

ROTHESAY

Regular Council Meeting (by videoconference)

Minutes

-2-

13 December 2021

3. OPENING REMARKS OF COUNCIL

Mayor Grant reported cancellation of the Mayor's Tree Lighting event due to the surge in COVID-19 cases. Lighting of the tree will be recorded and posted to the Town's social media.

Mayor Grant mentioned the weather has not been cooperative. She asked when the ice surface on the Rothesay Common will open. DRP Jensen advised there may be favourable weather on Thursday, therefore the intent is to have ice ready by the weekend.

Mayor Grant wished Council, staff, and community members a wonderful holiday season and all the best in 2022.

3.1 Declaration of Conflict of Interest

Deputy Mayor Alexander declared a conflict of interest for Item 7.7 Planning Advisory Committee minutes (Hillcrest Drive/Highland Avenue).

Counc. Lewis declared a conflict of interest for Item 7.7 Planning Advisory Committee minutes (Holland Hills), and Item 9.1 Holland Hills Development.

4. DELEGATIONS

4.1 Deer Management Program Update Joe Kennedy, Provincial Biologist

Mayor Grant welcomed Mr. Kennedy. Mr. Kennedy thanked Council and noted the 2021 Deer Management Program yielded fewer permits and a lower harvest than 2020. He suggested this may be because of COVID-19 lockdowns during hunting season. He reviewed the history of the program noting its inception in 2014 was a slow year. Over the years there has been a stagnation in the participation of property owners. Mr. Kennedy compared the number of deer harvested through the program to roadkill. Both categories are either stable, or declining, in the Kennebecasis Valley, whereas there is an increase in both in surrounding areas (Wildlife Management Zone 23). Mr. Kennedy noted the harvest may not be yielding as many deer as expected, but the program is successful in terms of slowing down growth of the deer population compared to surrounding areas.

Counc. Shea asked if any areas in Rothesay stood out in terms of participation in the program. Mr. Kennedy stated participation is mostly spread out with a majority of properties along the riverside. Mayor Grant noted success of the program is defined by fewer complaints, however she reported a number of complaints in the Kennebecasis Park area. She commented on frequent sightings of bucks in the last two years and raised concern regarding their aggressive behaviour. She questioned why does are solely targeted. Mr. Kennedy agreed deer are present in Kennebecasis Park, however because of density there are only a few properties eligible for participation. He added Council could propose a modification to the Minister of Natural Resources to consider harvesting bucks in the program.

Mayor Grant thanked Mr. Kennedy for the update. Mr. Kennedy thanked Council and left the videoconference.

5. CORRESPONDENCE FOR ACTION

5.1 25 November 2021 Email from resident RE: Street safety in Rothesay (Rothesay Road)

MOVED by Counc. Mackay French and seconded by Deputy Mayor Alexander the email from resident RE: Street safety in Rothesay (Rothesay Road) dated 25 November 2021 be referred to the Works and Utilities Committee.

ON THE QUESTION:

Counc. Mackay French requested a response be sent to the author. Deputy Mayor Alexander confirmed it is standard practice to send responses following the Committee's discussion.

CARRIED.

ROTHESAY

Regular Council Meeting (by videoconference)

Minutes

-3-

13 December 2021

5.2 6 December 2021 Letter from the Fundy Regional Service Commission RE: Debt Application
RECEIVED FOR INFORMATION.

Mayor Grant summarized the letter and encouraged Council to provide comments before January 24, 2022.

5.3 8 December 2021 January is Alzheimer's Awareness Month
MOVED by Counc. Mackay French and seconded by Counc. Shea Alzheimer's Awareness Month be promoted on the Town's social media.

CARRIED.

6. CORRESPONDENCE - FOR INFORMATION

6.1 17 November 2021 Thank you from St. Joseph's Hospital Foundation
MOVED by Counc. McGuire and seconded by Counc. Boyle the thank you from St. Joseph's Hospital Foundation dated 17 November 2021 be received/filed.

CARRIED.

6.2 22 November 2021 Thank you from Alzheimer's Society
MOVED by Counc. Boyle and seconded by Counc. Brown the thank you from the Alzheimer's Society dated 22 November 2021 be received/filed.

CARRIED.

6.3.1 20 November 2021 Letter from Acting Minister Donaghy RE: Local Governance Reform

6.3.2 30 November 2021 Local Governance Reform – Saint John's Initial Response to the White Paper

6.3.3 10 December 2021 Union of Municipalities of New Brunswick (UMNB) Press Release

7 December 2021 UMNB letter to Minister Allain

MOVED by Deputy Mayor Alexander and seconded by Counc. Shea the letter from Acting Minister Donaghy RE: Local Governance Reform dated 20 November 2021, the Local Governance Reform – Saint John's Initial Response to the White Paper dated 30 November 2021, the Union of Municipalities of New Brunswick (UMNB) Press Release dated 10 December 2021, and the UMNB letter to Minister Allain dated 7 December 2021 be received/filed.

