

**VILLAGE OF NEW MARYLAND
COUNCIL
15 May 2019**

Present: Mayor Judy Wilson-Shee
Deputy Mayor Alex Scholten (via Facetime)
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

Guests: Team NB Members Alex Peasley (Curling), Mohamad Hariri (Boxing), John Bourgeois (Boxing Head Coach), and family members and friends.

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. She stated that Deputy Mayor Alex Scholten has joined the meeting through Facetime.

2. APPROVAL OF THE AGENDA

MOVED BY Councillor Mike Pope and **seconded by** Councillor Tim Scammell to approve the agenda as distributed. **MOTION CARRIED.**

3. APPROVAL OF THE MINUTES

MOVED BY Councillor Gisèle McCaie-Burke and **seconded by** Councillor Mike Pope to approve the minutes of the 17 April 2019 regular session of Council as circulated. **MOTION CARRIED.**

4. DISCLOSURE OF INTEREST

Mayor Wilson-Shee stated that she and Councillor Mike Pope have declared a conflict of interest for the Administration motion that will be read under agenda item 12 (v).

5. PRESENTATIONS

Mayor Wilson-Shee presented certificates of appreciation to the members of Team NB who competed in the 2019 Canada Winter Games in Red Deer, Alberta in February 2019, and who are New Maryland residents. Team members who received certificates were Alex Peasley (Curling), Mohamad Hariri (Boxing), and John Bourgeois (Boxing Head Coach). Other team members, Julia Arnason and Emily Johnston, who competed in Artistic Swimming, were not able to attend this evening's meeting. Mayor Wilson-Shee noted that she will make arrangements to present Julia and Emily with their certificates at a later time. On behalf of Council and staff, Mayor Wilson-Shee extended congratulations to the members of Team NB who participated in the Canada Games, and represented the community and province so well. She wished them much success in their future competitions.

Mayor Wilson-Shee presented a certificate of outstanding achievement to CAO/Clerk Cynthia Geldart for 25 years of service in public administration in the capacity of municipal management.

6. PROCLAMATIONS

Mayor Wilson-Shee read the proclamations for Disability Awareness Week, National Health and Fitness Day and Brain Tumour Awareness Month.

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:

- an email from the Union of Municipalities of New Brunswick concerning the critical issues of the Provincial Policing Review and the Binding Arbitration Reform, which are currently being discussed by UMNb's Protective Services Ad hoc Committee;
- the Chamber of Commerce newsletter;
- notification that nominations are being sought for the Lieutenant-Governor's Award for Excellence, and for the 2019 Donald G. Dennison Award, both for Public Administration in New Brunswick;
- a letter from the Minister of Transportation and Infrastructure confirming that they are prepared to partner with the municipality on the 2019 New Maryland Highway upgrade project, which falls under the Improvement to Provincially Designated Highways within Municipalities Program. The project will consist of asphalt resurfacing from Bradshaw Drive to civic 337 New Maryland Highway;
- notification that applications for the integrated bilateral agreement federal-provincial funding program are now being accepted by the Regional Development Corporation; and
- notification from the Chamber of Commerce that their Annual General Meeting will be held on Friday June 14th, and that the executive committee and board members will be presented for confirmation at the meeting.

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:

April 18th – celebration of the 50th anniversary of the *Official Languages Act* held at Government House;

April 23rd – meeting with Minister Anderson-Mason, Minister Carr, and Deputy Minister Bouchard to discuss the Integrated Bilateral Agreement – New Water Source, along with Deputy Mayor Scholten;

April 24th – reading buddy at NMES;

April 26th – meeting with Linda McLaughlin and Ashley Erb (ServUs Health) at Planet Hatch, and discussed their online navigation tool (app) for seniors and family caregivers in NB; Mayor Wilson-Shee noted that Linda and Ashley will be making a presentation at the Seniors Advisory Committee meeting on May 27th;

April 27th – 'Spring into Wellness' expo held at Leo Hayes High School;

April 29th – meeting with a group from Maine and the Canadian Consulate, followed by a reception at the Delta and a meal at Brewbakers;

May 1st – New Maryland Community Support Group annual meeting, along with Councillor Scammell;

May 6th – PNM Zoomers' donation of 27 dozen homemade muffins to the Kat's Kitchen;

May 6th – PAC meeting, along with Councillor LeBlanc;

May 8th – reading buddy at NMES;

May 9th – UMNb Zone 5 meeting held at Fredericton City Hall;

