



QUISPAMISIS TOWN COUNCIL

REGULAR MEETING

MINUTES

April 6, 2021, 7:00 pm

Council Chambers

Quispamsis Town Hall

Present:

Mayor Gary Clark
Deputy Mayor Libby O'Hara
Councillor Sean Luck
Councillor Lisa Loughery
Councillor Kirk Miller
Councillor Emil T. Olsen
Councillor Pierre Rioux
Councillor Beth Thompson
Deville, Susan; CAO (Electronic Attendance)
Brandon, Krista; Town Treasurer
Kennedy, Aaron; Communications Manager
MacInnis, Lisa; Assistant Clerk
Purton Dickson, Dana; Director of Community Services
Snow, Catherine; Town Clerk

1. Approval of Agenda

Moved By Councillor Luck

Seconded By Councillor Miller

The Agenda be approved as prepared.

Motion Carried

2. Mayor's Comments

Mayor Clark noted this is the first meeting with the new digital audio system which will accommodate those in attendance and remote participants. The new technology will allow for meetings to be more efficiently live streamed for the viewing public, even after the pandemic.

Mayor Clark announced the Town is promoting the Canadian Transplant Association's Green Shirt Day in recognition of the importance of organ and tissue donations. He stated Green Shirt Day serves to inspire Canadians to register to be organ and tissue donors, and also the importance of discussing these wishes with loved ones. He acknowledged Humboldt Broncos bus crash victim, the late Logan Boulet, who was an organ donor and saved several lives as a result.

3. Moment of Reflection

Councillor Miller read the Moment of Reflection.

4. Disclosure of Interest - (No Disclosures were Declared)

5. Presentations

5.1 R. V. Anderson Associates - Asset Management - Level of Service Overview (45 Minute Presentation)

In Attendance (Virtually): Michael Benson, Asset Management Engineer, RV Anderson Associates

Mr. Benson presented an overview of the process required to determine a Level of Service for municipal services and infrastructure. Municipalities, he noted, are service-based organizations, and provide various services at different levels. He used "Motorist Transportation", as the example, for the purposes of his demonstration, acknowledging that each service the Town offers would follow the same process to determine the level of service desired, the lifecycle costs, and the resources needed to achieve the determined level of service.

The framework approach, Mr. Benson continued, looks at what are the needs and expectations of the community and what can the Town afford or is willing to pay for a desired Level of Service. Motorists Transportation looks at the network capacity, driving surface quality, safety considerations and accessibility during the winter season. For instance, for Quispamsis to maintain its current level score for *driving surface quality*, Council would need to invest \$2.2 million in the Town's annual Street Capital Program each year for a 10 year period.

The Director of Engineering and Works added this is just a glimpse of the level of services' evaluation that could cover all of the Town's services, and has been developed with staff working with the Consultant. The *Motorists Transportation* category has been developed initially as the pilot project. Now it will be up to Council to go through the analytical process to determine the level of service which will require a dedicated workshop at an open Committee of the Whole session, similar to the budget process.

Council Members thanked Mr. Benson for his informative presentation noting that the presented Level of Service Framework is an informative, comprehensive and transparent process, that will guide the Town's fiscal decision making for years to come.

Moved By Councillor Thompson

Seconded By Councillor Miller

Mr. Benson be thanked for providing Council with an overview on the Town's Asset Management Plan - Level of Service Component; and a more detailed discussion on the Level of Service be referred to a Special Open Committee of the Whole meeting of Council to be scheduled following the 2021 Municipal Election in coordination with the Town's Strategic Plan exercise.

Motion Carried

6. Public Hearings (none)

7. Minutes of Previous Meetings

7.1 March 16, 2021 - Regular Meeting

Moved By Councillor Rioux

Seconded By Councillor Loughery

Minutes be approved as prepared.

Motion Carried

8. Unfinished Business

8.1 Ratification of Email Poll – Tender 2021TQ02-7 - Cedar Ridge Storm Sewer Project – Phase 1 – Ditching & Clear Water Storm Sewer

Moved By Deputy Mayor O'Hara

Seconded By Councillor Thompson

Council ratify the email poll of March 25, 2021 authorizing the award of Tender 2021TQ02-7 – Cedar Ridge Storm Sewer Project – Phase I – Ditching & Clear Water Storm Sewer - to the low tenderer, L. Sanford and Sons Ltd. for the tender price of \$294,787.53, (includes HST).

