

**VILLAGE OF NEW MARYLAND
COUNCIL
17 October 2018**

Present: Mayor Judy Wilson-Shee
Deputy Mayor Alex Scholten
Councillor Paul LeBlanc
Councillor Gisèle McCaie-Burke
Councillor Mike Pope
Councillor Tim Scammell

Also Present: Cynthia Geldart, Chief Administrative Officer/Clerk
Karen Taylor, Assistant Clerk
Harry Farrell, Fire Chief

Guests: Rob and Mary Lou Doucette, Braden Doucette, Braden's coach Peter Creelman, David and Sherry Preston, Peter MacDonald and Jacqueline Alain from Canadian Blood Services, Fonda French and several members of the Girl Guides (for agenda items 1 – 5)

1. CALL TO ORDER

Mayor Judy Wilson-Shee called the meeting to order at 7:30 pm and reminded all in attendance that the meeting is being video-recorded for broadcast.

2. APPROVAL OF THE AGENDA

MOVED BY Councillor Tim Scammell and **seconded by** Deputy Mayor Alex Scholten to approve the agenda as distributed. **MOTION CARRIED.**

3. APPROVAL OF THE MINUTES

MOVED BY Councillor Tim Scammell and **seconded by** Councillor Mike Pope to approve the minutes of the 19 September 2018 regular session of Council as circulated. **MOTION CARRIED.**

4. DISCLOSURE OF INTEREST

No disclosures of interest were declared.

5. PRESENTATIONS

- i) Mayor Wilson-Shee presented a certificate of recognition and Village pen to Braden Doucette who participated in the 2018 Special Olympics Canada Summer Games, and won a bronze medal in the 50m breast stroke and won a silver medal in the 50m freestyle relay.
- ii) Mayor Wilson-Shee presented a certificate of recognition and Village pen to David Preston who was recognized in September at the Canadian Blood Services 19th Annual 'Honouring Our Lifeblood' event in Ottawa.
- iii) Mayor Wilson-Shee announced that Council has accepted the Girl Guide cookie challenge from Mayor Lorden of the Miramichi. Mayor Wilson-Shee, members of Council and staff purchased boxes of cookies from the Girl Guides in attendance.

6. PROCLAMATIONS

No proclamations were read.

7. CORRESPONDENCE

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

- a letter from National Health and Fitness Day Canada recognizing New Maryland as one of many communities in Canada who have proclaimed the first Saturday in June as National Health and Fitness Day;
- information from the Union of Municipalities of New Brunswick regarding their 2018 Conference and Annual General Meeting that was recently held at the Crowne Plaza hotel;
- notification from Elections NB that the municipal by-elections that were originally scheduled for December 3, 2018 will be postponed to May 6, 2019; and
- a letter from the Public Health Agency of Canada requesting that we join the World Health Organization's Global Network for Age-Friendly Cities and Communities.

8. MAYOR'S COMMENTS

Mayor Judy Wilson-Shee provided an update on the meetings and social events that she attended since the last Council meeting:

Sept. 20th – Community Policing Committee meeting along with Councillor Tim Scammell;

Sept. 21st – Fundraiser for Portage NB held at the Fredericton Inn at which the guest of honour was Willie O'Ree; Councillors McCaie-Burke and Scammell also attended; Mayor Wilson-Shee mentioned that during the VIP reception she had the opportunity to speak with Willie O'Ree;

Sept. 23rd – New Maryland Heritage Association's Open House at St. Mary the Virgin Church, at which Councillors McCaie-Burke and Scammell volunteered their time; Deputy Mayor Alex Scholten paid a brief visit;

Sept. 28th – volunteered at NMES cafeteria;

Sept. 28th to 30th – UMN Conference along with Deputy Mayor Alex Scholten, Councillors McCaie-Burke, Pope and Scammell, and CAO Cynthia Geldart;

Oct. 2nd – RSC 11 Board meeting at which the video "13 Ways to Kill Your Community" by Doug Griffiths and Kelly Clemmer was shown;

Oct. 4th – volunteered at NMES serving Thanksgiving turkey dinner;

Oct. 11th – New Maryland Fire Department Open House which was also attended by Councillor Gisèle McCaie-Burke; Mayor Wilson-Shee noted that there was an excellent turnout and she thanked Chief Farrell and the volunteer firefighters;