May 13th – PNM Zoomers monthly meeting, which was also attended by Councillor McCaie-Burke;

May 13th – St. Thomas University's Spring Convocation dinner;

May 14th – reading buddy at NMES;

May 14th – St. Thomas University’s Spring Convocation held at the Grant-Harvey Centre; Mayor Wilson-Shee noted that honorary degree recipients were Alanis Obomsawin, an activist, filmmaker and singer of Abenaki descent, and David Myles, songwriter, performer and recording artist from Fredericton; New Maryland resident Lauren Mary MacDonald (distinction) graduated with Honours in International Relations and she also received the Winfield Poole Prize for Best Honours Thesis; Mayor Wilson-Shee commented that Lauren worked for the Village as a summer student and she was able to contact Lauren and congratulate her on behalf of the Village; Scott Thomas Lynch of Charters Settlement received his Bachelor of Arts, and Scott also worked for the Village as a summer student; Mayor Wilson-Shee stated that she will try to make contact with Scott to offer congratulations on behalf of the Village;

May 15th – 2019 Annual General meeting of the Fredericton International Airport Inc. held at the Beaverbook Art Gallery; and

May 15th – potluck hosted by the PNM Zoomers, along with Councillor McCaie-Burke.

Mayor Wilson-Shee shared some good news from a resident who lost her wallet. She stated that the resident accidentally dropped her wallet at NMES gymnasium when her son attended his basketball class. She didn’t realize she had lost her wallet until her doorbell rang that evening and a kind man was returning her wallet. His name was Darren and he is a custodian at NMES. He was able to obtain her address from her driver’s licence. The resident wrote “THANK YOU so much, it really means a lot to me and my family, and may God bless you a thousand fold. I love New Maryland! It is so comforting and inspiring to know that we live in a beautiful community where honest and decent people still exist. My faith in humanity is restored.” Mayor Wilson-Shee expressed her thanks to Darren for his good deed.

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 Mike Pope

Councillor Pope commented that this past weekend, NMES grade 5 student Sam Dunn, who is a New Maryland resident and grandson of former Mayor Frank Dunn, participated in a national wrestling event in Ontario and brought home a gold medal. Councillor Pope offered his congratulations to Sam.

10. PLANNING ADVISORY COMMITTEE

Councillor Tim Scammell provided an update from the Planning Advisory Committee:

- The Planning Advisory Committee (PAC) met last on the evening of May 6, 2019 for the conduct of their regular meeting. A Special Meeting was also held on the evening of May 13, 2019.
- At the May 6th meeting, the committee reviewed and discussed the April 2019 Building Permit Report which noted four permits having been issued with \$19,200 in estimated value of construction and \$220 in permit fee revenue for the month. Staff noted that the year-to-date building permit activity was slightly ahead of the statistics for the same period in 2018 with a total of 18 permits, \$255,668 in estimated value of construction and \$2,166 in permit fee revenue.
- Staff also advised the committee that enactment of the amended by-laws was completed by Council on April 17, 2019 and that the follow up administrative requirements with respect to Ministerial approval and registry of the respective by-laws was being completed by staff.
- The committee reviewed and approved a request for a variance to allow a three-driveway configuration

for a proposed row dwelling development at 6 Baker Brook Court.

- Also, at the May 6th meeting, the committee was in receipt of two variance requests in relation to the proposed development consisting of 17 building lots and construction of semi-detached dwellings and row dwellings. The committee approved the developer's request for a 10 percent lot coverage variance to allow a maximum of a 45 percent lot coverage within the development.
- The committee however tabled for further review and discussion the developer's request for a 115-metre variance to allow a proposed 295-metre long street to terminate with a temporary turnaround area. The planned connectivity with the Village street network would be achieved as future development of the adjacent lands proceed. The committee revisited the matter at the May 13th meeting and approved the requested variance.

MOVED BY Councillor Tim Scammell and **seconded by** Councillor Gisèle McCaie-Burke the adoption of this report. **MOTION CARRIED.**

► **MOVED BY** Councillor Tim Scammell and **seconded by** Councillor Mike Pope the following resolution of Council.

