

**VILLAGE OF NEW MARYLAND  
COUNCIL**

**16 March 2016**

**Present:** Mayor Judy Wilson-Shee  
Deputy Mayor Gisèle McCaie-Burke  
Councillor Paul LeBlanc  
Councillor Mike Pope  
Councillor Peter Wiggins

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

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1. **CALL TO ORDER**  
Mayor Wilson-Shee called the meeting to order at 7:32 pm and reminded all in attendance that the Council meeting is being video-recorded for broadcasting.
  
2. **APPROVAL OF THE AGENDA**  
**MOVED BY** Deputy Mayor McCaie-Burke and **seconded by** Councillor Pope to approve the agenda as distributed. **MOTION CARRIED.**
  
3. **APPROVAL OF THE MINUTES**  
**MOVED BY** Deputy Mayor McCaie-Burke and **seconded by** Councillor Wiggins to approve the minutes of the February 17, 2016 regular session of Council as circulated. **MOTION CARRIED.**
  
4. **DISCLOSURE OF INTEREST**  
There were no disclosures of interest declared.
  
5. **PRESENTATIONS**  
No presentations were made.
  
6. **PROCLAMATIONS**  
Mayor Wilson-Shee read the proclamation from the Dietitians of Canada for Nutrition Month.
  
7. **CORRESPONDENCE**  
The following correspondence was read into the record by the Chief Administrative Officer/Clerk, Cynthia Geldart, as per the request of Mayor Wilson-Shee:
  - an invitation from Communities in Bloom to participate in their 150<sup>th</sup> Anniversary celebration in 2017;
  - a newsletter from the Union of Municipalities of New Brunswick;
  - an announcement from the Fredericton Chamber of Commerce that their 2015 Annual Report was recently released;

- a letter from Matt DeCoursey, MP regarding the Canada Summer Jobs Program;
- a reminder from the Canadian Cancer Society NB that April is Daffodil Month in Canada;
- a response from a resident concerning the proposed Building By-law amendment; and
- a newsletter from the Federation of Canadian Municipalities.

#### 8. MEETINGS AND/OR SPECIAL EVENTS

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

Feb. 22<sup>nd</sup> – the Home and School Association meeting;

Feb. 26<sup>th</sup> – Betty Barker’s 80<sup>th</sup> Birthday celebration along with Deputy Mayor McCaie-Burke;

Feb. 27<sup>th</sup> – the breakfast fundraiser for new playground equipment for NMES which was hosted by the New Maryland Lions Club and our fire department, and also attended by Councillors LeBlanc and Pope (*approximately \$3,600 was raised*);

March 1<sup>st</sup> – the RSC 11 Board meeting;

March 4<sup>th</sup> – a meeting with CAO/Clerk Cynthia Geldart to review her job performance evaluation;

March 10<sup>th</sup> – at the Mayor’s request, Deputy Mayor McCaie-Burke attended the Community Policing Committee meeting;

March 14<sup>th</sup> – a committee meeting discussing the future of St. Mary the Virgin Church; and

March 16<sup>th</sup> – the Parish of New Maryland Zoomers’ pot luck.

#### 9. PLANNING ADVISORY COMMITTEE

Councillor Pope reported that the committee met on March 7<sup>th</sup>.

- The committee reviewed and approved the minutes from the January 11<sup>th</sup> meeting. Since the committee did not meet in February, there were no minutes to review.
- The Building Permit reports for January and February were examined. Two permits were issued in January and five were issued in February, for a total of seven permits issued year-to-date.
- The committee was informed that the Public Hearing of the Municipal Plan and development related By-law amendments would be held on March 16<sup>th</sup> at 6:30 pm, prior to the Formal Council meeting. Councillor Pope explained that the Public Hearing took place earlier this evening.
- A tentative subdivision plan submitted to the committee was discussed. The plan included a request for a right-of-way. The committee agreed to defer the matter until the April committee meeting when further information will be provided.
- The next committee meeting is scheduled for April 4<sup>th</sup> at 7:00 pm.

