



## QUISPAMISIS TOWN COUNCIL REGULAR MEETING MINUTES

May 20, 2014, 7:00 pm  
Council Chambers  
Quispamsis Town Hall

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

Absent: Councillor Lisa Loughery (illness)  
Michael Brennan, CAO (illness)

Staff Present Deville, Susan, Acting CAO & Director, Human Resources  
Losier, Gary; Director of Engineering & Works  
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

The Green for Life Community Award – Mayor Driscoll acknowledged *The Green for Life Community Award* recently presented to the Town of Quispamsis by Landscape New Brunswick in recognition of the Matthews Cove Project, which served as a catalyst for a number of community-based initiatives around the qplex, including the expanded trail system and the Active Transportation program.

3. **Moment of Reflection** – Councillor Olsen led the meeting in prayer.

4. **Disclosures of Interest** - No disclosures were declared.

5. **Presentations** - (none)

6. **Public Hearings** – (none)

7. **Minutes of Previous Meetings**

7.1. May 6, 2014 - Regular Meeting

**Moved By** Deputy Mayor O'Hara

**Seconded By** Councillor Rioux

Minutes be approved as prepared.

**Motion Carried.**

8. **Unfinished Business**

8.1. (June 18/13) Ratification of Purchase - 587 Hampton Road Property

**Moved By** Councillor Olsen

**Seconded By** Councillor Miller

Council ratify the purchase of 587 Hampton Road, consisting of a 35,147 square meter parcel of land for the purchase price of \$126,000 with monies coming from a fund to be determined at year end.

**Motion Carried.**

8.2. (May 13/14) Ratification of Email Poll – Appointment of Acting Chief Administrative Officer

**Moved By** Councillor Clark

**Seconded By** Deputy Mayor O'Hara

Council ratify the Email Poll conducted on May 13, 2014 confirming Council's approval to appoint Susan Deuille as the Acting Chief Administrative Officer during the absence of the Chief Administrative Officer, Mike Brennan, due to illness. In addition, Ms. Deuille will also be a person appointed to sign cheques jointly with other authorized signing officers in Mr. Brennan's absence. These appointments will be temporary and may be terminated or varied at any time by further resolution of Council. Ms. Deuille's current salary will be adjusted to reflect her additional duties by separate agreement with her.

**Motion Carried.**

**9. Correspondence**

9.1. 2014 Street Capital Program - Rockefeller Drive Executive Avenue - Deputy Mayor O'Hara – Deputy Mayor O'Hara's letter requested the Director of Engineering to explain the procedure to be used for the upcoming resurfacing of Rockefeller Drive.

The Director of Engineering & Works expanded upon his Staff Report which informed this year's Street Capital tender includes the resurfacing of Executive Avenue and the upper portion of Rockefeller Drive, a total distance of about 500 m. The street will receive a normal resurfacing, rather than pulverization and reconstruction of the road bed. This decision is based on the pre-design soils investigation, which determined that the sub-base of these two streets was adequate to support a resurfaced street and did not require reconstruction. It was noted there are no drainage or grade issues that cannot be addressed with regular shoulder work and road recapping, and both these roads are low traffic volume. To pulverize, import new material and introduce new asphalt to the two streets would increase capital cost to the streets by an estimated 25% in the range of \$20,000 to \$25,000.

In response to Deputy Mayor O'Hara, Mr. Losier stated the life expectancy of a street that has been pulverized vs paved and capped is normally five years longer. However, the increased 25% – 30% costs to pulverize streets needs to be considered as part of the review process, and weighted against criteria such as traffic volumes, existing road bed conditions, etc., so that the Program can be extended to as many streets in need of resurfacing as possible. He noted all the streets slated for upgrades will have ditches cleaned out and culverts replaced, where needed.

**Moved By** Councillor Olsen  
**Seconded By** Councillor Clark

The 2014 Street Capital Program proceed as tendered.