ON THE QUESTION:

Mayor Grant reported Rothesay will send a response as well.

CARRIED.

6.4 24 September 2021 Letter from CN RE: CN in Your Community 2021 Report (*full report Rec'd 2021Dec8 available at Town Hall*)

MOVED by Counc. Shea and seconded by Counc. McGuire the letter from CN RE: CN in Your Community 2021 Report dated 24 September 2021 be received/filed.

ON THE QUESTION:

Town Clerk Banks advised the report is not available electronically as of yet. Mayor Grant identified three references to Rothesay: communities supporting rail safety – safety decals placed at the East Riverside-Kingshurst Park crossing; community partnerships – Kennebecasis Public Library was the recipient of 1 of 6 CN donations of \$10,000 and a CN 100 book to public libraries in New Brunswick; and adoption of the FCM and Railway Association of Canada Proximity Initiative guidelines by 120 municipalities (inclusion in Rothesay's Municipal Plan)

CARRIED.

ROTHESAY

Regular Council Meeting (by videoconference)

Minutes

-4-

13 December 2021

7. REPORTS

7.0 December 2021 Report from Closed Session

- K.W.S Water System Ltd. Agreement (B. Cosman)

MOVED by Counc. Mackay French and seconded by Deputy Mayor Alexander the Asset Purchase Agreement between Rothesay and K.W.S. Water Systems Ltd./Berton Cosman be approved for execution.

ON THE QUESTION:

Town Manager Jarvie explained the agreement is for the Town to assume ownership of a private water system that has operated for at least 40 years in the area of Green Road, Cedar Drive, and Birch Street. Operation of the system will provide water to 14 households and will comply with the Town's Water By-law. When questioned, Town Manager Jarvie confirmed the agreement is available to the public upon request.

CARRIED.

- Kennebecasis Regional Police Agreement

MOVED by Deputy Mayor Alexander and seconded by Counc. McGuire Council approve the renewal of the Kennebecasis Regional Police Agreement as presented.

ON THE QUESTION:

Town Manager Jarvie gave a brief history of the agreement. He noted for a period of time the agreement had lapsed due to unresolved issues, and the organization was operating under a previous agreement. The proposed agreement is new, but essentially, a renewal of an existing agreement. The two municipalities agreed it was important to ensure an agreement was in place before the end of the year. He noted the agreement addresses Rothesay's prior concerns, and discussion remains ongoing with Quispamsis and the Kennebecasis Regional Joint Board of Police Commissioners regarding potential changes in the future.

CARRIED.

7.1 25 October 2021 Fundy Regional Service Commission (FRSC) Meeting Minutes

MOVED by Counc. Brown and seconded by Counc. Lewis the Fundy Regional Service Commission Meeting Minutes dated 25 October 2021 be received/filed.

CARRIED.

7.2 20 October 2021 Kennebecasis Public Library (KPL) Board Meeting Minutes

MOVED by Counc. Shea and seconded by Counc. Boyle the Kennebecasis Public Library (KPL) Board Meeting Minutes dated 20 October 2021 be received/filed.

CARRIED.

7.3 13 October 2021 Kennebecasis Valley Fire Department (KVFD) Board Meeting Minutes

31 August 2021 KVFD Statement of Expense with Budget Variance

6 October 2021 Memorandum from Fire Chief RE: 2022 Operating Budget Adjustments

13 October 2021 KVFD Fire Chief's Report

30 September 2021 KVFD Response Report

9 December 2021 KVFD 2022 Meeting Dates

MOVED by Counc. Lewis and seconded by Counc. Brown the Kennebecasis Valley Fire Department (KVFD) Board Meeting Minutes dated 13 October 2021, the KVFD Statement of Expense with Budget Variance dated 31 August 2021, the memorandum from the Fire Chief RE: 2022 Operating Budget Adjustments dated 6 October 2021, the KVFD Fire Chief's Report dated 13 October 2021, the KVFD Response Report dated 30 September 2021, and the KVFD 2022 Meeting Dates dated 9 December 2021 be received/filed.

ROTHESAY

Regular Council Meeting (by videoconference)

Minutes

-5-

13 December 2021

ON THE QUESTION:

Mayor Grant mentioned Chief Ireland's recent announcement regarding his upcoming resignation from the Kennebecasis Valley Fire Department. She wished Chief Ireland well in the future.

CARRIED.

7.4 31 October 2021 Draft unaudited Rothesay General Fund Financial Statements

MOVED by Deputy Mayor Alexander and seconded by Council. She the draft unaudited Rothesay General Fund Financial Statements dated 31 October 2021 be received/filed.

ON THE QUESTION:

Council. Shea asked the Treasurer to explain the negative variance of \$96,653 for General Projects from Reserves. Treasurer MacDonald advised this pertains to a project, approved by Council, which was not originally in the capital budget. The purpose of the project was for technological upgrades to the Common Room.

