



ROTHESAY

COUNCIL MEETING
Rothesay Town Hall Common Room
Monday, February 13, 2023
7:00 p.m.



PRESENT: MAYOR NANCY GRANT
DEPUTY MAYOR MATT ALEXANDER
COUNCILLOR HELEN BOYLE
COUNCILLOR DAVE BROWN
COUNCILLOR PETER J. LEWIS
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

ABSENT: COUNCILLOR TIFFANY MACKAY FRENCH
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 7:00 p.m.

1. APPROVAL OF AGENDA

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

CARRIED.

2. ADOPTION OF MINUTES

- Regular Meeting 9 January 2023

MOVED by Counc. Lewis and seconded by Counc. McGuire the Open Session Council minutes of January 9, 2023 be adopted as circulated.

CARRIED.

- Public Hearing 16 January 2023

MOVED by Counc. Lewis and seconded by Deputy Mayor Alexander the Open Session Council minutes of January 9, 2023 be adopted as circulated.

CARRIED.

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

3. OPENING REMARKS OF COUNCIL

Mayor Grant noted the following: Winterfest is a great success and many of the events are quite popular; she read the roster of athletes/coaches/managers who are from Rothesay and will be travelling to the Jeux Canada Games in Prince Edward Island and wished them well; and noted that Rothesay and Quispamsis will be hosting Lieutenant Governor Brenda Murphy on Wednesday, March 8th for International Women's Day. Counc. Boyle noted the Rothesay High School Girls hockey team won the Debbie Marion Memorial Tournament in Fredericton last weekend.

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3.1 Declaration of Conflict of Interest

Deputy Mayor Alexander declared a conflict of interest with respect to Item 9.4 99 Chapel Road Discharge Agreement.

4. DELEGATIONS

N/A

5. CORRESPONDENCE FOR ACTION

5.1 19 January 2023 Email from Brian McKiel RE: Provincial AED registration

23 January 2023 Email from Mr. McKiel to Medavie NB

23 January 2023 Letter from Mr. McKiel to Premier Higgs

MOVED by Deputy Mayor Alexander and seconded by Counc. McGuire Council send a letter of support, as requested by Mr. McKiel, for provincial AED registration.

CARRIED.

5.2 23 January 2023 Email from resident RE: Request for three-way stop at Broadway/Elizabeth Parkway

MOVED by Deputy Mayor Alexander and seconded by Counc. McGuire the Email from resident RE: Request for three-way stop at Broadway/Elizabeth Parkway be referred to the Works and Utilities Committee.

CARRIED.

5.3 2 February 2023 Grant application for Hockey New Brunswick Tournament March 24-26

MOVED by Counc. Shea and seconded by Counc. Boyle the Grant application for Hockey New Brunswick Tournament March 24-26 (U13 AA KV Hawks) be referred to the Finance Committee.

CARRIED.

6. CORRESPONDENCE - FOR INFORMATION

6.1 11 January 2023 Response to resident RE: 7 Jersey Lane (PID 30034144)

MOVED by Deputy Mayor Alexander and seconded by Counc. McGuire the Response to resident RE: 7 Jersey Lane (PID 30034144) dated 11 January 2023 be received/filed.

CARRIED.

6.2 25 January 2023 Letter from Saint John to Prime Minister Trudeau RE: Guaranteed Livable Basic Income

MOVED by Counc. Lewis and seconded by Counc. Boyle the letter from Saint John to Prime Minister Trudeau RE: Guaranteed Livable Basic Income dated 25 January 2023 be received/filed.

CARRIED.

6.3 6 February 2023 Letter from the League for Human Rights of B'nai Brith Canada RE: Combatting Antisemitism

New Brunswick Declaration of Antisemitism adopted by IHRA

MOVED by Counc. Lewis and seconded by Counc. Shea the letter from the League for Human Rights of B'nai Brith Canada RE: Combatting Antisemitism dated 6 February 2023 and the New Brunswick Declaration of Antisemitism adopted by IHRA be received/filed.

CARRIED.

