



**QUISPAMIS TOWN COUNCIL  
REGULAR MEETING  
MINUTES**

**May 18, 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  
Brandon, Krista; Town Treasurer  
Kennedy, Aaron; Communications Manager  
Losier, Gary; Director of Engineering & Works  
MacInnis, Lisa; Assistant. Clerk  
Purton Dickson, Dana; Director of Community Services  
Snow, Catherine; Town Clerk

**Absent:** Deuille, Susan; CAO (illness)

**1. Approval of Agenda**

**Moved By** Councillor Olsen  
**Seconded By** Councillor Luck

The Agenda be approved as prepared.

**Motion Carried**

**2. Mayor's Comments**

Mayor Clark acknowledged the Wave Pool at the qplex will be opening June 12th. COVID-19 protocols will limit capacity to 150 people so to guarantee admission, people must register online in advance.

Mayor Clark reminded residents as a responsible pet owner, it is important to stoop and scoop after your pet on all public properties, as well as the need to register dogs and cats at town hall.

In closing, Mayor Clark announced the Town will be moving forward with its plans for summer activities, like Movies and Music in the Park and the free wellness and activity classes, all of which will follow pandemic protocols.

**3. Moment of Reflection**

Councillor Rioux read the Moment of Reflection.

**4. Disclosure of Interests**

**5. Presentations**

**5.1 Proposal to Operate Farmers Market at Arts and Culture Park & Staff Report from Director of Community Services**

Presenter: Andrew Ryder

Mr. Ryder expanded upon his proposal to host a Farmers Market at the Arts and Cultural Park on Sundays from 2 pm to 7 pm beginning in June. He and his wife have been in the Farmers Market business for the past 26 years, and they hope to promote locally grown, harvested, crafted and sourced goods from New Brunswick. The market will be used for the sale of baked/cooked goods, meat, fish, poultry, butter, eggs, cheese, honey, maple syrup, flowers, handmade crafts, etc. The mandatory spacing of 2 m will be achievable for vendor stalls and patron traffic while keeping a constant flow.

The Community Services Director informed Council Staff have been working with Mr. Ryder for several weeks on the creation of a plan for the market. In addition to following regular facility rental obligations such as entering into a facility rental agreement, providing a damage deposit and insurance, Mr. Ryder will be required to follow a COVID-19 Operational Plan and Public Health Guidelines and the Mandatory Order. The Town, she said, has determined the Park capacity to be 150 based on 2 metre physical distancing requirements. The park rental is \$155 plus HST; plus an additional \$50 for cleaning washrooms in the lower level of Town Hall. The Parks and Beaches By-law No. 058 requires all persons engaging in any trade or business at a public beach or park to have liability insurance and the written permission of the Town, therefore permission must come by way of a resolution of Council.

**Moved By** Councillor Thompson

**Seconded By** Deputy Mayor O'Hara

Pending the operator receiving approval from the Provincial Government, Council approves the request by Mr. Ryder to operate a Farmers Market in the Arts and Culture Park this summer, and he be directed to continue to work with Town staff and Public Health to ensure all guidelines are followed in the establishment and operations of the market.

**Motion Carried**

**6. Public Hearings**

**7. Minutes of Previous Meetings**

7.1 May 4, 2021 - Regular Meeting

**Moved By** Deputy Mayor O'Hara

**Seconded By** Councillor Luck

Minutes be approved as prepared.

**Motion Carried**

**8. Unfinished Business**

8.1 (April 20, 2021) NB Local Governance Reform - "Green Paper" - Working Together for Vibrant & Sustainable Communities - Discussion (Referred from May 4, 2021 Regular Meeting)

Councillor Olsen noted there are many questions associated within the 29 page "Green Paper". It proposes a wide range of structural changes that could be considered to address the Province's challenges to modernize NB's local government structure. He noted the Report seems to lean towards integrating LSDs with adjacent municipalities, but it isn't clear on the allocation of funding to bring the LSDs up to standards for acceptance by the municipalities.

Councillor Olsen also referenced the funding arrangement that was brought about in the Greater Saint John Region during the 1998 amalgamation. Legislation enacted at that time, required the outlying municipalities to support the regional facilities' operating budgets, which Quispamsis alone has contributed in excess of \$10 million since the amalgamation.

A discussion ensued on some of the opportunities presented in the Green Paper. Members acknowledged at this point the Green Paper is still a draft and doesn't contain any definitive actions, only discussion points.

Councillor Thompson informed Council the Province will be holding a series of virtual stakeholder sessions for municipal officials in the coming weeks.