Oct. 13th – Official unveiling of our stone sculpture at Victoria Hall Park, which was also attended by MLA Jeff Carr, Mayor Bob Powell of Oromocto, Deputy Mayor Alex Scholten, Councillors McCaie-Burke, Pope and Scammell, CAO Cynthia Geldart, Fire Chief Harry Farrell, Recreation Coordinator Michelle Sawler, Senior Finance Clerk Kilby McFarlane, John McKinney, Rob Sharpe and Melissa Steeves from Opus (our partner), members of the New Maryland Community Support Group, Brian and Doug Price from M.W. Price & Sons, members of the New Maryland Lions Club, members of the Parish of New Maryland Zoomers as well as residents; Mayor Wilson-Shee noted that the stone sculpture was created by artist Songul Telek, from Tocat Turkey, and the name of her work is "ENTROPY" - the inevitable expansion and distortion of the universe is called entropy and it is often defined as randomness and disorder in a system; Mayor Wilson-Shee stated that Songul has told us that in her sculpture she

wanted to “figure out a harmony throughout contradictions, thus, a meaning which holds the very essence of being, the existence of human, earth, universe and life”; the sculpture weighs approximately 6 tonnes and is a solid piece of granite, which comes from the Hampstead quarry (Spoon Island North Quarry); Oct. 15th – United Commercial Travellers Fredericton Council #746 70th Anniversary held at the Fredericton Inn; Mayor Wilson-Shee stated that the UCT Council has proudly supported numerous individuals wishing to pursue post-secondary education as well as community groups and organizations of diverse nature; she added that they will be making a donation to the “Sara Burns Memorial Police Fund” in the near future; and Oct. 16th – New Maryland Lions Club meeting.

Mayor Wilson-Shee announced that the Lions Club will be hosting an Open House on Tuesday October 30th at 7:30 pm with light refreshments and awarding three scholarships. She noted that the Lions Club is also looking for new members. Mayor Wilson-Shee also mentioned that on Saturday November 3rd the Lions Club will be hosting the FHS breakfast at the New Maryland Centre from 8 am to 12 noon.

9. COMMENTS BY MEMBERS OF COUNCIL

Members of Council presented updates for the meetings and social events they attended since the last Council meeting.

Councillor Gisèle McCaie-Burke stated that she attended the UMN Conference. She commented that New Maryland was asked to assist in organizing an Age-Friendly presentation, which was informative and interactive. She added that attendees were able to learn a lot about what it means to be ‘age-friendly’.

Deputy Mayor Alex Scholten advised that he also attended the UMN Conference. He was reappointed as the Zone 5 representative and participated in the Board meeting on September 30th. On October 2nd he attended the New Maryland Lions Club meeting and was welcomed as a new member. Deputy Mayor Scholten noted that on October 12th he participated in Plant Hatch’s ‘coffee chat’ at the Hive in Knowledge Park, which is a get-together with local newcomer entrepreneurs. The topic of the chat was the importance of education and what newcomers felt about the NB education system. He attended the UNB Reds Women’s hockey game along with Councillors Scammell and Pope. Fredericton Mayor Mike O’Brien also attended. He mentioned that it was the first game of the women’s hockey team in over 10 years, and he was very pleased to see women’s hockey return, which is an aspirational activity for young girls in the community. On October 16th he attended the New Maryland Lions Club meeting along with Mayor Wilson-Shee.

Councillor Mike Pope commended that the UNB Reds Women’s hockey game was very exciting and he was pleased to be able to bring his daughters to the game. He commented that the caliber of players was impressive and mentioned that one of the UNB team members is from his hometown of Mount Pearl, Newfoundland.

10. PLANNING ADVISORY COMMITTEE

Councillor Tim Scammell provided an update from the October 1, 2018 special meeting of the Planning Advisory Committee.

- The committee reviewed the August and September 2018 building permit summary reports which included two new home starts in August, and one in September. In August, 13 permits were issued,

representing \$793,667 in estimated value of construction and \$5,839 in permit fee revenue for the month. In September, nine permits were issued, representing \$432,583 in estimated value of construction and \$3,218 in permit fee revenue for the month.

