held via teleconference to ensure adherence to proper social distancing during the COVID-19 pandemic. She reminded Council of procedural changes to accommodate the different forum.

1. APPROVAL OF AGENDA

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

CARRIED.

2. ADOPTION OF MINUTES

➤ Regular Meeting 14 April 2020

MOVED by Counc. Shea and seconded by Counc. Mackay French the Open Session Council minutes of April 14, 2020 be adopted as circulated.

CARRIED.

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

3. OPENING REMARKS OF COUNCIL

Mayor Grant expressed condolences on behalf of Council and staff to the families and friends of the victims in the tragic shooting in Nova Scotia, the six crew members of the HMCS Fredericton that perished in a helicopter crash off the coast of Greece, and Ed Winchester a Rothesay resident and staple in the rowing community.

Counc. Wells thanked Town staff for their work distributing sandbags to properties in flood prone areas. She noted the presence of the sandbags gave residents a sense of relief even though the need did not arise for their use.

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

4. DELEGATIONS

N/A

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5. CORRESPONDENCE FOR ACTION

5.1 2 May 2020 Email from resident RE: Water Drainage Issue – Scribner Crescent
MOVED by Council. Shea and seconded by Council. Brennan the email from resident RE: Water Drainage Issue – Scribner Crescent dated 2 May 2020 be referred to staff.

ON THE QUESTION:

Mayor Grant explained the recommendation is to refer to staff, rather than the Works and Utilities Committee, as committee meetings are currently postponed during the pandemic.

CARRIED.

5.2 5 May 2020 Funding request from Children’s Wish/Make-A-Wish Canada - NB Chapter
MOVED by Council. Wells and seconded by Deputy Mayor Alexander the funding request from Children’s Wish/Make-a-Wish Canada – NB Chapter dated 5 May 2020 be referred to the Finance Committee.

CARRIED.

5.3 30 April 2020 Email from Council. McGuire RE: LPP Calculation (By-law 4.10)
MOVED by Council. McGuire and seconded by Council. Shea the email from Council. McGuire RE: LPP Calculation (By-law 4.10) dated 30 April 2020 be referred to staff.

ON THE QUESTION:

Council. McGuire noted his suggestion is to revisit the calculation for land for public purposes (LPP). He reported a significant discrepancy between the actual sale price (roughly \$200,000), and the estimated value of the new lot (\$37,692) used for the calculation of LPP, for a vacant lot discussed at the last Planning Advisory Committee meeting. There was brief discussion regarding the different values placed on vacant lots, land with existing buildings or structures, and geographical location. Council. Shea suggested best practices of other municipalities be reviewed. Town Manager Jarvie advised staff will look into the matter and prepare a report for Council.

CARRIED.

6. CORRESPONDENCE - FOR INFORMATION

6.1 27 April 2020 Letter from Sylvie Nadeau, former Provincial Librarian RE: Appointment of Provincial Librarian/Executive Director
8 April 2020 Letter from Ms. Nadeau to Premier Higgs
22 April 2020 Extracted text from Telegraph Journal and Daily Gleaner

Mayor Grant noted the request of Council was unclear. She questioned if Council. Shea had insight based on his role as Council’s representative on the Kennebecasis Public Library Board. Council. Shea noted his understanding is Ms. Nadeau is requesting support, likely in the form of a letter from municipal councils, for a review of the recruitment process for the position of Provincial Librarian/Executive Director of the New Brunswick Public Library Service (NBPLS). He added Ms. Nadeau indicates proper processes were not followed when her replacement was hired. Council. Brennan noted Council’s involvement is not necessary as it is a Provincial matter, and a specific request of Council was not included in the correspondence.

MOVED by Council. Shea and seconded by Council. Mackay French a letter be sent to Premier Higgs supporting Sylvie Nadeau’s request for a review of the recruitment process for the current Provincial Librarian/Executive Director of the New Brunswick Public Library Service (NBPLS).

NAY vote recorded from Council. Brennan.

CARRIED.

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6.2 29 April 2020 Email from Quispamsis resident RE: Saint John Property Tax Levy
MOVED by Counc. Wells and seconded by Counc. Lewis the email from Quispamsis resident RE: Saint John Property Tax Levy dated 29 April 2020 be received/filed.

CARRIED.

6.3 30 April 2020 Letter from Regional Mayors to Premier Higgs RE: Saint John Sustainability Plan

MOVED by Counc. Brenan and seconded by Counc. Wells the letter from Regional Mayors to Premier Higgs RE: Saint John Sustainability Plan dated 30 April 2020 be received/filed.

