

ROTHESAY

Regular Council Meeting
Minutes

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9 May 2022

3. OPENING REMARKS OF COUNCIL

INVITATION: Rothesay's Age Friendly Celebration June 1, 2022, 1:00 p.m. – 3:00 p.m.

Mayor Grant invited all to attend Rothesay's Age Friendly Celebration June 1, 2022 from 1:00 p.m. – 3:00 p.m. at Rothesay Town Hall. The event is in honour of Rothesay's redesignation as an Age Friendly Community and three years of operation for the Rothesay Hive. Attendees can participate in both indoor and outdoor activities and enjoy live music and refreshments.

Mayor Grant thanked Town staff for organization of the Town-wide clean up the weekend of April 22nd. She extended appreciation to participating community groups: the Kennebecasis Valley Fire Department, the Rothesay Rotary Club, KV Walkers, and six schools. She relayed interest in hosting another event next year.

Counc. McGuire commended Town staff for winter maintenance this season.

3.1 Declaration of Conflict of Interest

Deputy Mayor Alexander declared a conflict of interest with respect to Item 9.1.3 Highland Avenue/Hillcrest Drive.

Counc. McGuire declared a conflict of interest with respect to Item 9.1.2 145 Hampton Road.

Counc. Mackay French will not be present for discussions pertaining to Item 9.1.2 145 Hampton Road and Item 9.1.3 Highland Avenue/Hillcrest Drive because of her absence at both public hearings.

4. DELEGATIONS

N/A

5. CORRESPONDENCE FOR ACTION

5.1 20 April 2022 Letter from resident RE: Transport Trucks navigating Appleby Drive
MOVED by Counc. Lewis and seconded by Counc. Mackay French the letter from resident RE: Transport Trucks navigating Appleby Drive dated 20 April 2022 be referred to staff.

CARRIED.

5.2 29 April 2022 Email from resident RE: Rezoning signage posted on properties
MOVED by Deputy Mayor Alexander and seconded by Counc. McGuire the email from resident RE: Rezoning signage posted on properties dated 29 April 2022 be referred to staff.

CARRIED.

5.3 29 April 2022 Email from the Commissioner on Systemic Racism RE: Request for comment
MOVED by Counc. McGuire and seconded by Deputy Mayor Alexander the email from the Commissioner on Systemic Racism RE: Request for comment dated 29 April 2022 be received/filed.

ON THE QUESTION:

Mayor Grant proposed Council provide comments to the Town Manager by May 24th. This ensures sufficient time to compile and submit the comments before the May 31st deadline.

CARRIED.

5.4 1 May 2022 Email from Brock Court residents RE: Brock Court construction
20 October 2020 Email from Brock Court residents

MOVED by Counc. Mackay French and seconded by Counc. Lewis the email from Brock Court residents RE: Brock Court construction dated 1 May 2022 and the email from Brock Court residents dated 20 October 2020 be referred to staff.

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ON THE QUESTION:

Counc. Shea asked for an update on progress to-date regarding the concerns raised by Brock Court residents. DO McLean advised a project was undertaken on Church Avenue to increase the capacity of the stormwater system to collect discharge from Brock Court and surrounding areas. The next steps require land to create the conveyance system to send the discharge to the Church Avenue area.

Counc. Mackay French asked if there are construction protocols to mitigate public concerns. DO McLean explained developers must adhere to requirements of street development permits. For instance, crushed gravel or “mud mats” must be used to reduce debris from the tires of construction vehicles/equipment before travelling on public streets. Town staff investigate violations, and bonds are forfeited to the Town, if developers refuse to comply. Counc. Mackay French inquired about next steps in the process of mitigating concerns for the residents of Brock Court. DO McLean advised negotiations are underway regarding land required to direct the flow of water.

CARRIED.

5.5 1 May 2022 Email from Brock Court residents RE: Brock Court drainage issues
2019-2020 Email thread from Brock Court residents

MOVED by Deputy Mayor Alexander and seconded by Counc. Mackay French the email from Brock Court residents RE: Brock Court drainage issues dated 1 May 2022, and the email thread from Brock Court residents dated 2019-2020 be referred to staff.

ON THE QUESTION:

Deputy Mayor Alexander stressed that the matter should be included in 2023 budget considerations.

