



QUISPAMIS TOWN COUNCIL REGULAR MEETING MINUTES

June 16, 2015, 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 Emil T. Olsen
Councillor Pierre Rioux
Councillor Beth Thompson

Members Absent: Councillor Kirk Miller (work commitment)
Deuville, Susan; Assistant CAO/Director of Human Resources
Snow, Catherine; Town Clerk

Staff Present Brennan, Michael; CAO/Acting Town Clerk
Losier, Gary; Director of Engineering & Works
MacInnis, Lisa; Recording Secretary
McGraw, Jo-Anne; Town Treasurer
Purton Dickson, Dana; Director of Community Services

1. Approval of Agenda

Moved By Councillor Clark

Seconded By Councillor Olsen

Be approved as prepared

Motion Carried

2. Mayor's Comments

Qplex

Mayor Driscoll informed those in attendance that the qplex was featured this month on the website for the Today's Parent Magazine. The story lists the six best outdoor pools in Atlantic Canada.

Mayor Driscoll read a portion of the feature from the Today's Parent website:

"Qplex is pool central! There's a junior six-lane Olympic-sized outdoor swimming pool for big kids to swim a few laps in. It flows into the leisure pool that features two waterslides, a vortex and awesome spray features, and then finally into the kiddie pool (which sports a graduated slope entrance for wee ones). Your little fish will love the tot pool, where they can practice blowing bubbles and kicking their tiny feet. Family change rooms are on-site and you can purchase day or season passes."

He noted that this was wonderful national coverage for the Qplex.

FCM Conference

Mayor Driscoll noted that he and several other Councillors recently attended the Federation of Canadian Municipalities Conference, took in many sessions on different topics, including CN Rail, unsightly premises and the benefits of the Federal Gas Tax Fund (GTF). From 2014 to 2018 Quispamsis will receive 6.2 million dollars from the Federal Gas Tax Fund, which equates to almost 1.3 million dollars per year and 8 cents in our tax rate.

Mayor Driscoll thanked FCM for their advocacy of the Gas Tax Fund.

3. **Moment of Reflection** – Deputy Mayor O'Hara led the moment of reflection.
4. **Disclosures of Interest** – Councillor Loughery informed Council that she will be removed herself from the meeting in accordance with Procedural By-law No. 33, Section 18. A., for item 10.1, as she was not in attendance at the May 19, 2015 Public Hearing.
5. **Presentations** (None)

6. Public Hearings (None)

7. Minutes of Previous Meetings

7.1 May 19, 2015 - Regular Meeting

Moved By Councillor Clark

Seconded By Deputy Mayor O'Hara

Minutes be approved, with correction to attendance error (Councillor Loughery), as prepared.

Motion Carried

8. Unfinished Business

8.1 (May 5/15) 2015 Street Capital Upgrading Program - Additional Streets

Staff Report from Director of Engineering & Works - Mr. Losier's Staff Report informed Council that staff reviewed the street capital lists for 2015 and 2016, as requested, to see if there were some high priority streets which could fit into this year's program.

The memo outlined the street selection criteria: poor condition ratings, close to the current program area to reduce mobilization costs, streets already identified in our program waiting list for future years (in this case 2016), and streets which fit the projected cost within the budget surplus of \$140,000 identified from the 2015 Street Capital Tender. Based on criteria, the 4 proposed streets were:

Northwood Dr	0.2 km	\$27,000
Titus Cres	0.4 km	\$38,000
Ronald Ct	0.06km	\$ 7600
David Ct	0.06km	\$ 8800
TOTAL		\$81,400

Councillor Olsen commented that he would still like to see additional streets added to the tender to take advantage of the low cost of asphalt. He asked the Director of Engineering and Works if he and his staff could identify an additional list of streets for resurfacing to be added to this contract for the July 21st meeting, with the possibility of adding some Gas Tax Funds. Council members supported this recommendation.

In response to Councillor Olsen, Mr. Losier stated that at this time they were presenting options for only 50% of the surplus from the tender recognizing the request of Council to pay close attention to the winter budget overages.