- The committee reviewed and approved a variance to section 9.1.2 (1) of the Zoning By-law. The variance approval was granted in support of the proposed construction of a single-storey storage building at the subject property. The request to the committee was for an approval of a variance to the minimum 12.0 metre rear yard setback referenced in the lot standards for a Community Commercial Zone. Out of concern for the impact to the handling and on-site storage of snow at the rear of the proposed building, and with respect to on-site control of surface runoff, the committee resolved that the proposed building setback would be insufficient. In consideration of the rear yard setback requirements and development standards for other zones listed in the Village Zoning By-law, the committee determined that a minimum of a 7.5 metre rear yard setback would be more appropriate. The committee therefore gave approval for a variance of not more than 4.5 metres, subject to the site plan for the proposed development being finalized to the satisfaction of the Village Engineer and staff.

MOVED BY Councillor Tim Scammell **seconded by** Deputy Mayor Alex Scholten the adoption of this report. **MOTION CARRIED.**

► **MOVED BY** Councillor Tim Scammell **seconded by** Deputy Mayor Alex Scholten the following resolution of Council:

Be It Resolved That in accordance with Section 75 of the Community Planning Act, S.N.B. 2017, Chapter 19, and amendments thereto, and in accordance with the terms of the development agreement to be entered into between the Council for the Village of New Maryland and Centennial Heights Development Ltd. for the development of Centennial Gardens Subdivision 2018 – Phase 2, consisting of eight (8) residential building lots on Alban Street, Spirea Street and Boxwood Lane (Lots 20 to 26, and Lot 41), which development, by agreement includes the construction and provision of municipal services, roadway construction, concrete curb and gutters, installation of concrete sidewalks, base and surface asphalt, boulevard construction and landscaping, and the construction of trails sub-grade and drainage swales and ditches (“works”), as enumerated in the said development agreement, the Village Council, on the recommendation of the Village Engineer, agrees to accept the portions of work completed to date (lot services, roadway base, drainage swales and trail sub-grade construction), and commence the one (1) year warranty period for those portions of the works; and

Be It Further Resolved That the Mayor and Village Clerk are hereby authorized to execute the necessary legal documents that pertain to the referenced Development Agreement.

MOTION CARRIED.

11. EMERGENCY RESPONSE PLAN COMMITTEE

Deputy Mayor Alex Scholten presented an update from the Emergency Response Plan Committee.

- The Emergency Response Plan Committee has not met since its last meeting on September 18th however some members of the committee and staff have been meeting to plan for the evacuation exercise that will be taking place tomorrow Thursday October 18th. The Village’s Emergency Response Plan Committee will be working alongside teachers and students from New Maryland Elementary School who will be practicing their school evacuation procedures as part of National School Safety Week. Tomorrow morning, students and teachers will be evacuated from the school premises and be bussed to a reception centre at Faith Baptist Church. The ERP Committee’s participation in this exercise will be to assist with

the execution of an organized and safe evacuation of the school to the church and to test our own amateur radio communications network. Residents have been advised about the upcoming exercise through the use of social media and staff will provide updates tomorrow when the event commences and concludes.

- At the next meeting in November, the committee will examine the details of the exercise and discuss recommendations for improvements for future exercises.

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

12. PROJECT REPORTS AND UPDATES

(i) **Recreation Department:**

Councillor Paul LeBlanc presented the following update from the Recreation Department.

Day Camp Parent Survey

The online parent survey closed on Friday, October 12th. A total of 42 responses were received out of 92 email invitations that were sent out. This represents a 46% response rate and staff was pleased with the level of interest. The responses were overwhelmingly positive and many of the responses were from parents of first-time day camp attendees which made the feedback especially helpful and relevant. Both the programming and the day camp staff were all highly rated. A final report along with any additional recommendations for 2019 will be prepared later this month.

Pumpkin Carving

The Pumpkin Carving Event will be held on Saturday, October 27th from 10:00 am until 12 noon in the New Maryland Elementary School cafeteria. Each year the Village provides the pumpkins, a large variety of stencils, and all the carving supplies and materials, as well as colouring pages and stickers for younger participants. On average, between 250 and 275 people are welcomed and although it's a very busy morning, everyone always has a wonderful time.

Remembrance Day

Planning for the annual Remembrance Day service is well underway. The service will begin at 10:45 am in Victoria Hall Park. Local churches are offering an earlier service this year (9:00 or 9:30 am) to accommodate the Remembrance Day service. Pastor Larry Matthews has confirmed the parking lot of Faith Baptist Church will be available by 10:00 am for the parade line-up. This year a new Remembrance Day banner has been prepared as the current banner is showing signs of age. Members of the public are reminded that until November 8th, the Village is accepting requests to lay a wreath or cross during the service.