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

**MOTION CARRIED.**

► Resolution of Council: Begin necessary readings to enact the Municipal Plan and associated By-laws  
Councillor Pope stated that in accordance with the requirements of the Community Planning Act, the Municipal Plan and its implementing By-laws (the Zoning, Subdivision and Building By-laws) have been reviewed and updated with proposed amendments over the past year. The process has involved extensive review including research, interviews, public questionnaires, a background public open house

meeting, presentation of the draft Municipal Plan at a second public open house meeting, as well as review at each stage by staff, the Steering Committee, PAC and Council.

The draft Municipal Plan was presented at a public meeting in October 2015 and no major changes were required. The formal Public Presentation of proposed amendments to the Municipal Plan and related By-laws was also held on January 20, 2016. At a Public Hearing held earlier this evening, Council has received additional input from the public. Staff, the Steering Committee and PAC will be giving consideration to the most recent public input and will provide further recommendations to Council. Although it is proposed that Council conduct the First and Second readings of the Municipal Plan and the Zoning, Subdivision and Building By-laws on tonight's agenda prior to the Third and Final readings of the By-laws, Council will consider and implement any further amendments it wishes to make to the By-laws as a result of all public input received.

Therefore, to signify Council's intention to initiate the adoption process for the respective By-laws, **MOVED BY** Councillor Pope and **seconded by** Deputy Mayor McCaie-Burke the following resolution of Council:

***Be It Resolved That*** the Council for the Village of New Maryland begin the necessary readings to enact Municipal Plan By-law No. 03-2016, Zoning By-law No. 04-2016, Building By-law No. 06-2016, and Subdivision By-law No. 07-2016. **MOTION CARRIED.**

► *Resolution of Council: Approval of Lot Services for Proposed Subdivision*

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

***Be It Resolved That*** the Council for the Village of New Maryland, as authorized by Policy 11.3.2.(1) of Municipal Plan By-law 03-2006, and as per the recommendation of Staff and the Village Engineer, approve the request to drill a private well and authorize a service lateral connection to the municipal Wastewater Collection and Treatment System, to facilitate the subdivision and future development of a single family dwelling on Lot 2016-1 as shown on the Tentative Plan of Subdivision, Drawing Number J6661-10-16, dated January 26, 2016 as prepared by Eastern Land Surveys (1993) Ltd.

***Be It Resolved That*** this approval be subject to the conditions that: the water and sewer connections to the dwelling are located at the front of the building to allow for future connection to the municipal water and sewer systems if and when they are available in the area; a letter of understanding or agreement be struck between the Village and the landowner to establish the terms and limits of any ongoing maintenance by the Village of New Maryland to portions of the existing access road/driveway; and subject to any additional terms and conditions as may be set out by the New Brunswick Department of Environment and Local Government; the Village Planning Advisory Committee, and / or the By-laws of the Village of New Maryland. **MOTION CARRIED.**

**10. EMERGENCY RESPONSE PLAN COMMITTEE**

No report was presented.

## 11. PROJECT REPORTS / UPDATES

### (i) **Recreation Department Update:**

Deputy Mayor McCaie-Burke presented the following update from the Recreation Department.

#### Outdoor Rinks

This has been a disappointing year for the rinks especially compared to last year. Despite staff's best efforts, the rink closed permanently on February 24<sup>th</sup> due to continuous melting and warmer than normal temperatures. The rink was open for a total of 23 days this year. Residents did seem to appreciate the ongoing efforts to keep the rink running as long as possible but it was definitely an unusual winter weather-wise, which also impacted March Break activities.

#### March Break Events

Compared to last year, this was a disappointing March Break for activities. Because staff were unable to sustain the rink for the Glow Skate, the event was canceled. The scheduled sleigh rides were also cancelled due to a lack of snow. The Free Skate on Tuesday drew a smaller than usual crowd. The Recreation Co-ordinator has expressed her feeling that the spring-like weather most likely affected attendance as this skate is typically very busy. The drop-in movie 'Tangled' was held on Wednesday at the New Maryland Centre. There were 26 attendees in total and everyone seemed to really enjoy the movie. With the exception of the day care that attended last year's movie, the overall number of attendees this year was comparable to last year. On Friday, the week ended with the babysitter course which had 15 participants.