CARRIED.

31 October 2021 Draft unaudited Rothesay Utility Fund Financial Statements

MOVED by Deputy Mayor Alexander and seconded by Council. She the draft unaudited Rothesay Utility Fund Financial Statements dated 31 October 2021 be received/filed.

CARRIED.

10 November 2021 Draft Finance Committee Meeting Minutes

MOVED by Deputy Mayor Alexander and seconded by Council. Mackay French the draft Finance Committee Meeting Minutes dated 10 November 2021 be received/filed.

ON THE QUESTION:

Deputy Mayor Alexander noted the Committee discussed event tickets – invites will be circulated and tickets will be purchased if councillors wish to attend events. Mayor Grant identified an error in the signature line, noting Deputy Mayor Alexander is the Chairman, not the Acting Chairman. Council. Mackay French appreciated the discussion regarding event tickets. Mayor Grant elaborated noting this ensures attendance matches the number of tickets purchased.

CARRIED.

➤ KV Food Bank

MOVED by Deputy Mayor Alexander and seconded by Council. She Council approve funding of \$3,746.81 to Quispamsis relating to 50% of the KV Food Bank direct operational costs.

ON THE QUESTION:

Council. Brown asked why the amount is lower than the \$5,000 included in the budget. Treasurer MacDonald advised the estimate in the budget exceeds the actual amount of 50% of the direct operational costs. Council. Brown proposed granting the entire budgeted amount. Treasurer MacDonald clarified, the funds are provided to Quispamsis, not the Food Bank, for reimbursement of operational costs for the facility. Mayor Grant added it is an administrative cost.

CARRIED.

26 November 2021 Draft Finance Committee Meeting Minutes

MOVED by Deputy Mayor Alexander and seconded by Council. She the draft Joint Finance Committee Meeting Minutes dated 26 November 2021 be received/filed.

ROTHESAY

Regular Council Meeting (*by videoconference*)

Minutes

-6-

13 December 2021

ON THE QUESTION:

Treasurer MacDonald advised the signature line will be corrected in the minutes.

CARRIED.

➤ Revised Gas Tax Plan

MOVED by Deputy Mayor Alexander and seconded by Counc. Boyle the document entitled Revised Rothesay Five-Year Capital Investment Plan for the Gas Tax Fund Administrative Agreement 2019-2023 be adopted.

ON THE QUESTION:

Treasurer MacDonald explained the federal government agreed to top up the Gas Tax contribution to all municipalities. In order to receive roughly \$800,000 of additional funds, a revised plan is required to demonstrate how the funds will be allocated. He added the revisions are for the remaining two years in the Plan which are consistent with the proposed capital budgets.

Counc. Shea requested Treasurer MacDonald explain why the Plan is dated 2019-2023 as opposed to 2021-2026, for the benefit of new Council members and the public. Treasurer MacDonald advised the dates are mandated by the federal government. Commitments are made by the federal government in five year increments; the previous period spanned from 2014-2018. He added, at this time, there has not been a formal commitment for funds past 2023.

CARRIED.

31 October 2021 Donation Summary

MOVED by Deputy Mayor Alexander and seconded by Counc. Boyle the Donation Summary dated 30 September be received/filed.

ON THE QUESTION:

Mayor Grant noted donations were made under the Mayor's authority to the Empty Stocking Fund (\$500), First Steps (\$250), the Alzheimer's Society (\$150), and the KV Food Bank (\$250).

CARRIED.

7.5 16 November 2021 Draft Age Friendly Advisory Committee Meeting Minutes

MOVED by Counc. Boyle and seconded by Counc. Mackay French the Draft Age Friendly Advisory Committee Meeting Minutes dated 16 November 2021 be received/filed.

ON THE QUESTION:

Counc. Boyle highlighted discussions regarding the Newcomers Association and an upcoming craft in December (snowman salt and pepper shaker). Mayor Grant praised the File of Life Program, noting a representative from the Telegraph Journal expressed interest in the program when discussed during the Mayor's year-end interview.

CARRIED.

7.6 17 November 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 17 November 2021 be received/filed.

ON THE QUESTION:

Deputy Mayor Alexander summarized the minutes. Mayor Grant mentioned a staff report for the "Welcome to Rothesay" signage is expected in the near future.

CARRIED.

ROTHESAY

Regular Council Meeting (*by videoconference*)

Minutes

-7-

13 December 2021

Deputy Mayor Alexander and Counc. Lewis declared a conflict of interest and left the videoconference.

7.7 6 December 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 6 December 2021 be received/filed.

CARRIED.

- Holland Drive PIDs 00056614, 00065094, 00056598
See Item 9.1

Deputy Mayor Alexander and Counc. Lewis returned to the videoconference.

7.8 November 2021 Monthly Building Permit Report

MOVED by Counc. Mackay French and seconded by Counc. Brown the November 2021 Monthly Building Permit Report be received/filed.