**Motion Carried.**

- 9.2. Drainage Concerns - 4 Cypress Court - Scott & Brandi Cooper, In Attendance – Mr. and Mrs. Cooper expanded upon their correspondence, requesting a solution to an ongoing drainage issue that is affecting their property at 4 Cypress Court. Drainage runs from a section of a walking trail behind their property, then through their property and into a culvert lining Alderbrook Drive. They noted the drainage system backs up continuously, due to weather, natural vegetation and the walking trail which acts like a damn for drainage, noting they have had major water backed up on their property, including water in their basement this past March, following a winter freeze rainstorm. The Coopers requested the Town's help in finding a solution so that they will not have a consistent issue with drainage, causing more damage to their home.

A report from the Director of Engineering & Works informed the Coopers experienced high water levels in their backyard and have subsequently made a claim to the town's insurance. This item, he said, has been referred to Engineering Staff for a review of the overall drainage in the area, and they have been onsite to gather initial background. There will be an investigation as it pertains to potential for work within Watercourse

limits as well as potential impact on the adjacent walking trail system. The goal will be to prepare a course of action that can be covered and scheduled under a regular ditch maintenance program in June. Any large scale option involving storm sewer will exceed normal operating budget and would have to be referred to a Capital Program.

**Moved By** Councillor Clark

**Seconded By** Deputy Mayor O'Hara

The drainage issues associated with No. 4 Cypress Court be referred to engineering to gather relevant background and site conditions prior to making a recommendation on final design. Should work not be able to be completed under a maintenance program, it will be referred to Council for consideration under a current or future Capital Program.

**Motion Carried.**

9.3. Sun Valley Park Residents' Petition Re Hampton Road Sewer Utility Capital Project - In Attendance - George Chapman & Bruce Melanson, Spokesmen - Mr. Chapman and Mr. Melanson expanded upon the Sun Valley Park residents' petition expressing concern about deficiencies resulting from the sanitary sewer line extension project that was constructed in the 2013-2014 season. The residents requested their properties be restored to the same condition in which they were prior to construction, and made particular reference to the following items:

- Widening the entrance/exit from Sandra Drive to Hampton Road to enable proper turning onto the Hampton Road;
- Reinstate the turning circle cul-de-sac on Sandra Drive so large vehicles, like garbage trucks, can turn;
- Complete ditch landscape in front of the Belyea and Foultons' residences;
- Maintenance of ditch at the corner of Wayne Court and Sandra Drive to prevent water pooling; and
- The corner of the Palmer Brook Road and the Hampton Road does not have proper turn onto Palmer Brook Road going toward Highway Route 1. The shoulder gravel is being thrown into the intersection making for dangerous and messy conditions.

The Director of Engineering & Works expanded upon his Staff Report advising that while the project is considered substantially complete, there

still remains deficiencies that have been identified by the Town's Engineering team as well as by the Consulting Engineering firm that needs to be addressed by the Contractor. Some of the items identified by the residents have also been listed by staff. Staff will inspect all of the residents' list of items to determine if they fall under the scope of the project. It should be noted that some items, he said, particularly those associated with road construction, may require the Town to negotiate changes as an extra to the contract.

**Moved By** Deputy Mayor O'Hara

**Seconded By** Councillor Thompson

The list of concerns be forwarded to the Town's Engineering staff for review with the Consulting Engineering Firm and Project Contractor to address those items that fall under deficiencies for the project. Should items require scope of work change or an extra, the costs will be provided to the Town in advance before approval is given to proceed.

**Motion Carried.**

- 9.4. Drainage Concerns - Norman & Barbara Raynes - 504 Gondola Pt Road – Correspondence from Mr. and Mrs. Raynes provided an account of flooding that occurred in their basement on March 30, 2014, a day of heavy freezing rain. Water came running down their property, across their upper lawn, over their retaining wall and into their window well. Works Crews were called in to clear the drainage path and performed maintenance work to the drainage system. The Raynes' letter expressed their unease with the current drainage system, feeling the size of the pipe is not adequate to handle flows, coupled with a sharp left turn and a sharp right turn at the bottom of the hill. The Raynes wrote they have lived at their residence for 42 years, and never experienced flooding issues until the subdivision behind them was developed.

