



**QUISPAMIS TOWN COUNCIL
REGULAR MEETING
MINUTES**

August 19, 2014, 7:00 pm
Council Chambers
Quispamsis Town Hall

Members Present: Mayor G. Murray Driscoll
Deputy Mayor Libby O'Hara
Councillor Gary Clark
Councillor Lisa Loughery
Councillor Kirk Miller
Councillor Emil T. Olsen
Councillor Pierre Rioux
Councillor Beth Thompson

Staff Present Deuille, Susan; Acting CAO
McGraw, Jo-Anne; Town Treasurer
Purton Dickson, Dana; Director of Community Services
Snow, Catherine; Town Clerk

1. Approval of Agenda

Moved By Councillor Clark

Seconded By Deputy Mayor O'Hara

The agenda be approved as prepared.

Motion Carried

2. Mayor's Comments

Mayor Driscoll welcomed those in attendance and made reference to the number of young people participating this evening in the Youth Rock of Ages Concert taking place outside at the Arts & Culture Park. He encouraged those in attendance to frequent the Arts & Culture Park and enjoy the various activities and performances that take place at the park throughout the summer.

3. Moment of Reflection

Councillor Clark led the meeting in prayer.

4. **Disclosures of Interest (No Disclosures)**

5. **Presentations: (None)**

6. **Public Hearings: (None)**

7. **Minutes of Previous Meetings**

7.1. July 15, 2014 - Regular Meeting

Moved By Councillor Loughery

Seconded By Deputy Mayor O'Hara

Minutes be approved as prepared.

Motion Carried

8. **Unfinished Business**

8.1. (May 20/14) DNR's Proposed Deer Management Plan - Letter from Deputy Minister Bill Leveque

Correspondence from Deputy Minister Levesque thanked the Town for its letter of support of the deer management plan for the Kennebecasis Valley, and requested, given the community-based approach of this program, that the Towns act as the point of contact for interested landowners and to recommend to DNR which landowners should be granted a special community specific permit. Once DNR receives this information, the Department will assess the properties for potential implementation, restrictions and number of permits to be issued.

8.1.1. KV Deer Committee's Draft Response to Deputy Minister Leveque

Moved By Councillor Thompson

Seconded By Councillor Olsen

In response to DNR's request that the Town act as a point of contact, Council accept the KV Regional Deer Committee's recommendation to send correspondence to Deputy Minister Leveque confirming that the Town will act as the point of contact for interested landowners by providing DNR with the interested property owner's name, PID No., contact information and confirmation that the property falls within the Town's municipal boundaries.

Motion Carried

8.1.2. Opposition Letters from -

8.1.2.1. Bernice O'Brien

Ms. O'Brien's letter responded to recent media reports and expressed her opposition to people hunting deer with bow and arrow. She feels there is a better solution to address the deer population in the Valley, and asked that other options be considered.

Moved By Councillor Olsen

Seconded By Councillor Thompson

Ms. O'Brien's letter be received and filed.

Motion Carried

8.1.2.2. Suzanne Materniak & Danielle Materniak

Correspondence from Suzanne and Danielle Materniak expressed opposition to killing deer noting the importance of animals for a healthy ecosystem. She suggested people drive defensively to avoid deer/vehicle collisions, and install fences around their gardens.

Danielle Materniak was in attendance and expanded upon her correspondence, noting she loves wildlife, and takes pride in the natural, healthy eco system of the Kennebecasis Valley.

Moved By Deputy Mayor O'Hara

Seconded By Councillor Thompson

The Materniaks correspondence be received and filed.

Motion Carried

8.1.2.3. Michelle Pinet

Ms. Pinet's correspondence advised she is a Bathurst resident who frequently visits Quispamsis and she and her family enjoy seeing the deer, and feels humans should protect nature and learn to co-exist with each other.

Moved By Deputy Mayor O'Hara
Seconded By Councillor Clark

Ms. Pinet's correspondence be received and filed.