CARRIED.

7.9 9 December 2021 Capital Projects Summary

MOVED by Deputy Mayor Alexander and seconded by Counc. McGuire the Capital Projects Summary dated 5 November 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

8.3 Rothesay Arena Open House (Tabled September 2021)

No action at this time

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

9. NEW BUSINESS

9.1 BUSINESS ARISING FROM PUBLIC HEARING NOVEMBER 15, 2021

Holland Hills Development – Rezoning (PIDs 00056614, 00065094, 00056598)

8 December 2021 Memorandum from Town Clerk Banks

8 December 2021 Recommendation from Planning Advisory Committee
By-law 2-10-29

DRAFT Development Agreement

Deputy Mayor Alexander requested clarification, asking if the recommendations address the rezoning of the property, the development agreement, or both. He noted the two recommendations from the Planning Advisory Committee deal with both separately. Town Clerk Banks advised the recommendations are for 1st and 2nd Reading of By-law 2-10-29 to Amend the Zoning By-law (rezoning); and the draft development agreement is part of the By-law. She explained, since the public hearing was held on November 15th, the process differs from the usual practice of scheduling public hearings prior to regular Council meetings, which allows Council to vote on 1st and 2nd Reading, of rezoning by-laws, at the subsequent meeting the same evening.

ROTHESAY

Regular Council Meeting *(by videoconference)*

Minutes

-8-

13 December 2021

Town Clerk Banks further noted, if 1st and 2nd Reading are given, Council then votes on the development agreement following Reading in its Entirety, 3rd Reading and Enactment of Zoning By-law amendments at the next meeting. Deputy Mayor Alexander asked if Council were to approve 1st and 2nd Reading would that indicate approval of the development agreement as it stands, or would Council have the opportunity to vote on the development agreement separately. Town Clerk Banks advised a recommendation for the development agreement would be discussed subsequent to Council's vote on 3rd Reading and Enactment.

Town Manager Jarvie clarified further, noting there would be a separate vote on the development agreement distinct from the vote on rezoning the property. Mayor Grant noted the purpose of By-law 2-10-29 is to rezone the property from Single Family Residential [R1B] to Multi-Unit Residential (R4) to allow for the development of two 48-unit six-storey apartment buildings. DPDS White confirmed this is correct, and added the item can return to staff if Council wishes to revise the development agreement.

MOVED by Counc. Shea and seconded by Counc. Mackay French Council give 1st Reading by Title, to By-law 2-10-29, "A By-law to Amend the Zoning By-law".

ON THE QUESTION:

For clarification, Mayor Grant reiterated the purpose of the By-law is to rezone the property from Single Family Residential – Standard Zone [R1B] to Multi-Unit Residential (R4) to allow for the development of two 48-unit six-storey apartment buildings. DPDS White encouraged the public to review the By-law, included in the Council agenda package, for further details.

Counc. McGuire listed concerns regarding: the size of the buildings, the impact to the aesthetic of the Town, traffic, setting a precedent, and future financial implications to both Rothesay and Quispamsis for fire protection.

Deputy Mayor Alexander noted he has similar concerns, primarily the height of the buildings. He suggested the height will impact the privacy of adjacent properties, and capital expenditures for the Kennebecasis Valley Fire Department. He noted these buildings would be the tallest in the Town, which presents challenges from a firefighting perspective. He agreed with prior concerns from Counc. Brown regarding perimeter access for firefighting. He added approval of the development could set a precedent, which may invite other developers to submit applications for buildings of a similar height. He suggested buildings of this height would be more suitable in areas within the Secondary Plan. He indicated, based on history, it is reasonable to believe residents would not expect multi-unit apartment buildings, exceeding four storeys, to be constructed near their properties.

Counc. Brown stated as a new councilor he supports growth and development in the Town, however he has concerns. More specifically, his concerns relate to: perimeter access for firefighting; the cul-de-sac (emergency access and maneuverability for large vehicles); and traffic (concerns received from residents of Chapel Road). He indicated he disagrees with the findings of the traffic study, suggesting the traffic generated will have an impact. He added traffic signals at the Marr Road/Chapel Road intersection may encourage shortcuts down Parkdale Avenue. He mentioned he has observed the municipal stormwater system overflowing which may be problematic despite the development's stormwater management plan. He encouraged a review of property access, proposing Holland Drive be extended and changed to a one-way street, to eliminate the dead end. Counc. Brown continued, noting it remains unclear if the buildings will be constructed with wood or concrete which impacts fire protection. He stated he is not in favour of the project until these concerns are addressed.

ROTHESAY

Regular Council Meeting *(by videoconference)*

Minutes

-9-

13 December 2021

Counc. Boyle stated her agreement with all the aforementioned concerns. With respect to the height of the buildings, she noted four storey buildings are sufficient whereas six storey buildings are too big. She added approval would set a precedent and encourage development of six storey buildings – Rothesay could end up resembling downtown Toronto. She stated she is not in favour of the project.

