



ROTHESAY
COUNCIL MEETING
Rothesay Town Hall Common Room
Tuesday, October 11, 2022
7:00 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
DIRECTOR OF REC/PARKS (DRP) CHARLES JENSEN
TREASURER DOUG MacDONALD
ADMINISTRATIVE ASSISTANT LIZ HAZLETT

Rothesay Land Acknowledgement **Deputy Mayor Alexander**
Deputy Mayor Alexander read the Rothesay Land Acknowledgement.

Mayor Grant called the meeting to order at 7:06 p.m.

1. APPROVAL OF AGENDA

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

CARRIED.

2. ADOPTION OF MINUTES

➤ Regular Meeting 12 September 2022

MOVED by Counc. Shea and seconded by Counc. McGuire the Open Session Council minutes of September 12, 2022 be adopted as circulated.

CARRIED.

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

3. OPENING REMARKS OF COUNCIL

Mayor Grant reported the passing of former Rothesay Mayor Bill Artiss on September 16, 2022. She spoke of his terms on Town Council as both Mayor and Deputy Mayor, highlighting his involvement in the 1998 amalgamation. She added flags were lowered at the news of his passing. A moment of silence was observed.

Mayor Grant mentioned fall recreation programs are in full swing – a Halloween Public Skate is scheduled October 30th with face painting and other activities.

3.1 Declaration of Conflict of Interest

Counc. Brown declared a conflict of interest with respect to Item 8.4 122 Gondola Point Road, and 2 and 4 Clark Road.

4. DELEGATIONS

N/A

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5. CORRESPONDENCE FOR ACTION

5.1 22 September 2022 Grant request from Symphony New Brunswick

MOVED by Counc. Mackay French and seconded by Deputy Mayor Alexander the grant request from Symphony New Brunswick dated 22 September 2022 be referred to the Finance Committee.

CARRIED.

6. CORRESPONDENCE - FOR INFORMATION

6.1 20 September 2022 Thank you from Rothesay Park School RE: Raven's Nest

MOVED by Counc. Boyle and seconded by Counc. Lewis the thank you from Rothesay Park School RE: Raven's Nest dated 20 September 2022 be received/filed.

ON THE QUESTION:

Mayor Grant noted she and Counc. McGuire attended the opening of the Raven's Nest – an outdoor learning space. The space is dedicated to Counc. McGuire's late brother, Danny.

CARRIED.

6.2 20 September 2022 Letter from KV Committee for Disabled Persons (KVCDP) RE: Funds

MOVED by Counc. Boyle and seconded by Counc. Shea the letter from KV Committee for Disabled Persons (KVCDP) RE: Funds dated 20 September 2022 be received/filed.

CARRIED.

6.3 4 October 2022 Thank you from 2022 Rothesay Medical Education Scholarship recipient

MOVED by Counc. Mackay French and seconded by Counc. Lewis the thank you from 2022 Rothesay Medical Education Scholarship recipient dated 4 October 2022 be received/filed.

ON THE QUESTION:

For the benefit of the public, Mayor Grant explained that Rothesay funds an annual \$5,000 scholarship, through the New Brunswick Medical Education Foundation, for a Rothesay resident who wishes to enroll – or is enrolled – in a medical program.

CARRIED.

7. REPORTS

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

7.1 25 July 2022 Fundy Regional Service Commission (FRSC) meeting minutes

MOVED by Deputy Mayor Alexander and seconded by Counc. Shea the Fundy Regional Service Commission (FRSC) meeting minutes dated 25 July 2022 be received/filed.

ON THE QUESTION:

Mayor Grant summarized the minutes and highlighted the following: a lengthy closed session meeting; the Minister of Local Government's refusal of financial support for individuals involved in addressing the new mandated services for regional service commissions (RSCs) – and a suggestion to provide compensation through RSCs (which are local governments); and formation of an ad hoc committee so the Mayor of Hampton can participate in discussions as Hampton will become a FRSC member in 2023. When questioned, Mayor Grant mentioned LSDs are represented on the Board, however it is unclear if these individuals will remain on the Board after the elections for the new entities have occurred.