CARRIED.

6. CORRESPONDENCE - FOR INFORMATION

6.1 14 April 2022 Kennebecasis Valley Fire Department Inc. (KVFD) 2021 Audited
Financial Statements

MOVED by Counc. Mackay French and seconded by Counc. McGuire the Kennebecasis Valley Fire Department Inc. (KVFD) 2021 Audited Financial Statements dated 14 April 2022 be received/filed.

ON THE QUESTION:

Treasurer MacDonald pointed out the surplus of \$240,000 will be carried forward as revenue in the 2023 budget.

CARRIED.

6.2 14 April 2022 Letter to Minister Green RE: Designated Highways – Rothesay & ‘The
Road Ahead’

MOVED by Counc. Mackay French and seconded by Deputy Mayor Alexander the letter to Minister Green RE: Designated Highways – Rothesay & ‘The Road Ahead’ dated 14 April 2022 be received/filed.

ON THE QUESTION:

In response to an inquiry, Mayor Grant advised a response was not received. Counc. Lewis proposed the closure of Rothesay Road to heavy truck traffic until it can be resurfaced – which may not be until 2025. He mentioned the road is utilized by heavy vehicles (ex. dump trucks travelling from the quarry to Quispamsis) which contribute to deterioration of the road. He clarified these trucks are not the sole issue but are a contributing factor. Town Manager Jarvie cautioned that since it is a provincial highway Council does not have the authority to make this decision. He suggested raising the issue with the Minister.

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MOVED Counc. Lewis and seconded by Counc. Mackay French a request be made to Minister Green that Rothesay Road be closed to heavy truck traffic until it is brought up to provincial standards.

CARRIED.

6.3 21 April 2022 Letter to Wayne Long, MP RE: Canada Emergency Wage Subsidy (CEWS) and the Canada Games Aquatic Centre

MOVED by Counc. Mackay French and seconded by Counc. McGuire the letter to Wayne Long, MP RE: Canada Emergency Wage Subsidy (CEWS) and the Canada Games Aquatic Centre dated 21 April 2022 be received/filed.

ON THE QUESTION:

Counc. Shea requested clarification asking if the facility spent another \$300,000 in addition to the \$300,000 CEWS funding. Mayor Grant explained Rothesay approved two additional contributions to the facility in 2022. Regional municipalities cost-shared \$325,000 (CEWS) as well as an additional \$250,000 for the facility.

CARRIED.

7. REPORTS

7.0 **May 2022** **Report from Closed Session**
N/A

7.1 28 March 2022 Fundy Regional Service Commission (FRSC) meeting minutes

MOVED by Counc. Shea and seconded by Counc. Lewis the Fundy Regional Service Commission (FRSC) meeting minutes dated 28 March 2022 be received/filed.

ON THE QUESTION:

Mayor Grant summarized the minutes. Deputy Mayor Alexander referenced Tender # 2022-04 – Cell #9 Clay Placement. He asked if the sole bid is high, or a reasonable cost. Mayor Grant noted she will ask and report back. Deputy Mayor Alexander asked if the existing compactor will be disposed of through a sale of surplus equipment. Mayor Grant said she believes so.

CARRIED.

7.2 16 March 2022 Kennebecasis Public Library (KPL) Board meeting minutes

MOVED by Counc. Shea and seconded by Deputy Mayor Alexander the Kennebecasis Public Library (KPL) Board meeting minutes dated 16 March 2022 be received/filed.

ON THE QUESTION:

Counc. Shea reported the facility remains closed for flooding repairs.

CARRIED.

7.3 9 February 2022 Kennebecasis Valley Fire Department Inc. (KVFD) Board meeting minutes

31 December 2021 KVFD Statement of Expense with Budget Variance

9 February 2022 KVFD Chief's Report

31 December 2021 KVFD Response Report

MOVED by Counc. Lewis and seconded by Counc. Shea the Kennebecasis Valley Fire Department Inc. (KVFD) Board meeting minutes dated 9 February 2022, the KVFD Statement of Expense with Budget Variance dated 31 December 2021, the KVFD Chief's Report dated 9 February 2022, and the KVFD Response Report dated 31 December 2021 be received/filed.

