



**QUISPAMIS TOWN COUNCIL  
REGULAR MEETING  
MINUTES**

**June 20, 2017, 7:00 pm  
Council Chambers  
Quispamsis Town Hall**

**Present:**

Mayor Gary Clark  
Councillor Sean Luck  
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

**Absent:**

Deputy Mayor Libby O'Hara (out-of-country)  
Councillor Lisa Loughery (out-of-Province)  
Councillor Kirk Miller (out-of-Province)

**1. Approval of Agenda**

**Moved By** Councillor Thompson

**Seconded By** Councillor Rioux

The agenda be approved as prepared.

**Motion Carried**

## **2. Mayor's Comments**

Mayor Clark extended congratulations to the graduating students of both KVHS and Rothesay High Schools, noting both schools' graduation ceremonies, (first time for RHS), will be celebrated at the qplex. Mayor Clark further congratulated the two recipients of the Town's bursaries.

Mayor Clark acknowledged this year's Canada Day Celebration of 150 years will be held at the Arts and Culture Park from 11 a.m. to 4 p.m.

Mayor Clark further acknowledged Veteran Banners will be available at various locations in both Quispamsis and Rothesay, and individuals interested in having a banner placed in memory of a loved one, may contact Heather McClintock at the Legion Branch No. 58.

## **3. Moment of Reflection**

Councillor Rioux read the Moment of Reflection.

## **4. Disclosures of Interest**

No disclosures were declared.

## **5. Presentations**

### **5.1 (Nov.15/16) Presentation from Enterprise Saint John**

Presenters: Mr. Martin Chiasson, Interim Chairman and Brad McNeill, Manager of Business Development

Messrs. Chiasson and McNeill made presentation to Council updating Members on ESJ's recent activities including statistics relating to job creation and client activity. Their new vision as "Canada's Most Connected Community", illustrates their focus on starting up IT firms that are attracted to their innovative and forward thinking plan. They shared recent success stories, including Cardinal Path, noting over the next 3 years, 3 projects will collect data from various business & government sectors to improve efficiency and increase competitiveness. They noted ESJ also acts as Project Manager for approximately 6 - 8 Modular Fabrication and Project Cargos per year, with industry trending towards a modular approach to building major projects. Barge and ship transport are therefore key advantages for this work with Saint John's foundational capabilities and infrastructure, workforce fit, and supporting services. They concluded

noting they appreciate receiving feedback from the participating Municipalities.

**Moved By** Councillor Olsen

**Seconded By** Councillor Rioux

Mr. Chiasson and Mr. McNeill be thanked for their informative presentation, and Council reinstate ESJ with Quispamsis' remaining \$56,067; and this funding to come from any surplus at year end, or if there is no surplus, then funding to come from the General Operating Reserve Fund and/or a combination thereof.

**Motion Carried**

Mayor Clark removed himself from the Chair, while Councillor Olsen presided. He thanked Council for supporting ESJ, noting he is pleased to see Council shares his enthusiasm for the work being done by ESJ by recommitting the Town's status as a full partner. He noted his participation as a member on the Regional Oversight Committee has been insightful, and thanked Chairman Chiasson for his tireless advocacy for ESJ, noting what is good for the City is good for Quispamsis. Mayor Clark resumed the Chair.

## **6. Public Hearings**

### **6.1 The Smoking Pig BBQ - 515 Hampton Road - Request to Amend Section 39 - Community Planning Act Agreement to Permit a Special Facilities License**

Presenters: Jesse Vergen & Peter Stoddart

Messrs. Vergen and Stoddart expanded upon their application, stating that the Province had suggested a Special Facilities License would better suit their operation over the Dining Room License. The applicants confirmed, in correspondence dated May 17, 2017 from Mr. Stoddart, that the liquor service area will be the wood deck and patio attached to the Smoking Pig BBQ caboose, along with the area immediately in front of the washrooms and driving range service building but not extending onto the driving range area; and on the right, to extend out from the caboose approximately 50 feet towards the Gondola Point Arterial, on the left to the furthest left edge

of the driving range service building, and to the rear, (parking lot side of the caboose), the service area will be the edge of the parking as bound by the large boulder but not into the parking area.

