



QUISPAMISIS TOWN COUNCIL
REGULAR MEETING
MINUTES

July 17, 2018, 7:00 pm
Council Chambers
Quispamsis Town Hall

Present:

Mayor Gary Clark
Deputy Mayor Libby O'Hara
Councillor Lisa Loughery
Councillor Sean Luck
Councillor Kirk Miller
Councillor Emil T. Olsen
Councillor Pierre Rioux
Councillor Beth Thompson
Deville, Susan; CAO
Kennedy, Aaron; Communications Manager
Losier, Gary; Director of Engineering & Works
McGraw, Jo-Anne; Town Treasurer
Purton Dickson, Dana; Director of Community Services
Snow, Catherine; Town Clerk

1. Approval of Agenda

Moved By Deputy Mayor O'Hara

Seconded By Councillor Luck

The agenda be approved as prepared.

Motion Carried

2. Mayor's Comments

Mayor Clark acknowledged this meeting is Town Treasurer, Jo-Anne McGraw's final council meeting as she retires August 3, 2018 after serving in the position of Town Treasurer from 2000 – 2018. She has served four Mayors and five Councils over this time, and has been an integral part of the community. He thanked Jo-Anne for her many years of dedicated service managing the Town's finances, recognizing her calm demeanour and her sound advice has been very much appreciated. He wished her all the best in her future endeavours. A standing ovation of those in attendance followed in recognition of Ms. McGraw's tenure with the town of Quispamsis.

3. Moment of Reflection

Deputy Mayor O'Hara read the moment of reflection.

4. Disclosures of Interest

4.1 Councillor Luck - (June 19/18) Dr. Caley McNamara Crowdis - 224 Hampton Road - PID No. 251835 - Rezoning Application- R1 to CC for Proposed Psychology & Wellness Clinic and Professional Office Space

5. Presentations

6. Public Hearings

7. Minutes of Previous Meetings

7.1 June 19, 2018 - Regular Meeting

Moved By Deputy Mayor O'Hara

Seconded By Councillor Luck

Minutes be approved as prepared.

Motion Carried

8. Unfinished Business

8.1 (Mar., 2017) UMN - Climate Change & Energy Initiative - (CCEI Project)

Proposed Resolution Setting GHG Corporate, (Town), and Community Target Reductions

Correspondence from Yves Hennekens, President of YHC Environment, thanked the Town for its participation with the UMNb Climate Change and Energy Initiative. He enclosed copies of the Town's final Corporate GHG Inventory and Action Plan as well as the Community Inventory and GHG and Energy Action Plan. He stated the final and important step now for the Municipality is to have Council adopt by resolution the Town's GHG Reduction Targets for the Corporate and Community and send it to FCM and UMNb for approval of PCP Milestones 1 - 3. These first three Milestones include the GHG Emissions Inventory and Forecast, Setting an Emissions Reductions Target, and Developing a Local Action Plan. Milestones 4 and 5 consist of implementation of action plans and monitoring and reporting results.

CAO Deuille noted, Quispamsis, a member of FCM's Partner for Climate Protection Program since 1994, has been lauded as a leader in New Brunswick for its many initiatives over the years to reduce greenhouse gases. The Corporate and Community GHG Energy Action Plans prepared as part of the UMNb Climate Change initiative will use the 2015 GHG inventory as a baseline. The Corporate (Town) target reductions will tend to be easier to meet as the Town has more control over the Corporate Plan, with the more challenging Community Action Plan extending out to residents and businesses in the Town to take actions to reduce their carbon footprint.

Moved By Councillor Thompson

Seconded By Councillor Olsen

Whereas the Town of Quispamsis participated in the Climate Change & Energy Initiative (CCEI) of the Union of Municipalities of New Brunswick Association (UMNB),

Whereas the Town of Quispamsis participated in the Partners for Climate Protection Program (PCP) of the Federation of Canadian Municipalities (FCM);

Whereas the Town of Quispamsis has conducted a Corporate GHG Inventory & Action Plan and Community GHG & Energy Action Plan;

Therefore BE IT RESOLVED

THAT the Town of Quispamsis set the target for reducing **Corporate GHG Emissions by 12% by 2025**, compared to its 2015 reference level; and furthermore,

The Town of Quispamsis set the target for reducing its **Community GHG Emissions by 8% by 2025 and 16% by 2035** from the 2015 baseline.

