



ROTHESAY
COUNCIL MEETING
Rothesay Town Hall Common Room
Monday, January 8, 2024
7:00 p.m.



PRESENT: MAYOR NANCY GRANT
DEPUTY MAYOR MATT ALEXANDER
COUNCILLOR DAVE BROWN
COUNCILLOR HELEN BOYLE
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 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 7:02 p.m.

1. APPROVAL OF AGENDA

MOVED by Counc. Mackay French and seconded by Counc. Shea the agenda be approved as circulated.

CARRIED.

2. ADOPTION OF MINUTES

➤ Regular Meeting 11 December 2023

MOVED by Counc. Boyle and seconded by Counc. Lewis the Open Session Council minutes of December 11, 2023 be adopted as circulated.

CARRIED.

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

3. OPENING REMARKS OF COUNCIL

➤ Alzheimer's Awareness Month (Recognition day January 17, 2024)

Mayor Grant announced, in recognition of Alzheimer's Awareness Month, Council and staff are sporting blue "forget me not" pins and Town Hall will be lit blue on January 17th. There will also be an Alzheimer's Awareness walk on May 25th. She added Family Literacy Day is scheduled for later in the month on January 27th.

The Fundy Regional Service Commission has registered for an Environmental Impact Assessment (EIA) to increase the height of cells from 90 to 117.5 meters. A public information session is scheduled for January 16th at St. Matthew's Worship Site, 45 Dollard Drive, Saint John at 6:00 p.m. All are welcome.

Counc. Mackay French wished her great aunt, Hope Hunter, a happy birthday as she turned 106 on January 1, 2024.

3.1 Declaration of Conflict of Interest

Counc. Mackay French declared a conflict of interest with respect to Item 7.5 45 Marr Road and 6 Old Mill Lane (PIDs 00245415 & 00118067).

Couns. Mackay French and McGuire will excuse themselves from the discussion on Item 8.4 School Avenue/Kaitlyn Street (Glengary Estates) owing to their absence at the November 20th public hearing.

4. DELEGATIONS

N/A

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5. CORRESPONDENCE FOR ACTION

5.1 11 December 2023 Donation request from Portage

MOVED by Counc. Shea and seconded by Counc. Lewis the donation request from Portage dated 11 December 2023 be referred to the Finance Committee.

CARRIED.

5.2.1 15 December 2023 Letter from the Kennebecasis Valley Fire Department RE: Extension for the Regional Fire Agreement

5.2.2 20 December 2023 Letter from Quispamsis

MOVED by Counc. Shea and seconded by Counc. McGuire Rothesay Council agree to extend the Regional Fire Protection Agreement and the Administration Agreement for one (1) year to December 31st, 2024; and an MOU be prepared and executed by the participating parties formalizing the one-year extension.

CARRIED.

6. CORRESPONDENCE – FOR INFORMATION

6.1 December 2023 Social Media Promotion of Recognition Events 2024 Schedule

MOVED by Deputy Mayor Alexander and seconded by Counc. Boyle the social media promotion of recognition events 2024 schedule dated December 2023 be received/filed.

ON THE QUESTION:

Counc. Mackay French suggested Canada Day (July) and New Brunswick Day (August) be added to the list. Town Clerk Banks explained that those are standard annual events whereas the list relates to recognition requests typically received for approval by Council.

CARRIED.

6.2 3 January 2024 Response from Minister Rodriguez RE: MV Fundy Rose (Saint John/Digby)

MOVED by Deputy Mayor Alexander and seconded by Counc. Mackay French the response from Minister Rodriguez RE: MV Fundy Rose (Saint John/Digby) dated 3 January 2024 be received/filed.

ON THE QUESTION:

Mayor Grant thanked all who signed the petition, and as Counc. McGuire said, “together we made a difference”.

CARRIED.