Counc. Mackay French mentioned these concerns reflect discussions of the Planning Advisory Committee. She stated her main concern pertains to traffic and its impact to residents on Chapel Road. She mentioned she finds it problematic that the developers indicated access through the Sobeys and Canadian Tire parking lots cannot be discussed until after approval. She noted she would like to hear comments from DPDS White.

Mayor Grant stated she would like to provide comments but asked if DPDS White would like to comment first. DPDS White advised he has written extensively on this project and is willing to answer any questions. With respect to traffic concerns, he noted a traffic study was completed, by a reputable firm, and reviewed by the Town Engineer, and did not indicate any issues. He noted he understands the skepticism expressed by some Council members about the traffic study, but noted this is the standard process for development applications. He disagreed with the belief that these buildings will set a precedent, noting conditions must be identical for this to occur. However, the location – between Sobeys and Canadian Tire, represents a unique condition of this property that is not easily replicated throughout the community. This is one of the reasons staff support this project, whereas other locations for similar projects would not be suitable. From an urban design perspective it is believed the height of the buildings, in this location, would not take away from Rothesay's general aesthetic as a low-rise suburban community.

Mayor Grant asked Deputy Mayor Alexander to assume the Chair. Deputy Mayor Alexander assumed the Chair.

Mayor Grant acknowledged the need for housing, and diversity of housing options to attract more people to the Greater Saint John region. She added her appreciation for the uptake on affordable units, and support for development. With respect to higher density in residential areas, she understands this is needed to reduce sprawl, improve walkability, and support local businesses. However, she expressed concern regarding the number of units (96) and its impact on traffic through a neighbourhood of single family homes, rather than through an arterial road. She listed further concerns with the size, particularly the height of the buildings, as these would be the first six storey buildings in Rothesay. Despite the Fire Chief allaying some concerns, fire safety remains an issue. If a precedent is set there will be financial implications for fire protection. She added the height of the buildings could result in loss of privacy for adjacent properties. She referenced public opposition received from neighbouring properties. She agreed this development could set a precedent and open up Rothesay to being a high-rise community which may be undesirable to residents. She added further discussion is required before approval is granted for six storey buildings. She stated she is not in favour because of the six storey buildings.

Mayor Grant resumed the Chair.

Council debated the pros and cons of options to proceed, more specifically, tabling, defeating, or approving the recommendations. If the motion is defeated by Council, a period of one year is required before the developer can resubmit the application – unless the developer has made substantial changes, or external conditions have changed. In this case, it is at Council's discretion as to what changes would be considered substantial. Staff recommended another public hearing if substantial revisions are made. The application could also be tabled, for an indefinite period of time, until the developer returns with modifications to the project. This is favorable to the developer as it eliminates the need to reapply and incur additional fees; additionally, the one year period would not apply.

ROTHESAY

Regular Council Meeting (by videoconference)

Minutes

-10-

13 December 2021

Staff cautioned, if the item is tabled for a considerable period of time it could be deemed as a refusal of the project. Suggestions were made by Council to change the height of the buildings (4 storeys is preferable), access, and schedule another public hearing (subject to changes). Council. Shea commented on the general opposition to six storey buildings, and asked why the Municipal Plan does not specify a maximum height for developments. DPDS White explained the inability to do so as this would be forecasting the will of Council.

YEA vote recorded from Council. Shea.

NAY votes recorded from Deputy Mayor Alexander and Councils. Boyle, Brown, Mackay French, and McGuire.

DEFEATED.

Council. Lewis returned to the videoconference.

FINANCE

9.2 2022 Capital Budgets

9 December 2021 Memorandum from Town Manager Jarvie

9 December 2021 Memorandum from Treasurer MacDonald RE: Motions

MOVED by Council. Brown and seconded by Deputy Mayor Alexander the memorandums from Town Manager Jarvie and Treasurer MacDonald dated 9 December 2021 be received for information.

ON THE QUESTION:

Town Manager Jarvie addressed prior concerns from Council, proposing the Five Year Sidewalk Expansion Plan be revisited in 2022, and the purchase of a wood chipper be deferred.

CARRIED.

Utility Fund

Highlights

2022

Utility Capital Fund Budget

Master Utility Capital Budget

MOVED by Deputy Mayor Alexander and seconded by Council. Brown the Utility Fund 2022 Capital Budget of \$2,500,000 be approved.

ON THE QUESTION:

Treasurer MacDonald highlighted completion of the engineering and design work for the Wastewater Treatment Plant will help determine future spending on the project in 2022. He provided brief overviews of the Filter Building Treatment Train project, and the second phase of the Turnbull Court Sewer project (debt application approved by the Municipal Capital Borrowing Board).

CARRIED.

General Fund

Highlights

2022

General Capital Fund Budget

Master General Capital Budget

MOVED by Deputy Mayor Alexander and seconded by Council. McGuire the General Fund 2022 Capital Budget of \$7,475,000 be approved.