Motion Carried

8.1.2.4. PETA

Correspondence from Melissa Lewis, Cruelty Caseworker, PETA, expressed her opposition to any form of a cull that involves bow hunting in an attempt to control the local deer population. She stated bow hunting is among the cruelest and ineffective forms of wildlife control. Effective deer management plans are adaptive and integrated, the key being strictly-enforced wildlife feeding prohibitions along with habitat modification in landscaped areas, along forest edges and in restoration corridors. She asked that bow hunting be removed from consideration.

Moved By Councilor Rioux
Seconded By Councillor Olsen

Ms. Lewis' correspondence on behalf of PETA be received and filed.

Motion Carried

Councillor Loughery and Councillor Thompson noted although there will be an increase in the number of licenses that will be issued in the KV area for deer hunting, the overall total number of licenses that DNR will be issuing for Zone 23, which encompasses the area from the Kennebecasis Valley to Fundy National Park, will not increase from previous years.

Moved By Councilor Olsen
Seconded By Councillor Miller

Ms. Susan Little be permitted to address Council.

Motion Carried

Ms. Little acknowledged she has been before Council in the past and provided information and alternate options re deer management. She expressed her disappointment with Council's support of DNR's proposed Nuisance Deer Management Assistance Program.

9. Correspondence

9.1. Sheila M. Henry - Formal Complaint About Use of Fireworks on Private Properties

Ms. Henry was in attendance and expanded upon her correspondence, which lodged a formal complaint against the use of private fireworks by citizens in subdivision areas. She said her complaint is not against fireworks per se, noting they add to celebrated festivities such as graduation, Canada Day, etc. However, in the 25 years that she has lived in Quispamsis, she has never been exposed to the number of backyard, private fireworks as she has this past year, and feels they need to be regulated. She noted people detonating them at late hours both on weeknights and weekends, have no regard of the Noise By-law, issues with pets, nor safety. She noted she had contacted the Fire Department, and was informed the Fire Department must authorize public fireworks, however, there is no rules applied to private fireworks.

A Staff Report from the Town Clerk informed Council the only reference to fireworks in the Town's by-laws is in the Noise By-law No. 23, which exempts the detonation of fireworks from the requirements of the Noise By-law if approved by the Town. She noted with convenient access in recent years to consumer fireworks, the backyard fireworks are becoming more frequent. Concerns expressed involve safety, noise and problems with dogs who sometimes become anxious and afraid from the sounds of the fireworks. She informed Council the Town has asked the Fire Chief to provide parameters the Town should be looking at re regulating and approving private fireworks.

Moved By Councillor Olsen
Seconded By Councillor Rioux

The issue of private, backyard fireworks be referred to Staff and the Fire Chief for review and input as to the parameters the Town should be considering as part of the approval process, particularly with respect to the safety issues related to Chinese Lanterns.

Motion Carried

9.2. Youth Choices - Mary Snow - Request for Renewal of Partnership for Use of Rooms C & D at Quispamsis Memorial Arena

To Provide Upgrading & GED Preparation for the 2014/15 Academic Year

Correspondence from Mary Snow thanked the Town for its continued partnership for use of Rooms C and D at the Quispamsis Memorial Arena to permit Youth Choices the opportunity to offer students GED preparation program. Ms. Snow requested the Town's indulgence in continuing this program for the 2014-2015 school year.

Moved By Councillor Loughery

Seconded By Councillor Rioux

Council authorize renewal of the Town's partnership with Youth Choices to permit the use of Rooms C & D of the QMA for the 2014 - 2015 School year - GED Preparedness Program.

Motion Carried

9.3. Pascal Rodier - Chelsea Drive - Land & Water Pipe Erosion Concerns

Correspondence from Mr. Rodier expressed concern about a water drainage pipe and subsequent land erosion located between his property and his neighbour's property at 141 and 145 Chelsea Drive. He stated the pipe is part of a drainage system that comes from the upper east side of Chelsea Drive and appears to drain a significant portion of the Sunset Ridge Subdivision.

Moved By Deputy Mayor O'Hara

Seconded By Councillor Loughery

This matter be referred to the Engineering Department to review Mr. Rodier's concerns re the water pipe erosion, and provide recommendations to rectify the situation and Mr. Rodier be informed of this action.