CARRIED.

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7.4 31 March 2022 Draft unaudited Rothesay General Fund Financial Statements
MOVED by Deputy Mayor Alexander and seconded by Counc. Shea the draft unaudited Rothesay General Fund Financial Statements dated 31 March 2022 be received/filed.

CARRIED.

31 March 2022 Draft unaudited Rothesay Utility Fund Financial Statements
MOVED by Deputy Mayor Alexander and seconded by Counc. Shea the draft unaudited Rothesay Utility Fund Financial Statements dated 31 March 2022 be received/filed.

CARRIED.

31 March 2022 Donation Summary
MOVED by Deputy Mayor Alexander and seconded by Counc. Shea the Donation Summary dated 31 March 2022 be received/filed.

CARRIED.

21 April 2022 Draft Finance Committee meeting minutes
MOVED by Deputy Mayor Alexander and seconded by Counc. Shea the draft Finance Committee meeting minutes dated 21 April 2022 be received/filed.

CARRIED.

➤ Actuarial Valuations

MOVED by Deputy Mayor Alexander and seconded by Counc. McGuire Council approve and authorize the Treasurer to sign engagement letters with Lifeworks to complete actuarial reviews of the Retiring Allowance and Sick Leave Benefit in the aggregate amount of \$9,000 plus HST.

ON THE QUESTION:

Mayor Grant noted, and Treasurer MacDonald confirmed, actuarial reviews are required every three years under Public Sector Accounting Standards (PSAS).

CARRIED.

7.5 19 April 2022 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 19 April 2022 be received/filed.

ON THE QUESTION:

Counc. Boyle highlighted the Age-Friendly Celebration scheduled for June 1st, and a \$15,000 donation received from Canadian Health Solutions.

CARRIED.

7.6 20 April 2022 Draft Works and Utilities Committee meeting minutes
MOVED by Deputy Mayor Alexander and seconded by Counc. Lewis the Draft Works and Utilities Committee Meeting Minutes dated 20 April 2022 be received/filed.

CARRIED.

7.7 2 May 2022 Draft Planning Advisory Committee meeting minutes
MOVED by Counc. Shea and seconded by Deputy Mayor Alexander the Draft Planning Advisory Committee Meeting Minutes dated 2 May 2022 be received/filed.

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ON THE QUESTION:

Deputy Mayor Alexander asked how the proposed amendment to Clause 11 will change the process. DPDS White advised it will remove the commitment on the developer to extend Woodland Avenue to Hampton Road. However, the developer will still be required to incur the cost of necessary road improvements. When questioned, DPDS White confirmed the improvements required will be a decision of Council.

CARRIED.

- 95 Hampton Road
See item 9.1.1

7.8 March 2022 Monthly Building Permit Report

MOVED by Counc. Lewis and seconded by Counc. Mackay French the April 2022 Monthly Building Permit Report be received/filed.

CARRIED.

7.9 5 May 2022 Capital Projects Summary

MOVED by Deputy Mayor Alexander and seconded by Counc. Mackay French the Capital Projects Summary dated 5 May 2022 be received/filed.

ON THE QUESTION:

Counc. Mackay French inquired about the timeline for signalization of the Grove Avenue/Hampton Road intersection. DO McLean advised the matter will be discussed under item 9.3. He confirmed the intersection will have a full set of traffic lights. Mayor Grant noted she is pleased to see progress on the Wastewater Treatment Plant and Fire Station 2 (funding approval).

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

8.4 Private Lanes Policy (Tabled March 2022)

No action at this time

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9. NEW BUSINESS

9.1 BUSINESS ARISING FROM PUBLIC HEARINGS

9.1.1 (95) Hampton Road/Woodland Avenue

3 May 2022	Memorandum from Town Clerk Banks
DRAFT	By-law 2-10-29
DRAFT	Development Agreement

Mayor Grant summarized the application. She reviewed the Planning Advisory Committee's recommendation to amend Clause 11 of the draft development agreement. The original wording is as follows:

"The Developer agrees to carry out and pay for the entire actual cost to construct, within the Woodland Avenue public street right-of-way from the existing end of asphalt through to Hampton Road, pavement, thickness and materials to the width, depths, and densities as approved by the Town Engineer."

