



**QUISPAMIS TOWN COUNCIL  
REGULAR MEETING  
MINUTES**

**October 20, 2020, 7:00 pm  
Council Chambers  
Quispamsis Town Hall**

Present:

Mayor Gary Clark  
Deputy Mayor Libby O'Hara  
Councillor Sean Luck  
Councillor Kirk Miller  
Councillor Emil T. Olsen  
Councillor Pierre Rioux  
Councillor Beth Thompson  
Deville, Susan; CAO  
Brandon, Krista; Town Treasurer  
Kennedy, Aaron; Communications Manager  
Losier, Gary; Director of Engineering & Works  
Purton Dickson, Dana; Director of Community Services  
Snow, Catherine; Town Clerk

Absent: Councillor Lisa Loughery (sick)

**1. Approval of Agenda**

**Moved By** Councillor Luck

**Seconded By** Deputy Mayor O'Hara

The Agenda be approved as prepared.

**Motion Carried**

**2. Mayor's Comments**

Mayor Clark informed those in attendance, unfortunately, the 2020 Kennebecasis Valley Santa Claus Parade has been cancelled due to COVID-19. NB Public Health is

recommending against holding any activities that encourage large crowds. Holding a parade during a pandemic, he noted, violates all physical-distancing guidelines, acknowledging the thousands of people the KV Parade normally attracts along the Hampton Road.

Mayor Clark also acknowledged Council will be holding its budget deliberations at a Special Meeting on Saturday, October 24, 2020 starting at 8:30 a.m. when internal presentations will be received from the CAO, the Town Treasurer, the Director of Community Services and the Director of Engineering & Works.

3. **Moment of Reflection** – Councillor Thompson read the Moment of Reflection.

4. **Disclosures of Interest** – (none)

5. **Presentations** – (none)

6. **Public Hearings** – (none)

7. **Minutes of Previous Meetings**

7.1 October 6, 2020 - Regular Meeting

**Moved By** Councillor Luck

**Seconded By** Councillor Miller

Minutes be approved as prepared.

**Motion Carried**

8. **Unfinished Business** (none)

9. **Correspondence**

9.1 Harry Veino, Heather Peterson & Stephany Peterson; In Attendance - 2021  
Street Capital Program Re Connection of Old Neck Road

Presenter: Stephany Peterson

**Moved By** Councillor Rioux

**Seconded By** Councillor Miller

Council accept and permit circulation of the added information presented by Ms. Peterson, a petition containing 12 signatures of residents opposing the connection of the Old Neck Road.

**Motion Carried**

Ms. Peterson expanded upon the aforementioned correspondence stating she is speaking on behalf of the signatories of the letter copied to Council. The residents'

objection is to the use of municipal funds and resources on the further development of the Old Neck Road. She stated the residents were clear in 2017 that they did not want a private developer at that time connecting the road. She stated they do not object to the private land being developed, however, they do object to this being taken on as a municipal cost, which serves to benefit few to the greater detriment of many.

Ms. Peterson referenced the design of the upper portion of the Old Neck Road, and the concerns brought up by the residents three years ago have now become a reality and seem to be the basis for the proposed connection as the current design does not provide for safe access to be secured for emergency services. To now become a cost fully absorbed by the tax payers and without clear right of way or ownership, precludes getting to a point of resolution. She requested a response from the Town to not pursue this extension or allocation of funds in the upcoming budget, or as an option, to set it aside and provide a timeline, or as a further option, if the intention is to leave as is for consideration and the matter be escalated to injunction.

**Moved By** Councillor Luck

**Seconded By** Councillor Rioux

Ms. Peterson be thanked for her presentation, and the matter of the connection of the Old Neck Road be referred for consideration to the 2021 Budget discussion under the Town's Municipal Streets Capital Program at the upcoming October 24, 2020 Special Budget Meeting.

**Motion Carried**

9.2 Mr. Dirk Larooi - Request for Connection from Gondola Point Road to Gondola Point Arterial (Route 119)

Correspondence from Mr. Dirk Larooi acknowledged he had written to Council in 2017 requesting consideration to open up the Gondola Point Road near the ferry landing to one-way traffic onto the Gondola Point Arterial, (Route 119). At that time, he noted, the town was in agreement but budget restraints and timing did not make it possible to proceed. He therefore is resubmitting his request hoping Council can allow for the engineering and to convince the Province that this is a project required to ease traffic and safety in this area. A merge lane, he added, would be easily installed without the requirement to move power lines, adding there is wide spread support for this project within the Riverview Estate apartment building complex.