Be It Resolved That the Council for the Village of New Maryland ratify the decision of Council at the May 8, 2019 Council-in-Committee meeting to approve the sale of a 5.80 acre portion of the properties located at 210 New Maryland Highway, being PID number 75364547, and portions of PID numbers 75259945, 75422535, and 75061945 to Tandax Inc. for the price of \$154,880.00 (*one hundred fifty-four thousand eight hundred eighty dollars*) plus \$23,232.00 (*twenty-three thousand two hundred thirty-two dollars*) HST for a total of \$178,112.00 (*one hundred seventy-eight thousand one hundred twelve dollars*); and that the Mayor and Clerk are hereby authorized to execute the necessary legal documentation to facilitate the transaction. **MOTION CARRIED.**

11. EMERGENCY RESPONSE PLAN COMMITTEE

Councillor Paul LeBlanc gave the following update from the Emergency Response Plan Committee:

- The Emergency Response Plan Committee has not met since the last Council meeting. The plan had been for the committee to meet on Tuesday, May 7, 2019 to discuss further updates for Brunswick Bravo and finalize planning strategies, however the committee was informed a couple of weeks ago by Jason Cooling, Regional Coordinator for NB EMO that the May 22nd Brunswick Bravo exercise has been canceled and will be re-evaluated in the fall. More information will be shared with the public once it becomes available.
- The next Emergency Response Plan Committee meeting will be held on May 21st at 10 am.

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

12. PROJECT REPORTS AND UPDATES

(i) **Recreation Department:**

Councillor Mike Pope presented the following update from the Recreation Department:

- Summer program registration opened May 6th and 7th and once again, a record was set for registrations and revenue. In the first three days over \$40,000 was collected in revenue and most

of the camps were at capacity. The first week to sell-out was The Amazing Race, but the rest of the weeks filled quickly, and staff did their best to update social media so that parents could come in to register as soon as possible. Several parents who registered for the first time said that they (and their kids) had heard “wonderful things” about the camps from their friends which was certainly appreciated by the counsellors and staff. To date, total registrations are 310 for Day Camp and 24 for Little Fingers. Of these registrations for Day Camp, there are 61 returning campers and 44 new campers. For Little Fingers, there are four returning and 11 new participants. It is exciting to see the Day Camp programs continue to grow in popularity.

- CIT applications are due Friday, May 24th and a meet and greet is scheduled for Tuesday, May 28th at the Village office from 6:30 – 8:30 pm. This year the intention is to select (up to) eight CITs for Day Camp and one or two for Little Fingers. High Five Training has been scheduled for all new staff on June 15th and CITs will be invited to participate in this training as well. The CIT program offers an excellent opportunity for youth to gain some valuable leadership skills as well as volunteer their time in our summer programs and provide much appreciated assistance to Day Camp staff.
- Once again, the Village of New Maryland will participate in “National Health and Fitness Day” on Saturday, June 1st. The Village will join over 330 communities across Canada who participate in this event. The Recreation and Leisure Services Department is offering the following initiatives: NMES community programs will be offered at no charge for that weekend, which includes Open Gym on Friday, May 31st and Sunday June 2nd, as well as Adult Co-ed Volleyball on Sunday evening, June 2nd. This will be the last weekend for the open gym program at NMES for the season. June 1st is also National Trails Day and residents are encouraged to check out the nature trails at the New Maryland Centre. The tennis courts and playgrounds are also open for the season and residents are reminded to take advantage of the facilities in the City of Fredericton as well. The Village’s annual New Maryland Day celebration takes place the following weekend, June 8th. Let’s make Canada the fittest nation on earth! For additional details, please visit the National Health and Fitness Day website at www.nhfdcan.ca.
- Congratulations to Recreation Foreman, Kirk Billings, who recently passed his National Playground Recertification Exam, and is now re-certified to inspect our playgrounds for the next three years. Well done Kirk!
- The first two Recreation Maintenance summer students began work this past Monday, May 6th. The tennis court nets were installed this week and the courts cleaned and opened. The basketball court has had some asphalt repairs and has opened (also available for ball hockey), and the clean-up in all parks, playgrounds, fields, and trails has begun.
- New Maryland Day takes place on Saturday, June 8th at NMES and this year the event will run from 12:00 – 3:00 pm. New activities this year include “Beat the Bucket”, a performance from Frantically Atlantic at 2:00, and the Pony Rides & Petting Zoo will return. Also offered will be carnival games in the gym, bouncy castles and slides, henna and glitter tattoos, cake cutting, popcorn and cotton candy, and Sobey’s fresh fruit samples. ‘Communities in Bloom’ will be sending packets of “bee-friendly” wildflowers which will be given away, free-of-charge, at New Maryland Day. It promises to be a wonderful community event.
- Online registration for New Maryland Soccer is still available. This year New Maryland Soccer will offer the following programs: U4, U6, U8, and U10. To register, and for more program details, visit www.nmsoccer.ca or their “New Maryland Soccer” Facebook page.