Motion Carried

9.4. Hermel Gagnon - Lyden Drive - Drainage Issues

Mr. Gagnon was in attendance and expanded upon his letter informing Council that during heavy rain incidents water backs up into his basement through the drain tile. Insurance will not pay for such damages because it was caused by the storm drain that could not handle the amount of water that backed up into his drain tile, which is hooked up to the storm drain. He stated he has lived at his residence since 1983, and there was never a problem until after the drain tile was hooked up to the storm drain in 2009, when problems first began. He is very concerned about the amount of water damages he has experienced, and is asking the Town to address the problem as soon as possible.

Moved By Deputy Mayor O'Hara

Seconded By Councillor Clark

Refer Mr. Gagnon's drainage issues to the Engineering Department to review and provide recommendations back to Council.

Motion Carried

9.5. Brian Gillis - Active Transportation/Bicycle Lanes

Mr. Gillis was in attendance and expanded upon his letter to Council. He discussed the curb and gutter system, bicycle lanes, and traffic calming. He stated the curb and gutter system often presents a safety hazard to cyclists due to frost causing elevation changes, cracking and/or asphalt separation. He recommended the Town consider changing its roadway design standards to use curb only, similar to recent road construction that has taken place in Rothesay and other municipalities. This would reduce deterioration along asphalt edges and provide approximately one more meter as usable space for cyclists.

Mr. Gillis further requested the Town consider, as part of its Active Transportation Plan, installing striped bicycle lanes and consider a European style traffic calming system, rather than the current Shared Route concept. He stated a marked designated area works exceptionally well in other areas where cyclist do not need to interact with motorized vehicles, getting more families out participating in Active Transportation because they feel safe. He suggested the Vincent Road would be a good starting point for implementation of bicycle lanes, similar to Rothesay's Active Transportation plan, stating it would make sense for both Towns to carry the same road treatments. He noted he is encouraging Rothesay to develop more off-road trails as part of their Trans Canada Trail connection,

similar to what Quispamsis is doing, to link five schools, the business district and a reasonable safe way to get people back to their homes; with the whole idea of making people in the Kennebecasis Valley less car dependent.

Moved By Councillor Miller

Seconded By Deputy Mayor O'Hara

Mr. Gillis' recommended proposal to revise road standards to eliminate concrete curb and gutter be referred to the Directors of Community Services and Engineering for review and report back to Council.

Motion Carried

9.6. KV Old Boys - Fundraising Efforts to Assist People In Need (\$100 - \$300)

Correspondence from Don Shea, Secretary-Treasurer informed Council the KV Old Boys are a group of 20 retired men who reside in the Kennebecasis Valley. The main objective of the group is to raise funds to assist those in need, and as such they have returned over \$149,000 to the community. Currently they are seeking sponsors for their fifth country & western show to be held at KVHS November 1, 2014, and are looking for sponsorship in the range of \$100 to \$300.

Moved By Councillor Olsen

Seconded By Councillor Loughery

The Town sponsor the KV Old Boys' Fundraising efforts in the amount of \$100.

Motion Carried

9.7. Fawn Court Residents - Derek Harvey, Spokesman - Request for One Way Street

Correspondence from Mr. Harvey and the other Fawn Court residents thanked the Town for paving Fawn Court last year, but noted it had been a one way street since its inception in 1984. Traffic travelled in an anti-clockwise direction, and residents on the street knew the proper direction to follow. Last year, the temporary "Do Not Enter" sign was removed and a few near misses have occurred since that time. Upon request, Engineering Staff had explained the matter that a "Do Not Enter" sign was under review, and last December, instead of installing a "Do Not Enter" sign to resolve the situation, Town Staff had proceeded instead to install a "Stop" sign on the other exit thereby making the Court a "two way Street". The residents are therefore approaching the Town with

a request to remove the "Stop" sign installed last year in December, and reinstall a "Do Not Enter" sign.

The Town Clerk informed Council the Engineering Department have noted that the Town's Traffic By-law currently does not have any provision to authorize one way streets within the Municipality.

Moved By Councillor Olsen

Seconded By Councillor Clark

The Engineering Department be requested to expedite what needs to be done to legally proceed with making Fawn Court a one way street i.e. an amendment to the Traffic By-law, etc., and Mr. Harvey be advised of same.

