

ROTHESAY

COUNCIL MEETING BY VIDEOCONFERENCE

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

Monday, July 12, 2021 at 6:00 p.m.



PRESENT: MAYOR NANCY GRANT
DEPUTY MAYOR MATT ALEXANDER
COUNCILLOR HELEN BOYLE
COUNCILLOR DAVE BROWN
COUNCILLOR PETER J. LEWIS
COUNCILLOR TIFFANY MACKAY FRENCH
COUNCILLOR BILL McGUIRE
COUNCILLOR DON SHEA

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

ABSENT: DIRECTOR OF REC/PARKS (DRP) CHARLES JENSEN

Mayor Grant called the meeting to order at 6:00 p.m. noting she and Town Clerk Banks are present in the Sayre Room at Rothesay Town Hall, observing physical distancing requirements, and wearing masks. Council members and staff are connected remotely.

1. APPROVAL OF AGENDA

MOVED by Deputy Mayor Alexander and seconded by Counc. Mackay French the agenda be approved as circulated.

CARRIED.

2. ADOPTION OF MINUTES

- Regular Meeting 14 June 2021

MOVED by Counc. Shea and seconded by Deputy Mayor Alexander the Open Session Council minutes of June 14, 2021 be adopted as circulated.

CARRIED.

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

3. OPENING REMARKS OF COUNCIL

Mayor Grant extended congratulations to the following:

- Town Clerk Mary Jane Banks on her completion of Level 3 – Advanced Professional Certification in Local Government Administration from the Association of Municipal Administrators of New Brunswick (AMANB). She noted the award will be acknowledged at the September 2021 AMANB annual general meeting (virtual), and the certificate will be provided at the June 2022 annual general conference in Moncton.
- Administrative Assistant Liz Pomeroy on her completion of the Certificate in Local Government Administration from Dalhousie University College of Continuing Education.
- Rothesay resident Seward Neilson on his upcoming induction (November 2021) into the Saint John Sports Hall of Fame in recognition of his longstanding support to the game of basketball.

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Mayor Grant reported the Concert in the Common series and Sunset Yoga sessions have resumed. She noted that participation requires registration in advance.

3.1 Declaration of Conflict of Interest

Counc. Boyle declare a conflict of interest for Item 7.8 Draft Parks and Recreation Committee Notes (Rothesay Farmers Market).

4. DELEGATIONS

N/A

5. CORRESPONDENCE FOR ACTION

5.1 17 June 2021 Email from resident RE: Request for pedestrian crossing on Marr Road
MOVED by Deputy Mayor Alexander and seconded by Counc. Mackay French the email from resident RE: Request for pedestrian crossing on Marr Road dated 17 June 2021 be referred to the Works and Utilities Committee.

ON THE QUESTION:

Mayor Grant noted the Committee has discussed other requests for pedestrian crossings on Marr Road. Counc. Shea referenced the Chapel Road proposal (Item 9.1) and inquired if a pedestrian crossing would also be installed if traffic signals are required at the intersection of Marr Road and Chapel Road. Town Manager Jarvie confirmed a crosswalk would be part of the installation.

CARRIED.

5.2.1 23 June 2021 Letter from resident RE: Opposition to installation of utility poles on Maliseet Drive

5.2.2 June 2021 Petition from residents of Maliseet Drive

5.2.3 25 June 2021 Letter from resident

MOVED by Deputy Mayor Alexander and seconded by Counc. Mackay French the letter from resident RE: Opposition to installation of utility poles on Maliseet Drive dated 23 June 2021, the petition from residents of Maliseet Drive dated June 2021, and the letter from resident dated 25 June 2021 be referred to staff.

ON THE QUESTION:

Deputy Mayor Alexander noted it sounds like the project relates to the existing service on Maliseet Drive, and is unrelated to the Sagamore Heights subdivision. Town Manager Jarvie advised staff were not informed of any impending action, but will contact NB Power to determine validity of the rumour. Counc. Shea asked if NB Power has the sole authority to make such a decision; and if so, who would bear the cost? Town Manager Jarvie noted typically NB Power assumes the cost of installation barring any special pre-determined circumstances. Staff will determine responsibility for the decision when NB Power is contacted.

CARRIED.

5.3 *Various* Letters (18) from Rothesay Park students

MOVED by Deputy Mayor Alexander and seconded by Counc. McGuire the letters (18) from Rothesay Park students be referred to the Mayor to respond.