*Planning Advisory Committee's Written Views on Proposed Amending Agreement* - A Notice of Decision from PAC advised Council PAC supports amending the developer's agreement between the Town and Timber Frame Developments Ltd. to permit a Special Facilities License on the patio and picnic table areas of 515 Hampton Road, (PID No. 30023584), subject to the terms and conditions outlined in their Notice dated :May 31, 2017.

A Staff Report from the Director of Engineering & Works/Asst. Development Officer informed Council the Provincial licensing office has advised the applicants the appropriate License designation would be a "Special Facility License" for the premises to allow the patrons to be served from a take-out window and to take alcohol off of the patio to a pre-defined area under the control of NB Liquor. Staff have been in contact with the Provincial Licensing Office who have confirmed -

- 1. The license is seasonal with an expiry date specific for each season the business is in operation.*
- 2. The patrons are to remain inside the delineated area that is to be clearly marked and posted onsite.*
- 3. Should the Town receive complaints or the operator is found in violations of the agreement with the Town, and fails to rectify any substantiated concerns, the license can be suspended or revoked, and,*
- 4. The Department of Public Safety can have their inspectors follow-up to investigate these concerns upon notification.*

The Staff Report indicated with these levels of control verified by the Province, it is Staff's opinion that the requested amendment to the agreement is reasonable and should be considered.

A copy of the proposed amending Section 39 developer's agreement was attached for Council's review.

Mayor Clark asked 3 times if anyone wished to speak for or against the proposed amendment to the agreement. No one spoke.

**Moved By** Councillor Luck  
**Seconded By** Councillor Thompson

Council approve the applicant's request to amend the Section 39 *CPA* Agreement between the Town of Quispamsis and Timber Frame Developments Ltd. to permit a Special Facilities License in the designated area as shown on the Plan, (patio and picnic table areas) at 515 Hampton Road, (PID 30023584), as opposed to the previously approved Dining Room License, and subject to the recommendations presented by PAC outlined in their *Notice of Decision* dated May 31, 2017.

**Motion Carried**

## **8. Unfinished Business**

### **8.1 (Dec.20/17) Quispamsis Island View Lions Club's Request to Change Street Name - Market Street to Lions Way**

The Notice of Decision from PAC indicated the Committee's support of the requested name change subject to there being no objections received from the property owners affected.

A Staff Report from the Municipal Planning Officer informed Council his Department have polled the five property owners on Market Street requesting their feedback on the Island View Lions Club's request for a street name change. Three of the five have indicated their support, with one of those expressing a concern regarding the expense to the tenants and themselves with respect to administrative costs associated with changes to letterhead, business cards, etc. they also expressed their concern regarding the administrative cost burden this would have on their company. They recommended the Town consider erecting a sign or plaque to recognize the 100th anniversary of the Island View Lions Club versus renaming the street.

**Moved By** Councillor Olsen  
**Seconded By** Councillor Rioux

Based on the feedback received from the Market Street property owners and the decision of the PAC, the request to rename Market Street to Lions Way be denied, however, as an alternative option, the Island View Lions Club be granted permission to install a plaque or sign in the area of the

Millennium Drive and Market Street intersection, recognizing the Lions for their good works and acknowledging their 100<sup>th</sup> anniversary, and if they are interested in pursuing this option, the Town would be pleased to have Staff available to assist them in the selection of an appropriate site that will provide good visibility for this commemorative sign.

**Motion Carried**

## **7. Minutes of Previous Meetings**

### **7.1 May 16, 2017 - Regular Meeting**

**Moved By** Councillor Thompson

**Seconded By** Councillor Olsen

Minutes be approved as prepared.

**Motion Carried**

## **8. Unfinished Business**

### **8.2 Ritchie Lake Collector Project - Consulting Engineering Fee Adjustment - Staff Report from Director of Engineering & Works**

A Staff Report from the Director of Engineering & Works informed Council the first phase of the Ritchie Lake Sewer Capital Upgrade is nearing completion. The second phase is the Longwood Lagoon headworks building upgrade, which is on target for September commissioning, while the third phase, the Longwood pump station upgrade is at design stage. The overall project is funded under the New Federal/Provincial Infrastructure program with Crandall Engineering as the Engineering Consultant firm. The base fee structure proposed by Crandall Engineering was Part "A" Preliminary Design, \$97,530; completed, Part "B" Detailed Design & Specs \$137,100; completed, and Part "C" Tender Period Services for \$206,250, which is under construction.