CARRIED.

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- 7.2 15 June 2022 Kennebecasis Valley Fire Department (KVFD) Board meeting minutes
 30 April 2022 KVFD Statement of Expense
 15 June 2022 KVFD Chief's Report
 15 June 2022 KVFD Response Report

MOVED by Counc. Lewis and seconded by Counc. Mackay French the Kennebecasis Valley Fire Department (KVFD) Board meeting minutes dated 15 June 2022, the KVFD Statement of Expense dated 30 April 2022, the KVFD Chief's Report dated 15 June 2022, and the KVFD Response Report dated 15 June 2022 be received/filed.

ON THE QUESTION:

Mayor Grant proposed a congratulatory letter be sent to Deputy Fire Chief Shawn White on completion of the "Developing Yourself as a Leader" program from Harvard University.

CARRIED.

- 7.3 22 June 2022 Kennebecasis Regional Joint Board of Police Commissioners (KRJBPC)
 meeting minutes
 31 August 2022 KRJBPC Statement of Financial Position
 14 September 2022 KRJBPC Crime Statistics

MOVED by Counc. Mackay French and seconded by Counc. McGuire the Kennebecasis Regional Joint Board of Police Commissioners (KRJBPC) meeting minutes dated 22 June 2022, the KRJBPC Statement of Financial Position dated 31 August 2022, and the KRJBPC Crime Statistics dated 14 September 2022 be received/filed.

ON THE QUESTION:

Counc. McGuire spoke of a vehicle incident at his neighbour's house and a lack of follow-up from the Police Force. Mayor Grant confirmed the matter was brought to the attention of the Police Chief and a response was sent.

CARRIED.

- 7.4 31 August 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 August 2022 be received/filed.

ON THE QUESTION:

Deputy Mayor Alexander highlighted that grants were received in August for the Wells Community Building which offsets capital costs and makes the surplus appear larger than it is. A correction will occur later in the year.

CARRIED.

- 31 August 2022 Draft unaudited Rothesay Utility Fund Financial Statements

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

ON THE QUESTION:

Town Clerk Banks advised the variance report was missing from the electronic agenda package but was distributed to Council in paper copy at the meeting.

CARRIED.

- 31 August 2022 Donation Summary

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

CARRIED.

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29 September 2022 Draft Finance Committee meeting minutes

MOVED by Deputy Mayor Alexander and seconded by Counc. Shea the draft Finance Committee meeting minutes dated 29 September 2022 be received/filed.

CARRIED.

3 October 2022 Memorandum from Treasurer MacDonald

MOVED by Deputy Mayor Alexander and seconded by Counc. Shea Council schedule a Special Open Session meeting of Council for Tuesday, November 1st at 7:00 p.m.

CARRIED.

- Draft 2023 Budgets
 - Regional Facilities
 - Kennebecasis Regional Police Force
 - Kennebecasis Valley Fire Department
 - Kennebecasis Public Library

MOVED by Deputy Mayor Alexander and seconded by Counc. Shea Council refer the proposed budgets for the Regional Facilities, Kennebecasis Regional Police Force, Kennebecasis Valley Fire Department, and Kennebecasis Public Library to the 2023 budget process.

CARRIED.

22 September 2022 Draft Joint Finance Committee meeting minutes

MOVED by Counc. Shea and seconded by Counc. Boyle the draft Joint Finance Committee meeting minutes dated 22 September 2022 be received/filed.

CARRIED.

7.5 20 September 2022 Draft Age Friendly Advisory Committee meeting minutes

MOVED by Counc. Boyle and seconded by Counc. Lewis the draft Age Friendly Advisory Committee meeting minutes dated 20 September 2022 be received/filed.