**Moved By Councillor Miller**  
**Seconded By Councillor Rioux**

Council receive and file the Green Paper for now, keeping in mind the schedule of municipal stakeholders' sessions.

**Motion Carried**

8.2 (April 20/21) Community Members Serving on Boards – Consideration of Remuneration and Provision of Town Electronic Devices (iPads) - Staff Report from Town Clerk

Council reviewed a Staff Report from the Town Clerk, written in response to a motion of Council from the April 20, 2021 Regular Meeting, indicating Ms. Snow's findings and recommendations concerning the issues of paying non-elected Committee Members' remuneration in appreciation of the work they do, as well as the issue of providing non-elected Committee/Board Members with electronic devices. Further, correspondence was attached from the Town's IT Managed Services, iSpire, which did not support providing devices to community committee members, however, suggested that the Town provide PAC with Town email accounts.

Councillor Luck, Ms. Snow noted, did raise an important point with respect to the need to protect an organization's information from a risk management point of view, including privacy breaches. PAC and the Scholarship Committee are the only Standing Committees,( i.e. the only Committees under the administration of the Town), that involves non-elected officials. The Town does provide PAC Members with iPads and their information is distributed through eScribe which requires access by password. The Community Services Director provides the Scholarship Committee, which includes one non-elected member, with a paper copy of the bursary applications, which she recollects once the Committee has completed its review.

Regional Commissions, Boards and Agencies are separate entities from the Town, Ms. Snow's Staff Report continued, and these Boards are responsible for managing their own information, similar to how the Town manages Council and Standing Committees' information. The onus is on each one of these agencies to mitigate risk management and put in place, if they have not already done so, security measures when it comes to cybersecurity threats as well as protecting their data to avoid accidental actions or disclosures. In addition, if the Town is providing devices to non-elected Members serving on regional Commissions, the Town opens itself up to receiving RTIPPA requests for information contained on these devices.

**Moved By** Deputy Mayor O'Hara  
**Seconded By** Councillor Luck

**Non-Elected Committee Members Allowance and Reimbursement** - As it has been five years since the adoption of *Policy No. 052; A Policy Regulating Non-Council/Non-Staff Members Serving on Town Committees, Boards & Commissions*; Council refer the Policy to the incoming Council to review as part of the 2022 budget deliberation process.

**Motion Carried**

**Moved By** Deputy Mayor O'Hara  
**Seconded By** Councillor Thompson

**Consideration of Provision of Electronic Devices and Town Email Accounts to Non-Elected Committee Members** - Based on the reasons presented, Council accept Staff's recommendation to not provide iPads or Town email addresses to the non-elected appointees serving on the *Regional* Boards and Commissions as these Boards and Commissions are responsible for how they distribute their Agendas and associated information to their Board Members; and the Town consider providing PAC Members, (who are already equipped with Town iPads), with Town Email addresses, and further, the Town issue to the Regional Boards and Commissions for information purposes the recommendations from the Town's IT Management Service Provider.

Against (1): Councillor Luck

**Motion Carried**

8.3 (May 4/21) Response from Chris Maund, Provincial Apiarist - Clarification on Rules and Regulations for Apiculture (Bee Keeping) Operations - (Cedar Grove Drive Residents - Joni Moore and Jocelyn Smith - Concerns Re Bee Excrement)

Further to the Cedar Grove Drive residents' concerns re bee excrement on their outdoor objects, caused, they believe from bees from a nearby property that contains several beehives, correspondence from Chris Maund, the Provincial Apiarist, stated –

- The province categorizes a hobby beekeeper as someone who has 49 or fewer honeybee colonies and a commercial beekeeper as having 50 or more colonies. This is only for the purposes of making a category and has no bearing on whether or not the person is making an income from beekeeping.

- The *Apiary Inspection Act* does not have any requirements regarding where a honey bee colony may be kept or how many may be kept. For locations within city, town or village limits, siting restrictions are sometimes included in municipal by-laws.
- The Department does not have a document that categorizes the honey bee, *Apis mellifera* (Linnaeus). The honey bee, *Apis mellifera*, is a domesticated animal. Mr. Maund noted he has been told that customs categorizes *Apis mellifera* as livestock, but he has not verified that.
- In response to the Town's request as to whether the beehives on the Pettingill Road property were registered; as well as the Town's request for a listing of properties within the Town's boundaries that have approved apiary licenses; Mr. Maund responded that he does not feel he is permitted to answer that question due to privacy concerns.