#### Day Camp & Little Fingers

High-level planning for the 2016 Day Camps and Little Fingers programs is underway. Registration this year will begin two weeks earlier (April 11 for Village residents). As approved by Council, the new weekly Day Camp rate will be \$120 prior to the start of Day Camp (June 24), and \$140 for the rest of the summer.

#### Summer Concerts & Socials

The dates have been set for the summer concerts and socials:

- July 12<sup>th</sup> Strawberry Social 6-7; Concert - Mark Roberts & the Shore Road Drifters (Maritime, Folk, Country)
- July 26<sup>th</sup> Ice Cream Social 6-7; Concert – Common Thread (80's pop, rock, classics)
- August 9<sup>th</sup> Blueberry Social 6-7; Concert – Back Two Basics (Maritime, Folk, Country)
- August 23<sup>rd</sup> Corn Boil 6-7; Concert – Crosscut (Blues, Rock n' Roll)

All of the events will be held at the New Maryland Centre this year, and outside as the weather permits.

#### New Maryland 25<sup>th</sup> Anniversary Festivities

Planning is in progress for New Maryland Day activities. The Village is celebrating its 25<sup>th</sup> year of incorporation this year and lots of fun and special activities are being arranged for this landmark occasion. Further updates will be available in the near future.

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

(ii) **Public Works Department Update:**

Councillor Peter Wiggins presented the following report from the Public Works Department.

Public Works Operations

The Public Works Department is working on maintenance and equipment preparation for the summer. Some Public Works staff members recently completed training in preparation for summer and Councillor Wiggins congratulated them on a job well done.

WorkSafe NB performed an unplanned inspection of the Public Works facilities and staff members were pleased with the inspection results which indicated that they have created a work safe environment.

Wellfield Exploration

The Village is continuing with wellfield exploration. We have been able to gain access to a property which has been identified as a potential water source, and hopes are high that there will be positive drilling results to share in the near future.

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

► Resolution of Council: Adoption of Tree Mulching Policy

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

***Be It Resolved That*** the Council for the Village of New Maryland, as per the recommendation of the Public Works Supervisor, adopt the Tree Mulching Policy as attached hereto.

Discussion:

Councillor Wiggins explained that over the past few years there has been a substantial amount of brush left at curbside for the tree mulching program. As a result, staff felt it was important to establish some limitations for the volume of brush that will be collected in the future, and the development of this policy will make the restrictions clear. He stated that residents with questions about the policy should contact the Village office.

**MOTION CARRIED.**

► Resolution of Council: Adoption of Sidewalk Winter Maintenance Policy

**MOVED BY** Councillor Wiggins and **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 Public Works Supervisor, adopt the Sidewalk Winter Maintenance Policy as attached hereto.

Discussion:

Councillor Wiggins stated that the establishment of this policy will clarify the expectations and requirements of sidewalk winter maintenance. **MOTION CARRIED.**

**(iii) Finance Department Update:**

Deputy Mayor McCaie-Burke gave the following update from the Finance Department.

Audit

The auditors were in the office for under two weeks and have completed their on-site review of the Village's documentation. This part of the process took two days less than anticipated due to staff efficiencies in preparation and organization of documentation. The remainder of the audit will be completed off-site with any further inquiries done via email and/or phone.

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

**(iv) Administration Department Update:**

► Resolution of Council: Begin necessary readings to enact By-law Amendment No. 50-01-2016  
**MOVED BY** Councillor LeBlanc and **seconded by** Deputy Mayor McCaie-Burke the following resolution of Council:

**Be It Resolved That** the Council for the Village of New Maryland begin the necessary readings to enact By-law Amendment No. 50-01-2016, an amendment to the Procedural By-law.