6.4 Various Letters/emails from residents RE: Spyglass Hill (14)

MOVED by Counc. Lewis and seconded by Counc. Boyle the letters/emails from residents RE: Spyglass Hill (14) be received/filed:

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ON THE QUESTION:

Mayor Grant opened the matter for discussion. Counc. Shea suggested some thought be given to holding a public forum for those who view this area as a recreation facility. Deputy Mayor Alexander made the following comments: the lands are privately owned and have never been owned by the Town; the current owner has stated publicly they do not appreciate people trespassing on their lands, removing no trespassing signs and littering; there is no current development proposed for this area; there are many competing projects for taxpayer dollars (e.g. new arena, connector tunnel to connect trails on both sides of the Mackay Highway and a new wastewater treatment plant); there are more than just purchase costs involved – including insurance, maintenance and upkeep and lost opportunity costs; the secondary plan was revisited a number of years ago to ensure there is coordinated development in the Hillside Planning area and to balance the community's desire to protect open space with concerns about potential tax rate increases; and the Secondary Plan and Municipal Plan are long horizon strategies that took about four years to develop at great cost.

Deputy Mayor Alexander also commented on green space within Rothesay and suggested the following: total greenspace owned by the Town is about 1150 acres or just over 13% of the total area of the Town, which includes 700 acres in Wells Recreation Park (8.5%); comparable numbers are 0.7% for Centennial Park in Moncton, 1.2% for O'Dell Park in Fredericton and 3% for Rockwood Park in Saint John. Wells Recreation Park is used by residents throughout the region and has a number of groomed trails, wilderness trails, two baseball fields, two tennis courts, one soccer field, a dog park and soon to be opened multi-use building.

Deputy Mayor Alexander noted that demand for housing has increased because of COVID and New Brunswick has seen record-setting population growth; developers recognize the need for development and there are various stages for public input through the development process; there has been a shift in the types of housing desired that includes multi-unit residential buildings, smaller homes and cluster housing. He concluded by acknowledging the passion of those who provided comments and suggested there may be a grassroots opportunity to come together to preserve the lands as it is not feasible at this time for the Town to purchase and preserve the lands.

Mayor Grant thanked Deputy Mayor Alexander for his research and reiterated the Town does not own the land, would not develop it and that the Secondary Plan represents a forty-year build out of coordinated development in the area.

Counc. Shea reiterated that it cannot be denied there is significant public interest and a public meeting on the matter would not mean the Town would buy it, noting that he believes it would be worthwhile.

MOVED by Counc. Shea a public meeting be held with residents to discuss the future of Spyglass Hill.

Motion lost due to lack of seconder.

MOVED by Deputy Mayor Alexander and seconded by Counc. Lewis staff provide a response to the letters/emails from residents RE: Spyglass Hill.

CARRIED.

7. REPORTS

7.0 February 2023 Report from Closed Session
N/A

7.1 23 November 2022 Kennebecasis Regional Joint Board of Police Commissioners (KRJBPC) meeting minutes
30 November 2022 KRJBPC Financial Statements
December 2022 Crime Statistics
January 2023 Crime Statistics

MOVED by Counc. Shea and seconded by Deputy Mayor Alexander the Kennebecasis Regional Joint Board of Police Commissioners (KRJBPC) meeting minutes dated 23 November 2022, the KRJBPC Financial Statements dated 30 November 2022 and the Crime Statistics Reports dated December 2022 and January 2023 be received/filed.

CARRIED.

7.2 31 December 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 December 2022 be received/filed.

ON THE QUESTION:
There was a brief discussion on the variance report. Treasurer MacDonald noted these are the draft year end statements and subject to audited review. The General Fund has an estimated surplus of \$194,000.00.
CARRIED.

31 December 2022 Draft unaudited Rothesay Utility Fund Financial Statements
MOVED by Deputy Mayor Alexander and seconded by Counc. Lewis the Draft unaudited Rothesay Utility Fund Financial Statements dated 31 December 2022 be received/filed.
ON THE QUESTION:
There was a brief discussion on the variance report. Treasurer MacDonald noted these are the draft year end statements and subject to audited review. The Utility Fund will have an estimated surplus of \$32,899.00.
CARRIED.

31 December 2022 Donation Summary
MOVED by Deputy Mayor Alexander and seconded by Counc. Shea the Donation Summary dated 31 December 2022 be received/filed.
ON THE QUESTION:
Mayor Grant noted she delivered a cheque for \$250 to Rothesay High School in support of their fundraising efforts to purchase a theatre curtain.
CARRIED.

