

# 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, June 8, 2020 at 4:00 p.m.**



**PRESENT:** MAYOR NANCY GRANT  
DEPUTY MAYOR MATT ALEXANDER  
COUNCILLOR GRANT BRENNAN  
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 the procedural changes to accommodate the different forum.

### 1. APPROVAL OF AGENDA

**MOVED** by Council. Mackay French and seconded by Council. Wells the agenda be approved as circulated, with the following addition:

- Item 9.7 Town Statement to Black Lives Matter event

**CARRIED.**

### 2. ADOPTION OF MINUTES

- Regular Meeting 11 May 2020

**MOVED** by Council. Wells and seconded by Council. Lewis the Open Session Council minutes of May 11, 2020 be adopted as circulated.

**CARRIED.**

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

### 3. OPENING REMARKS OF COUNCIL

Mayor Grant reported she emailed the mayor of Campbellton to extend support during the recent spike of COVID-19 cases in Zone 5. She also noted a Heritage grant of \$2,000 will be used to offer a virtual Canada Day event to residents, including a concert and flag raising ceremony. Notification of the event will be shared on the Town website and social media.

Council. Lewis thanked the Emergency Measures Committee and Town staff, noting the Town was prepared, had flooding occurred. He stressed the importance of securing an EMO Director in the near future.

#### 3.1 Declaration of Conflict of Interest

N/A

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### 4. DELEGATIONS

N/A

### 5. CORRESPONDENCE FOR ACTION

5.1 19 May 2020 Letter from the Kennebecasis Regional Joint Board of Police Commissioners  
RE: KRPF Budget – Extraneous Costs

**MOVED** by Counc. McGuire and seconded by Counc. Brenan the letter from the Kennebecasis Regional Joint Board of Police Commissioners RE: KRPF Budget – Extraneous Costs dated 19 May 2020 be referred to the Finance Committee.

#### ON THE QUESTION:

Mayor Grant noted Quispamsis and Rothesay have different payment schedules for the extraneous costs. She explained the letter is requesting Rothesay implement a monthly payment approach similar to Quispamsis, for the extraneous costs. Counc. McGuire expressed concern regarding the regularity of the significant extraneous costs. He suggested Rothesay and Quispamsis submit a letter to the Minister of Public Safety and Premier Higgs requesting reforms to the Police Act in order to resolve this issue, and others like it.

**CARRIED.**

**MOVED** by Counc. McGuire and seconded by Counc. Shea Quispamsis be contacted to collaborate on a letter to Premier Higgs and Minister Urquhart (Public Safety) requesting reforms to the Police Act.

**CARRIED.**

5.2 20 May 2020 Email from resident RE: Speeding on Scribner Crescent

**MOVED** by Counc. Shea and seconded by Counc. Brenan the email from resident RE: Speeding on Scribner Crescent dated 20 May 2020 be referred to staff.

#### ON THE QUESTION:

Counc. Wells suggested the email be referred to the Works and Utilities Committee if the meetings are to resume in the near future. Town Manager Jarvie advised there are plans to schedule a Works and Utilities Committee meeting next week.

**DEFEATED.**

**MOVED** by Counc. Wells and seconded by Counc. Shea the email from resident RE: Speeding on Scribner Crescent dated 20 May 2020 be referred to the Works and Utilities Committee.

**CARRIED.**

5.3 3 June 2020 Email from resident RE: Traffic concerns on James Renforth Drive with attached petition

**MOVED** by Counc. Wells and seconded by Counc. Mackay French the email from resident RE: Traffic concerns on James Renforth Drive with attached petition dated 3 June 2020 be referred to the Works and Utilities Committee.

#### ON THE QUESTION:

Counc. Brenan suggested the matter be referred to the Kennebecasis Regional Police Force, rather than the Works and Utilities Committee, as it relates to by-law enforcement. Counc. Wells agreed the Police Force should be apprised of the issue. She noted it is common for the Committee to discuss requests for traffic calming measures such as signage and speed bumps. Committee meetings also provide a forum for the public to interact with representatives of the Town regarding such matters.

**CARRIED.**

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### 6. CORRESPONDENCE - FOR INFORMATION

6.1 25 March 2020 Thank you letter from Junior Achievement of New Brunswick  
(Rec'd 22 May 2020)

**MOVED** by Counc. Wells and seconded by Counc. Lewis the thank you letter from Junior Achievement of New Brunswick dated 25 March 2020 be received/filed.