ON THE QUESTION:

Treasurer MacDonald reviewed the General Capital Fund Budget Highlights, more specifically:

- Street surfacing – estimates are subject to change based on tenders
- Dobbin Street sidewalk project – consistent with the 5 Year Sidewalk Expansion Plan and development in the area
- Staff are optimistic about Designated Highway Funding as it was not received last year
- Fleet Replacement – some items were carried over from prior years
- Arena Renovation – exact nature to be determined but will be funded from Gas Tax Funds

ROTHESAY

Regular Council Meeting (by videoconference)

Minutes

-11-

13 December 2021

- All capital projects will return to Council for approval
- Funds were not allocated to the Wells Building or Connector Trail as these projects are contingent upon external funds, and possible revisions (Connector Trail)
- Protective Services (\$1.25 million dollars) – Rothesay’s share of Fire Station 2 (debt application to be expected in the new year)

Counc. Shea asked if the sidewalk projects for Dobbin Street, Kingswood Avenue, and Strong Court will return to Council for approval. Town Manager Jarvie confirmed they will, and shared the intent to revisit the Sidewalk Plan in the first quarter of 2022, specifically regarding criteria for the prioritization of sidewalk projects.

Counc. Lewis commented on the condition of Strong Court, and the School Board’s opposition to the sidewalk project, suggesting this street should be removed from the proposed lists for paving and sidewalk projects in 2022. Mayor Grant asked for confirmation that these lists will come back to Council for approval. Town Manager Jarvie advised the paving list is time sensitive as it must go to tender soon. He added the paving and sidewalk projects for Strong Court are not mutually exclusive; modifications to the street are required to accommodate the sidewalk. He explained, currently vehicles park in the road right-of-way which creates safety concerns for pedestrians. He proposed writing to the School District to outline these concerns, and ask their opinion of how to resolve the matter. Counc. Lewis asked if it isn’t broken why should it be fixed? Town Manager Jarvie noted opposition was voiced by the School Board, however consideration should be given to the opinion of residents, and safety risks with the discontinuity of the sidewalk. Counc. Mackay French noted she was contacted by residents that stated they were not in favour of the project. She was surprised to see the project still on the list. She suggested putting a hold on Strong Court until further discussion with the School Board. Town Manager Jarvie confirmed this can be done. Deputy Mayor Alexander added the item was tabled, and agreed the School Board should be contacted for further discussion.

CARRIED.

9.3 Reserve Motions 2021

9.3.1 General Fund

7 December 2021

Memorandum from Treasurer MacDonald

MOVED by Deputy Mayor Alexander and seconded by Counc. Shea Gas Tax Funding in the amount of \$1,654,358.00 for the year 2021, be transferred to the General Capital Reserve Fund (Gas Tax).

CARRIED.

MOVED by Deputy Mayor Alexander and seconded by Counc. Shea the sum of \$1,150,000.00 be transferred from the General Capital Reserve Fund (Gas Tax) to the General Operating Fund to cover the costs of Capital projects.

CARRIED.

MOVED by Deputy Mayor Alexander and seconded by Counc. Shea the sum of \$4,560.00 be transferred from the General Operating Fund to the Land for Public Purposes Reserve Fund for external contributions.

CARRIED.

MOVED by Deputy Mayor Alexander and seconded by Counc. Boyle the sum of \$250,000.00 be transferred from the General Operating Fund to the General Capital Reserve Fund to cover the costs of future Capital projects.

CARRIED.

ROTHESAY

Regular Council Meeting *(by videoconference)*

Minutes

-12-

13 December 2021

9.3.2 Utility Fund

7 December 2021

Memorandum from Treasurer MacDonald

MOVED by Deputy Mayor Alexander and seconded by Council. Shearman \$66,150.00 be transferred from the Utility Operating Fund to the Utility Capital Reserve Fund for water and sewer connection fees.

CARRIED.

MOVED by Deputy Mayor Alexander and seconded by Council. Shearman the sum of \$374,000.00 be transferred from the General Capital Reserve Fund (Gas Tax) to the Utility Operating Fund to cover the costs of Capital projects.

CARRIED.

MOVED by Deputy Mayor Alexander and seconded by Council. Shearman \$5,686.00 be transferred from the Utility Operating Fund to the Utility Sewage Outfall Reserve Fund for Rothesay's contribution to the Sewage Outfall Reserve.

CARRIED.

MOVED by Deputy Mayor Alexander and seconded by Council. Shearman \$11,140.00 received from Quispamsis for Sewage Outfall be transferred from the Utility Operating Fund to the Utility Sewage Outfall Reserve Fund.

CARRIED.

9.4 Insurance Coverage

7 December 2021

Memorandum from Treasurer MacDonald

MOVED by Deputy Mayor Alexander and seconded by Council. Mackay French Council approve renewal of the Town insurance policy with Marsh Canada Limited for coverage for the period from January 1, 2022 to December 31, 2022 at an aggregate cost of \$254,475.00.