Discussion:

Councillor LeBlanc clarified that the Procedural By-law is being amended to provide authority to the Mayor to vote only in the event of a tie, and also when legislation requires a vote of the majority of the whole of Council. New Maryland's original Procedural By-law was enacted in December 1995 with the authority of the Mayor to vote only in the event of a tie. The By-law was revised in October 2004 and one of the changes was to allow the Mayor to vote on all motions, unless a conflict of interest existed. The *Municipalities Act* had been revised to allow all municipalities to determine, via the Procedural By-law, the voting authority of the Mayor. The amendment being brought forward tonight reverts back to the position of the Mayor voting only in the event of a tie. Council has recommended this change in order to promote the role of the Mayor as an impartial and objective facilitator for Council.

Councillor Wiggins commented that the results of staff's research indicated that most of the municipalities that were surveyed employ this as their best practice, and only a few make provisions in their By-laws for their mayor to vote on every motion. Council made the decision to change the By-law in keeping with what is felt as the normal practice by many municipalities. **MOTION CARRIED.**

**12. APPROVAL OF THE TREASURER'S REPORT**

**MOVED BY** Councillor Wiggins and **seconded by** Councillor Pope to approve the Treasurer's Report for the month of February 2016 as follows:

- from the General Operating account by cheques and direct payments \$582,037.28;
- from the Water & Sewer Operating account \$369,237.62;
- from the General Capital account \$16,950.00; and
- from the Water & Sewer Capital account \$2,278.65.

**MOTION CARRIED.**

**13. PUBLIC INPUT / INQUIRIES**

There were no members of the public in attendance.

**14. NEW BUSINESS**

► First and Second Readings of Municipal Plan By-law No. 03-2016

**MOVED BY** Councillor Pope and **seconded by** Deputy Mayor McCaie-Burke to read Municipal By-law No. 03-2016 for the first time, this reading by title only. **MOTION CARRIED.**

Councillor Pope read Municipal Plan By-law No. 03-2016 for the first time by title only.

**MOVED BY** Councillor Pope and **seconded by** Councillor Wiggins to read Municipal By-law No. 03-2016 for the second time, this reading by title only. **MOTION CARRIED.**

Councillor Pope read Municipal Plan By-law No. 03-2016 for the second time by title only.

► First and Second Readings of Zoning By-law No. 04-2016

**MOVED BY** Councillor Pope and **seconded by** Deputy Mayor McCaie-Burke to read Zoning By-law No. 04-2016 for the first time, this reading by title only.

Mayor Wilson-Shee, Deputy Mayor McCaie-Burke, Councillor Pope, and Councillor Wiggins voted in favour of the motion. Councillor LeBlanc voted against the motion. **MOTION CARRIED.**

Councillor Pope read Zoning By-law No. 04-2016 for the first time by title only.

**MOVED BY** Councillor Pope and **seconded by** Councillor Wiggins to read Zoning By-law No. 04-2016 for the second time, this reading by title only.

Discussion:

Councillor LeBlanc stated that he voted against the previous motion and will vote against this motion as well. He explained that his reason for doing so is because of his concern that the Village is taking on the responsibility of inspecting community day care homes by making the amendment to the Zoning By-law. He added that he is concerned about the perception that the Village is targeting day

cares but not special care group homes or other similar facilities within the Village. The provincial government is frowned upon for downloading responsibilities onto municipalities, yet the Village is volunteering to accept a responsibility that belongs to the Province.

Mayor Wilson-Shee, Deputy Mayor McCaie-Burke, Councillor Pope, and Councillor Wiggins voted in favour of the motion. Councillor LeBlanc voted against the motion. **MOTION CARRIED.**

Councillor Pope read Zoning By-law No. 04-2016 for the second time by title only.

► First and Second Readings of Building By-law No. 06-2016

**MOVED BY** Councillor Pope and **seconded by** Councillor Wiggins to read Building By-law No. 06-2016 for the first time, this reading by title only.