Motion Carried

8.2 (Nov. 2017) Review of Draft Grants Policy - Staff Recommendation from Director of Community Services

A Staff Report from the Director of Community Services responded to Council's request for a policy for the budgetary process to streamline funding requests from various community based groups and organizations. Staff, Ms. Purton Dickson stated, is recommending Council create a Community Grants Committee and at its discretion, Council could allocate funding to the Committee as part of its budget process. The Committee would then meet to determine the best way to distribute the money based on the eligibility requirements proposed in the draft Community Grants Policy.

Moved By Deputy Mayor O'Hara

Seconded By Councillor Olsen

Council table the Draft Grants Policy to provide the Deputy Mayor an opportunity to send her comments on the Draft Grants Policy to the Director of Community Services, acknowledging that she does not support a group, other than Council, making final decisions on budget allocations in response to grant requests.

Motion Carried

8.3 (Apr. 17/18) Performance Audit - Draft RFP Prepared by CAO Deuville (Tabled from June 19/18 Regular Meeting)

Moved By Councillor Thompson

Seconded By Councillor Loughery

Council authorize Staff to proceed with advertising the Consulting Services Internal Performance Audit and Review RFP for quotes for consideration as part of the 2019 budget process.

Motion Carried

Against (1): Deputy Mayor O'Hara

8.4 (May 15/18) Crosswalk Safety Hampton Road

Staff Report from Director of Engineering & Works; and Correspondence from the QES Parent School Support Committee

Correspondence from Nicole Hamming, Chair of the Quispamsis Elementary School Parent School Support Committee expressed concerns as it relates to the safe travel and use of near QES on the Hampton Road. The PSSC formally requested that the Town observe and review the situation and make changes to enhance the safety of the crosswalk, including flashing lights, flashing speed signage to reduce overall safety risks and relocation of the crosswalk to allow the students to cross at a more direct point..

A Staff Report from the Director of Engineering and Works alluded to results from a recent traffic study completed by Crandall Engineering of the Hampton Road which indicated the urban collector street, a provincially designated highway, carries an average of 7900 vehicles daily. Mr. Losier noted in the area of QES, there is well established crossings and to deviate from these recognized locations may prove more problematic and introduce more issues to the mix. He recommended initially, prior to the commencement of the 2018 school year, the Town's focus to improve the safety of this area, should be on use of the speed radar signs and the rectangular rapid flash beacons.

Moved By Councillor Miller

Seconded By Councillor Thompson

In order to enhance awareness and improve safety at the Quispamsis Elementary school zone, Staff install speed radar signage and rectangular rapid flash beacons prior to commencement of school for the fall 2018 school year, and the KVPD be asked to patrol the area and monitor the effectiveness of the changes.

Motion Carried

Moved By Councillor Olsen
Seconded By Councillor Miller

Staff research the newer crosswalk safety mechanisms throughout the Town and provide a report to Council on how the Town could initiate the installation of traffic signalling devices, similar to the one at the Kennebecasis Public Library crossing and near the Pettingill Road railway crossing for consideration for the 2019 budget year and future years.

Motion Carried

8.5 (May 15//18) Colton Brook Cross Culvert Reconsideration - (Councillor Olsen)

Pursuant to Section 20 of the Procedural By-law No. 033, before any discussion can occur re the reconsideration of the addition of the Colton Brook Cross Road Culvert, (a motion was defeated on this matter at the June 19, 2018 Regular Meeting), a motion of Council would be in order, to 'reconsider this matter'. The By-law requires only upon a 2/3 majority vote of the Whole Council (6 votes), may any by-law, motion, or matter that has been voted on or otherwise disposed of within the 3 previous months be reconsidered.

A Staff Report from the Director of Engineering and Works informed Council at the previous June 19, 2018 meeting, while there appeared to be some support for installation of the Colton Brook culvert installation as an add on to the 2018 Capital Streets Program, the only motion considered included this work as part of a larger overall package. The completion of the Colton Brook 3000 mm cross culvert was identified as the first priority should additional consideration be given to reallocating capital funds. The proposed project involves replacing an existing old corrugated metal culvert with a new concrete culvert. Cost estimates for this work is approximately \$270,000. A potential source of funding for this project would be through reallocation of capital reserve funds.

Moved By Councillor Olsen
Seconded By Councillor Miller

Council entertain a motion of reconsideration in order to further discuss the addition of the Colton Brook Cross Road Culvert. (Requires 2/3 majority of whole Council - 6 votes)

Motion Defeated

Nay: Mayor Clark, Deputy Mayor O'Hara, Councillor Loughery, Councillor Luck, Councillor Rioux and Councillor Thompson

8.6 (June 19/18) Muriel Wark - Request for Space in Town Facility for Senior Exercise Program - Staff Report from Director of Community Services

A Staff Report from the Director of Community Services responded to a request from Deby Siemens and Muriel Wark asking that the Civic Centre rental fee be waived for the Senior's Sittercise Program. Ms. Purton Dickson noted in an effort to recoup the Town's costs to maintain and operate Town facilities, the Town no longer considers waiving of fees for groups. The rental rate however, she noted, at \$24 per hour is an affordable rate.