ON THE QUESTION:

Mayor Grant pointed out the agreement is with Marsh Canada Limited, however Cain Insurance Services Ltd. and JLT are also mentioned; and it notes cyber coverage is excluded but states the deductible for cyber coverage has increased. Treasurer MacDonald advised Cain Insurance Services is the Town's insurance broker (located in Fredericton) that manages the Town's account. Jardine Lloyd Thompson (JLT) is a predecessor firm purchased by Marsh Canada Limited and the organization is in the process of merging the brands. With respect to cyber security coverage, Treasurer MacDonald advised this is not covered under the Town's General Liability Policy, therefore it must be purchased separately. When questioned, he confirmed both policies are in the same budget – and the cost is under budget.

Council. Brown asked if consideration was given to engaging local firms. Treasurer MacDonald advised insurance coverage has been reviewed by staff on multiple occasions. Since municipal insurance coverage is a niche market, and Cain Insurance Services has provided exemplary service, there has been no reason to change. Additionally, switching brokers does not guarantee the insurer will change. Council. Brown suggested if the broker does not play a significant role then perhaps a local firm could be engaged. Treasurer MacDonald explained the importance of a brokerage firm in terms of claims, and noted excellent service has been provided by Cain Insurance Services in the past.

NAY vote recorded from Council. Brown.

CARRIED.

ROTHESAY

Regular Council Meeting (*by videoconference*)

Minutes

-13-

13 December 2021

ADMINISTRATION

9.5 Procedural By-law 2-14, Schedule B amendment *Climate Change Adaptation Committee*

3 December 2021 Memorandum from Town Clerk Banks

REVISED Procedural By-law 2-14 Schedule B – Standing Committees

MOVED by Counc. Lewis and seconded by Counc. Mackay French Council hereby adopts the revised Schedule B, “Standing Committees”, dated 13 December 2021 and forming a part of By-law 2-14, “A By-law of the Municipality of Rothesay Respecting the Procedure and Organization of Council”; more specifically for the establishment, composition and mandate of the Climate Change Adaptation Committee.

CARRIED.

9.6 Committee Appointments

7 December 2021 Memorandum from Nominating Committee

23 November 2021 Letter from Harbour Station Commission RE: Rothesay representative

MOVED by Counc. Lewis and seconded by Counc. Mackay French Council approve the following Committee/Board appointments and terms:

KENNEBECASIS REGIONAL JOINT BOARD OF POLICE COMMISSIONERS

Derrick Stanford

December 31, 2023

PLANNING ADVISORY COMMITTEE

John Buchanan

December 31, 2023

**reappointment*

Elizabeth Gillis

June 30, 2022

**reappointment*

WORKS AND UTILITIES COMMITTEE

George Thambi

December 31, 2023

Sarah Richards

December 31, 2023

HERITAGE PRESERVATION REVIEW BOARD

Drew Macartney

December 31, 2023

PARKS AND RECREATION COMMITTEE

Adrienne Albert (*RHS student rep*) December 31, 2023

Jon McEachern December 31, 2023

**reappointment*

Mary Ann Gallagher

June 30, 2022

**reappointment*

KV PUBLIC LIBRARY

Elizabeth Greer

December 31, 2023

**reappointment*

AQUATIC CENTRE

Rheal Guimond

December 31, 2023

TD STATION (HARBOUR STATION COMMISSION)

Paul Meier

December 31, 2023

CLIMATE CHANGE ADAPTATION COMMITTEE

Colleen Lang

December 31, 2023

Korey Nixon

December 31, 2023

Ann McAllister

December 31, 2023

Vacant (pending appointment)

December 31, 2023

ROTHESAY

Regular Council Meeting (by videoconference)

Minutes

-14-

13 December 2021

ON THE QUESTION:

Mayor Grant noted she and Deputy Mayor Alexander will be the Council representatives on the new Climate Change Adaptation Committee.

CARRIED.

MOVED by Counc. Lewis and seconded by Counc. Mackay French the letter from the Harbour Station Commission RE: Rothesay representative dated 23 November 2021 be received/filed.

ON THE QUESTION:

Counc. Shea asked if Council should address the request in the letter. Mayor Grant noted the request cannot be granted because the individual has exceeded his maximum allowable term. Town Clerk Banks advised a response will be sent to the Harbour Station Commission stating the Procedural By-law limits the maximum allowable term to six years for committee/board members.

CARRIED.

9.7 Appointment of Emergency Operations Director

10 December 2021 Memorandum from Town Manager Jarvie with attachments

MOVED by Counc. Lewis and seconded by Counc. Brown the memorandum from Town Manager Jarvie dated 10 December 2021 with attachments be received for information.