Stay Safe Course

The next Stay Safe course is scheduled for Friday, November 23rd at the New Maryland Centre. There are currently ten spots left in the course. The registration fee is \$45 and is open to children ages 9 and up. The course runs from 9:00 am – 3:30 pm.

Wreath Making Seminar

The Wreath Making seminar is booked for Saturday, November 24th at the New Maryland Centre. The sessions are being held at 9:00 am, 10:15 am and 11:30 am. Although the event hasn't been promoted yet, registrations started coming in as soon as the Fall/Winter program guide was

delivered.

Fall / Winter Recreation Program & Event Guide

The Program & Event Guide was mailed to Village residents the first week of October and copies are available at the office. The guide was also posted to the Village's website as well as the Village's Facebook and Twitter pages.

NMES Fall Frolic

The Annual Fall Frolic at NMES is being held on Friday, October 19th from 5:00 – 8:00 pm with food trucks, a cake walk, a variety of games for children, and a fireworks display at 8:30 pm.

PNM Zoomers

The November monthly meeting of the PNM Zoomers will be held on Monday, November 5th at 10:00 am in the board room at the New Maryland Centre. All are welcome to attend. Monthly activities for October/November include:

- Stretch and strengthening classes every Tuesday and Thursday morning from 10:00 - 11:00 am in the Seniors Centre;
- A soup luncheon on Tuesday, October 23rd from 11:30 am – 1:00 pm. The theme is Hallowe'en and there is no charge to attend;
- Line dancing is being held every Monday at 10:30 am and the cost is \$5 for PNM Zoomers members;
- The Book Club meets the fourth Thursday at 11:00 am in the boardroom, and the next meeting is scheduled for October 25th; and
- A potluck social on Wednesday, November 25th at 5:30 pm with guest speaker Mac MacFarlane from York County Search & Rescue, who will make a presentation at 6:00 pm about "Project Life Saver".

Parks & Playgrounds / Beautification

The flower beds were cleaned out the week before Thanksgiving. The pots along the highway were replaced with fall mums which have all bloomed this week. The hanging baskets will be taken down next week.

The Community Garden users have been notified that the plots will be tilled by October 26th. This was a very successful year for the garden. Members were very pleased with the new fence and the additional water source. It was great to see the high level of interest in the garden this year.

The new sign for Castle Acres was installed the first week of October.

MOVED BY Councillor Paul LeBlanc and **seconded by** Councillor Gisèle McCaie-Burke the adoption of this report.

Discussion:

Councillor Gisèle McCaie-Burke commented a report was produced by the former Age-Friendly Community Ad hoc Committee earlier this year. In the report, the key objective listed was to promote respect and social inclusion for seniors by embracing diversity, inclusivity and compassion in order to create a more interconnected community. The report also recommended to promote the development of intergenerational programming with community partners such as the PNM Zoomers, local day cares and others. The Zoomers decided that one way to accomplish this would

be to have local daycares in New Maryland sponsor a Zoomers' luncheon. The local daycares were approached and the response was that this intergenerational activity was felt to be an excellent idea. The six local daycares participating in sponsorship are: Dunn Learning Academy Inc.; Explore Your World; Mrs. Sandra's; New Maryland Children's Centre Ltd.; Runts and Rascals; and Serious Fun Childcare Inc. Councillor McCaie-Burke stated that about 14 preschoolers from Runts and Rascals daycare will be attending the soup luncheon next week. She invited people of all ages to attend the soup luncheon.

Councillor Mike Pope commented that the Fall Frolic event at NMES is a very fun evening and encouraged everyone to attend. He also recognized two students from New Maryland who participated in the St. Thomas University and the University of New Brunswick Cross Country Invitational. FHS student Maddie McLeod won first place in the 4 km race and her younger sister Michelle placed third in the 2 km race. He expressed his feeling that this is quite an accomplishment as both girls were competing with university students.

Deputy Mayor Alex Scholten stated that the Fall Frolic is the Home and School Association's biggest fundraiser of the year and has helped raise funds for many important projects such as smart boards for classrooms and the playground upgrade project. He encouraged the community to attend and support this very worthwhile event.

