

**VILLAGE OF NEW MARYLAND
COUNCIL**

February 20, 2013

Present: Mayor Judy Wilson-Shee
Deputy Mayor Gisèle McCaie-Burke
Councillor Frank Dunn
Councillor Paul LeBlanc
Councillor Scott Sparks
Councillor Peter Wiggins

Also Present: Cynthia Geldart, Chief Administrative Officer/Clerk
Karen Duncan, Assistant Clerk

1. CALL TO ORDER

Mayor Wilson-Shee called the meeting to order at 7:30 pm. She requested that the members of the public present at the meeting to introduce themselves. Introduced were dietitians Debbie Spares, Danica White, Rebekah Malcolm, Leah Cain, Jeff Despres (Rogers TV), and Chief Farrell.

2. APPROVAL OF THE AGENDA

MOVED BY Councillor Wiggins and **seconded by** Councillor LeBlanc to approve the agenda with the amendment to include under the Planning Advisory Committee's report the resolution regarding the Application for Amendment to the Zoning and Municipal Plan By-laws for 320 New Maryland Highway. **MOTION CARRIED.**

3. APPROVAL OF THE MINUTES

MOVED BY Deputy Mayor McCaie-Burke and **seconded by** Councillor Dunn to approve the minutes of the January 16, 2013 regular session of Council as distributed. **MOTION CARRIED.**

MOVED BY Councillor Sparks and **seconded by** Councillor Wiggins to approve the minutes of the February 6, 2013 special session of Council as distributed. **MOTION CARRIED.**

4. DISCLOSURE OF INTEREST

No disclosures of interest were declared.

5. PRESENTATIONS

No presentations were made.

6. PROCLAMATIONS

Mayor Wilson-Shee proclaimed that February 2013 is Heart Month, February 17 – 23, 2013 is Scout/Guide week, and March 2013 is Nutrition Month.

MOVED BY Deputy Mayor McCaie-Burke and **seconded by** Councillor Sparks to take a 10 minute break.
Discussion:

- Deputy Mayor McCaie-Burke welcomed the dietitians to the meeting in recognition that March is

nutrition month. She added that the president of the NB Dietitians Association wanted to attend the meeting this evening but was unable due to poor road conditions.

MOTION CARRIED.

The meeting adjourned at 7:37pm so that all in attendance could enjoy a nutrition break in recognition that March 2013 is Nutrition Month.

MOVED BY Deputy Mayor McCaie-Burke and **seconded by** Councillor Wiggins to reconvene the meeting.
MOTION CARRIED.

The meeting reconvened at 7:55 pm.

7. CORRESPONDENCE

The following correspondence was read into the record by the CAO/Clerk, Cynthia Geldart, as per the request of Mayor Wilson-Shee:

- a letter from the Dept. of Transportation and Infrastructure regarding our municipal kilometrage maintenance responsibility;
- several requests for sponsorship from village youth participating in team events; and
- an information package from Veterans Affairs Canada regarding services and benefits available to veterans and their families.

8. MEETINGS AND/OR SPECIAL EVENTS

Mayor Wilson-Shee attended the following meetings and/or special events since the last formal Council meeting:

January 21st - the Seniors Card party (45s);

January 23rd - the Water and Wastewater committee meeting;

January 28th - the Recreation and Leisure Services committee meeting;

January 29th - a meeting with Inspector Chapman, four members of the RCMP, MLA Jack Carr, Kevin Price, Mayor Hanson, Raymond Murphy, and our treasurer Joan Chandra;

January 30th - the sponsorship reception and opening ceremony for the Mens' and Ladies' Provincial Curling Championship at the Tri-County Complex, along with Deputy Mayor McCaie-Burke;

January 31st - the State of the Province Address, along with all members of Council and Cynthia Geldart, CAO;

February 2nd - the Provincial Curling Championship in Fredericton Junction;

February 4th - the Planning Advisory committee meeting;

February 4th - the Seniors Card party (45s) as a Wellness Series event, along with Deputy Mayor McCaie-Burke;

February 5th - the New Maryland Playgroup session, as part of the Wellness Series;