Mr. Losier also noted that the list of streets up for resurfacing which fall within the remaining surplus amount, approximately \$60,000, will be small.

Moved By Councillor Clark

Seconded By Councillor Loughery

Council accept staff recommendation and authorize the addition of 4 (four) streets to the Tender 2015TQ04-6 Street Upgrading 2015 which was awarded to Classic Construction (2012) Ltd. The streets to be added are Northwood Dr, Titus Crescent, David Ct and Ronald Ct for an estimated contract addition of \$81,400.

Motion Carried

Moved By Councillor Olsen

Seconded By Councillor Clark

Council to request staff to identify additional streets for possible upgrading in the 2015 Street Capital Upgrading Program and bring recommendations back to Council at the July 21, 2015 Regular Meeting.

The CAO made note that the Town is in a \$335,000 deficit position.

Motion Carried

8.2 (Feb.17/15) Ritchie Lake Collector Sewer Project Authorization to Proceed to Tender

Staff Report from Director of Engineering & Works - Mr. Losier's Staff Report informed Council that they are nearing the tender stage for the wastewater collection system along Ritchie Lake. In order to continue with the last stage (Part "C") staff will require council to authorize the expenditures of \$ 206,250.00 (plus HST) to fully complete this stage of the tender and construction inspection process.

The memo outlined all the stages of the design component which was broken down to three phases:

	Value	Status
Part "A" Preliminary Design	\$97,530.00	Completed
Part "B" Detailed Design & Specs Feb 17, 2015	\$137,100.00	Authorized
Part "C" Tender Period Services authorized	\$206,250.00	Not yet

Moved By Councillor Olsen

Seconded By Councillor Clark

Council to accept staff recommendation to approve the necessary expenditures of \$206,250 (plus HST) and to arrange a meeting with Crandall Engineering Ltd to discuss the project tender schedule and construction inspection services and contract administration services approach in detail to expedite this stage of the project. In addition Council will be advised as we complete property and easements acquisition.

Motion Carried

8.3 (May 19/15) Saunders Brook Trail near Scarlet Drive

Deputy Mayor O'Hara spoke regarding this portion of trail that runs along William and Sue Melvin's property at 101 Scarlett Drive and wanted to note that it is important that Council address the concerns of property owners on a case-by-case basis.

Moved By Deputy Mayor O'Hara

Seconded By Councillor Olsen

The Town to install and maintain a fence with privacy shields to be located on town property separating residential property at 101 Scarlett Drive from the Saunders Brook Trail.

Motion Carried

8.4 (May 19/15) Gas Tax Fund

Moved By Councillor Thompson

Seconded By Councillor Clark

Resolved that the Town of Quispamsis adopt the Document entitled "Amended Five Year Capital Investment Plan for the GTF Administrative Agreement for the Town of Quispamsis 2014-2018" corrected to include funds carried forward from the 2009-2013 GTF Funds, and the elimination of the Splash Pad.

Motion Carried

8.5 (Aug.19/15) Report from CAO RE: Consumer Fireworks

Staff Report from Assistant CAO - Ms. Deuville's Staff Report informed Council of the proposed amendments to the existing Noise By-Law # 23 to:

- Differentiate between Display fireworks and Consumer fireworks;
- To set a specific time frame for the use of consumer fireworks;
- To set specific locations for the use of and/or prohibition of consumer fireworks;
- To set safety parameters for the use of consumer fireworks; and

- To change the penalty section to allow the Town, Police or the Fire Department to write tickets for violations.

Moved By Councillor Olsen

Seconded By Councillor Clark

First reading be given to the Amendment No.1 to Noise By-law No. 023; A By-law of the Town of Quispamsis Respecting Disturbance by Noise.

Motion Carried

Moved By Councillor Olsen

Seconded By Councillor Clark

Second reading be given to the Amendment No.1 to Noise By-law No. 023; A By-law of the Town of Quispamsis Respecting Disturbance by Noise.