**Moved By** Councillor Luck

**Seconded By** Councillor Olsen

Mr. Maund be thanked for his correspondence clarifying the differences between a hobbyist and a commercial beekeeper, as well as confirming that the *Apiary Inspection Act* does not have any requirements concerning where a honey bee colony can be kept, and his interpretation that bees are classified as a domesticated animal; but he be asked to clarify under what authority the Department of Agriculture, Aquaculture and Fisheries feel they can not share with the Town which properties within our boundaries have approved apiary licenses and/or are registered with the Department; as this information will assist the Town in its investigation on this matter; acknowledging that other Provincial Departments such as Public Health, Environment, and Transportation and Infrastructure provide such information to the municipality on an ongoing basis. And, further, Staff follow up with other municipalities, as part of their investigation to see how they address beehives.

**Motion Carried**

## 9. Correspondence

### 9.1 Jocelyn Parker-Whalley - Scoop and Poop By-law and Staff Report from Director of Community Services

Correspondence from Ms. Parker-Whalley asked if anything was being done to encourage people to pick up after their dogs. She also suggested posting signage

stating compost bags with dog poop is still littering. She requested more signs be posted in this regard, around public properties.

A Staff Report from the Director of Community Services noted due to the significant increase in the use of trails during the pandemic, she recommends the incoming Council address the level of service they wish to provide residents re the installation of signage, poop and scoop bags, public benches, garbage cans, etc. as part of the Strategic Planning process. She noted there are costs associated with adding these items to the Town's inventory, not only the installation but the ongoing maintenance, inspection and replacement.

**Moved By** Councillor Loughery

**Seconded By** Councillor Miller

Council refer the discussion regarding the placement of public waste containers, signage, poop and scoop signage and public benches to the strategic planning process for the incoming Council.

**Motion Carried**

9.2 Julie Evans - Sweet Caroline Foundation - Purple Light in Recognition of Allergy Awareness Month

Correspondence from Ms. Evans noted May 1<sup>st</sup> marks the beginning of Food Allergy Awareness Month, a nationally recognized event that occurs annually. On behalf of the Sweet Caroline Foundation and Food Allergy Canada, she asked the Town to light the Town Hall purple in recognition of Food Allergy Awareness Month, acknowledging May 18, 2021 will be recognized as "Purple Day" across the community and local schools.

**Moved By** Deputy Mayor O'Hara

**Seconded By** Councillor Thompson

In response to Ms. Julie Evans, the Town has installed a purple light at the Quispamsis Town Hall in recognition of May being the Sweet Caroline Foundation's Food Allergy Awareness Month.

**Motion Carried**

9.3 Ted and Gerri Gardner and Roly MacIntyre - Wellington Court - Drainage Concerns

Correspondence from Mr. and Mrs. Gardner, and Mr. MacIntyre expressed concern about a culvert the Town removed last fall situated at the brook area that runs between Wellington Court and CN Rail. The letter stated the culvert removal has substantially reduced the water flow through the affected area and resulted in

a water backup which has now entered their property. They feel the blockage, plus fallen trees and debris, are impeding sea trout, gaspereau and other species from migrating upstream.

A Staff Report from the Director of Engineering & Works informed Council the Town removed a badly corroded corrugated metal culvert that previously connected the LPP adjacent to Wellington Court to the edge of the CN right of way that runs adjacent the Q/R Trail. With the construction of the Q/R Trail, there was no requirement for this culvert, thus why it was removed. The Town undertook the work using the terms of the Provisional Watercourse Alteration permit, removed the culvert, reshaped the area and installed erosion stone along the banks to re-establish the channel bed. The design, Mr. Losier said, provides for sufficient flow through the area, does not block fish habitat and does provide erosion protection. He understands the property owners met on site last week with the DFO for fisheries concerns, and the Provincial DOE for work along a provincial watercourse.

**Moved By** Councillor Olsen

**Seconded By** Councillor Rioux

The correspondence be referred to the Engineering Dept to address any issues that may be brought forward by the Provincial Dept of Environment or Federal Dept of Fisheries and that town staff continue to monitor the area for evidence of erosion or blockage.

**Motion Carried**

9.4 Minister Jill Green, Transportation and Infrastructure - Request for Updated Five Year Municipal Designated Highways Program Priorities by June 30, 2021

Minister Green's letter requested the Town's updated Five Year Plan indicating the Town's 2022 – 2026 priorities under the Provincial Municipal Designated Highways Program by June 30, 2021.

**Moved By** Councillor Thompson

**Seconded By** Councillor Miller

Minister Green's letter be referred to the Engineering Department to draft the updated Five Year Municipally Designated Highways Program for the incoming Council's review at the June 15, 2021 Regular Meeting.