Motion Carried

9.8. Beth & Ron Moore - Cedar Grove Drive - Concerns About Ritchie Lake Run-off from New School Construction Site (Quispamsis Road)

Correspondence from Mr. and Mrs. Moore expressed concerns about the construction site run-off from a new subdivision off Quispamsis Road, near the Pettingill Road intersection, which has been making Ritchie Lake very muddy, and dark brown in colour after each rain. The Moores noted they had contacted both the Department of Environment and the Town, and decided themselves to investigate where the muddy run off originated. The new school site has made a fairly large holding pond at a low point on the property and environmental fencing is in place. The new subdivision construction site seemed to be closed down, and there appears to be no work going on at that site, they noted.

Following the tropical storm of July 5, the Moores related the school site was very wet and some breaching over the environmental dam was noticed. Muddy water from the subdivision construction was pouring off the site and into the brook near the entrance of the subdivision off Quispamsis Road. The brook on the east side of the Quispamsis road was also running very muddy, and the drainage ditch on the west side of the Quispamsis Road, the same side as the school construction was running clear. Both of these water courses, the Moores wrote, merge and cross under the tracks and then flow directly into the larger Mud Lake Brook and ultimately into Ritchie Lake. Mr. and Mrs. Moore concluded their letter by asking the Town to liaise with Provincial Departments to have this run off problem fixed, noting the problem has been ongoing for several months.

Moved By Councillor Olsen

Seconded By Deputy Mayor O'Hara

Mr. & Mrs. Moore's concerns be directed to the Engineering Department to request an update from the Department of Environment as to what actions have been taken to address the mud run-off that has been flowing into Ritchie Lake from sites under development, and update the Moores and Council accordingly.

Motion Carried

- 9.9. Cipolla Developments (606366 NB Ltd.) - Rezoning Application - R1 to R2 - 351 Hampton Road (PID No. 00253641) – Proposed Condominium Development – In Attendance: Gerry Roberts, Kierstead Quigley Roberts & Dino Cipolla, 606366 NB Ltd. - Application from Cipolla Developments requested 5.11 acres of their property, identified as PID No. 00253641 with Civic No. 351 Hampton Road be rezoned from Residential (R1) to Multiple Residential (R2) to permit the development of 49 condominium styled units. The proposed condominium development will be constructed in a series of smaller scale buildings spaced throughout the site, broken down as follows:

- One (1) – Two (2) Unit Building
- Two (2) – Three (3) Unit Building
- Four (4) Four (4) Unit Buildings
- Two (2) – Five (5) Unit Buildings
- One (1) – Six (6) Unit Building
- (One (1) – Nine (9) Unit Building

The target market for sale or lease of these units will be single individuals, young couples and/or couples whose children have grown, who want to own their home without the burden of property maintenance. The development is proposed to be phased over the next 5 – 10 years, pending market sales.

Moved By Councillor Thompson

Seconded By Councillor Clark

Cipolla Developments' proposed application to rezone 5.11 acres of land at 351 Hampton Road from Residential (R1) to Multiple Residential (R2) for the purpose of a 49 Condominium Unit Development be 1) Referred to PAC for their written views, 2) October 7, 2014 be set as the Public Hearing date to hear and consider any objections to the proposed rezoning, and 3) property owners within a 100 meter radius of the property proposed for rezoning be notified of the proposed zoning change.

Motion Carried

10. By-laws

10.1. Proposed Traffic By-law No. 027-23 - Leah Boulevard - Jeremy Byers

Staff Report from Director of Engineering & Works – Mr. Losier's Staff Report indicated the residents of Leah Boulevard have requested the Town to examine various methods of speed control. Leah Boulevard is an extension of Gondola Boulevard and upon its construction, was not posted immediately as a 40 km/hr road. The proposed amendment would include Leah Blvd as a street posted at 40 Km/Hr speed limit and the appropriate speed limit signs would be installed, and volumes will be monitored to gauge the impact of the traffic in this area.