Motion Carried

9. Correspondence

9.1 Valleyview Drive Residents Petition Resurfacing Request

Correspondence from Mr. and Mrs. Savoy referenced previous correspondence to and from the Town. He noted several streets in his letter that were done recently, and requested confirmation of when Valleyview Drive would be resurfaced.

Staff Report from Director of Engineering & Works - Mr. Losier's Staff Report informed Council that the area including Valleyview, Woodward and Serenity are all identified in the 2016 Capital program for resurfacing. The projected costs for these streets are approximately \$150,000 and will be subject to council review and approval as they will be submitted in this fall's budget process.

Moved By Deputy Mayor O'Hara
Seconded By Councillor Loughery

The request to resurface Valleyview Drive be referred to the 2016 budget deliberation process and in the interim it be directed to works staff for review and inclusion in the summer pothole and patching program. Staff to include estimates for Valleyview Drive and consideration be given if any additional streets are selected for resurfacing in the 2015 Street Capital Program.

Motion Carried

9.2 Letter from SJ Region Chamber of Commerce - Request for Energy East Support

Correspondence from David Duplisea, CEO; and Grant Kimball, Chair, stated the SJ Region Chamber of Commerce, acknowledged the Chamber has been a long advocated for Energy East, both regionally and nationally and will continue to advocate visibly for the Energy East Pipeline project.

Moved By Councillor O'Hara
Seconded By Councillor Loughery

This letter be received and filed. Council will continue to express their support for Energy East.

Motion Carried

9.3 DNR's Proposed Deer Management Plan - Fall 2015

Correspondence from the KV Regional Deer Committee recommended each of the three Councils send a letter to the Department of Natural Resources indicating the Councils decision on participating in the Deer Management Program in the Fall 2015.

Moved By Councillor Thompson
Seconded By Councillor Clark

To send confirmation letter to Minister of Natural Resources stating that the Town of Quispamsis is going to participate in the Nuisance Deer Management Program for Fall 2015.

Motion Carried

9.4 Letter from Hon. Rob Moore - Canada 150 Community Infrastructure Program

Moved By Deputy Mayor O'Hara
Seconded By Councillor Loughery

Staff is authorized to proceed with an application for the Canada 150 Community Infrastructure Program.

Motion Carried

9.5 Letter from Ron Haycox - Merritt Hill Road - Request to Trim Brush

Mayor Driscoll reviewed a Staff Report from the Director of Community Services which provided background information on Merritt Hill Road. The report noted Staff had met with Mr. Haycox several times to discuss his request to trim the shrubs blocking his view.

Mr. Ron Haycox, was in attendance, representing resident from Merritt Hill Road (Units 19-29) and expanded upon his correspondence concerning the growth of the brush and saplings which were decreasing the view of river. He noted that most of the homeowners purchased these homes because of the spectacular view which they have been unable to enjoy.

In closing, Mr. Haycox wanted to emphasize that they would not be cutting down any trees, they only wish to trim the brush and saplings in front of their own property.

A discussion ensued regarding using one of the town's certified horticulturalists or arborists or using an independent contractor.

Moved By Deputy Mayor O'Hara

Seconded By Councillor Olsen

Council to request staff (one of the Town's certified horticulturist or arborists) to meet with Mr. Haycox and neighbours (Unit no.19-29) to identify and tag the shrubs to be trimmed and the height that they will be trimmed. The Town of Quispamsis will inspect the work once complete, but would not be responsible for trimming the bushes.

Motion Carried

10. By-laws

Councillor Loughery left the meeting pursuant to Section 18.A of the Procedural By-law as she did not attend the Public Hearing.

10.1 (Jan.20/15) Proposed Zoning By-law Amendment No. 38-20 & Municipal Plan Amendment No. 37-07 - HOMESTAR Inc. - 15 Elliot Road (PID 30213284) –Rezoning Request from Rural (RU) to Highway Commercial (HC) – 3rd and Final Reading

Mark Hatfield, Homestar Inc., Owner - In Attendance

Background Information - Homestar Inc. submitted a development application for the expansion of their existing office building and workshop at 11 Elliot Road. The rezoning application moved through the Public Hearing stage and received First and Second reading at the May 19th meeting of Council.