19 January 2023 Draft Finance Committee meeting minutes
MOVED by Deputy Mayor Alexander and seconded by Counc. Shea the draft Finance Committee meeting minutes dated 19 January 2023 be received/filed.
CARRIED.

➤ KV Food Basket
MOVED by Deputy Mayor Alexander and seconded by Counc. Shea Council approve a grant to Quispamsis to fund KV Food Basket operating costs in the amount of \$6,154.04.
CARRIED.

➤ Sophia Recovery Centre
MOVED by Deputy Mayor Alexander and seconded by Counc. Shea Council approve a donation to Sophia Recovery Centre in the amount of \$5,000 as a one-time contribution to satellite site start-up costs.
CARRIED.

➤ MCBB Application – Gondola Point Road and Clark Road Intersection
MOVED by Deputy Mayor Alexander and seconded by Councillor Shea:

Be it resolved that the Municipality of ROTHESAY submit to the Municipal Capital Borrowing Board an application for authorization to borrow money in an amount not to exceed \$2,400,000 for the following:

Purpose	Term	Amount
NAME OF FUND: Transportation		
Clark Road/Gondola Point Road Intersection		
Street/Curb/Sanitary/Signals	15YRS	\$2,180,000
Land Improvements	5YRS	220,000
		CARRIED.

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7.3 2022 Kennebecasis Valley Fire Department Annual Report

MOVED by Counc. Lewis and seconded by Counc. Shea the 2022 Kennebecasis Valley Fire Department Annual Report be received/filed.

CARRIED.

MOVED by Counc. Lewis and seconded by Counc. Boyle the following be received/filed:

7 December 2022	Kennebecasis Valley Fire Department (KVFD) Board meeting minutes
30 September 2022	KVFD Statement of Expense
9 November 2022	Projected 2024/2024 Capital Budgets
1 November 2022	Compliance Report
December 2022	KVFD Fire Chief's Report
October 2022	KVFD Response Report
9 November 2022	EMO Update

CARRIED.

7.4 17 January 2023 Draft Parks and Recreation Committee meeting minutes

MOVED by Counc. Boyle and seconded by Counc. McGuire the draft Parks and Recreation Committee meeting minutes dated 17 January 2023 be received/filed.

CARRIED.

7.5 18 January 2023 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 18 January 2023 be received/filed.

ON THE QUESTION:

Town Manager Jarvie advised he met with the manager of Sobeys about accessibility and was advised the author of the letter had also contacted her. The manager indicated the extension of the sidewalk along the front of the store to the public sidewalk on Hampton Road will be reviewed later in the spring.

CARRIED.

➤ CN Rail Crossing (Monaco Drive/Dobson Lane)

MOVED by Deputy Mayor Alexander and seconded by Counc. Boyle Council authorize DO McLean to explore the idea of a new vehicular at-grade crossing with CN between Dobson Lane and Monaco Drive.

ON THE QUESTION:

Counc. Shea requested clarification on where the request came from, suggesting residents on Dobson Lane may not want a thoroughfare on the existing dead end lane. DO McLean advised it is a continuation of the QR trail that currently ends at the Quispamsis lagoon and would continue along land behind Kaitlyn to pick up the other trail. It is intended as a pedestrian crossing, but a vehicular crossing is being recommended for sight lines. It was noted this would be similar to the crossing at East Riverside-Kingshurst Park.

CARRIED.

7.6 24 January 2023 Draft Climate Change Adaptation Committee meeting minutes

MOVED by Deputy Mayor Alexander and seconded by Counc. Shea the draft Climate Change Adaptation Committee meeting minutes dated 24 January 2023 be received/filed.

CARRIED.

7.7 6 February 2023 Draft Planning Advisory Committee meeting minutes

MOVED by Counc. Shea and seconded by Counc. Boyle the draft Planning Advisory Committee meeting minutes dated 6 February 2023 be received/filed.

CARRIED.

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7.8 January 2023 Monthly Building Permit Report
MOVED by Counc. Shea and seconded by Counc. Lewis the Monthly Building Permit Report dated January 2023 be received/filed.

CARRIED.