The Director of Engineering & Works expanded upon his Staff Report indicating the Town has conducted initial storm sewer work in this area as part of its 2012 Capital Program when the existing drainage path was realigned and storm sewer installed to promote flow in the area. It appears there are upstream issues that impacted the system's ability to receive the flow, and once the upper end was opened the flows downstream could be accommodated. The overall catchment area is

subject to changes over time and will need to be examined if the drainage path has been impacted by issues such as sediment accumulation, erosion or vegetation growth. Also Staff will consider if ice buildup may have been a contributing factor. The next phase for storm sewer in this immediate area is planned for 2015, to extend the connection of the 2012 project across the Gondola Point Road to rationalize existing driveway culverts and cross road culverts. Mr. Losier stated the Town may wish to reconsider this approach if the proposed drainage review indicates other issues take priority.

**Moved By** Councillor Thompson

**Seconded By** Deputy Mayor O'Hara

This item be referred to Engineering Staff for a review of the identified concerns in order to identify options and possible timeframe for action on this issue. Once costs and options are identified a report will be forwarded to council for their information and direction.

**Motion Carried.**

- 9.5. DNR's Proposed Deer Management Plan – Correspondence from Deputy Minister Bill Levesque proposed a strategy that would increase the harvest of deer in the Kennebecasis Valley beginning this fall, and requested Council's written confirmation of support from each of the three KV communities – Hampton, Rothesay and Quispamsis.

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 have no objection to the Deer Management Program proposed other than those interested in offering their properties for the Deer Management Program should contact DNR directly, and not funnel this request through the KV Regional Deer Committee.

Mayor Driscoll stated the Town of Hampton has accepted the KV Regional Deer Committee's recommendation to issue a letter to DNR indicating it has no objection to the proposed Deer Management Plan, other than having the interested property owners contact DNR directly. The Rothesay Town Council at its meeting May 12, 2014, tabled DNR's proposal pending receipt of further information.

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

Council table DNR's proposed Deer Management Plan pending receipt of the information Rothesay has requested of DNR.

**Motion Carried.**

- 9.6. Offer to do Tick Drag - Dr. Vett Lloyd - Mt. Allison Tick & Lyme Disease Research Project – Correspondence from the KV Regional Deer Committee passed along an offer from Dr. Vett Lloyd of the Mt. Allison Tick & Lyme Disease Research Project, to conduct tick sweeps in the Hampton, Quispamsis and Rothesay communities to determine if there are black legged ticks in the Kennebecasis Valley, and if so, will test them for Borrelia, the bacteria that causes Lyme disease.

**Moved By** Councillor Olsen  
**Seconded By** Councillor Clark

Council accept Dr. Lloyd's offer to do the proposed tick sweeps as part of the Mt. Allison Tick & Lyme Disease Research Project, with the municipal parks and trails being the selected locations to have the sweeps done.

**Motion Carried**

## 10. By-laws

- 10.1. Proposed By-law No. 047 - Police Name Change

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

Third and final reading be given to Proposed By-law No. 047; Police Name Change – to change all Rothesay Regional Police Force and/or Commission references in Town of Quispamsis By-laws to the Kennebecasis Regional Police Force and/or Commission.

On the question, By-law No. 047 was read in its entirety.

**Motion Carried**



10.2. Public Parks & Beaches By-law Amendment No. 30 - 04

**Moved By** Councillor Clark  
**Seconded By** Councillor Miller

First reading be given to proposed By-law Amendment No. 30-04; A By-law of the Municipality of Quispamsis Respecting Public Parks and Beaches within the Town of Quispamsis to permit dogs on the Gondola Point Beach, and in the water adjacent to the beach within the area delineated by Town of Quispamsis signage as being a "Dog Friendly Beach and Swim Area".