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

Discussion:

Mayor Wilson-Shee congratulated Kirk on his re-certification. She also mentioned that she will be visiting the trails at the New Maryland Centre with four NMES kindergarten classes in a few weeks. **MOTION CARRIED.**

(ii) Public Works Department:

Councillor Paul LeBlanc presented the following update from the Public Works Department:

- Village staff investigated 14 Public Works Reports for April 2019. The reports were inquiries for culvert replacement, landscape repair, asphalt repair, water drainage, driveway widening, tree removal and garbage collection.
- The Bradshaw Drive Sanitary Sewer Upgrade is ahead of schedule and is expected to be completed in the next couple of weeks. This project upgraded the sanitary sewer from Nicholson Crescent to Route 101.
- The contractor is expecting to start the Bismark Storm Sewer Upgrade at the beginning of June. The project involves the installation of large diameter storm sewer pipe along Bismark Street from Gladstone Street to Melrose Avenue. The pipe installation will increase the stormwater collection capacity to a 1-in-100 year plus 20 percent storm event.
- The Woodlawn Lane Water Main Replacement and Force Main Upgrade project is also expected to start at the beginning of June. This project includes the replacement of approximately 310 meters of water main and sanitary force main from Kerry Lane to approximately Civic 81 Woodlawn Lane. The work will take place on the north side of the street and any driveways, culverts or headwalls impacted will be reinstated to current like condition.
- The Village will be partnering with the Department of Transportation and Infrastructure to upgrade approximately 0.63 kilometers of Route 101 from Bradshaw Drive to Civic 337 New Maryland Highway. This is year three of the Village's five-year plan for improvements to provincially designated highways in municipalities. The project will be completed later this summer.
- Street sweeping is nearing completion with only a couple of subdivisions needing to be swept. A second pass will be completed in areas where it is required once all the streets have been swept once. The Spring Clean-up is scheduled to take place Monday, May 20th on the east side of the highway and Tuesday, May 21nd for the west side of the highway. Tree mulching will begin Tuesday May 21st. Leaf Collection is scheduled for Wednesday, May 22nd on the east side of the highway and Thursday, May 23rd for the west side of the highway. Please visit the Village's website for more details.

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

(iii) 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, adopt the 2018 Village of New Maryland Audited Financial Statements as prepared by the chartered accounting firm of Grant Thornton LLP and as reviewed by Council on 8 May 2019.

Discussion:

Councillor McCaie-Burke explained that at the May 8, 2019 Council-In-Committee meeting the accounting firm of Grant Thornton LLP presented and reviewed the Audited Financial Statements for 2018 with Mayor and Council. As per the *Local Governance Act of New Brunswick*, a motion of Council is required to adopt the financial statements and this motion satisfies that requirement.

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, appoint the chartered accounting firm of Grant Thornton LLP to provide external audit services as the official auditors for the Village of New Maryland.

Discussion:

Councillor McCaie-Burke clarified that at the May 8, 2019 Council-In-Committee meeting the Treasurer discussed with Mayor and Council the necessity to appoint an auditor to remain compliant with the *Local Governance Act of New Brunswick* Section 71 (1) “The council of every local government shall appoint... an auditor.” It was also discussed that this appointment remains in place until such time as Council determines the need to revise this appointment at some future point in time for reasons of their choosing. **MOTION CARRIED.**

(iv) **Administration Department:**

No report was presented from the Administration Dept.

Mayor Wilson-Shee and Councillor Pope declared a conflict of interest regarding the following motion and left the room. Councillor LeBlanc assumed the position of Chair..

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 approve the request for reimbursement of lost wages in the total amount of \$1500.00 (*fifteen hundred dollars*) regarding attendance at the Federation of Canadian Municipalities 2019 Annual Conference.

Discussion:

Councillor McCaie-Burke advised that the Remuneration of Council By-law No.11, Section 3.07 provides for the reimbursement of lost wages when members of Council miss work to attend various events on behalf of the municipality. The Federation of Canadian Municipalities 2019 Annual Conference is being held in Quebec City from May 30th to June 2nd and two members of Council will be attending the conference to represent the Village. Council reviewed and approved the reimbursement request at the Council-In-Committee meeting of April 24th and a motion is required to formalize that decision of Council. The registration and associated expenses for attendance at the

conference were included in the municipal 2019 budget, however the additional \$1500 (*fifteen hundred dollars*) is a non-budgeted amount and therefore also necessitates this formal motion.