Mr. Losier informed Council there have been additional Consulting fees and sub consultant fees incurred due to unforeseen issues such as extra geotechnical engineering investigations to meet CN Rail requirements prior to directional drilling under the adjacent tracks. Also, engineering design changes were required due to property acquisition changes. In

addition, the Longwood Headworks building was redesigned to accommodate water supply lines. These changes throughout the process to date have resulted in extra costs of \$90,690, with a current total of \$531,570. The Consultants are now seeking the Town's consideration with a request for additional base engineering fees to compensate for costs incurred as a result of change in scope for some of the required work. After some negotiations with Crandall Engineering, Staff are recommending to add 8 weeks of fees to Part C of the Ritchie Lake Collector Sewer project to a maximum of \$48,540 plus HST.

**Moved By** Councillor Thompson

**Seconded By** Councillor Olsen

Council approve the request from Crandall Engineering Ltd of Saint John to add 8 weeks of fees to Part C of the Ritchie Lake Collector Sewer project associated with project Inspection, Construction management and tender administration to a maximum of \$48,540 plus HST.

**Motion Carried**

### 8.3 Gondola Boulevard Corridor Study - Staff Report from Director of Engineering & Works

A Staff Report from the Director of Engineering and Works provided Staff's recommendations on Phase 1 of the Gondola Boulevard Corridor Project. Public and Council feedback indicate the preference for the roadway styles would be a separated walking area. Engineering Staff have identified this option as the preferred option provided full year-round maintenance could be provided. The Works Superintendent and Works Operations Supervisor have determined the Town has operational capacity to maintain these walkways in the summer and plow them in winter. Therefore it is recommended that the Town proceed with the corridor design based on a separate walking area from Quispamsis Road to Laura Drive, estimated at \$277,000.

The second section would run from Jenkins Drive to Scarlett Drive, to include asphalt seal and an adjacent walking lane, and traffic calming circle for \$372,000. Mr. Losier noted at this time there are limited funds available for budget reallocation so it is best to proceed with the Quispamsis Road to Laura Drive to have some budget available for the



potential to extend the sidewalk on Quispamsis Road to the end of Gondola Boulevard to take advantage of the Active Transportation link in this first phase.

**Moved By** Councillor Olsen

**Seconded By** Councillor Luck

Council authorize Crandall Engineering Ltd of Saint John to commence Part "B" of the Engineering Services associated with the Gondola Boulevard Corridor - Traffic Analysis and Street Network Upgrades for the upset fee of \$37,515 and that the segment from Quispamsis Road to Laura Drive be identified as the initial segment to be constructed with a separate walking lane per Crandall's design recommendations. It is further noted that subsequent award of Engineering part C - Tender and Contract administration will require approval of Council prior to proceeding.

**Motion Carried**

## **9. Correspondence**

### **9.1 ROGERS Communications Inc.'s (ROGERS) Telecommunication Tower at 213 - 215 Pettingill Road (PID 30194740) – Request to Change Location of Access – Development Agreement Amendment**

An application from Julie Habachi, Specialist, Real Estate Acquisition and Municipal Affairs of Rogers Communications Inc., requested an amendment to their Section 39 CPA development agreement with the Town. The amendment would allow Rogers to change the access to their telecommunication tower, from the current location off 213-215 Pettingill Road, PID No. 30194740, to a new access off Pembroke Lane. The reason for the request is due to a change in ownership of the property. The new owners do not want them to access the tower through their Pettingill Road property, nor do they want the power lines to pass through this location.

A Staff Report from the Municipal Planning Officer informed Council the new access being proposed by Rogers will provide a more direct access to the tower. The ownership of the property where the tower is installed will remain with the George McAfee Estate as Rogers is in a lease



agreement arrangement with the property owners. Mr. Colborne stated the only question of significance from a planning perspective is regarding future maintenance of the tower or possible removal of the tower, and if so, would the access provide sufficient room to move the equipment off site.