6.3 4 January 2024 Letter to Recycle NB RE: NB Stewardship Plan for Packaging and Paper

MOVED by Counc. Boyle and seconded by Deputy Mayor Alexander the letter to Recycle NB RE: NB Stewardship Plan for Packaging and Paper dated 4 January 2024 be received/filed.

CARRIED.

6.4 4 January 2024 Response to resident RE: Clark Road Intersection Improvements

MOVED by Deputy Mayor Alexander and seconded by Counc. McGuire the response to resident RE: Clark Road Intersection Improvements dated 4 January 2024 be received/filed.

CARRIED.

7. REPORTS

7.0 **January 2024** **Report from Closed Session**
N/A

7.1 26 October 2023 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 26 October 2023 be received/filed.

CARRIED.

7.2 30 November 2023 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 30 November 2023 be received/filed.

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ON THE QUESTION:

Deputy Mayor Alexander noted the Finance Committee did not have a meeting in December, and there are minimal changes from the previous month. Treasurer MacDonald mentioned the statements include a Capital Plan Summary report – a similar report was received during 2024 Capital Budget discussions. The report identifies funding sources for 2023 projects, and those carried forward to 2024. It was noted the annual audit process is expected to begin early February.

CARRIED.

30 November 2023 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 30 November 2023 be received/filed.

ON THE QUESTION:

Deputy Mayor Alexander noted comments regarding the General Fund Statements are similar for the Utility Fund, including the additional Capital Plan Summary report.

CARRIED.

30 November 2023 Donation Summary
MOVED by Deputy Mayor Alexander and seconded by Counc. Mackay French the Donation Summary dated 30 November 2023 be received/filed.

ON THE QUESTION:

Mayor Grant requested clarification on some items that have not been paid. Treasurer MacDonald advised staff use recurring donation requests as a guide to help create the annual budget. However, the requests are not automatically granted – formal requests must be submitted and approved by Council.

CARRIED.

7.3 20 December 2023 Draft Works and Utilities Committee meeting minutes
MOVED by Counc. Boyle and seconded by Counc. Lewis the draft Works and Utilities Committee meeting minutes dated 20 December 2023 be received/filed.

ON THE QUESTION:

Counc. Mackay French requested a status update on the easement with Scotiabank. Town Manager Jarvie advised the matter is under discussion by the lawyers but news is expected soon. When questioned, he noted the residents are aware of the Town's plan but have not indicated whether or not they are satisfied with the plan.

CARRIED.

➤ Almon Lane (detour concerns)

MOVED by Deputy Mayor Alexander and seconded by Counc. Mackay French Council send a letter to residents that their concerns were heard and the Town did everything that they could have in planning of the detour which did not include Almon Lane. The Town recognizes that there are some lingering issues such as damage to the shoulders and they will be rectified in the future.

CARRIED.

➤ Woodland Avenue (recommendation for a "No Exit" sign)

MOVED by Deputy Mayor Alexander and seconded by Counc. Boyle Council have a "No Exit" sign installed on Woodland Avenue and staff follow up on the installation of the gate at the end of Woodland Avenue.

CARRIED.

➤ Grove Avenue/Hampton Road/Church Avenue (traffic light concern)

MOVED by Deputy Mayor Alexander and seconded by Counc. Mackay French Council send a letter to the resident stating the traffic lights on Church Ave/Grove Ave/Hampton Rd operate as they were designed to and are configured the same as other intersections in Rothesay.

CARRIED.

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- Donlyn Drive (request for sidewalk)

MOVED by Deputy Mayor Alexander and seconded by Counc. Lewis Council send a letter to resident stating Donlyn Drive is on the Town's 5-year plan for a new sidewalk.

CARRIED.

- First Street (water run-off)

MOVED by Deputy Mayor Alexander and seconded by Counc. Shea Council send a letter to resident stating work has been completed on First Street to fix runoff.

CARRIED.

7.4 20 December 2023 Draft Heritage Preservation Review Board meeting minutes

MOVED by Counc. Mackay French and seconded by Counc. Shea the draft Heritage Preservation Review Board meeting minutes dated 20 December 2023 be received/filed.