Mayor Wilson-Shee mentioned that the Zoomers' line dancing instructor, Mabel Malley, is an excellent teacher. **MOTION CARRIED.**

► **MOVED BY** Councillor Paul LeBlanc and **seconded by** Councillor Gisèle McCaie-Burke the following resolution of Council:

Be It Resolved That the Council for the Village of New Maryland transfer from the the General Capital Reserve Fund (Acct # 0626 1015-021) to the General Capital Fund (Acct #0626 1020-875) \$8,500 (Eight Thousand Five Hundred Dollars) being the amount to repair the covered bridge on the New Maryland Centre Nature Trail. **MOTION CARRIED.**

(ii) Public Works Department:

Councillor Mike Pope presented the following update from the Public Works Department.

Public Works Reports

Village staff investigated seven Public Works Reports for the month of September. The reports were inquiries to culvert repair, sewer back-ups, and garbage collection.

Fall Leaf Collection

Dates for the Fall Leaf Pick-Up have been set for Wednesday Nov. 7th and Thursday November 8th. For an earlier collection, a bin will be placed at Victoria Hall parking lot on October 20th (for one day only) for residents to drop off their compostable bags of leaves.

Dogs on Leash/Stoop & Scoop

Residents are reminded that in accordance with the Animal Control By-law dogs are required to be on a leash at all times when off their owner's property. There have been a few occurrences reported since last fall of uncontrolled dogs which unfortunately resulted in persons and an animal being bit. We are advising residents that the fine for not keeping dogs on leashes is \$50 and will be enforced.

In addition, please ‘stoop and scoop’ after your pet. There are waste bins placed strategically throughout the Village for disposal. No one wants to experience stepping in a mess while they are out walking.

Speed Radar

The Village has seven permanent radars and two transportable radars located throughout the Village to inform motorists of their speeds as they are passing. Over the past 39 days the permanent radars captured 239,436 vehicles. Councillor Pope noted that the units are capturing speeds that are above the posted speed limit (which is 40 km/h on Village streets and 30 km/h in the school zone). He advised that Village Council would like to remind motorists to adhere to the posted speed limit for their safety and the safety of others, and to be watchful for pedestrians walking along streets.

Well Water Safety

The Village’s municipal water system is checked daily and sampled weekly. Village Council and staff would like to remind residents on private well water to have their water tested regularly for coliform and e-coli bacteria. Sample bottles and collection procedures can be picked up at the Village office between the hours of 8:30am and 4:30pm Monday to Friday, with the exception of holidays.

MOVED BY Councillor Mike Pope and **seconded by** Councillor Tim Scammell the adoption of this report. **MOTION CARRIED.**

(iii) New Maryland Fire Department:

Fire Chief Farrell reported that during the months of July, August and September a total of 23 calls for service were received, and total of 68 calls for the year to date have been received. The most common type of calls received were for medical assistance (5) and vehicle accidents (5). A total of 186 firefighting hours were recorded for this quarter, and to date 667 firefighting hours are recorded for the year.

MOVED BY Councillor Paul LeBlanc and **seconded by** Councillor Mike Pope the adoption of Chief Farrell’s report. **MOTION CARRIED.**

(iv) Finance Department:

No report was presented from the Finance Department.

► **MOVED BY** Councillor Gisèle McCaie-Burke and **seconded by** Councillor Mike Pope the following resolution of Council:

Be It Resolved That the Council for the Village of New Maryland transfer from the General Capital Reserve Fund (Acct # 0626 1015-021) to the General Capital Fund (Acct #0626 1020-875) \$34,200 (Thirty-Four Thousand Two Hundred Dollars) being the amount to replenish the culvert upgrade expenses.

Discussion:

Councillor Gisèle McCaie-Burke explained that all allocations to or from reserve funds require motions of Council as per the *Local Governance Act*. This motion is to cover the costs of culvert

upgrades, previously approved by Council, from the capital reserve. **MOTION CARRIED.**

► **MOVED BY** Councillor Gisèle McCaie-Burke and **seconded by** Councillor Tim Scammell the following resolution of Council:

Be It Resolved That the Council for the Village of New Maryland transfer from the General Capital Reserve Fund (Acct # 0626 1015-021) to the General Capital Fund (Acct #0626 1020-875) \$36,300 (Thirty-Six Thousand and Three Hundred Dollars) being the amount to replenish Shaw Park upgrade expenses.