**Moved By** Councillor Rioux

**Seconded By** Councillor Luck

Whereas 215 Pettingill Road (PID 30194740) is subject to a Section 39 Development Agreement (Agreement); and

Whereas ROGERS Communications Inc., a party thereto, has requested an amendment to the Agreement for the purposes of relocation of access to the tower property directly from a public street;

Therefore, the Town, the other party to the Agreement, set a Public Hearing date for July 18, 2017 and refer the amendment request to the Planning Advisory Committee for its written views.

**Motion Carried**

9.2 Ms. Susan Little - Summary on Lyme Disease - Request for Assistance in Helping to Reduce the Spread of Lyme Disease

Ms. Little made presentation to Council noting the KV municipalities have been documented as endemic areas for higher risk of Lyme Disease. She stated Lyme Disease is transmitted to humans by the black-legged tick, who initially feed on an infected animal carrying the bacterium borealis, typically migratory birds and small rodents. Deer, she said, are the only animals that are immune to the bacterium that causes the disease, and questioned the need for DNR's Deer Management Plan in the KV.

Council thanked Ms. Little for her comments.

9.3 Mr. Bob MacFarlane - 16 Hazelton Drive - Speeding Motorists

Staff Report from the Director of Engineering & Works

Mr. MacFarlane's correspondence expressed concerns re the excessive speed on Hazelton Drive, noting the posted speed limit is 40 km. He asked if the Town could install traffic control devices, ex., speed bumps,

and asked when the traffic counts and speed monitoring would be taking place.

A Staff Report from the Director of Engineering & Works informed Council the recommended course of action is to add the impacted street to the speed monitoring program in order to obtain actual counts, and request the KRPf to review their files for incident reports. Counts for Hazelton will be done over the summer months, he said, noting the speed on this street was monitored in 2004, (when the speed zone was 50 km/h), and in 2012. In 2004, the average speed was 43 km/hour with 108 vehicles travelling daily. Once the speed was reduced, and the street more substantially developed in 2012, the speed increased to 45 km/hr., with approximately 201 vehicles travelling this street daily.

**Moved By** Councillor Rioux

**Seconded By** Councillor Thompson

Town staff include Hazelton Drive in the traffic monitoring program and also request the KRPf include Hazelton Drive in their patrols for speeding and in addition that the Police also provide the town with any information pertaining to traffic issues, complaints or infractions they may have concerning this street.

**Motion Carried**

9.4 Letter from Mr. Jacques LeBlanc & Ambassador Drive Area Residents - Concerns Re Road Development from Quispamsis Road to Ambassador Drive/Vegas Drive

Mr. Jacques LeBlanc and Mr. David Meade made presentation to Council on behalf of the Ambassador Drive Area Residents. They expressed safety concerns related to the new road construction that will join the southern portion of Ambassador Drive with the Quispamsis Road. Specific reference was to the steep grade nearing the Quispamsis Road approach, the current location of a community mail box on Ambassador Drive situated near a blind hill, as well as increased traffic and increased costs to the Town to maintain the new road extension.

A Background Report from the Director of Engineering & Works informed Council the connection of Ambassador Drive to Quispamsis Road is part

of the 2017 Street Capital Program, and will connect at the lower end of Ambassador Drive and create an additional entrance to Eastwind Estates and the future connection to Vegas Drive on Quispamsis Road, opposite Diggle Drive. Mr. Losier noted this connection has been planned since the initial approval stages of Eastwind Estates back in the early 1990's.

Attached to Mr. Losier's report was a series of four plans showing the progression of the planning and land acquisition process that have allowed for this street connection. Mr. Losier stated the Town is taking advantage of the planned upgrade to the Quispamsis Road as the best opportunity to ensure the proposed connection out of Ambassador is constructed to blend in functionally with the Quispamsis Road. If done independently, there will be additional costs to retrofit one or the other, noting the economies of scale, makes it logical to do them at the same time. The same approach was used when connections were made through other streets such as Cedar Grove Drive, Greenwood Drive, Queensbury Drive, Minstrel Drive and Gondola Boulevard, with an all-encompassing view of the benefits to the whole town when introducing these connections.