CARRIED.

7.5 2 January 2024 Draft Planning Advisory Committee meeting minutes

MOVED by Counc. Shea and seconded by Counc. Mackay French the draft Planning Advisory Committee meeting minutes dated 2 January 2024 be received/filed.

ON THE QUESTION:

Counc. Shea clarified that he used to own property, not live, on Robinson Street.

CARRIED.

Counc. Mackay French declared a conflict of interest and left the meeting.

- 45 Marr Road and 6 Old Mill Lane (PIDs 00245415 & 00118067)

MOVED by Counc. Shea and seconded by Counc. McGuire Council schedule a Public Hearing for Monday, January 29, 2024 at 6:00 p.m., in accordance with the *Community Planning Act*, SNB 2017 c 19, to consider rezoning 45 Marr Road and 6 Old Mill Lane (PIDs 00245415 & 00118067) from the Single Family Residential R1B zone to the Multi-Unit Residential Zone [R4].

ON THE QUESTION:

Deputy Mayor Alexander called for a point of order, noting a conflict of interest was declared at tonight's meeting but the Council member was present, and participated in discussion at the Planning Advisory Committee meeting. Town Clerk Banks advised, in accordance with the Local Governance Act, it is the decision of the Council member on whether a conflict of interest is declared.

Deputy Mayor Alexander noted he is in favour of scheduling a public hearing. He suggested the developer come prepared to answer questions regarding traffic and stormwater management as the information provided was conceptual rather than detailed.

CARRIED.

Counc. Mackay French returned to the meeting.

- Dobbin Street (PIDs 30354955 & 30354963)

MOVED by Counc. Shea and seconded by Deputy Mayor Alexander Council schedule a Public Hearing for Monday, January 29, 2024 *immediately following a public hearing at 6:00 p.m.*, in accordance with the *Community Planning Act*, SNB 2017 c 19, to consider amending the development agreement of the Dobbin Street property particularly with respect to Lot 2 (PID 30354955) and Lot 3 (30354963); and Council consider amending the development agreement registered as document 34727207 to increase the total unit count by 13.

CARRIED.

- 7 Scott Avenue PID 00064105

See Public Hearing scheduled for January 15, 2024

7.6 December 2023 Monthly Building Permit Report

MOVED by Counc. McGuire and seconded by Counc. Shea the December 2023 Monthly Building Permit Report be received/filed.

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ON THE QUESTION:

Mayor Grant commented on the high construction value, noting it is the highest she has seen in her tenure with the Town.

CARRIED.

7.7 4 January 2024 Capital Projects Summary

MOVED by Counc. Lewis and seconded by Deputy Mayor Alexander the Capital Projects Summary dated 7 December be received/filed.

ON THE QUESTION:

Mayor Grant requested clarification with respect to the completed status of the Secondary Plan Road Design. Town Manager Jarvie advised a plan was created for Wiljac Street and will be brought to Council; a tender could be issued as early as the spring.

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 July 2022)

No action at this time.

Councils Mackay French and McGuire excused themselves from the discussion on Item 8.4 owing to their absence at the November 20th public hearing.

8.4 School Avenue/Kaitlyn Street (Glengary Estates) PIDs 30146708 & 30146674

3 January 2024 Memorandum from Town Clerk Banks

DRAFT By-law 2-10-36

DRAFT Subdivision Agreement

Mayor Grant briefly provided background.

MOVED by Counc. Shea and seconded by Deputy Mayor Alexander Council give Reading in its Entirety to By-law 2-10-36.

CARRIED.

Town Clerk Banks read By-law 2-10-36 in its entirety.

MOVED by Counc. Shea and seconded by Deputy Mayor Alexander Council give 3rd Reading, by Title, and Enactment to By-law 2-10-36.

CARRIED.

Town Clerk Banks read By-law 2-10-36 by title.