A Staff Report from the Director of Engineering and Works indicated when Mr. Larooi had made his original request, the Town had contacted the Provincial DTI

as Route 119 is a Provincial Bypass and does not fall within the Town's jurisdiction. The Province, at that time, was of the view that while the possible connection from the Gondoal Pint Road may not be the best alternative, they would be willing to review a technical evaluation from a qualified Consulting Engineering firm, that would need to be undertaken and paid for by the Town. Mr. Losier estimated such a study would cost approximately \$7,500, noting that the town has not had any other requests and staff, at this time, do not consider it a high priority project.

A discussion of Council ensued on this matter, with many members feeling that as newer developments are established, accesses to and from these developments should be considered. Councillor Thompson noted the residents residing on the deadend portion of the Gondola Point Road would likely oppose any connection to Route 119 as it would significantly increase traffic in that area.

Mayor Clark turned the Chair over to Deputy Mayor O'Hara and offered comments concerning upcoming development off Kane Road, and the potential for this area to subsequently connect to Meenan's Cove Road, and then out to the Arterial. The Director of Engineering & Works concurred with this, noting there may be some limited access in this area, noting the grades are an issue. He noted at the upcoming Budget Meeting, he will be speaking further on the need for a Master Transportation Plan that will address these types of access issues for future references as land is developed..

Mayor Clark resumed the Chair.

**Moved By** Councillor Thompson

**Seconded By** Councillor Luck

Mr Larooi be thanked for his follow up request and he be advised that at this time the town has assigned the potential Gondola Point Road onto Gondola Point Arterial(Rte.119) connection as a low priority and will not be assigning funding to this investigation in 2021, however, Mr. Larooi be informed of the Town's proposed plans to develop a Master Transportation Plan as part of its overall Strategic Planning development anticipated to start in 2021 and that Plan will address the issue of accesses and egresses to key developments in the town.

**Motion Carried**

9.3 41st Finale des Jeux de l'Acadie - Quispamsis & Saint John - Postponement of Games to 2022 or 2023 Due to COVID-19 - Letter from Michel Cote, President

Correspondence from Mr. Cote, addressed to the City of Saint John and to the town of Quispamsis, related due to the current pandemic, they wish to postpone the Jeux de l'Acadie Games from June 2021 to June 2022 or June 2023,

depending on the recommendations of Public Health. If the two hosting municipalities agree, Mr. Cote wrote, he will adjust the Memorandum of Understanding with the new date.

**Moved By** Councillor Luck

**Seconded By** Councillor Thompson

Council approve Mr. Cote's request to extend the Town's current Memorandum of Understanding by postponing the Jeux de l'Acadie Games to 2022 or 2023 depending on the recommendations from Public Health and the planning of future Games.

**Motion Carried**

9.4 Standardized Speed Limit of 30 kph in School Zones on Provincially Designated Highways - Aaron Kennedy, Communications Manager

Correspondence from Mr. Kennedy informed Council the Provincial Government has set a standardized speed limit of 30 kilometers per hour in all school zones on Provincially Designated Highways, such as the Hampton Road. This impacts the Quispamsis Elementary School zone and new signs have been posted.

In response to Councillor Rioux, the Director of Engineering & Works stated a "New" tab will be installed on the new 30 kph speed sign to warn motorists of the change in speed in the QES school zone area.

It was noted that KVHS does not fall within the same constraint, as it has its own separate street, (Robert Munro Drive), off the Hampton Road that leads into the school.

**Moved By** Deputy Mayor O'Hara

**Seconded By** Councillor Olsen

Mr. Kennedy's memo informing Council of the recently reduced 30 kph speed zone at QES due to the new standardized 30 kph in all school zones on Provincially Designated Highways be received and filed, with thanks.

**Motion Carried**

9.5 Meenan's Cove Beach House - Rental Rates - Staff Report from Director of Community Services

A Staff Report from Ms. Purton Dickson informed Council the Meenan's Cove Beach House and Park upgrades are scheduled to be completed by December 31, 2020. There are 35 people on the waiting list to book the facility, and Staff would

like to finalize a rate structure so that they can initiate bookings for the 2021 year. The proposed rates, she added, are consistent with rates for comparable facilities within the region, noting the newly renovated space has doubled the size of the Beach House.