Motion Carried

8.2 Ratification of Email Poll - RFP No. 2020TQ07-24 – Engineering Services – Part B – Stormwater Infrastructure Analysis and Improvements – Brook Street, Scarlet Drive, Colton Brook Road

Moved By Councillor Olsen

Seconded By Councillor Luck

Council ratify the email poll of March 25, 2021 authorizing CBCL Limited to proceed with Part B of RFP #2020TQ07-24 Engineering Services – Stormwater Infrastructure Analysis and Improvements – Brook Street, Scarlet Dr, and Colton Brook Rd to CBCL Limited for an upset fee identified as \$16,435 (plus HST).

Motion Carried

9. Correspondence

9.1 Spring Freshet - Flood Mitigation Plan - Staff Report from CAO Deuille

Ms. Deuille's Staff Report stated, due to COVID-19, the implementation of the sandbag station model similar to 2019 is not feasible as it would violate State of Emergency regulations for public gatherings and physical distancing, thereby putting residents and Town staff at risk. During normal flood seasons, it remains the responsibility of homeowners to protect their property, she noted. Staff is only seeking Council's authorization to purchase pre-filled sandbags that would be delivered to the qplex for a pick up station for Quispamsis residents if the water levels in the Kennebecasis Valley reach emergency levels of 4.7 meters and continue to rise.

Council Members referenced a letter from the Minister of Public Safety dated July 25, 2019 which stated there is no provincial policy to provide sandbags to private property owners. The Province encourages preparedness and mitigation activities by all citizens and communities. The letter had noted, specific to sandbags, their approach is intentionally to incent property owners to acquire fill and install them themselves in preparing for flooding, just as they encourage them to prepare for power outages and other risks. However, the letter stated, where homeowners fail to do so, it falls to local governments to fill the gap. The Minister's letter stated, as is detailed in the NB Emergency Measures Act, municipalities are required to establish municipal emergency measures organizations and to plan and prepare for all potential hazards to their jurisdictions and residents. Municipalities may appropriate and expend sums approved for this purpose.

Councillors Luck and Loughery noted the Province should provide better clarification on a local government's responsibility to provide sandbags to property owners during emergency situations, questioning if all other NB Municipalities provide sandbags to residents. It was recognized there is

insufficient time to receive such clarification for the 2021 spring freshet. Councillor Miller suggested some of the costs for this year's sandbags could come from COVID funding as the pandemic has created the need to purchase and deliver prefilled sand bags to prevent staff and volunteers from congregating. It was also noted, in future, communication should be made in advance to residents that they be required to acquire, fill and install sandbags themselves in preparation of flooding similar to what is done for power outages and other risks.

CAO Deuille reiterated the Town would only proceed with purchasing the sandbags if the river's water levels reach emergency levels, similar to the flooding that occurred in 2018 and 2019.

Moved By Deputy Mayor O'Hara

Seconded By Councillor Olsen

Council approve the purchase of pre-filled sandbags up to and including \$52,000 plus HST. The purchase of the pre-filled sandbags shall only be required if the New Brunswick River Watch five-day forecast projects the water level in the Kennebecasis River to reach 4.7 metres and continues to rise.

Motion Carried

Nay: Councillor Luck

9.2 258 Hampton Road (PID 251959) Elmtree Hill Multiple Residential Apartment Development – Ali Kamkar, Mahkam Living Inc., and Jonathon Rasenberg, Coldwell Banker Select Realty Request to Amend Development Agreement

An application from Mahkam Living Inc. requested changes to their Section 59 CPA Agreement with the Town for Elmtree Development at 258 Hampton Road that was originally approved by Council when the land was rezoned from R1 to R2 in July of 2020.

Municipal Planning Officer, Dwight Colbourne, expanded upon his Staff Report, noting essentially, Mahkam Living Inc., is requesting the following changes to their original development plans for Elmtree Hill Multiple Residential Apartment Development:

- The original three (3), four storey apartment buildings with 40, 36 and 24 units for a total of 100 units be changed to two (2) four storey apartment buildings containing 50 units each, including a community amenity room within each building;
- The original non-residential buildings – a tool shed and a common community building be removed, and a one storey storage facility be built for sole use by residents;

- The originally proposed pickle ball court, (half-sized), be changed to a full-sized pickle ball court.

Mr. Jonathon Rasenberg spoke further to the proposed changes, noting, in response to Councillor Luck, there is no plans at this time to use the flat roofs on the two buildings for roof gardens, noting however he could discuss this opportunity with the Architect.

Moved By Councillor Loughery

Seconded By Councillor Olsen

Council forward the request to amend the Development Agreement for the Elmtree Hill Multiple Residential apartment development to the Planning Advisory Committee for their written views, set a Public Hearing date for May 4, 2021 at 7:00 pm, and issue public notification of the proposed changes to property owners within a 100m radius of the property proposed for amendment.