February 5th - the Regional Service Commission#11 Board meeting;

February 7th - the presentation of the Queen's Diamond Jubilee Medal to Noah Smith at Bliss Carmen Middle School;

February 7th - a meeting with Terri Wills of Rogers TV, and our assistant clerk, Karen Duncan;

February 11th - a meeting with Cynthia Geldart, CAO; Rockland Miller, Public Works Supervisor; John McKinney, Opus International; and Councillor LeBlanc;

February 12th - the Transportation and Protective Service committee meeting;

February 14th - a meeting with Don Fitzgerald, Executive Director of Regional Service Commission #11, and Cynthia Geldart, CAO;

February 14th - a meeting with Paul Lannon to discuss air access;

February 14th - lunch at New Maryland Elementary School, at which the mayor helped serve;

- February 15th – a meeting with our chief administrative officer, Cynthia Geldart;
- February 15th - a meeting with Khaled Moomena;
- February 19th – a meeting with Deputy Mayor McCaie-Burke and Cynthia Geldart, CAO;
- February 19th – a meeting with Khaled Moomena and Lorne Seeley Jr.; and
- February 19th – a karate session at NMES, as part of the Wellness Series.

9. COMMITTEE REPORTS / UPDATES

Planning Advisory Committee

Councillor Wiggins reported that the Planning Advisory Committee met on February 4th with all members present.

- The committee welcomed Jessica MacLeod as the new Assistant Building Inspector/Development Officer.
- The Building Permit report for January 2013 was presented to the committee. The value of construction for the month totaled \$1,000.00 which is significantly less compared to January 2012 in which the value of construction was \$292,100.00.
- The temporary use application for 320 New Maryland Highway was approved. The rezoning application for 320 New Maryland Highway was reviewed by the committee. It was agreed that the committee would make a recommendation to Council to approve the public presentation and public hearing required to rezone this property.
- The committee reviewed the write-up for the annual report and recommended that illustrations should be added. As well, it was suggested that that value of permits should be emphasized over the number of permits.
- During the review of the Village's website, the committee agreed that Jessica MacLeod's name should be added, maps should be updated to include all streets, and old businesses that no longer exist should be removed. Once the web based Geographic Information System is added to the website, it will enable the public to log on and view selective information such as Village streets, zoning information, recreational facilities, and points of interest.
- The next committee meeting will be held on March 4th.

MOVED BY Councillor Wiggins and **seconded by** Deputy Mayor McCaie-Burke the adoption of this report.
MOTION CARRIED.

► **MOVED BY** Councillor Wiggins and **seconded by** Deputy Mayor McCaie-Burke the following resolution of Council:

WHEREAS the *Municipalities Act* provides that a municipality may appoint a building inspector and such other officers as are necessary for the administration of the by-laws of the municipality and the *Community Planning Act* requires that a building inspector be appointed under Section 74(3) of the *Municipalities Act*;

NOW THEREFORE BE IT RESOLVED that Jessica Dawn MacLeod, be appointed as a Building Inspector pursuant to Section 74(3) of the *Municipalities Act*, effective immediately, for the purposes of enforcing By-law No. 6, A Building By-law, as well as amendments thereto,

AND THAT Jessica Dawn MacLeod be appointed as a By-law Enforcement Officer, under Section 190.01(3) of the *Municipalities Act*, to enforce the Village of New Maryland By-law No. 57, A By-law Respecting Dangerous or Unightly Premises, as well as amendments thereto,

AND FURTHER THAT Jessica Dawn MacLeod be appointed as a By-law Enforcement Officer, under Section 14 of the *Police Act*.

These appointments shall continue until she ceases to be an employee of the Village of New Maryland or until this resolution is rescinded by Village Council, whichever comes first.

MOTION CARRIED.

► **MOVED BY** Councillor Wiggins and **seconded by** Councillor Sparks the following resolution of Council:
WHEREAS the *Municipalities Act* provides that a municipality may appoint a Municipal Planning Officer for the purpose of providing land use planning related services;

NOW THEREFORE BE IT RESOLVED that Jessica Dawn MacLeod, be appointed as a Municipal Planning Officer pursuant to Section 16 of the *Community Planning Act*, effective immediately. This appointment shall continue until she ceases to be an employee of the Village of New Maryland or until this resolution is rescinded by Village Council, whichever comes first.