Moved By Councillor Loughery
Seconded By Deputy Mayor O'Hara

The Town offer the Sittercise Senior's Exercise Program space at the Civic Centre at the hourly rate of \$24 plus tax.

Motion Carried

9. Correspondence

9.1 Rte 119 Access Request from Gondola Point Road - Dirk Larooi - Staff Report

Correspondence from Dirk Larooi informed Council he soon hopes to be a resident of the new apartment building at River View Estates. He acknowledged the closed end of the Gondola Point Road and suggested, to alleviate some of the increased traffic from Kane Road and Matthews Drive, and to expedite access to the Arterial, the exit lane from Gondola Point Road, one way, be opened and a short merge lane be created, with traffic from the Gondola Point Road yielding to the ferry traffic.

A Staff Report from the Director of Engineering & Works informed Council the closure of the Gondola Point Road happened when the the Gondola Point Arterial first opened. At that time, both roads were considered Provincially Designated Highways, and the Province did not require municipal approval from the Village of Gondola Point. Currently Route 119 is considered a controlled access and only the Provincial Department of Transportation and Infrastructure can grant access onto this highway. If Council wishes to investigate the Province's interest in the proposal, it would be in order to correspond with DTI initially. The type of access that may have potential for approval would be a one way right hand turn-on ramp that exits the Gondola Point Road and turns up onto the Arterial. If approved, he said, it would likely increase traffic volumes at the Squire Drive intersection, a change that may potentially impact traffic warrants for this intersection and have potential capital budget implications for the Town.

Moved By Deputy Mayor O'Hara
Seconded By Councillor Olsen

Council write to the Provincial Department of Transportation and Infrastructure requesting consideration for the construction of a right turn only lane exiting from the Gondola Point Road onto the Gondola Point Arterial.

Motion Carried

9.2 Dangerous and Unsightly Premises - 446 Gondola Point Road - Staff Report from Director of Engineering & Public Works, By-law Enforcement

A Staff Report from the Director of Engineering & Works informed Council the Town has received multiple complaints concerning the dangerous and unsightly conditions of the abandoned dwelling located at 446 Gondola Point Road. The vacant property, in serious disrepair, has debris and household rubbish on the grounds, and the KVFD have already responded to one case of attempted arson. Multiple attempts to contact the owner of the property have been unsuccessful, with the property currently in the midst of an estate holding. Mr. Losier advised to demolish the building will cost between \$15,000 - \$20,000, however, with the new Local Governance Act, reimbursement for the demolished

building is provided under the provisions of the Dangerous and Unightly Premises By-law.

Moved By Councillor Thompson

Seconded By Deputy Mayor O'Hara

The Town Solicitor to draft a formal notice for the Building Inspector to post on the property identified as 446 Gondola Point Road, pursuant to authority vested to the Town under Section 132 of the Local Governance Act and the Quispamsis Dangerous and Unightly Premises By-law No. 39; notifying the owner of the premises of the unsightly and dangerous condition of the property and what must be done to correct the condition including the date of which the conditions must be corrected.

Motion Carried

9.3 Mr. Fred Short - Request to Present to Council Concerns Re Noise By-law for Special Events on Weekends – Music - Request that Noise By-law Provide a More Defined Threshold Reading for What Constitutes a Public Nuisance or Disturbance

Mr. Short related a situation that recently occurred during a social gathering held on his property respecting a noise by-law complaint. He asked if the Noise By-law could be amended to include a measured threshold that would provide a tangible determination as to what constitutes a public nuisance or disturbance. Currently the by-law defines a nuisance or disturbance if one person is unreasonably disturbed by a noise or sounds of such volume or of such nature as to cause annoyance. This could vary, it was noted, from person to person.

Ms. Lorraine Gautreau also addressed Council stating she is a neighbour of Mr. Short's and did not find, the night in question, the music unreasonably loud.

Moved By Councillor Olsen

Seconded By Deputy Mayor O'Hara

Council refer Mr. Short's request for a more defined threshold reading for what constitutes a public nuisance or disturbance in the residential areas to Town Staff and the Town Solicitor to review in conjunction with their

current review of this By-law pertaining to the use of outdoor music at commercial establishments.