Discussion:

Councillor Gisèle McCaie-Burke clarified that this motion is to cover the costs of the Shaw Park upgrades, previously approved by Council, from the capital reserve. **MOTION CARRIED.**

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

Be It Resolved That the Council for the Village of New Maryland transfer from the Utility Capital Reserve Fund (Acct # 0626 1018-839) to the Utility Capital Fund (Acct #0626 1020-867) \$35,630 (Thirty-Five Thousand Six Hundred and Thirty Dollars) being the amount to replenish the Water Main Replacement costs on Woodlawn.

Discussion:

Councillor Gisèle McCaie-Burke explained that this motion is to cover the costs of the Water Main Replacement on Woodlawn Lane, as previously approved by Council, from the utility capital reserve. **MOTION CARRIED.**

(v) **Administration Department:**

No report was presented.

► **MOVED BY** Deputy Mayor Alex Scholten and **seconded by** Councillor Tim Scammell the following resolution of Council:

Be It Resolved That the Council for the Village of New Maryland commence the necessary readings to enact By-law No. 71-2018, a By-law respecting Parklands.

Discussion:

Deputy Mayor Alex Scholten explained that at the October 10th CIC meeting Council reviewed the amendments to the Parklands By-law that were prepared by staff. Staff recommendations for changes included that alcohol not be permitted in Parklands and that wording be added to clarify that Municipal By-law infraction tickets can be issued by Village of New Maryland By-law Enforcement Officers. The remainder of the changes for the most part were related to general housekeeping and were grammatical in nature. Council agreed with the recommendations from staff and requested that the necessary steps be taken to move forward with amending the By-law. By-law No. 71-2009 will be repealed in its entirety and replaced with By-law No. 71-2018, which is a requirement under the new *NB Local Governance Act*. The motion to proceed with the necessary readings to enact By-law No. 71-2018 will be made under the Administration Department, and the first and second readings (by title only) of By-law No. 71-2018 will be made under New Business. **MOTION CARRIED.**

► **MOVED BY** Deputy Mayor Alex Scholten and **seconded by** Councillor Paul LeBlanc the following resolution of Council:

Be It Resolved That:

WHEREAS the Village of New Maryland requires certain land located in the Village of New Maryland for the purpose of accessing, developing, operating and maintaining water Well TW05-01, Well TW05-02, Well TW05-03, Well TW05-04 and Well TW17-01;

AND WHEREAS the development and commissioning of Well TW05-01, Well TW05-02, Well TW05-03, Well TW05-04 and Well TW17-01 are critical components in securing and maintaining a reliable municipal water supply for the residents of the Village of New Maryland;

AND WHEREAS section 184 of the *Local Governance Act*, SNB 2017, c 18 grants municipalities the authority to expropriate, within the meaning of and in accordance with the *Expropriation Act*, RSNB 1973, c E-14 (the “*Expropriation Act*”), land or an interest in land for the purpose of carrying out any of the municipality’s powers or providing any of its services;

AND WHEREAS there are certain lands currently registered in the name Khaled Jameel Moomena located within the Village of New Maryland more particularly described under the New Brunswick Registry System for the County of York as having PID 75062174 (the “subject land”):

AND WHEREAS Khaled Jameel Moomena, 417 – 527 Beaverbrook Court, Fredericton, NB, E3B 1X1, is identified as the “Owner”;

AND WHEREAS it has been determined that the services must be installed on the subject land;

AND WHEREAS it has been determined by the Village of New Maryland that the land and access needed to install the services are as follows: (a) a fee simple interest in the land marked as Lot 18-2 on a plan of survey entitled **Subdivision Plan: Khaled Jameel Moomena Subdivision**, prepared by WSP and dated September 28, 2018 (the “**Subdivision Plan**”), a copy of which is attached hereto; and (b) a municipal services easement over the lands marked as **Proposed 20.00 Metre Wide Municipal Services Easement Acquisition by Expropriation** as shown on the **Subdivision Plan**.