MOTION CARRIED.

► **MOVED BY** Councillor Wiggins and **seconded by** Deputy Mayor McCaie-Burke the following resolution of Council:

WHEREAS the Council of the Village of New Maryland has enacted by-laws under and pursuant to the authority of the *Community Planning Act* ("Act"), including but not limited to By-law No. 3, A Municipal Plan By-law, By-law No. 4, A Zoning By-law, By-law No. 6, A Building By-law; and By-law No. 7, A Subdivision By-law;

AND WHEREAS it may from time to time be necessary for orders to be issued pursuant to Section 93 of the Act when an individual has contravened or failed to comply with the Act, a by-law or regulation under the Act, or failed to comply with terms and conditions;

NOW THEREFORE BE IT RESOLVED that the Council of the Village of New Maryland hereby authorizes and designates Jessica Dawn MacLeod, as a Development Officer for enforcement purposes pursuant to the *Community Planning Act*, effective immediately.

BE IT FURTHER RESOLVED THAT Council hereby directs that Jessica Dawn MacLeod be designated as persons authorized to make application, on behalf of the Village of Maryland, to Courts of competent jurisdiction in relation to matters arising under the *Community Planning Act* and the *NB Municipalities Act* and by-law pursuant to these statutes.

This authorization and designation shall continue until she ceases to be an employee of the Village of New Maryland, or until it is rescinded by Village Council, whichever comes first.

MOTION CARRIED.

► **MOVED BY** Councillor Wiggins and **seconded by** Councillor Dunn the following resolution of Council:

BE IT RESOLVED THAT the Council of the Village of New Maryland moves to allow, as per the requirements of the *Community Planning Act*, SNB (1973) Chapter c-12 and amendments thereto, the Public Presentation and Public Hearing to commence relating to the Application to Amend Municipal Plan By-law No. 03-2006 and Zoning By-law No. 04-2006 requesting the property at 320 New Maryland Highway (PID 75062083) be re-zoned from Community Commercial (CC) zone to Residential (R2), with a formal Public Presentation to be scheduled to take place on March 20, 2013 at 6:30 p.m., and the Public Hearing to occur on May 15, 2013 at 6:30 p.m. at the Village office.

MOTION CARRIED.

Human Resources & Administration Committee

Councillor Frank Dunn reported that the Human Resources and Administration Committee has not met since the last Council meeting. The next meeting is scheduled for March 13, 2013.

► **MOVED BY** Councillor Dunn and **seconded by** Councillor Sparks the following resolution of Council:

Be It Resolved That the Council for the Village of New Maryland, as per the recommendation of the Village's Joint Health and Safety Committee, adopt the amendment to the Human Resources Policy Manual to add Section 8, Working Alone Policy, as attached hereto, effective immediately.

Discussion:

- Councillor Dunn explained that WorkSafe NB requires that this policy be adopted to ensure the safety

of our staff who work in isolation from others for a portion of their job duties. The policy was recommended by our Joint Health and Safety Committee and reviewed by both the Human Resources and Administration Committee and Council.

MOTION CARRIED.

► **MOVED BY** Councillor Dunn and **seconded by** Councillor Sparks the following resolution of Council:
Be It Resolved That the Council for the Village of New Maryland, as per the recommendation of the Human Resources and Administration Committee, adopt the amendment to the Human Resources Policy Manual, to add to Section 8, Long-Term Disability and Workers' Compensation Benefits Policy, as attached hereto, effective immediately.

Discussion:

- Cynthia Geldart, CAO, clarified that the motion should be amended to remove the reference to Section 8.

MOTION CARRIED AS AMENDED.

Recreation and Leisure Services Committee

Councillor Wiggins reported that the Recreation and Leisure Services Committee met on January 28th with three committee members absent.