**Moved By** Councillor Olsen

**Seconded By** Councillor Luck

The Ambassador Drive area residents be thanked for their correspondence, acknowledging that the Town is processing their requests for background information and plans showing that the street connection from Ambassador Drive to the Quispamsis Road has been planned since the initial approval stages of Eastwind Estates back in the early 1990's, and the parcel in question, depicted as a Future Street, will be developed as part of the Town's 2017 Street Capital Program.

**Motion Carried**

9.5 Phyllis Hart, In Attendance - Request for Preparation of Path to the Kennebecasis River Near Gondola Point Ferry Landing

Correspondence from Ms. Hart informed Council she has spent much time over the years canoeing and kayaking the Kennebecasis River off the Gondola Point Ferry landing area. She noted however, launching a canoe or kayak into the river remains awkward as it must be carried or wheeled

from the parking lot area, across the Gondola Point Arterial, under the gate and down to the water. A solution, she suggested, is developing the path located between the turn around and the arterial route that is already carved out by snowmobilers in the winter. It is currently too rough for safe walking with a kayak, but if the pathway was paved to the width of a sidewalk, she feels it would provide a convenient access to the river for the many kayak and canoe enthusiasts in the Town.

The Director of Community Services informed Council the parcel of land in question is owned by the Province, not the Town, and is used for drainage. The Town is aware of this property and will consider it as future potential land for public purposes.

Members noted the Stoneyplain residents have access through their deed covenants to the river on lands near the Gondola Point sewer pump lift stations.

**Moved By** Councillor Thompson

**Seconded By** Councillor Olsen

Ms. Hart be thanked for her correspondence and be advised that the land she references is not owned by the Town, noting however, there does appear to be a launch area available to access the river near Stoneyplain, or the Gondola Point Beach area.

**Motion Carried**

9.6 Star Water Solutions - 11 Elliot Road - Request to Solicit Residential & Commercial Properties for Business

Presenter: Mr. Devin Tait, General Manager

Mr. Tait's correspondence requested Council's permission to solicit door to door commercial and residential properties within the Town for the sale and service of their Star Water Solutions product.

A Staff Report from the Town Clerk informed Council the Town's Traffic By-law No. 027, reads that pursuant to Section 91.1(2) of the *Municipalities Act*, "No person shall beg or solicit from door to door or in a public place except as may be authorized by the Municipality". The Town Solicitor, she wrote, advises that whenever legislation requires

authorization by the Municipality, and is silent as to a designated authorized person, then it would require Council's approval. Ms. Snow stated the Town's current policy allows door to door soliciting by representatives of bona fide charitable, not for profit, or religious organizations, and if it is not covered as noted, then the request must seek Council's approval.

**Moved By** Councillor Olsen

**Seconded By** Councillor Rioux

Council authorize Star Water Solutions to solicit door to door pursuant to the Traffic By-law No. 027, and the Town's current policy on soliciting.

**Motion Carried**

Nay: Councillor Luck

9.7 Origins Daycare - 213 Pettingill Road - Staff Report from Municipal Planning Officer

Mr. Troy Arsenault, Applicant, In Attendance to Respond to Any Inquiries & Staff Report from Municipal Planning Officer

Correspondence from *Origins, Natural Learning Childcare* informed Council they offer a rich, exploratory, project inspired, learning approach in their five daycares located in the Saint John region. They value the outdoor environment, often exploring local spaces and turning experiences into projects. In April, 2015, they opened a 90 space location in Quispamsis at their Landing Court location. It is their current plan to purchase property at 213 Pettingill Road that includes 10 acres with a large house and two out buildings. This would include an Afterschool Care Program and a half day Preschool Program, and requires rezoning of the property from Residential to Institutional. Plans of the proposed daycare project were included in the applicant's submission.

A Staff Report from the Municipal Planning Officer informed Council Jennifer and Troy Arsenault are looking to provide an Afterschool Care Program and a half Day Preschool Program for service up to 60 children ages three years to twelve years, and employ seven staff. The proposed afterschool program follows the curriculum of a Forest School and sees the children spend the majority of their time outside learning and

developing skills that allow them to safely engage and interact with the natural environment. Mr. Colbourne noted it is reasonable to consider the proposed Pettingill Road location as an appropriate area for the proposed childcare facility as it is in the neighbourhood of other Institutional facilities, such as a Middle School and two elementary schools along with three nearby Churches. The PAC have reviewed have reviewed the proposed development for this property and have identified items to be addressed moving forward prior to final approvals.