ON THE QUESTION:

Counc. Lewis referenced Chief Ireland's resignation announcement and asked if the matter should be tabled until a new Fire Chief is announced. Town Manager Jarvie noted it may be helpful to include the role in the mandate of the new Fire Chief. Counc. Lewis agreed.

CARRIED.

MOVED by Counc. Lewis and seconded by Counc. McGuire Council request the Fire Board concur with the appointment of the holder of the Fire Chief position to be designated as the EMO Director for each of the Towns.

CARRIED.

OPERATIONS

9.8 Contract S-2021-010: Turnbull Court Sewer Phase II

8 December 2021 Report prepared by DO McLean

MOVED by Deputy Mayor Alexander and seconded by Counc. Mackay French Council award Contract S-2021-010: Turnbull Court Sewer Phase II to the low tenderer, Galbraith Construction Ltd., at the tendered price of \$1,048,041.00 (including HST), as calculated based on estimated quantities and further that the Mayor and Town Clerk be authorized to execute the necessary contract documents.

CARRIED.

COUNCIL REQUESTS

9.9 Rothesay Arena Bleachers

9 December 2021 Email from Counc. Boyle with photographs

Counc. Boyle noted she has received a number of complaints from residents about the bleachers. She explained, she sat on each row of the bleachers and took photos to demonstrate visibility – which is poor unless seated on the 4th or 5th row. She received suggestions from community members to raise the bleachers so the ice surface could be viewed from all five rows, instead of only two.

Counc. Mackay French added she has received a constant stream of similar complaints. She noted it is unclear why the bleachers were removed, as opposed to putting scaffolding around them. She asked if it would have been more cost efficient to rebuild the bleachers, than pay roughly \$70,000-90,000 for these bleachers. She hopes the Town can find a better solution than what is there now.

ROTHESAY

Regular Council Meeting *(by videoconference)*

Minutes

-15-

13 December 2021

Counc. Brown inquired about the cost. DRP Jensen advised the cost was roughly \$79,000 for the four sets. In response to an inquiry, he added the cost includes galvanization. He added there was an additional cost for installation – the exact amount will be available once an invoice is received. When questioned, DRP Jensen confirmed each section cost roughly \$20,000.

Mayor Grant asked if anything can be done to improve the situation. DRP Jensen explained options are limited due to Building Code restrictions – the original bleachers could not be used, and construction of wooden bleachers in the facility is not permitted. Back and forth discussions between staff, a structural engineer, and the Fire Marshall, determined custom-built metal bleachers were a viable option. He advised further consultation with the Fire Marshall, and structural engineer, is required to determine if the bleachers can be modified. He noted staff can revisit the problem but cautioned costs may be incurred.

Counc. Brown asked if the Town can purchase additions, from the manufacturer, to raise the bleachers. DRP Jensen advised he would have to investigate.

Counc. Shea noted it seems strange that custom-built bleachers provide such poor visibility. DRP Jensen listed limitations in the Building Code pertaining to height (an increase requires the addition of safety railings), and access (wheelchair, walkability, and emergency). In the event the arena is renovated, Counc. Shea asked if the temporary bleachers will be used elsewhere, for instance at a ballfield. DRP Jensen advised this is the intent but the final location has not been determined.

Counc. Boyle asked if the structural engineer visited the arena when designing the bleachers. DRP Jensen confirmed the engineer did visit the facility. He added another option explored was to install bleachers down the entire side of the arena, but this became cost prohibitive. He reiterated there may be an option to raise the bleachers but this will require further investigation.

Counc. Mackay French requested clarification, asking if the Building Code prohibits wooden bleachers in all arenas, or just renovated facilities. DRP Jensen noted he would have to look into it but, typically, newly constructed arenas do not have wooden bleachers. Counc. Mackay French asked if consideration was given to permanent bleachers. DRP Jensen advised there was considerable discussion, however since the exact nature of the renovations remains unclear, temporary bleachers were believed to be the best option.

MOVED by Counc. Shea and seconded by Counc. Boyle the matter be referred to the Director of Recreation and Parks.

CARRIED.

Meeting Addendum

9.10 Letter of Support for the Saint John Newcomers Centre Application

6 December 2021 Memorandum from Town Manager Jarvie

Mayor Grant summarized the memorandum, noting it aligns with the Age Friendly Advisory Committee's interest in intergenerational activities.

MOVED by Counc. McGuire and seconded by Counc. Brown Council authorize a letter of support for the Saint John Newcomers Centre's project titled "Virtual Engage – Hybrid Version" for their application for funding through the Federal Government's New Horizons for Seniors Program.

ON THE QUESTION:

Mayor Grant noted the request is time sensitive.

CARRIED.

ROTHESAY

Regular Council Meeting (by videoconference)

Minutes

-16-

13 December 2021

10. NEXT MEETING

The next meeting is scheduled as follows:

Regular meeting

Monday, January 10, 2022

11. ADJOURNMENT


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

CARRIED.

The meeting adjourned at 9:04 p.m.



MAYOR



CLERK