ON THE QUESTION:

Mayor Grant briefly expanded on the five bullet points included in the letter, noting: the Gardner Pinfold report was commissioned for the Task Force, however a formal presentation was not provided to allow regional municipalities to ask questions, or provide feedback; the work of the Task Force is not complete, especially with respect to regional initiatives pertaining to emergency measures and solid waste; maintenance costs for Saint John arenas and roads monopolized Task Force discussions and left little time for other matters; wordsmithing in the Gardner Pinfold report diminishes the comparisons between the significant operational costs for the city of Saint John vs. comparative municipalities; the Report also focuses solely on expenditures and neglects revenues; and the City’s proposal will result in a considerable increase to the tax rates of surrounding municipalities for the purpose of decreasing the City’s own tax rate, without proper representation of the impacted communities.

Council commended the regional mayors for the letter noting it is an accurate representation of the issues faced by the communities surrounding Saint John. The following comments were made: the letter highlights that the tax burdens of outlying municipalities, with the exception of St. Martin’s, are higher than those experienced by Saint John residents; the response from the Province acknowledges the merit in the points raised by the regional mayors; and Saint John must adequately manage operations internally before seeking external support. Mayor Grant extended appreciation to the CAOs of the regional municipalities for their assistance drafting the letter. She added the letter will be posted to the Town website so residents are informed of the Town’s position.

CARRIED.

6.4 4 May 2020 Thank you card from the KV Food Basket
MOVED by Counc. Shea and seconded by Counc. Mackay French the thank you card from the KV Food Basket dated 4 May 2020 be received/filed.

CARRIED.

7. REPORTS

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

7.1 31 March 2020 Draft unaudited Rothesay General Fund Financial Statements
MOVED by Counc. Brenan and seconded by Counc. Shea the draft unaudited Rothesay General Fund Financial Statements dated 31 March 2020 be received/filed.

CARRIED.

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

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ON THE QUESTION:

Counc. Brenan requested clarification regarding the negative variance for Connection Fees (\$10,400). Treasurer MacDonald advised a conservative budget was established however construction activity plays a large role in impacting the actual amount. He added it is unclear if the COVID-19 pandemic has had an impact on the item, or if it will in the future.

CARRIED.

29 February 2020 Donation Summary

MOVED by Counc. Brenan and seconded by Counc. Shea the donation summary dated 29 February 2020 be received/filed.

CARRIED.

23 April 2020 Draft Finance Committee Meeting Minutes

MOVED by Counc. Brenan and seconded by Counc. Shea the draft Finance Committee Meeting Minutes dated 23 April 2020 be received/filed.

ON THE QUESTION:

Mayor Grant identified two errors: the donation to St. Joseph's Hospital was not delivered, and the donation to MD Canada was in the amount of \$200, not \$100.

CARRIED.

➤ Saint John Theatre Company

MOVED by Counc. Brenan and seconded by Counc. Mackay French Council approve a grant request from the Saint John Theatre Company in the amount of \$1,000.

CARRIED.

➤ United Way

MOVED by Counc. Brenan and seconded by Counc. Shea the funding request from United Way Saint John relating to the creation of the Atlantic Compassion Fund be denied.

ON THE QUESTION:

Mayor Grant explained the recommendation to decline the request was in the interest of ensuring Rothesay contributions are distributed locally.

CARRIED.

7.2 4 May 2020 Draft Planning Advisory Committee Meeting Minutes

MOVED by Counc. McGuire and seconded by Counc. Shea the Draft Planning Advisory Committee Meeting Minutes dated 4 May 2020 be received/filed.

ON THE QUESTION:

Deputy Mayor Alexander commented on the property owner's displeasure regarding the two payments (2018 and 2020) for cash in lieu of land for public purposes. He noted the property owner's decision to subdivide a parcel of land in 2018, and further subdivide the new lot in 2020, resulted in two payments – one for each application. Town Manager Jarvie advised pursuant to the Community Planning Act an amount of land, or cash in lieu of land, is to be provided to the Town as a condition of approval for each subdivision plan. When questioned, Town Manager Jarvie advised it is unclear if the two amounts paid by the property owner would have equalled the amount owed if the land had been subdivided into three lots in 2018.

CARRIED.

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- Cash in Lieu of Land for Public Purposes - Allison Drive (PID 30334809)

MOVED by Counc. Shea and seconded by Counc. Lewis Council accept \$3,015.36 as cash in lieu of land for public purposes for the proposed vacant LOT 20-2 to be subdivided from the vacant lot off Allison Drive (PID 30334809) as shown on the Tentative Plan of Subdivision 3895T.

CARRIED.

- 7.3 April 2020 Monthly Building Permit Report

MOVED by Counc. Wells and seconded by Counc. McGuire the Monthly Building Permit Report dated April 2020 be received/filed.

CARRIED.

- 7.4 6 May 2020 Capital Projects Summary

MOVED by Counc. Wells and seconded by Counc. Lewis the Capital Projects Summary dated 6 May 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

RECREATION

9.1 2020 Canada Day and Concerts in the Common

4 May 2020 Report prepared by DRP Jensen

MOVED by Counc. Lewis and seconded by Counc. Mackay French Council cancel the Canada Day celebrations and Concerts in the Common scheduled for this summer.