#### ON THE QUESTION:

Mayor Grant explained the donation was a renewal of program sponsorship provided in the past.

**CARRIED.**

6.2 26 May 2020 Letter from the Dept. of Environment and Local Government RE: Revision to the equalization distribution resulting from taxation of the LNG Terminal

**MOVED** by Counc. Shea and seconded by Counc. McGuire the letter from the Dept. of Environment and Local Government RE: Revision to the equalization distribution resulting from taxation of the LNG Terminal dated 26 May 2020 be received/filed.

#### ON THE QUESTION:

Town Manager Jarvie explained equalization funding for Saint John will be reduced and funds reallocated amongst other municipalities. He noted there is no impact to the Town as Rothesay does not typically receive equalization grants.

Counc. McGuire expressed concern noting Rothesay and Quispamsis are considered comparable to Riverview, however of the three municipalities, Riverview has received a larger sum in equalization grants. Town Manager Jarvie advised distribution is based on the concept that because the three municipalities share similar characteristics they are grouped together; however Riverview receives more equalization funding to compensate for a lower per capita assessment than the other two municipalities in the group. He noted the distribution practice was explained at the previous Union of the Municipalities of New Brunswick conference.

**CARRIED.**

6.3 27 May 2020 Letter to the Regional Development Corporation RE: Funding Support – 'Wells Connection'

**MOVED** by Counc. Lewis and seconded by Counc. Wells the letter to the Regional Development Corporation RE: Funding Support – 'Wells Connection' dated 27 May 2020 be received/filed.

#### ON THE QUESTION:

Town Manager Jarvie advised the letter was written in response to recent factors presenting a favourable opportunity for funding, including: a potential adjustment to the Bilateral Agreement designed specifically for trail projects, and support for the project from both the MLA and MP for Rothesay. He noted federal funding may be available for up to 80% of the project cost. When questioned, Town Manager Jarvie advised the project was not discarded but fell lower on the priority list due to the significant cost and lack of support from other levels of government.

**CARRIED.**

### 7. REPORTS

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

7.1 24 February 2020 Fundy Regional Service Commission (FRSC) Meeting Minutes

**MOVED** by Deputy Mayor Alexander and seconded by Counc. Brenan the Fundy Regional Service Commission (FRSC) Meeting Minutes dated 24 February 2020 be received/filed.

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### ON THE QUESTION:

Mayor Grant noted Deputy Mayor Alexander attended the meeting in her absence. Council Wells requested clarification regarding the extension of the Recreation Facilitator position. Deputy Mayor Alexander noted the FRSC is looking to fund the position by a Provincial grant (75%) and contributions from Municipalities and LSDs (25%); and the purpose of the two year extension is to address items in the Recreation Action plan that have not been implemented. Mayor Grant added the Recreation Facilitator also provides assistance to Local Service Districts (LSDs) that may not have a Recreation Director.

**CARRIED.**

- 7.2 12 February 2020 Kennebecasis Valley Fire Department Inc. (KVFD) Board Meeting Minutes  
31 December 2019 KVFD Statement of Expense  
2020 KVFD Capital Budget  
12 February 2020 KVFD Chief's Report  
January 2020 KVFD Response Report

**MOVED** by Council Brenan and seconded by Council Lewis the Kennebecasis Valley Fire Department Inc. (KVFD) Board Meeting Minutes dated 12 February 2020, the KVFD Statement of Expense dated 31 December 2019, the 2020 KVFD Capital Budget, the KVFD Chief's Report dated 12 February 2020, and the KVFD Response Report dated January 2020 be received/filed.

### ON THE QUESTION:

Mayor Grant commented on the upcoming separation of communication services for the Kennebecasis Valley Fire Department (KVFD) and the Kennebecasis Regional Police Force (KRPF). She questioned the financial implications to Rothesay and Quispamsis, and the extent of municipal involvement in the change. Council Brenan noted it is expected costs will increase for the municipalities, and both entities indicated their needs cannot be met while using a joint dispatching service. Town Manager Jarvie advised more information regarding the individual cost for the KRPF will likely be available following the July Kennebecasis Regional Joint Board of Police Commissioners meeting.

Deputy Mayor Alexander requested clarification regarding Item 8.1 KVFD Amending Agreement – Quorum for Meetings. Council Brenan noted the Board is considering a quorum reduction as there have been challenges regarding meeting attendance. There was general discussion regarding the purchase of a Tanker Truck. It was noted the item was discussed during 2020 budget deliberations; and the truck was not included in a bulk purchase by the Province as all the vehicles were acquired by other parties.