Moved By Councillor Olsen

Seconded By Deputy Mayor O'Hara

First reading be given to Traffic By-law Amendment No. 27 - 23.

Motion Carried

Moved By Councillor Clark

Seconded By Councillor Miller

Second Reading be given to Traffic By-law Amendment No. 27-23.

Motion Carried

11. New Business (none)

12. Reports

12.1. Deputy Mayor O'Hara to Comment on Aftermath of Hurricane Arthur

Deputy Mayor O'Hara reported emails that came in resulting from issues relating to Hurricane Arthur, were referred to the appropriate Staff and actions have been taken or are under consideration. She expressed her appreciation of Staff's responses to these items, in particular on matters of residents' safety.

12.2. Town of Quispamsis- Unaudited Financial Statements As At June, 2014

12.3. PAC Minutes of June 10, 2014 & June 24, 2014

12.4. Animal Control Call Numbers & Monthly Report Summary – July 2014

- 12.5. Proposed Amendment to General Regulation of the Society for the Prevention of Cruelty to Animals Act
- 12.6 Thank You – Peter Davis – Town Bursary Recipient
- 12.7 The Salvation Army – Offer of Community Response Unit (CRU) for Both Emergencies & Community Events – Mayor Driscoll highlighted the Salvation Army's offer to use their Community Response Unit during both emergencies and events. The unit serves the most vulnerable throughout the year by providing meals, clothing, practical basic necessities and spiritual and emotional care for individuals in crisis. In emergencies, it can be used to serve food and drinks to first responders, victims of emergencies and bystanders. It can also be made available at community events, to serve light refreshments and beverages.
- 12.8. Response to R. MacPherson Re Marianne Drive Resurfacing
- 12.9. UMNBC Conference – October 3 – 5, 2014 – St. Andrews
- 12.10. Bernard Beukeveld – Railway Safety & EMO Preparation
- 12.11 Rocmaura Nursing Home Foundation – Maritime Kitchen Party Fundraiser – September 13, 2014
- 12.12 Vito's Community Fundraising Committee – 3rd Annual Fundraiser with Alex Bilodeau
- 12.13. Royal Canadian Mounted Police – 2013 – 2014 Annual Report – Connected to Communities

Moved By Councillor Rioux
Seconded By Deputy Mayor O'Hara

Reports be received and filed.

Motion Carried

13. Adjournment

Moved By Councillor Olsen
Seconded By Deputy Mayor O'Hara

Meeting adjourned to Committee of the Whole.

Motion Carried

BACK TO OPEN SESSION

13. Business Arising from Committee of the Whole

13.1 Motion to Rescind Appointment of Alternate Members to the Kennebecasis Valley Fire Department Inc.'s Board of Directors

Moved By Councillor Thompson

Seconded By Councillor Olsen

Council rescind its motion of May 20, 2014 appointing Councillor Gary Clark, Councillor Emil T. Olsen, Councillor Beth Thompson and Councillor Pierre Rioux as alternate members on the Fire Board, as the appointment of alternate members appears to be in conflict with the terms of the regional fire agreement.

Motion Carried

14. Adjournment

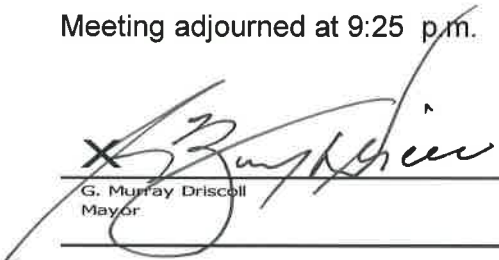
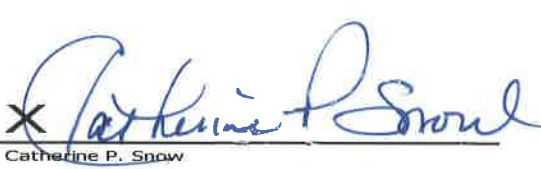
Moved By Councillor Loughery

Seconded By Councillor Thompson

Meeting adjourn.

Motion Carried

Meeting adjourned at 9:25 p.m.

 X G. Murray Driscoll Mayor	 X Catherine P. Snow Clerk
---	---