- The committee addressed the concern regarding two committee members who have been absent from two consecutive committee meetings. Since there is a waiting list of residents who want to become members of the committee, it will be imperative to stress to these individuals the importance of their commitment to attend committee meetings.
- In December 2012, the wreath-making seminar and the Christmas tree lighting and candlelight walk were well attended. The sleigh rides that were scheduled for January were canceled.
- Our recreation programmer, Brittany Hunter, began working in a full-time capacity on February 4th.
- Special thanks to Natalie Reid, Recreation Coordinator, for her efforts in preparing the committee's write-up for the 2012 Annual Report.
- In an effort to encourage seniors to engage in the community, Natalie met with the PNM Zoomers to discuss possible ways to increase participation.
- The committee reviewed the Village's website and agreed to make the recommendation to Council to allow the recreational facilities and programs to be booked online. It was also agreed that photos of Athletic Park should be added to the website.
- The committee is recommending that post holes should be drilled in the spring for the Sunrise Estates subdivision sign. Our recreation coordinator will be acquiring two quotes for the cost of a new subdivision sign.
- The committee mandate was reviewed and concerns were expressed regarding the length of term for committee member appointments. A committee member has offered to share a format that is used at her place of employment.
- The Program and Events matrix was reviewed by the committee.
- In order to help cover the cost of the semi-annual Recreation Guide, increased sponsorship is being promoted in the guide. Sponsors' ads will be scattered throughout the guide but will be decreased to a business card size in order to help save on printing costs.
- The summer concert series and the movie madness evenings will continue this summer but will alternate week to week.
- This year the rotating playground program and the Halloween party and haunted hike will be canceled.
- Summer day camp registration fees will be increased again this year.
- The committee is working on finding a permanent location for the community garden for 2014. The committee is considering imposing a user fee for the community garden program.
- Financial reports to the committee need to be more up-to-date so the committee will make the request that future reports reflect more current figures.

MOVED BY Councillor Wiggins and **seconded by** Councillor Dunn the adoption of this report.

Discussion:

- Councillor Sparks clarified that due to the need to compile year-end figures, it is difficult to have up-to-date figures ready for any committee's financial reports at that time of year.
- Mayor Wilson-Shee commented that she believed that the sleigh rides have been rescheduled for March 3rd.
- The mayor also remarked that the New Maryland Community Support Group is very interested in hosting the haunted hike this year. There will be a cost for residents to participate and the plan is to run the event for two evenings.
- Deputy Mayor McCaie-Burke questioned if the Program and Event matrix has been circulated to Council. Councillor Wiggins confirmed that it was distributed to Council last fall when the request was made for Council to approve the Recreation Programmer position change from part-time to full-time status. Mayor Wilson-Shee and Councillor LeBlanc both commented that the session for the Program and Event matrix that was organized by the recreation coordinator and the recreation programmer was very well done. Councillor Wiggins agreed to ask the recreation coordinator to circulate copies of the matrix to Council again.

MOTION CARRIED.

Transportation and Protective Services Committee

Deputy Mayor McCaie-Burke reported that the Transportation and Protective Services Committee met on February 12th with one member absent and three guests present.

- The first half of the meeting was devoted to the continuation of the strategic planning sessions. The purpose of the planning session is to develop a master plan that will guide the decision making process for the next 15 years to 2028. The intent is to review existing services provided, address residents' issues and future community growth. The February 12th meeting was the committee's third planning session.
- The statement of expenditures to the end of December 2012 was circulated to the committee members. No budget items of concerns were noted in the statement except for a few questions for clarification.
- All of the action items have been followed through or are ongoing.
- The committee was informed that Council has made the decision that our fire chief will no longer be a member of the Transportation and Protective Services committee. Instead, he will report directly to Council at the monthly Council-In-Committee meetings. The procedural by-law will be amended to reflect this change. The committee was also informed that other municipalities have their fire department as well as RCMP members report to Council, so Council has decided to do the same. Furthermore, our fire chief already reports directly to Council on a quarterly basis at our Council meetings. Our strategic planning process will still include fire protection in order to finish what has been started and to ensure continuity.
- The committee reviewed the January 2013 Transportation Report. After the review and discussion of research findings, the committee agreed with our Public Works Supervisor's recommendation to purchase a zero turn mower.
- The Public Works Supervisor informed the committee that negotiations are under way with our engineering firm to have tender documents for sidewalk construction issued as soon as possible.
- The December 2012 and January 2013 RCMP monthly reports were emailed to the committee prior to the meeting. No items of concern were noted.
- The January 2013 Animal Control Report was reviewed. No items of concern were noted.
- The next meeting will be held March 12, 2013 at 7:00 pm.