ON THE QUESTION:

Mayor Grant noted this is the third batch of letters received from a persuasive writing class over the years. Deputy Mayor Alexander noted it is assumed responses will be sent individually as the school year has ended. Mayor Grant noted this is correct. Counc. Mackay French stated she enjoyed receiving the letters, and encouraged kids to reach out to the Town.

CARRIED.

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5.4 30 June 2021 Email from resident RE: Fence

MOVED by Deputy Mayor Alexander and seconded by Counc. Shea the email from resident RE: Fence dated 30 June 2021 be referred to the Works and Utilities Committee.

ON THE QUESTION:

Mayor Grant clarified the fence is above the parking lot at Town Hall. She added Town staff have recently been landscaping the gardens by the fence. Counc. Shea asked if the purpose of the fence is for safety or aesthetics. Town Manager Jarvie advised the fence appears to be a “pole fence” typically used to define perimeters, and has been on the property for at least twenty years. In response to an inquiry, he confirmed the fence is on Town land. Counc. Lewis raised a question regarding liability should someone be injured if they fall. Town Manager Jarvie noted the distance between the fence and the edge of the property, and the design of the fence, suggest it is not intended for the purpose of safety. This appears to be the concern of the author. He noted these considerations will be discussed by the Works and Utilities Committee. Counc. Lewis noted he would like to see a resolution since this is not the first time the author has brought the issue to the attention of the Town.

CARRIED.

5.5 7 July 2021 Request for letter of support from Asian Heritage Society of New Brunswick
MOVED by Deputy Mayor Alexander and seconded by Counc. Shea a letter of support be provided to the Asian Heritage Society of New Brunswick.

ON THE QUESTION:

Mayor Grant noted a letter of support is typically provided on an annual basis to support a grant application.

CARRIED.

6. CORRESPONDENCE - FOR INFORMATION

6.1 23 April 2021 Thank you card from the New Brunswick Medical Education Foundation
29 May 2021 Town of Rothesay Medical Education Scholarship Report
2020 NBMEF Annual Report

(available online at <https://www.nbmeded.ca/home-1-1>)

MOVED by Counc. Mackay French and seconded by Counc. Shea the thank you card from the New Brunswick Medical Education Foundation dated 23 April 2021, the Town of Rothesay Medical Education Scholarship Report dated 29 May 2021, and the 2020 NBMEF Annual Report be received/filed.

CARRIED.

6.2 17 June 2021 Letter from Peter Julian, MP New Westminster-Burnaby RE: Motion M-84 & Bill C-313

MOVED by Deputy Mayor Alexander and seconded by Counc. Boyle the letter from Peter Julian, MP New Westminster-Burnaby RE: Motion M-84 & Bill C-313 dated 17 June 2021 be received/filed.

CARRIED.

6.3 6 July 2021 Invitation to Art4Life Exhibition at Saint John Art Centre

MOVED by Counc. Shea and seconded by Counc. McGuire the invitation to Art4Life Exhibition at Saint John Art Centre dated 6 July 2021 be received/filed.

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ON THE QUESTION:

Mayor Grant briefly explained, the purpose of the Art4Life program is to explore the beneficial role of the arts in improving the quality of life for older adults. She noted the Exhibition is intended to showcase art produced by participants of the program (not just Rothesay residents). She added the event will be shared on the Town’s social media.

CARRIED.

7. REPORTS

7.0 **July 2021** **Report from Closed Session**
N/A

7.1 26 April 2021 Fundy Regional Service Commission (FRSC) Meeting Minutes
MOVED by Counc. Mackay French and seconded by Deputy Mayor Alexander the Fundy Regional Service Commission (FRSC) Meeting Minutes dated 26 April 2021 be received/filed.

ON THE QUESTION:

Mayor Grant summarized the minutes highlighting staff pay raises, and the proposed trail for ATVs. She added the newspaper has reported Hampton has joined the ranks of municipalities with Plastic Bag Ban by-laws.

CARRIED.

7.2 17 March 2021 Kennebecasis Public Library (KPL) Board Meeting Minutes
March 2021 KPL Librarian’s Report
MOVED by Counc. Shea and seconded by Counc. Mackay French the Kennebecasis Public Library (KPL) Board Meeting Minutes dated 17 March 2021, and the KPL Librarian’s Report dated March 2021 be received/filed.