A Staff Report from the Municipal Planning Officer indicated subsequent to first reading and second reading, the applicant has submitted a revised site plan as well as the Development Agreement that is before Council for acceptance. The report indicates that the revised site plan shows designated parking space for the building expansion as well as the landscaping plan for the site. The landscape includes cedar hedges along the front to offer screening and buffering as well as to enhance the streetscape. The parking lot will be a combination of asphalt and crushed stone surface. The Development Agreement recognizes this bulk bin storage at the rear for storage of materials associated with the

landscaping and property management operations and restricts its use to Owner only and for storage of non-hazardous materials.

Deputy Mayor O'Hara asked if they stored fertilizer onsite and if they had any plans for more development or other businesses to operate (ie. taxi stand, car wash, or other offices). Deputy Mayor O'Hara mentioned that there are certain restrictions for carwashes that are not set out in the current developer's agreement.

Mark Hatfield spoke further to the Homestar Inc. operation. He stated that they do store approximately 10-15 bags of residential fertilizer on site at a time. He stated that there was not a taxi service operating and had no plans for other businesses to operate from his property. He acknowledged the requirement for the addition of car detailing service and stated he had asked to be placed on the next PAC Meeting agenda to ask approval for the car detailing service.

Councillor Thompson raised concerns regarding the violation of the current developer's agreement as it clearly states car washing is not permitted.

Mark Hatfield spoke further to the car detailing operation. He stated that it started with his own company vehicles and slowly grew into a side business venture, it was not part of their future plans and could be shut down if it prevented the current rezoning request from being passed.

The Director of Engineering and Works informed Council that the two parcels will be consolidated and the development agreement will also be consolidated. He mentioned that the current development agreement does not allow for commercial car washing, such as being advertised in the newspaper by Mr. Hatfield.

Washing company cars on the property, however, would be considered a permitted use as it is an operational purpose. Furthermore, a carwash has not been suggested as a term for the proposed future developer's agreement. Should Mr. Hatfield wish to have this term identified, he will need to continue the PAC request as well as go through a public hearing given that it would be a change in use. This would add months to the

process. If he makes clear to the town that he will not be operating a commercial carwash, council can consider third and final reading under the current proposal. Amending the developer's agreement to include this term in the future would also require a public process.

Mayor Driscoll noted that at this time Mr. Hatfield must decide to continue with PAC approval or decide not continue car detailing and proceed to third and final reading.

Discussion on hydrogeological study for the consumption of water and environmental impact concerns regarding the car detailing business. Director of Engineering and Works stated that if the car detailing business were to proceed both items would have to be addressed.

Mayor Driscoll clarified that Mr. Hatfield stated the car detailing will be discontinued and that there are no plans for taxis. Mayor Driscoll also stated, that the topic of a taxi and car detailing operations were no longer part of this discussion and have been removed from the table.

Moved By Councillor Olsen
Seconded By Councillor Rioux

Subject to the removal of car detailing operation, to give Third reading to proposed Municipal Plan By-law Amendment 37-07 and Zoning By-law No. 38-20 and acceptance of the Development Agreement.

Motion Defeated

Nay: Deputy Mayor O'Hara, Councillor Clark & Councillor Thompson

11. New Business

11.1 Town Committee Appointments – Nominating Committee's Recommendations

A request by Councillor Thompson to withdraw Item 11.1 Town Committee Appointments – Nominating Committee Recommendations as this information will be provided at a later date.