Motion Carried

9.3 Correspondence from Councillor Miller - Discussion on Additional Municipal Funding (\$1.2m), and Staff Report from Town Treasurer

Councillor Miller's correspondence referenced the additional funding the Town has received from the Province since the 2021 Budget was finalized. This includes \$990,000 in Safe Restart Funding, (COVID-19), as well as an additional \$240,000 resulting from the removal of the Assessment Gap. Councillor Miller stated he feels the Town should focus on repairing as many roads as possible, including walking lanes, and referenced Meenan's Cove Road, Model Farm Road and Bradley Lake Road upgrades as options.

Ms. Brandon's Staff Report referenced potential influences to the 2021 Budget including COVID-19 Operational Impacts, Capital Projects already identified in the Town's Asset Management Plan, creation of a Strategic Plan with the new Council which will determine a roadmap for future spending; and acknowledging with only two meetings left before the municipal election, the new Council may want to have input into spending the \$1.2m.

A discussion ensued on this matter, with the majority of members feeling if \$500,000 of the additional funding was allocated towards the Street Capital Program at this time, it would allow sufficient time to include the extra street upgrades in the Street Capital Program tender for the upcoming construction season; and would leave an approximate balance of \$700,000 for the incoming Council's consideration.

Moved By Councillor Miller
Seconded By Councillor Luck

That \$500,000 of the additional funding be applied towards the 2021 Street Capital Budget, with the selection of the additional streets to be added to this year's Capital Streets Program to be determined by the Director of Engineering & Works, based on the current priority listing.

Motion Carried

5-2

Nay: Deputy Mayor O'Hara, Councillor Loughery

10. By-laws

10.1 Proposed Remuneration By-law Amendment No. 018-09

Councillor Rioux stated due to the current economical circumstances for many associated with COVID-19; he does not feel this is a good time to increase Council's remuneration.

Moved By Councillor Luck
Seconded By Councillor Loughery

Third and final reading be given to Proposed Remuneration By-law Amendment No. 018-09, to become effective June 1, 2021.

On the question, Councillor Luck read By-law Amendment No. 018-09 in its entirety.

Motion Carried

6-1

Nay: Councillor Rioux

11. New Business

11.1 Tender 2021TQ03-11 New Trailer Mounted Asphalt Recycler

Moved By Councillor Loughery
Seconded By Councillor Rioux

Council award tender 2021TQ03-11 New Trailer Mounted Asphalt Recycler to Saunders Equipment Ltd. for the tender price of \$ 108,428.80 (Exclusive of HST, Plates & Tire Levy).

Motion Carried

11.2 2021TQ03-12 - New Municipal Tractor

Moved By Deputy Mayor O'Hara

Seconded By Councillor Olsen

Council award tender 2021TQ03-12 New Municipal Tractor to MacFarlands Industrial Option 2 for the tender price of \$124,849.00 (Exclusive of HST, Plates & Tire Levy) and that the town purchase a MacLean MV ribbon Blower and MacLean MV Drop sander for an additional \$26,770 (Exclusive of HST) and the required additional funds be reallocated from budget left from the purchase of the Asphalt Recycler.

Motion Carried

12. Reports

12.1 Town of Quispamsis - February 2021 Unaudited Interim Financial Statements - Town Treasurer's Staff Report & Associated Documents

12.2 Minister Jill Green's Response Re 2021 Provincially Designated Program - Funding Denied

12.3 Hook and Paddle Series

12.4 Town of Quispamsis Building Report - As At March 31, 2021

Moved By Councillor Olsen

Seconded By Councillor Miller

Reports be received and filed.

Motion Carried

13. Business Arising from Committee of the Whole

13.1 Legal Services Contract Renewal

Moved By Councillor Rioux

Seconded By Deputy Mayor O'Hara

Council renew its contract for legal services with Richard McPhee for another one year term, effective August 1, 2021 to July 31, 2022 under the same terms and conditions for the day to day legal services of the Town, while also presenting an opportunity for the CAO and Staff to review with Mr. McPhee, over the coming year, policies, processes and best practices the Town should be establishing from a legal risk management perspective to address the Town's future legal needs.

Motion Carried

14. Adjournment

Moved By Councillor Olsen
Seconded By Councillor Luck

Meeting adjourn.

Motion Carried

Meeting adjourned at 9:10 pm

X

Gary Clark
Mayor

X

Catherine P. Snow
Clerk