MOTION CARRIED.

Mayor Wilson-Shee and Councillor Pope returned to the meeting.

(v) Seniors Advisory Committee:

Councillor Paul LeBlanc presented the following update from the Seniors Advisory Committee (SAC):

- The Seniors Advisory Committee met on April 29th with 11 members in attendance. Deputy Mayor Scholten chaired the meeting in Mayor Wilson-Shee's absence.
- This was the first meeting held with the community representative members since they were appointed by Council at the March 21, 2019 Council meeting. The committee welcomed new member Yvon LeBlanc, and welcomed back committee members Gary Campbell, Art Standing, Jeff Tapley and Mariet van Groenewoud who will serve on the committee for one year.
- Staff provided an update from UNB regarding the 'Zoomers on the Go' program that began in April and is in full swing at Faith Baptist Church. UNB has reported that they received more than the required 20 participants for the program (there are 21 participants in the class) and have put the others on a waiting list for the fall. Kim Saulis is the 'Zoomers on the Go' instructor in New Maryland and UNB has received lots of positive feedback about Kim and the program. There is already a list of new participants wanting to join in September. The location at Faith Baptist Church seems to work perfectly as there is lots of parking and a beautiful new gym for the participants to use.
- Councillor Gisèle McCaie-Burke provided the committee with a summary of the event that took place on March 26th at the New Maryland Centre in celebration of the Village's designation as an Age-Friendly Community. The committee is grateful to receive this designation, and moving forward, the committee will continue with its mandate to act as a resource to Council on matters affecting seniors and provide input and recommendations regarding the needs of seniors in the community based on future findings.
- The committee discussed a news article regarding a membership organization "Neighbourhood Network" that is in place for older residents in the Maine communities of York, Ogunquit, Wells, Kittery, South Berwick and Elliot, and that offers repairs and maintenance assistance to those who need it, as well as other services. The committee plans to speak with the administrators of this program to determine their experiences with the program – their successes and challenges – and then investigate whether a similar program could work in New Maryland.
- And finally, a reminder to our residents that the deadline to complete the Transportation Survey is Friday, May 17th. This survey includes questions that will help determine the transportation needs and desires of seniors, and the community as a whole. The survey is available to complete online and can be found by visiting the Village website at www.vonm.ca and searching the word "survey". The committee encourages all residents to take the time to complete this survey and help the committee ascertain the feasibility of public transportation in the Village and what next steps, if any, should be taken. If residents encounter any issues with completing the survey or if they have any questions, please contact the Village office at 451-8508.
- The next committee meeting is scheduled for May 27th at 7:00 pm.

MOVED BY Councillor Paul LeBlanc and **seconded** by Councillor Gisèle McCaie-Burke the

adoption of this report. **MOTION CARRIED.**

13. APPROVAL OF THE TREASURER'S REPORT

MOVED BY Councillor Mike Pope and **seconded by** Councillor Tim Scammell to approve the Treasurer's Report for the month of April 2019 as follows:

- from the General Operating account by cheques and direct payments \$155,073.72 (*one hundred and fifty-five thousand, and seventy-three dollars and seventy-two cents*);
- from the Water & Sewer Operating account \$13,928.62 (*thirteen thousand, nine hundred and twenty-eight dollars and sixty-two cents*); and
- from the General Capital account \$5,865.00 (*five thousand, eight hundred and sixty-five dollars*).

Discussion:

Councillor Pope stated that the adoption of this monthly report fulfills a municipal requirement under provincial legislation. **MOTION CARRIED.**

14. PUBLIC INPUT / INQUIRIES

No public input was received or inquiries made.