MOVED by Counc. Shea and seconded by Deputy Mayor Alexander Council authorize the Mayor and Clerk to enter into the subdivision agreement with MR Investments Inc. for the properties situated at the end of School Avenue off Kaitlyn Street, identified as PIDs 30146708 & 30146674.

CARRIED.

Councils Mackay French and McGuire returned to the meeting.

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8.5 Rothesay Ridesharing By-law

5 January 2024 Memorandum from Town Manager Jarvie
20 December 2023 Public Notice
DRAFT By-law 1-24

Mayor Grant provided background, highlighting that: Council gave 1st Reading, by Title, at its December meeting; the by-law is comprehensive and similar to a related by-law in Saint John; rideshare companies must be registered in Rothesay in order to operate; and two amendments were made to include requirements for a Vulnerable Sector Check and a Class 4 license.

MOVED by Deputy Mayor Alexander and seconded by Counc. Lewis Council give 2nd Reading by Title to By-law 1-24.

CARRIED.

Town Clerk Banks read By-law 1-24 by title.

MOVED by Deputy Mayor Alexander and seconded by Counc. Mackay French Council give Reading by Section Number to By-law 1-24.

CARRIED.

Town Clerk Banks read By-law 1-24 by section number.

MOVED by Deputy Mayor Alexander and seconded by Counc. Mackay French Council give 3rd Reading by Title and Enactment to By-law 1-24.

CARRIED.

Town Clerk Banks read By-law 1-24 by title.

9. NEW BUSINESS

9.1 Committee Appointment Error

29 December 2023 Memorandum from Nominating Committee

MOVED by Counc. Lewis and seconded by Counc. McGuire Council appoint Danielle (Dani) Bourque to the Rothesay Parks and Recreation Committee for a term to expire 31 December 2025.

CARRIED.

9.2 Zamboni Purchase Rothesay Arena

8 January 2024 Report prepared by DRP Jensen

MOVED by Counc. Shea and seconded by Counc. McGuire Council approve the purchase of a 2024 Zamboni 526 from Saunders Equipment Ltd. (Fredericton, N.B.) for the price of \$122,950.00 plus HST and further that the Director of Parks and Recreation be authorized to issue a purchase order in that regard.

ON THE QUESTION:

Mayor Grant noted the purchase is intended to replace a nine-year-old piece of equipment; and the lowest bid is underbudget.

CARRIED.

10. NEXT MEETING

10.1 Special Public Meeting (Recreation Master Plan)

3 January 2024 Memorandum from Town Clerk Banks
DRAFT Recreation Master Plan (Version 4)

Council expressed interest in meeting with the consultant to discuss the substantial plan, prior to a public meeting. It was proposed that the recommendation, for the meeting on January 15th, be changed to a Working Session, rather than a special meeting, as there have been more opportunities for public comments but very few for Council.

MOVED by Counc. Mackay French and seconded by Counc. McGuire Council schedule a Working Session for Monday, January 15, 2024 at 6:00 p.m. for a presentation of the draft Recreation Master Plan.

CARRIED.

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The next meetings are scheduled as follows:

- Working Session (Recreation Master Plan)** Monday, January 15, 2024 at 6:00 p.m.
- Public Hearing (7 Scott Avenue)** Monday, January 15, 2024 at 6:30 p.m.
- Public Hearing (45 Marr Road/6 Old Mill Lane)** Monday, January 29, 2024 at 6:00 p.m.
- Public Hearing (Dobbin Street)** Monday, January 29, 2024
(immediately following a public hearing)
- Regular meeting** Monday, February 12, 2024 at 7:00 p.m.

Discussion ensued on a start time for the January 15th Working Session. It was suggested the meeting be adjourned and Council have an informal discussion.

11. ADJOURNMENT

MOVED by Counc. McGuire and seconded by Counc. Shea the meeting be adjourned.

CARRIED.

The meeting adjourned at 7:40 p.m.

Original signed by Mayor

Original signed by Clerk

MAYOR

CLERK