The amended wording is as follows:

"The Developer agrees to carry out and pay for the entire actual cost to construct improvements within the Woodland Avenue public street right-of-way as approved by the Town Engineer."

Mayor Grant explained the change would mean that that the extension of Woodland Avenue to Hampton Road would no longer be a condition of the project. DPDS White advised this is correct, however the developer would still be required to pay for improvements in the public street right-of-way as approved by the Town Engineer and Council. When questioned, he confirmed Council could direct staff to provide options for access to the property.

MOVED by Counc. McGuire and seconded by Deputy Mayor Alexander Council give 1st Reading, by Title, to By-law 2-10-29, "A By-law to Amend the Zoning By-law".

ON THE QUESTION:

Counc. Shea mentioned, for the benefit of the public, the matter pertaining to road design is a separate issue and will be a decision of Council. Counc. Mackay French stated, for the record, the final decision on the road design lies with Council. Deputy Mayor Alexander noted the development: aligns with the land use map in the Municipal Plan, provides needed – and wanted – housing options, utilizes existing infrastructure, and is located in the central part of town near the commercial district.

When asked by Mayor Grant, Deputy Mayor Alexander assumed the Chair.

Mayor Grant stated her support for the project. She explained the Town needs diverse housing options, and the project is in a suitable location – a walkable neighbourhood close to amenities.

Mayor Grant resumed the Chair.

CARRIED.

Town Clerk Banks read By-law 2-10-29 by title.

MOVED by Counc. McGuire and seconded by Counc. Lewis Council give 2nd Reading, by Title, to By-law 2-10-29, "A By-law to Amend the Zoning By-law".

CARRIED.

Town Clerk Banks read By-law 2-10-29 by title.

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MOVED by Deputy Mayor Alexander and seconded by Counc. Shea:

Whereas the remaining undeveloped properties fronting on Woodland Avenue are owned by the Developer only, Council directs staff to work with the Developer such that:

1. ingress/egress to the apartment complex is from Woodland Avenue only;
2. a direct roadway connection between Woodland Avenue and Hampton Road is eliminated from further consideration for this development; and
3. if a sidewalk is constructed from the development to Hampton Road via the Woodland Avenue Road right-of-way that it also includes a connection to the existing end of asphalt of Woodland Avenue.

ON THE QUESTION:

Deputy Mayor Alexander noted he believes there are options available to permit one access point on Woodland Avenue. He stated he agrees with public concerns that a connection between Woodland Avenue and Hampton Road would create traffic concerns.

CARRIED.

Counc. McGuire declared a conflict of interest and left the meeting. Counc. Mackay French left the meeting because of her absence at the 145 Hampton Road and Highland/Hillcrest public hearings which precludes her from voting on both items.

9.1.2 145 Hampton Road

29 April 2022

Memorandum from Town Clerk Banks

DRAFT

By-law 2-10-30

DRAFT

Development Agreement

Mayor Grant summarized the application. She noted comments were made at the public hearing indicating a buffer of either a fence, greenspace, or berm would address concerns related to screening, landscaping, and privacy. She clarified that the landscaping plan in the development agreement is rudimentary and does not clearly show these elements. She suggested Council give 1st Reading to By-law 2-10-30 and request a detailed landscaping plan be provided.

MOVED by Counc. Shea and seconded by Counc. Brown Council give 1st Reading, by Title, to By-law 2-10-30, "A By-law to Amend the Zoning By-law".

ON THE QUESTION:

Deputy Mayor Alexander praised the project for its suitable location – in an area designated for high density in the Municipal Plan, and walkable to grocery stores, and dental and doctors' offices. Counc. Lewis agreed it is a good fit for the community but stated he would like to see a detailed landscaping plan to determine where the berm is to be constructed.

When asked by Mayor Grant, Deputy Mayor Alexander assumed the Chair.

Mayor Grant stated her support for the project, citing it provides affordable and diverse housing, and the location promotes walkability through its proximity to amenities.

Mayor Grant resumed the Chair.

CARRIED.

Town Clerk Banks read By-law 2-10-30 by title.

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MOVED by Counc. Lewis and seconded by Counc. Brown a detailed landscaping plan be provided by the developer, inclusive of berms, trees, and shrubs, to be added to the development agreement; and further a bond be secured to ensure specifications of the landscaping plan are followed.