NOW THEREFORE BE IT RESOLVED that the Village of New Maryland hereby confirms its intention to seek to expropriate (a) a fee simple interest in those lands marked as Lot 18-2 on the **Subdivision Plan**; and (b) a municipal services easement over the lands marked as **Proposed 20.00 Metre Wide Municipal Services Easement Acquisition by Expropriation** on the **Subdivision Plan**, and authorizes the Village Chief Administrative Officer/Clerk and her representatives to take all necessary action to give effect to this resolution, including but not limited to : (1) the filing and service of Notice(s) of Intent to Expropriate pursuant to sections 6 and 9 of the *Expropriation Act*, and the *Expropriation Act* generally (2) initiating and proceeding with all steps necessary to carry out the expropriation, (3) executing any documents necessary to complete the expropriation, and/or (4) entering onto the subject lands to carry out such steps as may be necessary pursuant to section 5 of the *Expropriation Act*.

Discussion:

Deputy Mayor Alex Scholten explained that when the Village first incorporated, the Council of

the day identified two critical challenges – the lack of a wastewater treatment facility and the need for an additional municipal water source. The significant costs involved were compounded by the legislative requirement for the Utility Fund to be independent of the general operating fund, and therefore it was determined that only one challenge could be addressed at a time. Due to the condition of the existing 11 lagoons and the negative environmental and health impact, Council made the decision to decommission those lagoons and construct a Wastewater Treatment Facility, which cost in excess of \$10 million dollars and was constructed in 2004. Following completion of that facility, Council turned their focus to sourcing additional water. For the past 15 years, Village staff, engineers and hydrologists have worked diligently on this project. Over a dozen test wells have been drilled and over \$2 million dollars spent. The Village has experienced disappointing results in a number of key areas including negotiations with land owners, lack of water quantity, and/or issues of water quality. Deputy Mayor Scholten stated that he was extremely pleased to report that after many years of searching a viable water source was recently located, however, negotiations have not been successful with the land owner. In order to move forward with this extremely important project, Council is enacting their right as an *Expropriating Authority* to expropriate approximately five acres of free-hold land and a 20-metre municipal easement where the well is located. He noted that Council is not exercising this right without first thoroughly exploring all possible options, which has been done over the past five months. This resolution of Council is required under the *Expropriations Act* in order to move forward. **MOTION CARRIED.**

(vi) **Seniors Advisory Committee:**

No report was presented.

13. APPROVAL OF THE TREASURER'S REPORT

MOVED BY Councillor Tim Scammell and **seconded by** Councillor Gisèle McCaie-Burke to approve the Treasurer's Report for the month of September 2018 as follows:

- from the General Operating account by cheques and direct payments \$372,233.67 (*Three Hundred and Seventy-Two Thousand, Two Hundred and Thirty-Three Dollars and Sixty-Seven Cents*);
- from the Water & Sewer Operating account \$40,308.44 (*Forty Thousand, Three Hundred and Eight Dollars and Forty-Four Cents*);
- from the General Capital account \$314,533.41 (*Three Hundred and Fourteen Thousand, Five Hundred and Thirty-Three Dollars and Forty-One Cents*); and
- from the Water & Sewer Capital account \$53,724.44 (*Fifty-Three Thousand, Seven Hundred and Twenty-Four Dollars and Forty-Four Cents*).

Discussion:

Councillor Tim Scammell explained that the adoption of the Treasurer's monthly report fulfills a municipal requirement under provincial legislation. **MOTION CARRIED.**

14. PUBLIC INPUT / INQUIRIES

No inquiries were made or public input received.

15. NEW BUSINESS

First and Second Readings of By-law No. 71-2018

► **MOVED BY** Councillor Mike Pope and **seconded by** Deputy Mayor Alex Scholten to read By-law No. 71-2018 for the first time, this reading by title only. **MOTION CARRIED.**

Councillor Mike Pope read By-law No. 71-2018 by title only for the first time.

► **MOVED BY** Councillor Mike Pope and **seconded by** Councillor Gisèle McCaie-Burke to read By-law No. 71-2018 for the second time, this reading by title only. **MOTION CARRIED.**

Councillor Mike Pope read By-law No. 71-2018 by title only for the second time.

16. DATE, TIME AND LOCATION OF NEXT MEETING

The next regular session of Council is scheduled for Wednesday, 21 November 2018 at 7:30 pm in Council Chamber.

17. MOTION FOR ADJOURNMENT

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

The meeting adjourned at 8:27 pm.

Respectfully submitted,

Karen Taylor
Assistant Clerk

Cynthia Geldart
CAO/Clerk

Judy Wilson-Shee
Mayor