**Motion Carried**

**Moved By** Councillor Olsen  
**Seconded By** Councillor Clark

Second reading be given to proposed By-law Amendment No. 30-04; A By-law of the Municipality of Quispamsis Respecting Public Parks and Beaches within the Town of Quispamsis to permit dogs on the Gondola Point Beach, and in the water adjacent to the beach within the area delineated by Town of Quispamsis signage as being a "Dog Friendly Beach and Swim Area".

**Motion Carried**

10.3. Animal Control By-law Amendment No. 031- 07

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

First reading be given to proposed By-law Amendment No. 31-07; A By-law of the Municipality of Quispamsis Respecting Animal Control permitting dogs to be on the Gondola Point Beach and unleashed in an area delineated by Town of Quispamsis signage as being a "Dog Friendly Beach and Swim Area."

**Motion Carried**

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

Second reading be given to proposed By-law Amendment No. 31-07; A By-law of the Municipality of Quispamsis Respecting Animal Control permitting dogs to be on the Gondola Point Beach and unleashed in an area delineated by Town of Quispamsis signage as being a "Dog Friendly Beach and Swim Area."

**Motion Carried**

## **11. New Business**

### **11.1. Tender Award 2014TQ04-3 - 2014 Street Capital Projects**

**Moved By** Councillor Thompson  
**Seconded By** Councillor Olsen

Council award tender No. 2014TQ04-3 to the low bidder of NRB Construction Ltd with a submitted bid of \$774,425.33 and that staff be authorized to reduce the project scope of work in order to account for site conditions and project limit reductions to reduce overall cost.

**Motion Carried.**

### **11.2. Award of Tender No. 2014TQ04-4 - Millennium Drive Upgrades**

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

Council award Tender No. 2014TQ04-4 to the low bidder of Debly Enterprises Ltd. for the bid price of \$516,460.85 inclusive of \$30,000 contingency and HST.

**Motion Carried**

## **12. Reports**

- 12.1. Kennebecasis Valley Fire Department Inc. - Audited Financial Statements - 2014
- 12.2. Kennebecasis Valley Fire Department Inc. - Minutes April 9, 2014 Meeting
- 12.3. Kennebecasis Valley Fire Department Inc. - Minutes March 12, 2014 Meeting
- 12.4. Building Report - April 2014
- 12.5. Rotary Club Gala - Recognition of Irving Women

**Moved by** Councillor Clark  
**Seconded by** Councillor Olsen

Reports be received and filed.

**Motion Carried.**

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

**Moved By** Councillor Thompson  
**Seconded By** Councillor Olsen

**WHEREAS** Section 2.06 of the Regional Fire Protection Agreement provides that Council may appoint members of the Fire Board full-time, and

**WHEREAS** from time to time the appointed member may be unable to attend a meeting of the Fire Board and it is therefore prudent to appoint alternates who will represent the Town in such instances,

**NOW THEREFORE BE IT RESOLVED** that any one of the following persons can be appointed as an alternative member of the Fire Board, with authority to represent the Town at a meeting of the Fire Board when an appointed member is unable to attend a meeting:

*Councillor Gary Clark*  
*Councillor Emil T. Olsen*  
*Councillor Beth Thompson*  
*Councillor Pierre Rioux*

**Motion Carried**

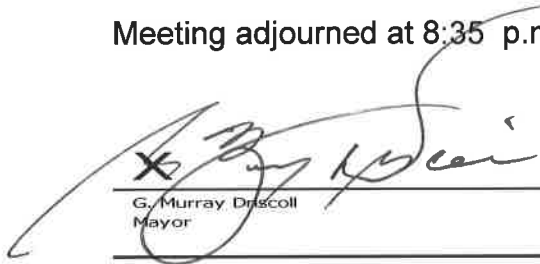

### **14. Adjournment**

**Moved By** Councillor Olsen  
**Seconded By** Councillor Thompson

Meeting adjourn.

**Motion Carried**

Meeting adjourned at 8:35 p.m.

   
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G. Murray Driscoll  
Mayor  
Catherine P. Snow  
Clerk