ON THE QUESTION:

When questioned, DPDS White advised a timeline for construction of the berm can be stipulated in the development agreement.

CARRIED.

Counc. McGuire returned to the meeting.

Deputy Mayor Alexander declared a conflict of interest and left the meeting.

9.1.3 Highland Avenue/Hillcrest Drive

29 April 2022	Memorandum from Town Clerk Banks
DRAFT	By-law 2-10-31
DRAFT	Development Agreement

Town Manager Jarvie advised a request was received from the developers to table the item to permit time to improve the project.

MOVED by Counc. Shea and seconded by Counc. Lewis Council table the application for Highland Avenue/Hillcrest Drive.

CARRIED.

Deputy Mayor Alexander and Counc. Mackay French returned to the meeting.

9.2 Contract T-2022-001B Asphalt Resurfacing Project

4 May 2022	Report prepared by DO McLean
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MOVED by Deputy Mayor Alexander and seconded by Counc. McGuire Council award Contract T-2022-001B: Asphalt Resurfacing Project to the low tenderer, Debly Enterprises Ltd., at the tendered price of \$2,722,944.13 (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:

Mayor Grant mentioned the budget for the project was developed using pricing from the 2021 asphalt resurfacing tender but prices have since increased. She noted the 15% budget shortfall will be funded from the Gas Tax Reserve. Deputy Mayor Alexander requested clarification about the portion of Iona Avenue. DO McLean advised the section relates to an access point for a development – if approved, the developer will incur the cost.

CARRIED.

9.3 Equipment Supply – Traffic Signals

4 May 2022	Report prepared by DO McLean
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MOVED by Counc. Mackay French and seconded by Counc. Lewis Council accept the quote from Mallard Forestry Equipment in the amount of \$73,312.50 included HST, for the purchase of traffic signal poles and davit arms for the Grove Avenue/Hampton Road/Church Avenue intersection and further that the Director of Operations be authorized to issue a purchase order in that regard.

ON THE QUESTION:

Mayor Grant noted Mallard Forestry Equipment has supplied all the signal poles and davit arms in the town, including ones designed for the Heritage area. Counc. Mackay French asked about the timeline for completion of the project. DO McLean cautioned it is difficult to predict but estimated completion could occur around October.

CARRIED.

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9.4 HVAC Purchase

5 May 2022

Report prepared by DO McLean

MOVED by Counc. McGuire and seconded by Counc. Lewis Council accept the submission from Black & McDonald for the purchase of an HVAC unit for the Public Works Facility on Master Drive in the amount of \$48,630.05 including HST and further that the Director of Operations be authorized to issue a purchase order in that regard.

CARRIED.

9.5 Truck Purchase

5 May 2022

Report prepared by DO McLean

MOVED by Counc. McGuire and seconded by Deputy Mayor Alexander Council accept the submission from Downey Ford for the purchase of an F150 XL, 8 cylinder automatic, 4x4, single cab, A/C and required safety features for the purchase price of \$56,718.00 inclusive of HST and further that the Director of Operations be authorized to issue a purchase order in that regard.

CARRIED.

9.6 Mower Purchase (Ride-on)

9 May 2022

Report prepared by DRP Jensen

MOVED by Counc. Lewis and seconded by Counc. Shea Council accept the submission from Kennebecasis Land and Leisure for the purchase of a Toro Ride on Mower for the purchase price of \$21,799.00 plus HST for the Rothesay Parks Department.

CARRIED.

9.7 Mower Purchase (Walk behind)

9 May 2022

Report prepared by DRP Jensen

MOVED by Counc. Shea and seconded by Counc. McGuire Council accept the submission from Kennebecasis Land and Leisure for the purchase of a Toro walk behind mower for the purchase price of \$10,799.00 plus HST for the Rothesay Parks Department.

CARRIED.

10. NEXT MEETING

The next meeting is scheduled as follows:

Regular meeting

Monday, June 13, 2022

11. ADJOURNMENT

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

CARRIED.

The meeting adjourned at 7:58 p.m.

Original signed by Mayor

MAYOR

Original signed by Clerk

CLERK