**Motion Carried**

9.5 Staff Report from CAO Deuille Thanking Outgoing Council Members



CAO Deuille's letter thanked outgoing Council Members – Councillor Lisa Loughery, (21 years); Councillor Pierre Rioux, (17 years), and Councillor Luck (5 years), for their many years of dedicated service to the town of Quispamsis. She noted their hard work, dedication and leadership on Council and Committees has helped move Quispamsis forward to one of the most progressive and vibrant communities in Atlantic Canada.

**Moved By** Councillor Olsen

**Seconded By** Councillor Miller

Appreciation and best wishes be extended to the outgoing members of Council for their years of service, and Ms. Deuille's letter of thanks be received and filed.

**Motion Carried**

9.5.1 Outgoing Council Members' Opportunity for Comments

Councillor Loughery stated it has been an honour to serve the residents of Quispamsis for the past 5 terms, (21 years). She noted before becoming a Councillor, she served for 10 years on the Planning Advisory Committee. She noted it has been a pleasure working with Council, Staff and the community over the years, she really enjoyed it, and wished everyone all the best.

Councillor Luck thanked everyone who had supported him, noting he believes in continuous improvement and increased efficiencies for success, and it was through that lens that he engaged Council and Staff. One of the main contributions was the approval of an internal audit which can now be used to compare the Town with others with the use of performance metrics. He hopes the new Council will continue to have internal audits to ensure Quispamsis is being run efficiently. Time he had spent at Meenan's Cove ballfield led to the recognition of a need for lighting and netting, which have since come to be, and he commended Staff for these efforts. He noted Council always had top of mind the tax rate, acknowledging that as the Town grows, so too does its need for new and continuously maintained infrastructure, which all cost money. He concluded noting he always came to meetings informed, never took sides, made others accountable, and always spoke his own views.

Councillor Rioux noted 17 years ago this May he was first elected to Council. A humbling experience, he said, to have residents have enough confidence in you to elect you to their Council. He acknowledged as a municipal candidate you campaign independently, not as a team like the Provincial and Federal governments do, but by yourself, going door to door.

Over the years, with empathy for fellow citizens, he often spoke on their behalf. He noted after serving as a school teacher for 35 years and on Council for 17, and PAC for many years, it is time for him to move onto the next chapter. He thanked all past staff for making him feel welcome, the citizens for voting him in, and his family for their ongoing support. In closing, he noted he has been happy to be part of Quispamsis' golden years of which the Town has grown exponentially, and has been recognized nationally.

Mayor Clark thanked all of the outcoming Members for their many years of service to the Town of Quispamsis.

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

**11. New Business**

- 11.1 Award of 2021 Capital Streets Program Tender (tentative) - Tender Results will be Submitted by Tuesday Pending Municipal Capital Borrowing Board Approval

**Moved By** Councillor Luck

**Seconded By** Deputy Mayor O'Hara

Council hold off on approving the 2021 Capital Streets Program Tender until it receives approval from the Municipal Capital Borrowing Board, and depending upon when this approval is received, either an email poll be conducted for ratification at the next meeting, or it be referred to the new incoming Council.

**Motion Carried**

- 11.2 RFP 2021TQ04-15 - Mountain Bike Trails Project - Notification of Grant Approval (\$40,000) and Staff Report from Director of Community Services Re Award of Tender

**Moved By** Councillor Rioux

**Seconded By** Councillor Olsen

Council award RFP 2021TQ04-15 Mountain Bike Trails Project to Trail Flow for \$70,000 plus HST. RFP 2021TQ04-15 Mountain Bike Trails Project to Trail Flow for \$70,000, (plus HST), for the final design and construction of approximately 5.4 km of Singletrack Trail to form part of the Leeswood Drive Trail System

**Motion Carried**

**12. Reports**

- 12.1 UMN Bulletin – May 2021
- 12.2 Building Report – As At April 30, 2021
- 12.3 Town of Quispamsis Unaudited Financial Statements As At March 31, 2021
- 12.4 Kennebecasis Valley Fire Department Inc. – April 14, 2021 Fire Board Meeting Minutes and Associated Documents
- 12.5 Kennebecasis Valley Fire Department Inc. Update on Fitness Program

**Moved By** Councillor Olsen  
**Seconded By** Councillor Miller

Reports be received and filed.

**Motion Carried**

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

**14. Adjournment**


**Moved By** Councillor Rioux  
**Seconded By** Councillor Luck


**& Third By** Councillor Loughery *(in recognition of the three (3) outgoing Councillors)*  
meeting adjourn.

**Motion Carried**

Meeting adjourned at 8:45 p.m.



X   
Elizabeth O'Hara  
Mayor

X   
Catherine Snow  
Town Clerk