ON THE QUESTION:

Mayor Grant reported a Provincial directive prohibits large gatherings during the COVID-19 pandemic. She questioned if there may be other ways to continue the spirit of the events while adhering to proper social distancing and safety measures. Council debated the pros and cons of hosting modified events to ensure social distancing is maintained. Concern was expressed there is no guarantee that all attendees will follow the rules, therefore the safest course of action is to cancel the events. It was suggested Council not stray from the safety measures implemented by the Province as they have achieved a level of success in battling the COVID-19 pandemic thus far. Counc. Brenan noted he is in favour of hosting Canada Day celebrations as long as proper safety measures are followed. Mayor Grant suggested decorating Town Hall to commemorate Canada Day. In response to an inquiry, Town Manager Jarvie advised a fireworks display may be possible.

NAY vote recorded from Counc. Brenan.

CARRIED.

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OPERATIONS

9.2 Tender for Fox Farm Road – Contract T-2020-012

7 May 2020

Report prepared by DO McLean

MOVED by Deputy Mayor Alexander and seconded by Counc. Wells Council award Contract T-2020-012: Designated Highway 2020 – Fox Farm Road to the low tenderer, Galbraith Construction Ltd., at the tendered price of \$576,018.44 (including HST) as calculated based on estimated quantities and further that the Mayor and Town Clerk be authorized to execute the necessary contract documents.

ON THE QUESTION:

Counc. Lewis requested clarification regarding why replacement of the 45 meter section of curb and sidewalk installed in 2018 is recommended. Town Manager Jarvie advised the purpose, outlined in detail in the report, is to remove the gutter; it was determined attempting to save this portion of curb and sidewalk would be more costly than replacement. Counc. Wells suggested the rationale be communicated to the public through the Town website and social media channels.

CARRIED.

9.3 Deferral of College Hill Road Resurfacing

7 May 2020

Report prepared by DO McLean

MOVED by Counc. Wells and seconded by Counc. Lewis the report prepared by DO McLean RE: Deferral of College Hill Road Resurfacing dated 7 May 2020 be received/filed.

ON THE QUESTION:

Counc. Brenan requested clarification on the cost of the Cove Crescent project. Town Manager Jarvie advised the unit cost is the same; the deferral of College Hill Road resurfacing and the inclusion of the Cove Crescent resurfacing will not change the award value of the 2020 asphalt resurfacing program which was approved by Council. He noted the item is on the agenda to ensure there are no objections to the change. It was suggested the decision be confirmed through a resolution of Council.

MOTION WITHDRAWN.

MOVED by Counc. Wells and seconded by Counc. Brenan the College Hill Road resurfacing project be deferred in favour of resurfacing Cove Crescent in 2020.

CARRIED.

ADMINISTRATION

9.4 Public Hearings – temporary suspension

7 May 2020

Memorandum from Town Clerk Banks

7 May 2020

Report prepared by DPDS White

MOVED by Counc. Wells and seconded by Counc. Shea the memorandum from Town Clerk Banks RE: Public Hearings – temporary suspension dated 7 May 2020 be received/filed.

CARRIED.

MOVED by Counc. Wells and seconded by Counc. Shea Council hereby temporarily suspends Public Hearings until such time as technology is employed that will facilitate public participation or that the Province of New Brunswick and/or the Federal Government of Canada determines that physical distancing is no longer required and/or public gatherings are no longer restricted, in response to the COVID-19 pandemic.

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ON THE QUESTION:

Counc. Wells questioned if there was progress regarding the use of video conferencing for future council and committee meetings. Town Manager Jarvie explained Council would not be able to use their iPads to view agenda packages while participating in a video conference. He reported the next phase in the New Brunswick COVID-19 Recovery Plan will further relax restrictions regarding gatherings. Staff are exploring the possibility of hosting the next Council meeting in-person at the Bill McGuire Centre, with proper social distancing measures in place. He added while Committee meetings could be held in a similar fashion, facilitating Public Hearings may prove more challenging due to anticipated public attendance. Counc. Mackay French noted new iPads were acquired for the incoming Council. She questioned if Council could use the devices in the meantime to enable video conferencing. Town Manager Jarvie advised there are only enough sim cards for one iPad per Council member.

CARRIED.

10. NEXT MEETING

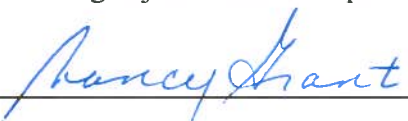
The next meeting is scheduled for Monday, June 8, 2020 at 4:00 p.m.

11. ADJOURNMENT

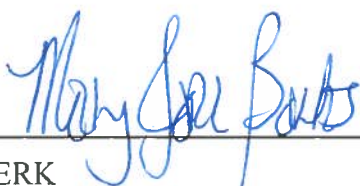
MOVED by Counc. Wells and seconded by Counc. Lewis the meeting be adjourned.

CARRIED.

The meeting adjourned at 4:50 p.m.



MAYOR



CLERK