Discussion:

Councillor LeBlanc expressed his concern that a letter has been received from a resident who disagrees with certain aspects of the Building By-law. Council has read the issues brought forward by the resident and has agreed that there is merit in reviewing the By-law again. In particular, the minimum estimated construction value to require a building permit, which has been the same for 20 years, and the deposit for building permits to ensure compliance with national building codes, are items that should have further review. He added that the Village should be exploring methods to reduce red tape, instead of adding to it. He commented that these types of requirements are unnecessary and could drive developers away, therefore he will be voting against the motion. Councillor LeBlanc explained that he wants residents to understand that the objections to the By-law brought forward this evening will be reviewed. If all of Council voted in favour of the motion, it would give the false impression that the objections presented are not being considered by Council, and his vote against the motion is meant to signify that they will be reviewed.

Mayor Wilson-Shee stated that there will be further discussion regarding these concerns at the April 4<sup>th</sup> Planning Advisory Committee meeting, at which Councillor LeBlanc will attend. She added that the Steering Committee, PAC and Council will have the opportunity to discuss further revisions.

Councillor Pope also advised that this is the first and second reading of the By-law by title only and there will be time to make further revisions before the third and final readings to enact the By-law occur.

Deputy Mayor McCaie-Burke remarked that she will be voting in favour of the motion. She explained that after Council has had the opportunity to review the resident's letter and the concerns expressed this evening, any changes that Council agrees to make will be done before the third and final reading of the By-law.

Mayor Wilson-Shee, Deputy Mayor McCaie-Burke, Councillor Pope, and Councillor Wiggins voted in favour of the motion. Councillor LeBlanc voted against the motion. **MOTION CARRIED.**

Councillor Pope read Building By-law No. 06-2016 for the first time by title only.

**MOVED BY** Councillor Pope and **seconded by** Deputy Mayor McCaie-Burke to read Building By-law No. 06-2016 for the second time, this reading by title only.

Mayor Wilson-Shee, Deputy Mayor McCaie-Burke, Councillor Pope, and Councillor Wiggins voted in favour of the motion. Councillor LeBlanc voted against the motion. **MOTION CARRIED.**



Councillor Pope read Building By-law No. 06-2016 for the second time by title only.

► First and Second Readings of Subdivision By-law No. 07-2016

**MOVED BY** Councillor Pope and **seconded by** Councillor Wiggins to read Subdivision By-law No. 07-2016 for the first time, this reading by title only. **MOTION CARRIED.**

Councillor Pope read Subdivision By-law No. 07-2016 for the first time by title only.

**MOVED BY** Councillor Pope and **seconded by** Deputy Mayor McCaie-Burke to read Subdivision By-law No. 07-2016 for the second time, this reading by title only. **MOTION CARRIED.**

Councillor Pope read Subdivision By-law No. 07-2016 for the second time by title only.

► First and Second Readings of By-law Amendment No. 50-01-2016

**MOVED BY** Councillor LeBlanc and **seconded by** Deputy Mayor McCaie-Burke to read By-law Amendment No. 50-01-2016 for the first time, this reading by title only.

Discussion:

Councillor LeBlanc reiterated that this amendment will provide authority to the Mayor to vote only in the event of a tie, and also when legislation requires a vote of the majority of the whole of Council.

**MOTION CARRIED.**

Councillor LeBlanc read By-law Amendment No. 50-01-2016 for the first time by title only.

**MOVED BY** Councillor LeBlanc and **seconded by** Deputy Mayor McCaie-Burke to read By-law Amendment No. 50-01-2016 for the second time, this reading by title only. **MOTION CARRIED.**

Councillor LeBlanc read By-law Amendment No. 50-01-2016 for the second time by title only.

**15. DATE, TIME AND LOCATION OF NEXT MEETING**

The next regular session of Council is scheduled for Wednesday, April 20, 2016 at 7:30 pm in Council Chamber.

**16. MOTION FOR ADJOURNMENT**

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

The meeting adjourned at 8:03 pm.

Respectfully submitted,

Karen Taylor  
Assistant Clerk

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Cynthia Geldart  
CAO/Clerk

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Judy Wilson-Shee  
Mayor