ON THE QUESTION:

Mayor Grant explained since the Government of New Brunswick Wellness Branch has been phased out, the Fundy Regional Community Capacity and Resiliency Steering Committee has taken its place. Age Friendly Advisory Committee Chair, Diane O'Connor, heard of the committee and has become a member. Mayor Grant mentioned the Town has not received an invitation for representation on the Steering Committee. She asked if Council should formally support D. O'Connor's participation on behalf of the Town. Counc. Shea suggested it may not be necessary as the description outlines non-profits, organizations, and community groups and does not mention local governments. It was agreed her role on the Committee as a representative of the Rothesay Hive is appropriate.

Mayor Grant spoke of current programs and opportunities that continue to work towards the Rothesay Hive being a volunteer-led facility.

CARRIED.

7.6 20 September 2022 Draft Parks and Recreation Committee meeting minutes

MOVED by Counc. McGuire and seconded by Counc. Boyle the draft Parks and Recreation Committee meeting minutes dated 20 September 2022 be received/filed.

ON THE QUESTION:

In response to an inquiry, Counc. Boyle noted the student-led free programs at the Rothesay Hive relates to board games. Mayor Grant corrected an error, noting it is 102 members of the Rothesay Hive not Rothesay High School. Counc. Mackay French asked when the Kennebecasis Valley Santa Claus Parade will be held. It was noted the date is Saturday, November 26th.

CARRIED.

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7.7 21 September 2022 Draft Works and Utilities Committee meeting minutes
MOVED by Deputy Mayor Alexander and seconded by Counc. McGuire the draft Works and Utilities Committee meeting minutes dated 21 September 2022 be received/filed.

ON THE QUESTION:
Deputy Mayor Alexander summarized the minutes. Counc. McGuire inquired about the “Welcome to Rothesay” highway signage. DO McLean advised the design was approved by Transfield Dexter Gateway Services Ltd. and the Department of Transportation and Infrastructure following a minor change to text size. The signs were ordered however it is unlikely they will be received in time to install before winter.

CARRIED.

7.8 3 October 2022 Draft Planning Advisory Committee meeting minutes
MOVED by Counc. Shea and seconded by Counc. Mackay French the draft Planning Advisory Committee meeting minutes dated 3 October 2022 be received/filed.

CARRIED.

7.9 September 2022 Monthly Building Permit Report
MOVED by Counc. Lewis and seconded by Counc. Boyle the September 2022 Monthly Building Permit Report be received/filed.

CARRIED.

7.10 5 October 2022 Capital Projects Summary
MOVED by Counc. Mackay French and seconded by Counc. Boyle the Capital Projects Summary dated 5 October 2022 be received/filed.

CARRIED.

8. UNFINISHED BUSINESS

TABLED ITEMS

8.1 Strong Court Sidewalk – Anglophone South School District (Tabled April 2021)
No action at this time

8.2 Rothesay Arena Open House (Tabled September 2021)
No action at this time

8.3 Private Lanes Policy (Tabled March 2022)
No action at this time.

Counc. Brown declared a conflict of interest and left the meeting.

8.4 122 Gondola Point Road/2 and 4 Clark Road (PIDs 30262448, 30262430, 00254912)
16 September 2022 Memorandum from Town Clerk Banks
DRAFT By-law 2-10-32
16 September 2022 Memorandum from DPDS White
DRAFT Discharge Agreement
DRAFT Development Agreement
MOVED by Counc. Mackay French and seconded by Deputy Mayor Alexander Council give Reading in its Entirety to By-law 2-10-32.

CARRIED.

Town Clerk Banks read By-law 2-10-32 in its entirety.

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MOVED by Counc. Mackay French and seconded by Counc. McGuire Council give 3rd Reading by Title and Enactment to By-law 2-10-32.

CARRIED.

Town Clerk Banks read By-law 2-10-32 by title.