MOVED BY Deputy Mayor McCaie-Burke and **seconded by** Councillor Sparks the adoption of this report.

Discussion:

- Mayor Wilson-Shee explained that the topic 'alternate site for dumping ground', which was not

included in the deputy mayor's verbal report, will be discussed at the next C-I-C meeting.

MOTION CARRIED.

► **MOVED BY** Deputy Mayor McCaie-Burke and **seconded by** Councillor Sparks the following resolution of Council:

Be It Resolved That the Council for the Village of New Maryland accept the quote as submitted by Code 4 Fire & Rescue in the amount of \$23,190.00 plus \$3,014.70 HST for a total price of \$26,204.70, for the purchase of a new Spreader and Cutter to upgrade the existing rescue tools for the fire department, as per the recommendation of the Fire Chief.

Discussion:

- Deputy Mayor McCaie-Burke confirmed that the purchase of this equipment was included in the approval of the 2013 capital budget.

MOTION CARRIED.

Emergency Response Plan Committee

Deputy Mayor McCaie-Burke reported that the Emergency Response Plan Committee met on February 19th with seven committee members, one guest and three staff members present.

- The committee devoted the meeting solely to a practice emergency scenario. The 1 ½ hour fictitious exercise focused the discussion on an incident near the New Maryland Centre which involved a chemical truck leaking chlorine, and the subsequent chemical cloud that was slowly drifting towards Sunrise Estates.
- The next meeting will be held March 19th at 3:00 pm and will be a business meeting.

MOVED BY Deputy Mayor McCaie-Burke and **seconded by** Councillor Dunn the adoption of this report.
MOTION CARRIED.

Water and Wastewater Committee

Councillor LeBlanc reported that the Water and Wastewater Committee met on January 23rd with all committee members present.

- Councillor LeBlanc stated that he and the chief administrative officer have yet to meet with the treasurer regarding the financial reports for project Well 3A.
- The committee was presented with an update for Well 3A. The Filtronics Pilot Plant testing indicated that a large dosing of chlorine was required to reach break point chlorination. Three labs have been contacted to do further testing. The committee is optimistic that results will be received soon. In the meantime the committee is investigating with Gemtec the possibility of drilling another well on this side of the bog. Opus has indicated that they will prepare an estimate of the cost to create a new road that will circumvent the bog. Public Works staff are exploring the cost of moving the building to this side of the bog, which could reduce costs.
- The committee has agreed with the framework presented for the Water System Development Master Plan, and the plan is moving forward.
- The committee spent some time reviewing the Water Conservation By-law. An amendment to this by-law, as well as the Water and Sewer Systems By-law, will be brought forward at this evening's meeting.

MOVED BY Councillor LeBlanc and **seconded by** Deputy Mayor McCaie-Burke the adoption of this report.
MOTION CARRIED.

► **MOVED BY** Councillor LeBlanc **seconded by** Councillor Wiggins the following resolution of Council:

Be It Resolved That the Council for the Village of New Maryland , as per the recommendation of the Water & Wastewater Committee, begin the necessary readings to enact By-law Amendment No. 42-01-2013, an amendment to the Water and Sewer Systems By-law.

MOTION CARRIED.

► **MOVED BY** Councillor LeBlanc **seconded by** Deputy Mayor McCaie-Burke the following resolution of Council:

Be It Resolved That the Council for the Village of New Maryland , as per the recommendation of the Water & Wastewater Committee, begin the necessary readings to enact By-law Amendment No. 43-01-2013, an amendment to the Water Conservation By-law.

MOTION CARRIED.