7.9 9 February 2023 Capital Projects Summary
MOVED by Counc. Boyle and seconded by Deputy Mayor Alexander the Capital Projects Summary dated 9 February 2023 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 Private Lanes Policy (Tabled July 2022)
No action at this time

8.3 Rothesay Arena Open House (Tabled September 2021) *Remove from table*
19 January 2023 Memorandum from Town Clerk Banks
17 August 2021 Parks and Recreation Committee recommendation
13 September 2021 Resolution of Council
MOVED by Counc. McGuire and seconded by Counc. Lewis the matter of the Rothesay Arena Open House be removed from the table.

ON THE QUESTION:
Mayor Grant noted the original recommendation came from the Parks and Recreation Committee and some of the conditions have not been met.
NAY votes unanimous.

DEFEATED.

8.4 50 Hampton Road By-law 2-10-33
19 January 2023 Memorandum from Town Clerk Banks
5 December 2022 Recommendation from Planning Advisory Committee
DRAFT By-law 2-10-33
7 February 2023 Report prepared by DPDS White
MOVED by Counc. Shea and seconded by Counc. McGuire Council give First Reading, by Title, to By-law 2-10-33.

ON THE QUESTION:
Mayor Grant noted the public hearing was held on January 16, 2023. The following comment were made: Counc. McGuire noted a number of passionate people attended the hearing and expressed their concerns, and he noted the three large buildings being added to Hampton Road were not taken into account in the traffic study; Deputy Mayor Alexander agreed that traffic was an issue and the study did not take into account new developments, and the building density is too high; Counc. Brown agreed that traffic is an issue; Counc. Lewis also agreed traffic is an issue and was disappointed another entrance was to be added to Hampton Road, rather than tying into the Arthur Miller Fields parking lot; Counc. Boyle noted she did not agree with the traffic study and traffic is already an issue on Hampton Road.

Mayor Grant asked the Deputy Mayor to assume the Chair so she could speak to the matter. She noted that national rental units are at the lowest rate in recent history and this project also contains some affordable units; the property is designated for high density and, while she understands the concerns raised at the hearing, she is in favour of the project to help address needs for rental housing.

Mayor Grant assumed the Chair. Deputy Mayor Alexander agreed that additional housing is needed but was disappointed only 3 of the units were identified as affordable units, and further suggested \$1100/month is not affordable, and the remaining units at \$2300-2400/month is quite steep.
NAY votes unanimous. DEFEATED.

9. NEW BUSINESS
9.1 BUSINESS ARISING FROM PUBLIC MEETING
Accommodations Levy By-law 1-23

8 February 2023 Memorandum from Town Clerk Banks
DRAFT Accommodations Levy By-law 1-23
MOVED by Deputy Mayor Alexander and seconded by Counc. McGuire First Reading, by Title, be given to By-law 1-23, Rothesay Accommodations Levy By-law.

ON THE QUESTION:
The comments raised earlier during the special meeting were noted. Mayor Grant noted First Reading can be done and the Town Manager can work with Envision Saint John to bring forward further recommendations at the next meeting or in April. Town Manager Jarvie noted the affected property owners would also be consulted.
CARRIED.

The Clerk read By-law 1-23 by Title.

ADMINISTRATION/FINANCE
9.2 Local Improvement Levy – Kennebecasis Park

12 January 2023 Memorandum from Town Clerk Banks
13 February 2023 Warrant of Assessment
MOVED by Deputy Mayor Alexander and seconded by Councillor McGuire:

Whereas projects were undertaken as local improvements in accordance with the pertinent By-laws, Rothesay Council hereby directs that a special warrant be issued for the sum set out in the local improvement assessment roll for 2023 and further directs the Clerk to cause such special assessments to be collected in accordance with By-law 3-00.

Local Improvement By-law #	Amount to be collected
By-law 4-00	\$ 58,880.73

CARRIED.

9.3 Local Improvement Levy – Mulberry Lane

12 January 2023 Memorandum from Town Clerk Banks
13 February 2023 Warrant of Assessment
MOVED by Deputy Mayor Alexander and seconded by Councillor Shea:

Whereas projects were undertaken as local improvements in accordance with the pertinent By-laws, Rothesay Council hereby directs that a special warrant be issued for the sum set out in the local improvement assessment roll for 2023 and further directs the Clerk to cause such special assessments to be collected in accordance with By-law 1-19.