**Moved By** Councillor Luck

**Seconded By** Deputy Mayor O'Hara

Council approve the proposed 2021 rental rates for Meenan's Cove Beach House as presented:

2021

4-hour rate	\$300
4-hour non-profit	\$240
8-hour rate	\$550
8-hour non-profit	\$440
Weekend rate	\$1,200 Fri 6pm-Sun 12pm
Kitchen	\$150

**Motion Carried**

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

**11. New Business**

**11.1 Proposed 2021 Civic Relations, Sponsorships and Grants Budget - Staff Report from Town Treasurer with Attached Spreadsheet Reflecting Finance Committee's Recommendations**

**Moved By** Deputy Mayor O'Hara

**Seconded By** Councillor Luck

**Civic Relations** - Council accept the Finance Committee's recommendation to approve the Civic Relations component of the overall Civic Relations 2021 budget as presented for a total amount of \$15,800.

**Motion Carried**

**Moved By** Deputy Mayor O'Hara

**Seconded By** Councillor Luck

**Sponsorships** - Council accept the Finance Committee's recommendation to approve the 2021 Sponsorship component of the overall Civic Relations budget as presented for a total amount of \$10,135.

**Motion Carried**

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

**Community Grants Program** - Council accept the Finance Committee's recommendations to approve the 2021 Community Grants Program as presented, totalling \$22,725 - broken down as follows:

Dalhousie Medicine NB	\$5,000	
Kennebecasis Valley Oasis Youth Centre	\$7,500	(5000 & 2500 due to Covid)
Saint John Regional Hospital Foundation	\$5,000	
Kennebecasis Valley - Community - Capacity	\$1,500	
- Children Inc. (KV3C)		
Crimestoppers - in-kind	\$1,875	
Various Other Donations	\$1,850	

**Motion Carried**

11.2 Building Permit Construction Refundable Deposit Resolutions - Staff Report from Director of Engineering & Works

Mr. Losier's Staff Report informed Council as part of the Building Permit process, applicants are required to post Construction Bond security to guarantee completion of their project in accordance with the Building Code, Municipal By-laws and submitted development plans. All of these bonds are reviewed annually in order to keep current records. Outstanding projects are reviewed to determine the nature of the remaining item and the potential for completion. Staff make efforts to contact any applicant with outstanding bonds to provide them with an opportunity to fulfill the conditions of the security in order to have the bonds released to them. If the applicant chooses not to complete their obligations, or no longer exists as a company, then the Town Solicitor has advised us that the bond is considered forfeited to the Town as a penalty and the Town is not under any obligation to complete the outstanding work, and will flag the address on the Provincial Land Gazette for prospective purchases to address during any transactions.

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

WHEREAS Section 13 of the Building By-law #044 provides for the payment of cash deposits as a condition of the issuance of Building Permits to ensure compliance with the By-law's provisions.

AND WHEREAS there has been non-compliance by the persons and corporations as listed below with the said By-law, particulars of which are as follows: *Inspections and work not completed within the one (1) year time frame as required by Section 13.B.i. of the By-law.*

NOW THEREFORE Be It Resolved the deposits made with respect to the following applications are hereby forfeited to the Town of Quispamsis and the Town Treasurer is hereby directed to record the forfeiture as required:

1. 645770 NB LTD made a cash deposit of \$860 to secure their compliance with the provisions of the Building By-law in connection with a building permit issued for 29 Hammond View Terrace, PID 62992, on December 8, 2010.
2. Louis Labelle made a cash deposit of \$210.00 to secure their compliance with the provisions of the Building By-law in connection with a building permit issued for 10 Queensbury Drive, PID 30143234, on May 2, 2011.
3. Tim Hamilton made a cash deposit of \$1,740.00 to secure their compliance with the provisions of the Building By-law in connection with a building permit issued for 141 Elliot Road, PID 253336, on December 2, 2011.
4. Jamie Guidry made a cash deposit of \$979.40 to secure their compliance with the provisions of the Building By-law in connection with a building permit issued for 25 Hammond View Terrace, PID 63008, on August 8, 2012.
5. R J Scott Homes Ltd. made a cash deposit of \$1,377.00 to secure their compliance with the provisions of the Building By-law in connection with a building permit issued for 24 Alderbrook Drive, PID 30212567, on July 8, 2013.
6. Rene Robichaud made a cash deposit of \$2,000.00 to secure their compliance with the provisions of the Building By-law in connection with a building permit issued for 18 Rainbow Court, PID 30266613, on July 24, 2015.
7. Karen Cousins made a cash deposit of \$2,000.00 to secure their compliance with the provisions of the Building By-law in connection with a building permit issued for 40 Flagstone Drive, PID 30247605, on September 18, 2015.