ON THE QUESTION:

Counc. Shea reported the position of librarian has been filled; it is expected an announcement will be made to introduce the individual.

CARRIED.

7.3 14 April 2021 Kennebecasis Valley Fire Department Inc. (KVFD) Board Meeting Minutes
31 March 2021 KVFD Statement of Expense
28 February 2021 KVFD Budget Variance Analysis
14 April 2021 KVFD Chief’s Report
31 March 2021 KVFD Response Report
31 December 2020 KVFD 2020 Audited Financial Statements

MOVED by Counc. Lewis and seconded by Counc. Shea the Kennebecasis Valley Fire Department Inc. (KVFD) Board Meeting Minutes dated 14 April 2021, the KVFD Statement of Expense dated 31 March 2021, the KVFD Budget Variance Analysis dated 28 February 2021, the KVFD Fire Chief’s Report dated 14 April 2021, the KVFD Response Report dated 31 March 2021, and the KVFD 2020 Audited Financial Statements be received/filed.

CARRIED.

MOVED by Counc. Lewis and seconded by Deputy Mayor Alexander the Kennebecasis Valley Fire Department Inc. (KVFD) 2020 Audited Financial Statements be received/filed.

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ON THE QUESTION:

Mayor Grant explained Public Service Accounting Standards (PSAS) are used for the audited financial statements. She highlighted the approximate \$3.5 million dollar 2020 accumulated surplus, and the 2020 annual surplus for funding requirements of roughly \$213,000. Treasurer MacDonald advised the annual surplus for funding will be carried forward into the 2022 KVFD budget as revenue.

CARRIED.

7.4 31 May 2021 Draft unaudited Rothesay General Fund Financial Statements
MOVED by Deputy Mayor Alexander and seconded by Council. Sheathe draft unaudited Rothesay General Fund Financial Statements dated 31 May 2021 be received/filed.

ON THE QUESTION:

Deputy Mayor Alexander reviewed the variance report highlighting: rising insurance costs across the region; the replacement of the traffic control cabinet on Marr Road and Campbell Drive; unbudgeted costs pertaining to the Zamboni on the Rothesay Common; and the transfer of \$700,000 of an unconditional grant to reserves. When questioned, Treasurer MacDonald confirmed the \$54,096 under Rothesay Common Rink includes expenses for operation of the facility.

CARRIED.

31 May 2021 Draft unaudited Rothesay Utility Fund Financial Statements
MOVED by Deputy Mayor Alexander and seconded by Council. Sheathe draft unaudited Rothesay Utility Fund Financial Statements dated 31 May 2021 be received/filed.

ON THE QUESTION:

For the benefit of the public, Council. Shea requested staff explain the variance for Interest Earned. Treasurer MacDonald advised, because of a conservative estimate, more revenue was received than anticipated.

CARRIED.

31 May 2021 Donation Summary
MOVED by Deputy Mayor Alexander and seconded by Council. Sheathe Donation Summary dated 31 May 2021 be received/filed.

CARRIED.

23 June 2021 Draft Finance Committee Meeting Minutes
MOVED by Deputy Mayor Alexander and seconded by Council. Sheathe Draft Finance Committee Meeting Minutes dated 23 June 2021 be received/filed.

ON THE QUESTION:

When questioned, Treasurer MacDonald confirmed staff received an informal notification to expect additional gas tax funds; however details were not provided as to how much and when the funds are to be received.

CARRIED.

➤ Make-A-Wish Canada (New Brunswick Chapter)
MOVED by Deputy Mayor Alexander and seconded by Council. Sheathe Council approve a request from the Make-A-Wish Canada, New Brunswick Chapter, in the amount of \$500.

ON THE QUESTION:

Mayor Grant noted the request is for the Teddy Bear Picnic on the Common.

CARRIED.

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➤ Compassionate Grief Centre

MOVED by Deputy Mayor Alexander and seconded by Counc. Mackay French Council approve a grant request from the Compassionate Grief Centre in the amount of \$1,000.00 as a one time support on the condition it be used to help residents of Rothesay not just seniors.

CARRIED.

➤ YMCA

MOVED by Deputy Mayor Alexander and seconded by Counc. Shea Council approve a grant request from the YMCA in the amount of \$1,000.

ON THE QUESTION:

Mayor Grant reported the request is for the Strong Communities campaign.

CARRIED.