**CARRIED.**

2019 KVFD Audited Financial Statements

**MOVED** by Council Brenan and seconded by Council Lewis the Kennebecasis Valley Fire Department Inc. (KVFD) 2019 Audited Financial Statements be received/filed.

### ON THE QUESTION:

Treasurer MacDonald commented that the audited financial statements differ from the regular monthly financial statements as they are prepared in accordance with the Public Sector Accounting Standards (PSAS). He highlighted the documents show a funding surplus of \$178,000, as well as total expenses that are under budget.

**CARRIED.**

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- 7.3 29 April 2020 Kennebecasis Regional Joint Board of Police Commissioners (KRJBPC)  
Board Meeting Minutes  
30 April 2020 KRJBPC Statement of Financial Position  
19 May 2020 KRJBPC 2020 Crime Statistics

**MOVED** by Deputy Mayor Alexander and seconded by Counc. Shea the Kennebecasis Regional Joint Board of Police Commissioners (KRJBPC) Board Meeting Minutes dated 29 April 2020, the KRJBPC Statement of Financial Position dated 30 April 2020, and the KRJBPC 2020 Crime Statistics dated 19 May 2020 be received/filed.

### ON THE QUESTION:

Counc. Shea requested clarification regarding the Forrest Green application, and the part-time position. Deputy Mayor Alexander explained the former is a tool for completing criminal record checks, and the latter refers to a Human Resources position. Counc. Brenan reported he placed a local call to 911 recently and was confused when members of the Saint John Police Force responded before the Kennebecasis Regional Police Force. Deputy Mayor Alexander explained in the event local emergency responders are otherwise detained, responders in other municipalities may be dispatched to the call. He agreed to relay the story to the Board.

**CARRIED.**

- 7.4 30 April 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 30 April 2020 be received/filed.

### ON THE QUESTION:

Counc. Wells inquired about the negative variance for Flood 2020 costs. Treasurer MacDonald advised the cost of sandbags was not included in the budget.

**CARRIED.**

- 30 April 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 30 April 2020 be received/filed.

### ON THE QUESTION:

Counc. Shea requested clarification with respect to the Brock Court/Goldie Court Service Renewal. Town Manager Jarvie advised the item pertains to the relocation of existing, and the addition of, water and sewer infrastructure in the area. When questioned, Town Manager Jarvie advised the project may have contributed to the mitigation of some drainage concerns however it was not intended to fully resolve the issues.

**CARRIED.**

- 30 May 2020 Donation Summary  
**MOVED** by Counc. Brenan and seconded by Counc. Shea the donation summary dated 30 May 2020 be received/filed.

**CARRIED.**

- 21 May 2020 Draft Finance Committee Meeting Minutes  
**MOVED** by Counc. Brenan and seconded by Counc. Shea the draft Finance Committee Meeting Minutes dated 21 May 2020 be received/filed.

**CARRIED.**

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- Children's Wish/Make-a-Wish Canada – NB Chapter

**MOVED** by Counc. Brenan and seconded by Counc. Shea the funding request from the Children's Wish/Make-a-Wish Canada – NB Chapter be denied.

### ON THE QUESTION:

Mayor Grant noted because the request involves travel, which is restricted during the pandemic, coupled with the unknown financial impact following the pandemic, the Committee recommended the request be denied.

**CARRIED.**

7.5 1 June 2020 Draft Planning Advisory Committee Meeting Minutes

**MOVED** by Counc. McGuire and seconded by Counc. Shea the Draft Planning Advisory Committee Meeting Minutes dated 1 June 2020 be received/filed.

### ON THE QUESTION:

Counc. Wells commented on the short duration, and questioned the necessity of the meeting. Town Manager Jarvie advised the application was time sensitive and a recommendation and motion of Council is required under the legislation.

**CARRIED.**

- Cash in Lieu of Land for Public Purposes – 367 Gondola Point Road (PID 30301188)

**MOVED** by Counc. Shea and seconded by Deputy Mayor Alexander Council accept \$4,380.48 as cash in lieu of land for public purposes for the proposed vacant LOT 3-B to be subdivided from 367 Gondola Point Road (PID 30301188) as shown on the Tentative Plan of Subdivision 3907T.

**CARRIED.**

7.6 May 2020 Monthly Building Permit Report

**MOVED** by Counc. Wells and seconded by Counc. Brenan the Monthly Building Permit Report dated May 2020 be received/filed.