**Moved By** Councillor Luck

**Seconded By** Councillor Olsen

Council advertise a Public Presentation date for July 18, 2017 to consider an amendment to the Town's Municipal Plan By-law that would rezone 213 Pettingill Road from Single or Two Family (R1) to Institutional (Inst.) for the purpose of a childcare facility that could provide service up to a maximum of sixty (60) spaces.

**Motion Carried**

**10. By-laws (none)**

**11. New Business**

11.1 Tender 2017TQ-05-15 - Supply & Delivery of One (1) Small Batch Automatic Brine Maker

**Moved By** Councillor Olsen

**Seconded By** Councillor Luck

Council award tender 2017T-05-15 New Small Batch Automatic Brine for the tender price of \$ 38,275 (Exclusive of all taxes) to Parts for Trucks .

**Motion Carried**

11.2 LTS Investment Inc. Subdivision – Leisure Drive (Public Street) and Municipal Service Easement – PID 250886

**Moved By** Councillor Thompson

**Seconded By** Councillor Olsen

Council grant assent to the LTS Investment Inc. Subdivision plan to create Leisure Drive as a public street, to create a new Municipal Services Easement and to delineate a portion of the existing easement to be released, and agree to the terms and conditions of the Easement Agreement amendment.

**Motion Carried**

11.3 Award of McCarron Drive Storm Drainage Tender No. 2017TQ-6-16

**Moved By** Councillor Luck

**Seconded By** Councillor Rioux

Council award the tender designated as 2017TQ06-16 Storm Sewer Improvements 2017 – McCarron Drive to the low tenderer, Steele Trucking Ltd. for their tender price of \$ 186,415.25 including HST

**Motion Carried**

## 12. Reports

- 12.1 Town Treasurer – Unaudited Interim Financial Statements As At April 30, 2017
- 12.2 Animal Control – Monthly Response Summary
- 12.3 YMCA – June 20, 2017 – World Refugee Day Ceremony
- 12.4 Kennebecasis Regional Board of Police Commissioners – April 2017 Financials & Meeting Minutes
- 12.5 Kennebecasis Valley Fire Department Inc. – Financials – April 12, 2017 Meeting Minutes & Chief's Report
- 12.6 Kennebecasis Public Library Board – April, 2017 Meeting Minutes
- 12.7 Planning Advisory Committee – May 23, 2017 Meeting Minutes
- 12.8 Quispamsis Building Report As At May, 2017
- 12.9 KVHS Music 122 Students – Thank You – “Concert in the Park” at Arts & Culture Park – May 3, 2017
- 12.10 Kennebecasis Valley Food Basket – Thank you -\$1000 Donation
- 12.11 CNR – Community Initiative Update
- 12.12 UMN & Quispamsis Climate Change Initiative – Councillor Olsen referenced the successful June 14, 2017 Climate Change – Community Energy Plan Workshop, attended by approximately 40 community stakeholders, including several Staff Members, and led by YHC Ltd. and QUEST officials. He noted a subsequent workshop will be held in the fall at which time a preliminary community energy plan will be presented.

**Moved By** Councillor Rioux

**Seconded By** Councillor Olsen



Reports be received and filed.

**Motion Carried**

**13. Business Arising from Committee of the Whole**

13.1 Scholarship Committee Recommendations Re Town's 2017 Bursaries (Two (2) \$750) - Ratification of Email Poll of June 13, 2017

**Moved By** Councillor Thompson

Council ratify the email poll of June 13, 2017 authorizing acceptance of the Scholarship Committee's recommendations to award the Town's two \$750 bursaries as noted, and on behalf of Council, Councillor Miller, present the bursary to the KVHS recipient, and Councillor Rioux, present the bursary to the RHS recipient.

**Motion Carried**

**14. Adjournment**

**Moved By** Councillor Luck

**Seconded By** Councillor Olsen

Meeting adjourn.

**Motion Carried**

Meeting adjourned at 9:10 p.m.

X

Gary Clark  
Mayor

X

Catherine P. Snow  
Clerk