Motion Carried

Moved By Councillor Luck

Seconded By Deputy Mayor O'Hara

A representative from the Kennebecasis Regional Police Force be requested to attend the August 21, 2018 Regular Meeting to explain the procedure the Police follow upon receiving a complaint under the Noise By-law.

Motion Carried

9.4 KidSport NB - Hosting .5 km Run For the Rest of Us at Quispamsis Arts and Culture Park - Request for Local Food Truck on Location

Correspondence from Hillary Pineau, Program Coordinator informed Council KidSport NB is hosting a 0.5 km "Run for the Rest of Us" at the Arts and Culture Park on August 25, and will include an afternoon of entertainment and activities for the whole family. She requested Council's permission to have a local food truck on location the day of the event.

Moved By Deputy Mayor O'Hara

Seconded By Councillor Luck

In response to Ms. Pineau's request, and pursuant to Section 4. A. of the Town's Parks and Beaches By-law No. 030; Council permit KidSport NB permission, in writing, to operate a local Food Truck on August 25, 2018 during the 0.5 km 'Run for the Rest of Us' event at the Arts and Culture Park, subject to their providing to the Town proof of liability insurance coverage sufficient to protect the Town from all liability arising out of the use of the Park on that date.

Motion Carried

9.5 KV Deer Management Program - Fall, 2018

Correspondence from Joe Kennedy, Biologist, Energy and Resource Development requested whether the Town still wishes to participate in the

KV Deer Management Program, and if so to advise him in writing. He included a copy of the 2018 Fact Sheet for the KV Nuisance Deer Management Assistance Program that would run from October 1 - November 17, 2018, allowing landowners in the KV to receive special permits authorizing hunters to harvest one antlerless deer on their property. The permits are issued to hunters chosen by the landowner to harvest deer on their property.

Moved By Councillor Luck

Seconded By Councillor Olsen

Correspondence be issued to Mr. Joe Kennedy, Wildlife Biologist, of the Provincial Energy and Resource Development Department indicating Council's support for the continuation of the Deer Management Program for the fall of 2018.

Motion Carried

9.6 Banking Signing Officers

Moved By Councillor Miller

Seconded By Councillor Olsen

Council appoint Krista Brandon, the new Town Treasurer, as one of the Town of Quispamsis's Bank Signing Officers, effective July 25, 2018 and remove Jo-Anne McGraw as a town of Quispamsis Bank Signing Officer, effective her retirement date of August 31, 2018; with the exception of Jo-Anne McGraw continuing as a Bank Signing Officer for the Under 17 World Cup Hockey Event of which she is the Treasurer.

Motion Carried

10. By-laws

10.1 (June 19/18) Proposed By-law No. 055; A By-law of the Municipality of Quispamsis Respecting Building

Councillor Luck read a summary of the proposed Building By-law No. 055 which was also advertised on the Town's website, with the main changes noted as follows:

- Prescribes standards related to the construction of structures;
- Prescribes a system of permits for the construction, renovation, demolition, and relocation of structures;
- Provides for reasonable exceptions to required permits;
- Prescribes a system of mandatory inspections throughout the construction process;
- Prescribes a system of sign-offs for registered professionals associated with the construction, renovation or relocation of a structure;
- Prescribes fees and refundable deposits related to permits and waivers;
- Provides general conditions which all permits must adhere to;
- Sets out the responsibilities for permit holders and building inspectors; and,
- Requires a surveyor's real property report where a building is located in a required side or rear yard.

Moved By Deputy Mayor O'Hara

Seconded By Councillor Luck

Third and final reading be given to By-law No. 055; A By-law of the Municipality of Quispamsis Respecting Building, and the enacted Building By-law No. 044 and all amendments thereto be repealed with the enactment of the new Building By-law.

Motion Carried

10.2 (June 19/18) Proposed Local Improvement By-law No. 011 - 2018

(Consideration of 3rd and Final Reading - Proposed By-law to be Read in its Entirety)

Moved By Councillor Thompson

Seconded By Councillor Olsen

Third and final reading be given to Proposed Local Improvement By-law No. 011-2018.

Motion Carried

- 10.3 (June 19/18) Dr. Caley McNamara Crowdis - 224 Hampton Road - PID No. 251835 - Rezoning Application- R1 to CC for Proposed Psychology & Wellness Clinic and Professional Office Space

Proposed Municipal Plan By-law Amendment No. 054-01; and Proposed Zoning By-law Amendment No. 038-27

Councillor Luck declared a conflict on this item and left the meeting.

Moved By Councillor Rioux

Seconded By Councillor Olsen

Council set August 21, 2018 at 7 pm as the date for a Public Hearing, refer the rezoning application for 224 Hampton Road to PAC for its written views, and send notice of the proposed rezoning to property owners within a 100 m radius of the property proposed for rezoning.