8. Vanessa Reid made a cash deposit of \$1,320.00 to secure their compliance with the provisions of the Building By-law in connection with a building permit issued for 13 Sky View Terrace, PID 30257166, on November 24, 2015.
9. Braydon Homes made a cash deposit of \$2,000.00 to secure their compliance with the provisions of the Building By-law in connection with a building permit issued for 8 Foxwood Court, PID 30303960, on June 6, 2016.
10. Fowler & Sons made a cash deposit of \$1,691.00 to secure their compliance with the provisions of the Building By-law in connection with a building permit issued for 4 Greystone Drive, PID 30293971, on July 29, 2016.
11. Murray Thompson made a cash deposit of \$1,766.00 to secure their compliance with the provisions of the Building By-law in connection with a building permit issued for 11 Blue Grass Lane, PID 30248157, on March 31, 2017.
12. Kevin Bennett made a cash deposit of \$2,000.00 to secure their compliance with the provisions of the Building By-law in connection with a building permit issued for 493 Gondola Point Road, PID 30262638, on September 15, 2016.
13. Thompson Homes made a cash deposit of \$1,384.00 to secure their compliance with the provisions of the Building By-law in connection with a building permit issued for 7 Blue Grass Lane, PID 30248165, on October 2, 2017.
14. Sherard Orthodontics made a cash deposit of \$11,000.00 to secure their compliance with the provisions of the Building By-law in connection with a building permit issued for 208 Hampton Road, PID 251777, on March 10, 2010.
15. Five Holdings Inc. made a cash deposit of \$2,500.00 to secure their compliance with the provisions of the Building By-law in connection with a building permit issued for 60 Enterprise Drive, PID 30271324, on June 18, 2009.
16. The Goalie Barn Inc. made a cash deposit of \$886.25 to secure their compliance with the provisions of the Building By-law in connection with a building permit issued for 24 Enterprise Drive, PID 30236731, on June 19, 2006.

**Motion Carried**

**Moved By** Councillor Luck

**Seconded By** Deputy Mayor O'Hara

WHEREAS Section 8 of Building By-law #055 provides for the payment of cash deposits as a condition of the issuance of Building Permits to ensure compliance with the By-law's provisions.

AND WHEREAS Dino Cipolla made a cash deposit of \$1,684.00 to secure their compliance with the provisions of the Building By-law in connection with a building permit issued for 12 Bitterroot Lane, PID 30272223, on September 19, 2018.

AND WHEREAS there has been non-compliance with the By-law, particulars of which are as follows:

Inspections and work not completed within the one (1) year time frame as required by Section 13.B.i. of the By-law.

NOW THEREFORE be it resolved the said deposit is hereby forfeited to the Town of Quispamsis and the Town Treasurer is directed to record the forfeiture as required.

**Motion Carried**

11.3 Award of RFP 2020TQ10-35 - Municipal Drive Sanitary Expansion

**Moved By** Councillor Rioux

**Seconded By** Councillor Olsen

The town awards the Municipal Drive Sanitary Expansion proposal 2020TQ10-35 to the low bidder, Steele Trucking Ltd. for the bid price of \$86,406.25 (plus HST).

**Motion Carried**

**12. Reports**

12.1 Town of Quispamsis Unaudited Financial statements A At August 31, 2020

12.2 Province of New Brunswick – Mandatory Masks – FAQ

12.3 Fundy Gymnastics Club – Hosting of 2021 Fundy Invitational – January 2021 – Recipient of Town of Quispamsis' \$500 Sport Hosting Program Award

**Moved By** Councillor Olsen

**Seconded By** Councillor Luck

Reports be received and filed.

**Motion Carried**

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

**14. Adjournment**

**Moved By** Deputy Mayor O'Hara

**Seconded By** Councillor Thompson

The Regular Meeting of the Quispamsis Town Council adjourn.

**Motion Carried**

Meeting adjourned at 8:20 p.m.

X

Gary Clark  
Mayor

X

Catherine P. Snow  
Clerk