Local Improvement By-law #	Amount to be collected
By-law 1-19-01	\$ 4,708.33

CARRIED.

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

9.4 99 Chapel Road Discharge Agreement

7 February 2023 Memorandum from DPDS White
DRAFT Discharge Agreement

MOVED by Counc. McGuire and seconded by Counc. Shea Council hereby discharges the existing development agreement, and two amending agreements registered as Document numbers 11774289, 12812278, and 17493371 on the Land Title of PID 30206882.

CARRIED.

Deputy Mayor Alexander returned to the meeting room.

RECREATION

9.5 Plow and Sander Purchase – Parks Department

13 February 2023 Report prepared by DRP Jensen

MOVED by Counc. Lewis and seconded by Counc. Shea Council accept the submission from Rock Industrial for the purchase and installation of a plow and sander for the price of \$27,060.00 plus HST for the Rothesay Parks Department.

ON THE QUESTION:

Counc. Brown noted he was pleased there were three quotes and they were all close in cost.

CARRIED.

OPERATIONS

9.6 Wastewater Treatment Plant – Phased Approach

8 February 2023 Report prepared by DO McLean

MOVED by Counc. Shea and seconded by Counc. Brown Council accept the phasing as outlined and further that the Director of Operations be authorized to submit a revised-scope application to the Regional Development Corporation, more specifically:

	Phase I	Phase II	Phase III	Total
Total Cost	594,441.60	7,677,772.25	28,705,689.15	36,977,903.00
Town share 26.67%	158,513.80	2,047,408.49	7,654,831.30	9,860,753.59
Provincial share 33.33%	198,145.22	2,559,231.82	9,568,467.37	12,325,844.41
Federal share 40%	237,776.64	3,071,108.90	11,482,275.66	14,791,161.20

ON THE QUESTION:

Town Manager Jarvie advised DO McLean has been working closely with RDC to reach a viable solution on funding for the project, which has seen cost estimates increase from about \$21.6 million to \$32 million. He noted the goal is to keep as many options on the table as possible and this is a fallback decision if there is no additional money or options to restructure the proposal available from the province. Town Manager Jarvie commented that the time is approaching where a decision has to be made as the Town has to improve wastewater quality but does not have the money. He explained the KPark and Renforth lagoons would be de-commissioned and the Sagamore Point lagoon would be upgraded. In aggregate, the cost will be more expensive but staff do not recommend increasing user charges a number of times.

Counc. Shea asked about a timeline. Town Manager Jarvie suggested possibly 2030 for completion, subject to grant money being received. The phased approach is being recommended to possibly allow for some costs to be reimbursed from the original \$21.6 million already approved, if additional funding is not secured. Deputy Mayor Alexander thanked staff for the revised plan and noted it goes a long way to preserve blue spaces in the Town.

CARRIED.

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9.7 Contract T-2023-004: Positive Displacement Combination Sewer Cleaning Truck

7 February 2023 Report prepared by DO McLean

MOVED by Counc. Lewis and seconded by Counc. McGuire Council accept the quote from SNG Solution Inc. in the amount of \$762,467.87 including HST for the purchase of an SECA positive displacement combination sewer cleaning truck and further that the Director of Operations be authorize to issue a purchase order in that regard.

ON THE QUESTION:

It was noted two quotes were received and the recommended tender is under budget. DO McLean advised the warranty is one year on equipment and five years on the powertrain. It was noted the purchase is cost effective over the yearly rental cost.

CARRIED.

9.8 Stormwater Repairs

7 February 2023 Report prepared by DO McLean

MOVED by Counc. Shea and seconded by Counc. McGuire Council accept the quote from Eastern Trenchless in the amount of \$83,600 plus HST to complete thirty-nine (39) individual repairs to deteriorated sections of storm sewer infrastructure and further that the Director of Operations be authorized to issue a purchase order in that regard.

CARRIED.

10. NEXT MEETING

Regular meeting Monday, March 13, 2023 at 7:00 p.m.

The next meeting will be Monday, March 13, 2023 at 7:00 p.m.

11. ADJOURNMENT

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

CARRIED.

The meeting adjourned at 8:10 p.m.

Original signed by Mayor
MAYOR

Original signed by Clerk
CLERK