11.2 Stonehurst Subdivision, Phase 1 - Council Assent

Moved By Councillor Loughery

Seconded By Deputy Mayor O'Hara

Council to grant assent to Stonehurst Subdivision, Phase 1, subject to the following conditions:

1. Execution of a standard Developer's Agreement with the Town;
2. Depositing with the Town the appropriate bonding as determined by the Town;
3. Sanitary sewer system to be constructed in accordance with the engineered design as submitted and approved by the Town, and with final acceptance to include the submission of copies of all inspection reports and record drawings from consulting engineer;
4. Stormwater management system be constructed in accordance with the engineered design as submitted and approved by the Town, which shall include the construction of a stormwater retention ponds on land to be transfer to the Town for Land for Public Purposes being identified by LPP-1;
5. Subdivision filing fees of \$330.00 for a thirteen (13) lot phase;
6. LPP requirement of 1759 sq.m to be satisfied through land dedication for the construction of greenspace, retention ponds and pedestrian trails; specific parcels has identified by the PAC being those having Lot id LPP-1, with the balance being credited toward LPP requirements in future developments.;
7. Properly signed plans are submitted to the Town for final approvals; and
8. Building permit issuance will be subject to the provisions of Quispamsis Subdivision By-law No. 35, and Quispamsis Building By-law No. 44.

Motion Carried

11.3 Forrester's Cove Municipal Utility Easements

Moved By Councillor Rioux

Seconded By Deputy Mayor O'Hara

Council grant assent to the twenty subdivision plans identified for the purposes of creating municipal service easements in order to facilitate ongoing maintenance, inspection and repairs of the newly installed individual lift pump systems.

Motion Carried

11.4 Crosswalk Lines on Southwood Drive

Deputy Mayor O'Hara expanded on concerns she received from residents in the Southwood Drive area regarding the street crossing.

Teri Fern, a resident of the area, was in attendance, to expand on concerns.

Moved By Councillor Clark

Seconded By Deputy Mayor O'Hara

Refer to staff to look at the area and configure a street crossing that is pedestrian friendly.

Motion Carried

12. Reports

- 12.1 Kennebecasis Public Library Board Minutes - April 15, 2015
- 12.2 Animal Control Reports - May 2015
- 12.3 Town of Quispamsis Building Permit Report, As At May 31, 2015
- 12.4 PAC Minutes of April 28, 2015 & May 12, 2015
- 12.5 CN Railway - Community Report 2015 - Letter from Sean Finn, Executive VP of Corporate Services & CLO
- 12.6 Kennebecasis Regional Joint Board of Police Commissioners Minutes - April 29, 2015
- 12.7 Kennebecasis Valley Fire Department Joint Board of Fire Commissioners - Audited Financial Statements 2015
- 12.8 Kennebecasis Valley Fire Department April 8, 2015 Minutes & Financial Report
- 12.9 Letter from Board of Directors of the Hammond River Angling Association and the Annual Conservation Dinner Committee - Thank you for Support
- 12.10 Letter from UNBSJ - Thank You for Donation

- 12.11 Sport Tourism Fund Recipient 2015
- 12.12 Canada Day Grant - Canadian Heritage and Official Languages
- 12.13 Letter from Joel Levesque RE: Saunders Brook Walking Trail - Staff Appreciation

Deputy Mayor O'Hara wanted to make note that Kennebecasis Public Library is one of the most visited libraries in New Brunswick.

Deputy Mayor O'Hara also requested that particular notice be given to the Community Services Department for securing the Canada Day Grant again this year.

Moved By Councillor Clark

Seconded By Councillor Loughery

Reports be received and filed.

Motion Carried

13. Business Arising from Committee of the Whole (none)


14. Adjournment

Moved By Councillor Thompson

Seconded By Deputy Mayor O'Hara

Meeting adjourned at 8:30 p.m.

Motion Carried



The image shows two handwritten signatures in blue ink. The signature on the left is for G. Murray Driscoll, Mayor, and the signature on the right is for Michael F. Brennan, Acting Clerk. Both signatures are written over a horizontal line. There is a small 'X' mark above the signature of Michael F. Brennan.

G. Murray Driscoll
Mayor

X
Michael F. Brennan
Acting Clerk