**CARRIED.**

7.7 3 June 2020 Capital Projects Summary

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

**CARRIED.**

## 8. UNFINISHED BUSINESS

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### TABLED ITEMS

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

*No action at this time*

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

*No action at this time*

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## 9. NEW BUSINESS

### ADMINISTRATION

#### 9.1 Council Appointments to Committees

3 June 2020

Memorandum from Mayor Grant

**MOVED** by Counc. Shea and seconded by Counc. Wells the memorandum from Mayor Grant RE: Council Appointments to Committees be received/filed.

**CARRIED.**

#### 9.2 Regional Facilities

3 June 2020

Memorandum from Town Manager Jarvie

**MOVED** by Counc. Wells and seconded by Counc. Lewis Council direct that a letter be written to the City of Saint John requesting the process adopting the Greater Saint John Regional Facilities Commission annual budget be clarified such that a month is provided for Councils to consider the budget prior to the final vote of the Commission.

#### ON THE QUESTION:

Counc. Brennan explained the annual budget process of the Regional Facilities Commission (RFC). He noted the budget is typically distributed to municipalities following the September RFC meeting. If the document is not received in time for the September Council meeting, the item is addressed at the October Council meeting. This can leave minimal time for review and discussion before the approval deadline. There was a suggestion to circulate the document to Council once it is received to allow sufficient time for consideration. Town Manager Jarvie advised this can be done. He added the Finance Committee typically reviews the budget at its September meeting. He commented on the benefit of deferring approval of the budget until all councils in the region have reviewed it. He added sometimes the budget is distributed with the understanding that it has already been approved. Counc. Brennan noted it is expected the five facilities are entering into annual budget deliberations soon. He suggested the five facilities be encouraged to circulate their individual budgets to regional municipalities as soon as possible.

**CARRIED.**

#### 9.3 Letter to Sylvie Nadeau

4 June 2020

Memorandum from Town Manager Jarvie

**MOVED** by Counc. Wells and seconded by Counc. McGuire Council forgo sending a letter of support, as approved at the May 11, 2020 Council meeting, to Premier Higgs regarding a review of the recruitment process for the current Provincial Librarian/Executive Director of the New Brunswick Public Library Service (NBPLS).

**CARRIED.**

#### 9.4 Council Remuneration

4 June 2020

Memorandum from Town Manager Jarvie

Mayor Grant explained an increase in Council remuneration was approved for incoming 2020 Council members. However, the postponement of the municipal election due to the COVID-19 pandemic, has resulted in the extension of the terms of existing Council members. She questioned if Council preferred to accept or decline the increase.

Councils Brennan, Lewis, and Mackay French noted there are reasonable arguments for both options and expressed interest in hearing the comments of other Council members.

Deputy Mayor Alexander, and Councils McGuire and Shea noted their preference for declining the increase noting it was intended for new and re-elected Council members. During this time of financial uncertainty due to the pandemic it may be advantageous to conserve funds wherever possible.

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Counc. Wells stated she is in favour of accepting the increase noting it is a reasonable practice following a four year term.

**MOVED** by Deputy Mayor Alexander and seconded by Counc. Shea the increase to Council remuneration be deferred until the next municipal election.

**NAY vote recorded from Counc. Wells.**

**CARRIED.**

## DEVELOPMENT SERVICES

### 9.5 Land for Public Purposes (Cash in Lieu Formula)

3 June 2020

Report prepared by DPDS White

**MOVED** by Counc. Shea and seconded by Counc. Lewis Council hereby directs staff to engage an accredited professional property appraisal firm for an amount not exceeding \$5,000 to provide analysis and recommendations regarding a value per square meter formula that reflects the market value of building lots in Rothesay.

#### ON THE QUESTION:

Counc. McGuire expressed concern regarding the fairness of the existing method of calculating cash in lieu of land for public purposes (LPP). Counc. Lewis agreed noting he reviewed similar applications as a former member of the Planning Advisory Committee, and felt the market value of properties was generally low. Counc. Brennan questioned if the intent is to increase revenue or to ensure the method of calculating cash in lieu of LPP is equitable. He indicated the current practice is fair as it is. DPDS White explained the intention is to investigate the creation of a graduated schedule for the Subdivision By-law that will better reflect reasonable values for properties. Engaging an accredited professional property appraisal firm will provide expertise to ensure the calculation is fair to all parties. In response to an inquiry, DPDS White clarified the firm will be engaged to develop a schedule for the By-law rather than on a case-by-case basis. When questioned, DPDS White advised the purchase price cannot be used in the calculation because the application must be approved, and the cash in lieu of LPP payment received, before the sale is finalized. Deputy Mayor Alexander stated he agrees with the recommendation of staff, noting it is a step in the right direction.