MOVED by Counc. Mackay French and seconded by Deputy Mayor Alexander Council authorize the Mayor and Clerk to enter into an agreement, to allow for the development of a 24-unit apartment building on land located at 122 Gondola Point Road, 2 Clark Road, and 4 Clark Road, Rothesay (PIDs 30262448, 30262430, 00254912).

CARRIED.

MOVED by Counc. Shea and seconded by Counc. Lewis Council hereby discharges the existing development agreement registered as document number 29522464 on the Land Title of PIDs 00254912, 30262430, and 30262448 and authorizes the Mayor and Clerk to enter into a discharging agreement.

CARRIED.

Counc. Brown returned to the meeting.

8.5 Wells Community Centre

5 October 2022

Memorandum from Town Manager Jarvie

Mayor Grant explained Council approved the project with an original estimate of \$1.8 million dollars. Funding was successfully sought from ACOA (\$500,000) and RDC (\$483,000). Following discussions with subtrades the cost has risen to \$3.1 million dollars. She noted the project is deemed a significant piece of infrastructure for the community.

MOVED by Deputy Mayor Alexander and seconded by Counc. McGuire Council approve an increase to the budget for the project to \$3.1 million dollars; and authorize requests to the funding agencies to increase their proportionate contributions.

ON THE QUESTION:

Town Manager Jarvie advised there have been preliminary conversations regarding potentially increasing external funding. If approved, staff will follow up and construction can begin. When questioned, he advised the intent is to finish the project as soon as possible but there has been some indication the deadline (March 31, 2023) could be extended.

Counc. Shea stated he will be voting against the recommendation. He prefaced his support for a community building in Wells however he cannot support the project for the following reasons: the substantial cost (\$3.1 million dollars); unknown annual operating costs; public input was limited to residents in the immediate vicinity (not the entire community); the purpose of the facility (gathering space, kitchen, and washrooms) does not warrant such a considerable cost; a continually escalating cost with no guarantee that it will not rise further; the plan is based on a schematic – rather than – a detailed design; the reallocation of capital from operating funds (street resurfacing and fleet replacement) required to cover the shortfall; a hastiness surrounding the decision which could impact Council in the future; other Town projects with no status updates at this time – stormwater management, the Wastewater Treatment Plant upgrade, the Wells Connector Link, Fire Station 2; as well as rising costs for external agencies, interest rates, and inflation. He concluded by stating this is not an ideal time for construction, especially for a \$3.1 million dollar building.

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Town Manager Jarvie clarified there are detailed design plans which the cost estimate is based on.

Counc. McGuire appreciated Counc. Shea's comments but noted substantial funding was obtained from other levels of government, which is difficult to turn away for such a beneficial project. He stated he will be supporting the project.

NAY vote recorded from Counc. Shea.

CARRIED.

9. NEW BUSINESS

9.1 Committee Appointment

4 October 2022 Memorandum from the Nominating Committee

MOVED by Counc. Lewis and seconded by Counc. McGuire Council appoint John Buckley to the Imperial Theatre Board for a term to expire December 31, 2024.

CARRIED.

9.2 Preliminary Budget Information

6 October 2022 Memorandum from Town Manager Jarvie with attachments

MOVED by Counc. McGuire and seconded by Deputy Mayor Alexander the memorandum from Town Manager Jarvie RE: Preliminary Budget Information with attachments dated 6 October 2022 be received for information.

ON THE QUESTION:

Mayor Grant asked what the implications to Rothesay would be. Town Manager Jarvie advised the analysis of draft budget requests (still under review) suggests an increase, for Rothesay, of roughly \$660,000 for external costs. Rothesay's tax base grew 10.3% but there will be a reduction in the Core and Equalization Grant (\$104,778 will be received), and \$107,734 will be committed to the Fundy Regional Service Commission (FRSC) on Rothesay's behalf. He reviewed the table, from the Department of Environment and Local Government, which shows potential additional property tax revenue at either a 1.5 or 1.7 ratio (at Council's discretion during budget deliberations). He explained the table can be used for comparison to other municipalities, however the large assessment increases are much higher than usual. This information will be considered during budget deliberations.