➤ Oldies 96 Radio Station

MOVED by Deputy Mayor Alexander and seconded by Counc. Shea Council deny a request for a donation in support of “Oldies 96” radio station.

ON THE QUESTION:

Mayor Grant relayed the rationale for the recommendation is because the request pertains to a business.

CARRIED.

7.5 22 June 2021 Draft Rothesay Hive Advisory Committee Meeting Minutes

MOVED by Counc. Boyle and seconded by Counc. Brown the Draft Rothesay Hive Advisory Committee Meeting Minutes dated 22 June 2021 be received/filed.

ON THE QUESTION:

Counc. Boyle relayed the Committee’s interest in improving transportation for seniors. More specifically, a suggestion to explore the possibility of acquiring a donated vehicle through a local business owner. Counc. Brown inquired about the desired vehicle – is it a van, car, or accessible vehicle? Counc. Boyle noted a wheelchair accessible vehicle would be preferable. Mayor Grant noted transportation is an ongoing issue in the Kennebecasis Valley. She reported Living Saint John will be invited to the next Committee meeting to find out more information regarding their Dial-A-Ride program. She added the Committee is also working with the Department of Social Development to renew the Town’s Age-Friendly Community Designation. She addressed the Department’s misconception that the Rothesay Hive Advisory Committee does not report directly to Council, and clarified that it does. To address other concerns voiced by the Department, there has been discussion regarding changes to the name, and mandate, of the Committee to closer reflect the eight domains of an age-friendly community.

CARRIED.

7.6 23 June 2021 Draft Heritage Preservation Review Board Meeting Minutes

MOVED by Counc. Mackay French and seconded by Counc. Shea the Draft Heritage Preservation Review Board Meeting Minutes dated 23 June 2021 be received/filed.

CARRIED.

7.7 24 June 2021 Draft Works and Utilities Committee Meeting Minutes

MOVED by Deputy Mayor Alexander and seconded by Counc. Brown the Draft Works and Utilities Committee Meeting Minutes dated 24 June 2021 be received/filed.

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ON THE QUESTION:

Deputy Mayor Alexander summarized the minutes, noting he was not present for the meeting. In response to an inquiry, Town Manager Jarvie advised a response will be sent to the teacher contact for the “electric vehicles” letter.

CARRIED.

Counc. Boyle declared a conflict of interest and left the videoconference.

7.8 29 June 2021 Draft Parks and Recreation Committee Meeting Notes

MOVED by Counc. McGuire and seconded by Deputy Mayor Alexander the Draft Parks and Recreation Committee Meeting Notes dated 29 June 2021 be received for information.

ON THE QUESTION:

Counc. McGuire advised there was no quorum and gave a brief summary of the notes.

CARRIED.

Counc. Boyle returned to the videoconference.

7.9 5 July 2021 Draft Planning Advisory Committee Meeting Minutes

MOVED by Counc. Shea and seconded by Counc. Mackay French the Draft Planning Advisory Committee Meeting Minutes dated 5 July 2021 be received/filed.

ON THE QUESTION:

Counc. McGuire stressed the importance of receiving input from the Kennebecasis Valley Fire Department (KVFD). He expressed concern that six storey structures impact fire fighting ability with current resources. He commented on financial implications to the Town as additional resources (e.g. a new firetruck, firefighters, and building upgrades – to accommodate these additions) would be required to eliminate such gaps. He noted should the findings from the KVFD disclose an inability to service six storey structures, he suggested Council either deny the proposal, or recommend a modification to four storey buildings. He added it is unlikely the taxes received from the development could compensate the cost of additional resources for the KVFD to service the buildings.

Counc. Brown noted he shares Counc. McGuire’s concerns, and added equipment upgrades may be a moot point if consideration is not given to sufficient access (fire lanes). He expressed concern fire trucks can only access one side of the building through a single fire lane. It was clarified Counc. McGuire concerns pertained to the Holland Drive proposal whereas Counc. Brown was referencing the Chapel Road proposal.

Counc. Shea reminded Council the Holland Drive proposal was tabled pending further information, and there is a recommendation to schedule a Public Hearing for the Chapel Hill proposal.

Counc. Mackay French questioned if Council can approve a decision that may impact the KVFD without consultation with Quispamsis. Town Manager Jarvie noted there are substantial buildings in the Kennebecasis Valley, though they may not have six storeys. He suggested Council wait until the KVFD report is received and then discuss the matter further.