Finance Committee

Councillor Sparks reported that the Finance Committee met earlier this evening, February 20th.

- The meeting began with a review of the session notes and the action items from the November and December 2012 meetings.
- The draft financial report for 2012 was presented by the treasurer, Joan Chandra.
- The finance clerk, Terri Parker, reviewed the collections report with the committee.
- The next meeting is scheduled for April 3, 2013.

MOVED BY Councillor Sparks and **seconded by** Deputy Mayor McCaie-Burke the adoption of this report.

MOTION CARRIED.

10. APPROVAL OF THE TREASURER'S REPORT

MOVED BY Councillor Sparks and **seconded by** Councillor Wiggins to approve the Treasurer's Report as follows:

- (1) Cheques and direct payments from the General Operating account for January 1 through January 31, 2013 in the amount of \$326,911.11;
 - 2) Payments from the Water and Sewer Operating account for January 1 through January 31, 2013 in the amount of \$10,285.66;
 - (3) Payments from the General Capital account for January 1 through January 31, 2013 in the amount of \$1,582.00; and
 - (4) Payments from the Water and Sewer Capital account for January 1 through January 31, 2013 in the amount of \$0.
- MOTION CARRIED.**

11. PUBLIC INPUT / INQUIRIES

No input was received or inquiries made.

12. NEW BUSINESS

First and second reading of By-law Amendment No. 42-01-2013

► **MOVED BY** Councillor LeBlanc and **seconded by** Deputy Mayor McCaie-Burke to read By-law Amendment No. 42-01-2013, an amendment to the Water and Sewer Systems By-law, for the first time, this reading by title only.

Discussion:

- Councillor LeBlanc explained that the purpose of the amendment is to relocate water conservation

issues from the Water Conservation By-law to this by-law, as well as address a number of housekeeping issues relating to grammar, legislative changes, and updated information.

MOTION CARRIED.

Councillor LeBlanc read By-law Amendment No. 42-01-2013 for the first time, this reading by title only.

► **MOVED BY** Councillor LeBlanc and **seconded by** Councillor Dunn to read By-law Amendment No. 42-01-2013, an amendment to the Water and Sewer Systems By-law, for the second time, this reading by title only.

Discussion:

- Councillor LeBlanc stated that the third and final reading of the by-law amendment will be read in its entirety.

MOTION CARRIED.

Councillor LeBlanc read By-law Amendment No. 42-01-2013 for the second time, this reading by title only.

First and second reading of By-law Amendment No. 43-01-2013

► **MOVED BY** Councillor LeBlanc and **seconded by** Deputy Mayor McCaie-Burke to read By-law Amendment No. 43-01-2013, an amendment to the Water and Sewer Systems By-law, for the first time, this reading by title only.

Discussion:

- Councillor LeBlanc clarified that the purpose of the amendment is to repeal the Water Conservation By-law in its entirety, however a section for water conservation issues has been added to the Water and Sewer Systems By-law.

MOTION CARRIED.

Councillor LeBlanc read By-law Amendment No. 43-01-2013 for the first time, this reading by title only.

► **MOVED BY** Councillor LeBlanc and **seconded by** Deputy Mayor McCaie-Burke to read By-law Amendment No. 43-01-2013, an amendment to the Water and Sewer Systems By-law, for the second time, this reading by title only.

Discussion:

- Councillor LeBlanc stated that the third and final reading of the by-law amendment will be read in its entirety.

MOTION CARRIED.

Councillor LeBlanc read By-law Amendment No. 43-01-2013 for the second time, this reading by title only.

13. DATE, TIME AND LOCATION OF NEXT MEETING

The next regular session of Council is scheduled for Wednesday, March 20, 2013 at 7:30 pm in Council Chamber.

14. MOTION FOR ADJOURNMENT

MOVED BY Councillor LeBlanc and **seconded by** Councillor Sparks to adjourn the meeting.
MOTION CARRIED.

The meeting adjourned at 8:36 pm.

Respectfully submitted,

Karen Duncan
Assistant Clerk

Cynthia Geldart
CAO/Clerk

Judy Wilson-Shee
Mayor