Treasurer MacDonald stressed that the totals provided are still in draft form and may be subject to change. The aggregate increase in the cost is roughly \$663,000 dollars which is not insignificant and is somewhat outside the Town's control.

Mayor Grant spoke of the FRSC budget and noted the following: the vote on the budget was rescheduled from September 26th to October 17th to grant more time for review; Version 5 of the budget remains the most recent iteration; it is unclear if a vote by the FRSC is required or if the Minister will approve the budget regardless; Rothesay's contribution to FRSC has increased \$167,000 (25%) from 2022; and the Province is providing a grant (possibly a one-time grant) of \$107,000 to the FRSC on the Town's behalf. Without the grant, Rothesay's contribution would have been near \$300,000 in 2023; and in 2024 the FRSC may have to apply for funding. Mayor Grant expressed concern that the process has not been democratic as new entities have not held their elections yet. Furthermore, significant corporate costs have been added – an additional \$10,000 is required to provide the services of Envision Saint John through the FRSC. Additionally, the capital costs for the regional facilities are problematic. She reiterated Council's position that the Trade and Convention Centre does not meet the criteria of a regional facility. She added the facility requires operating costs of \$500,000 per year. She concluded by noting there is no account for the \$15 million dollar equalization grant Saint John receives annually, whereas Rothesay does not receive such a grant. She stated these are the challenges she faces when voting for the budget. She asked for direction from Council.

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Counc. McGuire agreed with the position on the Trade and Convention Centre. He clarified the numbers are not set in stone and Rothesay is expected to receive additional funds from the 10.3% tax base growth. He stated it has always been Council’s intent for the tax rate to remain as low as reasonably possible. However, expenses have skyrocketed. In comparison to last year, Rothesay may be receiving more funds however expenses have also risen.

Deputy Mayor Alexander acknowledged the need for local governance reform and stated it is a significant undertaking. However, he agreed with prior comments that the process has been hasty – the Province did not allocate sufficient time to properly plan and make adjustments; current and future representation for regional service commissions has not been considered; and capital expenses for facilities, as well as the Trade and Convention Centre (it is a business not unique to Saint John) should not be included in the regional facilities budget.

Counc. Shea concurred with prior remarks. He asked if the budget could be defeated by the FRSC or if the Province would enforce it anyway. Mayor Grant explained, to be approved the vote requires support from two thirds of the population (members). She added even if the vote from the FRSC is not considered the decision will inform the Province of public opinion.

Counc. Mackay French noted this region has five regional facilities. She inquired about other regions. Town Manager Jarvie advised the next highest number of facilities occurs in Moncton with three. A list was produced by the Province of facilities in each area. Although the QPlex was withdrawn from the list, Regional Service Commission #9 (FRSC) still has the greatest number of facilities. Counc. Mackay French requested a review of the criteria for a regional facility, adding she agrees the Trade and Convention Centre should not be included.

Mayor Grant listed the criteria as follows:

- The infrastructure is providing a truly regional benefit
- The scale of ongoing operations of the infrastructure and its capacity to host events is more substantial in comparison to other infrastructure in the region
- The uniqueness of the infrastructure
- The infrastructure offers multiple activity opportunities that may appeal to various age groups
- Groups and associations from across the region and outside the region often use the infrastructure.

CARRIED.

10. NEXT MEETING

The next meeting is scheduled as follows:

Special Budget meeting	Tuesday, November 1, 2022 at 7:00 p.m.
Regular meeting	Monday, November 14, 2022 at 7:00 p.m.

11. ADJOURNMENT

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

The meeting adjourned at 8:02 p.m.

Original signed by Mayor

MAYOR

Original signed by Clerk

CLERK