Motion Carried

Councillor Luck returned.

11. New Business

- 11.1 Assent of Maple Ridge Subdivision - Phase 1 (Off Elliot Road)

Moved By Councillor Miller

Seconded By Deputy Mayor O'Hara

Council grant assent to Maple Ridge Estates Subdivision Phase 1 subject to the following terms and conditions:

Submission of a professionally engineered street design in accordance with the Town Subdivision Speciation's and Guidelines, and approval by the Town prior to construction;

Submission of an onsite septic report from a qualified professional completed in accordance with the Public Health Act of New Brunswick demonstrating the property can support the level of development proposed.

Submission of a Comprehensive Water Source and Supply Assessment (Hydrogeological Report) as prepared by a qualified registered professional engineer demonstrating that there is water of sufficient quantity and quality to support the proposed level of development;

Submission of a comprehensive Storm Water Management Plan, completed by a qualified registered professional engineer, that demonstrates and incorporates engineering best practices to achieve a Net Zero resultant in pre and post development flows and includes the Protected Drainage and Recharge Area;

LPP obligations to be met through the dedication of land in the general area as shown on the attached plan that is to be incorporated into the Development Agreement as a Schedule:

Filing Fees totalling Two Hundred Seventy Dollars (\$270) for a subdivision plan creating seven (7) lots;

The Developer to enter into a standard Development Agreement with the Town;

The Final Plan is to be signed by the Property Owner(s) and any applicable Public Utilities.

Motion Carried

12. Reports

Moved By Councillor Rioux

Seconded By Councillor Miller

Reports be received and filed with the exception of Item 12.9 – Annual Mayor and Council Remuneration Increase and Government of Canada Notice of Change for Non-Accountable Allowances Paid to Elected Municipal Officials in 2019 Taxable Allowance.

Motion Carried

- 12.1 Town of Quispamsis - May 2018 Unaudited Financial Statements - Town Treasurer
- 12.2 UMNB 2018 Conference - Member Registration Package
- 12.3 PAC Meeting Minutes of June 12, 2018
- 12.4 Town of Quispamsis Building Report As At June 2018
- 12.5 Animal Control Call Summary As At June 2018
- 12.6 Kennebecasis Regional Joint Board of Police Commissioners - May 23 Meeting Minutes, Financials and Call Summary Reports
- 12.7 Kennebecasis Valley Fire Dept. Inc. - May 23, 2018 Meeting Minutes, Financials, Chief's Report and Response Report
- 12.8 Mayor and Council Travel Expense Report - Town Treasurer
- 12.10 Mike and Denise Brennan - Thank You -Engineering and Utility Staff - Lift Pump Repair
- 12.11 Drew Langille - Thank You - 2018 Town Bursary
- 12.12 Brittney Harkiolakus - Thank you - Town Bursary
- 12.13 MP Alaina Lockhart - Enabling Accessibility Fund - Councillor Miller suggested the Town make application for funding under the Enabling Accessibility Fund if there are any projects that would meet the grant criteria.
- 12.14 MP Alaina Lockhart - Proposals for Funding under the National Housing Strategy Initiatives
- 12.15 MP Alaina Lockhart - Harm Reduction Fund to Reduce Transmission of Blood Borne Infections
- 12.16 CN Rail - Rail Safety Week - September 23 - 29, 2018
- 12.17 Phyllis Hart - Concerns Re Atlantic Precast Concrete Ltd. Tentative Subdivision Plan
- 12.18 Cannabis Information for Landlords and Tenants
- 12.19 Cardiac Rehab Walk of Life Fundraiser - September 8, 2018

12.9 Annual Mayor and Council Remuneration Increase and Government of Canada Notice of Change for Non-Accountable Allowances Paid to Elected Municipal Officials in 2019 Taxable Allowances - Town Treasurer

Moved By Deputy Mayor O'Hara

Seconded By Councillor Thompson

The Town Treasurer be directed to examine best practices to see what other municipalities are doing with respect to the non-accountable allowances that will be, in 2019, treated as taxable income; and, from there, the Town Treasurer draft an amendment to the Remuneration By-law to ensure Council Members are still compensated from the Town the same amount in 2019 as they were in 2018.

Motion Carried

13. Business Arising from Committee of the Whole

14. Adjournment

Moved By Councillor Rioux

Seconded By Councillor Olsen

The Regular Meeting stand adjourned.

Motion Carried

Meeting adjourned at 9:05 p.m.

Gary Clark, Mayor

SEAL

Catherine Snow, Clerk