CARRIED.

- Chapel Road – PID 30206882
See Item 9.1

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7.10 June 2021 Monthly Building Permit Report

MOVED by Deputy Mayor Alexander and seconded by Counc. McGuire the June 2021 Monthly Building Permit Report be received/filed.

CARRIED.

7.11 7 July 2021 Capital Projects Summary

MOVED by Deputy Mayor Alexander and seconded by Counc. Shea the Capital Projects Summary dated 7 July 2021 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 Strong Court Sidewalk – Anglophone South School District (Tabled April 2021)

No action at this time

9. NEW BUSINESS

PUBLIC HEARING

9.1 Chapel Road Development – Public Hearing (PID 30206882)

8 July 2021 Memorandum from Town Clerk Banks

30 April 2021 Planning Advisory Committee Staff Report

2 July 2021 Planning Advisory Committee Supplementary Staff Report

MOVED by Counc. Shea and seconded by Counc. Mackay French Rothesay Council schedule a Public Hearing for Monday, August 16, 2021 at 6:00 p.m. to consider rezoning the lands located off Chapel Road (PID 30206882) from General Commercial (GC) to Multi-Unit Residential (R4) to allow for the development of a 48 unit apartment building subject to the execution of a Development Agreement in accordance with the *Community Planning Act*, SNB 2017, c 19 and amendments thereto.

CARRIED.

COUNCIL REQUESTS

9.2 Land Acknowledgement

7 July 2021 Memorandum from Deputy Mayor Alexander

Deputy Mayor Alexander expanded on his memorandum, noting there has been significant reflection over the last few weeks, regarding discoveries of unmarked mass graves at former residential schools in Canada. He commented on the need for communities to be better informed of the role of indigenous peoples throughout the history of Canada. He informed Council a land acknowledgement statement is read at Kennebecasis Valley High School before the national anthem is played. He recommended Rothesay, with consultation from local indigenous groups, develop a land acknowledgement statement to recognize that Rothesay is located on the traditional territory of the Wolastoqiyik Peoples.

MOVED by Deputy Mayor Alexander and seconded by Counc. Mackay French:

WHEREAS Indigenous Peoples were the first inhabitants of Rothesay, New Brunswick, and Canada;

WHEREAS the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) was adopted by the United Nations on 13 September 2007 to enshrine the rights that constitute the minimum of standards for the survival, dignity, and well-being of Indigenous Peoples;

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AND WHEREAS the Truth and Reconciliation Commission (TRC) of Canada issued 94 Calls to Action in June 2015 to redress the legacy of residential schools and advance the process of Canadian reconciliation;

BE IT RESOLVED that Rothesay Council desires to acknowledge an ongoing relationship of peace, friendship, and mutual respect with our Indigenous Peoples by having staff research, develop, and prepare an appropriate land acknowledgement statement in cooperation with local Indigenous groups and / or Indigenous elders; and further staff review the 94 Calls to Action (2015), of the Truth and Reconciliation Commission, to determine if any can be implemented in Rothesay.

ON THE QUESTION:

Counc. Mackay French noted her support. She questioned if changes are required to the Procedural By-law to add a land acknowledgement statement to the regular Council agenda. Town Clerk Banks noted staff will look into it, adding the By-law is currently under review.

CARRIED.

10. NEXT MEETING

10.1 Meeting/Hearing Procedures

9 July 2021 Memorandum from Town Clerk Banks with attachments

MOVED by Counc. Shea and seconded by Counc. McGuire Council schedule the Open Session Council meeting on August 9, 2021 to start at 6:00 p.m.

CARRIED.

MOVED by Counc. Shea and seconded by Counc. Mackay French Council schedule a Special Open Session Council meeting on Monday, August 16, 2021, immediately following a Public Hearing.

CARRIED.

The next meeting is scheduled as follows:

Regular meeting Monday, August 9, 2021 at 6:00 p.m.

11. ADJOURNMENT

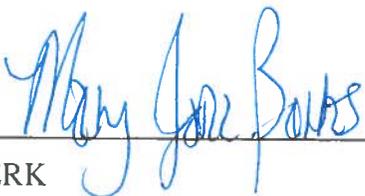
MOVED by Counc. Mackay French and seconded by Counc. McGuire the meeting be adjourned.

CARRIED.

The meeting adjourned at 6:53 p.m.



MAYOR



CLERK