Counc. Wells asked if the purpose of cash in lieu of LPP is to cover expenses related to processing applications or to generate revenue. She expressed interest in a flat fee approach citing fairness to all residents and sufficiency in covering necessary expenses. DPDS White clarified land, or cash in lieu of land, for public purposes is used to acquire or develop land for recreational or other use or enjoyment of the general public. Counc. Wells stressed the importance of implementing an equitable practice that will not penalize residents with higher tax burdens due to property assessments. Town Manager Jarvie clarified cash in lieu of LPP is intended to provide an option for property owners that do not wish to provide land. Counc. Mackay French noted she agrees with Counc. Wells, and stated her preference for a flat fee approach. Counc. McGuire clarified the intent is not to target specific property owners but rather to ensure fairness.

**YEA votes recorded from: Deputy Mayor Alexander and Councs. Lewis and McGuire.**

**NAY votes recorded from: Councs. Brennan, Mackay French, Shea, and Wells.**

**DEFEATED.**

**MOVED** by Counc. Wells and seconded by Counc. Mackay French Council direct staff to investigate a flat fee approach to Cash in Lieu of Land for Public Purposes.



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### ON THE QUESTION:

Counc. McGuire questioned how the flat fee will be determined. Counc. Wells noted it is likely a recommendation will be provided following the investigation. She added it may be beneficial to look into the methods of other municipalities.

**YEA votes recorded from: Councils. Brenan, Mackay French, and Wells.**

**NAY votes recorded from: Deputy Mayor Alexander and Councils. Lewis, McGuire, and Shea.**  
**DEFEATED.**

## RECREATION

### 9.6 Wells Field – Reconsideration

4 June 2020

Memorandum from Town Manager Jarvie

**MOVED** by Counc. Wells and seconded by Counc. Lewis the memorandum from Town Manager Jarvie RE: Wells Field – Reconsideration dated 4 June 2020 be received/filed, and further staff be authorized to proceed with the project with 2020 expenditures not to exceed \$550,000 in total.

### ON THE QUESTION:

Council acknowledged the importance of the project and debated if the significant cost increase was worthwhile. Concern was expressed the existence of substantial organic material was not discovered earlier. Town Manager Jarvie clarified continuing the project as originally intended will result in a cost increase of \$250,000 to be incurred in either 2020 or 2021, for a total estimated cost of \$800,000. Refurbishing Scribner field, and expanding Bicentennial field to the regulation U-18 size, is estimated at \$1.2 million dollars. The preliminary cost estimate for the Wells field was prepared based on aerial photos and surficial site inspection. The presence of the substantial organic material was not identified until clearing and grubbing commenced in the area. He noted Council may pursue an alternative option as the project has not been tendered.

**NAY votes recorded from Councils. Brenan and Shea.**

**CARRIED.**

### 9.7 Town statement to Black Lives Matter event

Verbal Report

Mayor Grant

**MOVED** by Deputy Mayor Alexander and seconded by Counc. Wells Rothesay forward a statement to those attending the Black Lives Matter event on June 14<sup>th</sup> in Saint John that the Town is opposed to racism and supportive of inclusion.

**CARRIED.**

## 10. NEXT MEETING

The next meeting is scheduled for Monday, July 13, 2020 at 4:00 p.m.

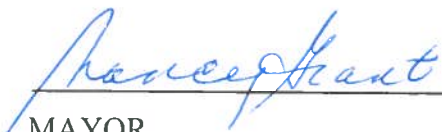
It was noted a special meeting may be scheduled to continue the discussion regarding economic development in the region.

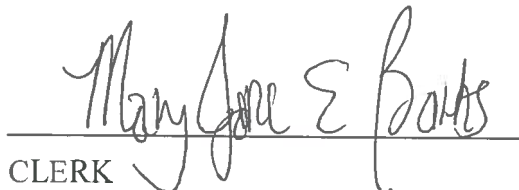
## 11. ADJOURNMENT

**MOVED** by Counc. Wells and seconded by Counc. Brenan the meeting be adjourned.

**CARRIED.**

The meeting adjourned at 5:15 p.m.

  
MAYOR

  
CLERK