15. NEW BUSINESS

(i) Notice of Intent to Expropriate

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

WHEREAS the Village of New Maryland requires an Easement over certain land located in the Village of New Maryland for the purpose of accessing, developing, operating and maintaining water Well TW05-1, Well TW05-2, Well TW05-3, Well TW05-4 and Well TW17-1;

AND WHEREAS the development and commissioning of Well TW05-1, Well TW05-2, Well TW05-3, Well TW05-4 and Well TW17-1 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 names of Aimee-Angelique Mawouli Bouka and Lorne Robert Seeley located within the Village of New Maryland more particularly described under the New Brunswick Land Titles System for the County of York as having PID 75064840 (the "subject land");

AND WHEREAS Aimee-Angelique Mawouli Bouka and Lorne Robert Seeley, 225 Jones St., Moncton, NB, E1C 6K5, are identified as the "Owners" of the subject land;

AND WHEREAS it has been determined that the services must be installed, developed, and operated on, or accessed through, the subject land;

AND WHEREAS it has been determined by the Village of New Maryland that the access needed to install, develop, operate and/or access the services is by way of two (2) municipal services easements over the lands, which easements are marked as: (a) **Proposed 20.117 Metre Wide Municipal Services Easement Acquisition 919 m2**; and (b) **Proposed 20.00 Metre Wide Municipal Services**

Easement Acquisition 4851 m2 on a plan of survey entitled “**Plan of Survey Showing Municipal Services Easements to be Acquired From: Aimee-Angelique Mawouli Bouka & Lorne Robert Seeley PID 75064840**”, prepared by WSP and dated May 01, 2019 (the “**Plan of Survey**”), a copy of which is attached hereto;

NOW THEREFORE BE IT RESOLVED that the Village of New Maryland hereby confirms its intention to seek to expropriate two (2) municipal services easements over the lands marked as: (a) **Proposed 20.117 Metre Wide Municipal Services Easement Acquisition 919 m2**; and (b) **Proposed 20.00 Metre Wide Municipal Services Easement Acquisition 4851 m2** on the **Plan of Survey**, 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:

Councillor McCaie-Burke explained that for the past 15 (*fifteen*) years the Village has worked diligently to secure an additional water source. The Village has worked closely with engineers, hydrologists, and senior staff at the Department of Environment, and incurred costs well in excess of \$2 million dollars on wellfield exploration. Developing an additional water source is crucial to the municipality for a number of reasons. The Village’s goals are not only to develop a new, sustainable, and safe water supply source, but also to provide redundancy to our existing water system that relies on only one wellfield, and to increase water capacity to allow for development, such as much-needed senior housing. Councillor McCaie-Burke added that throughout the years the Village has encountered numerous challenges and roadblocks in several key areas, including negotiations with landowners, lack of water quantity, and lack of water quality. The Village has recently located a viable water source, however negotiations were not successful with the landowner. She stated that, as Council is aware, a *Resolution of Notice to Expropriate* was passed by Council in October 2018 regarding the parcel of land where the wells will be developed. The motion being brought forward tonight is in relation to the adjacent property. The Village does not need to purchase a freehold of any portion of the adjacent property, however two easements are required in order to develop and access the distribution system. The Village’s engineer and senior staff have been negotiating with the property owner for the past several months for permission to cross the property, however those negotiations were unsuccessful. The property owner has recently confirmed that he is not willing to allow the easements and therefore the Village has been left with no option other than expropriation. Councillor McCaie-Burke reiterated that this expropriation is for easement purposes only.

Deputy Mayor Scholten commented that although Council has the legal authority to expropriate property, this is a last step that is taken in instances where there is critical work that needs to be completed. He added that expropriation is a matter that Council takes very seriously. He said that the project that requires expropriation of land is critical to the health and safety of the community. **MOTION CARRIED.**

(ii) Approve NMCSG Funding for repairs to the NM Centre trail boardwalk

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

Be It Resolved That the Council for the Village of New Maryland approves the New Maryland Community Support Group to donate the proceeds from the 2019 Frank Dunn Annual New Maryland Golf Tournament towards the cost of the New Maryland Centre Trail Boardwalk Repairs project.

Discussion:

Councillor Scammell stated that during the Capital Budget meeting in October 2018, Michelle Sawler, Recreation Coordinator, submitted a project request for repairs to the NM Centre Trail Boardwalk. The project was approved by Council for inclusion in the 2019 Capital Budget. The total project cost was estimated at \$19,464 including HST. Please keep in mind that the quote was prepared eight (8) months ago for budgeting purposes and Michelle has recently requested confirmation of that amount. The New Maryland Community Support Group (NMCSG) would like to contribute funds toward the costs of the boardwalk repair project. The NMCSG has requested approval to contribute funds from two (2) sources: the proceeds from the 2019 Frank Dunn Annual New Maryland Golf Tournament; and there is currently \$5221.46 (five thousand, two-hundred and twenty-one dollars and forty-six cents) in the Village's reserve funds that the NMCSG had previously donated towards the costs of a permanent fence around the Community Garden located on the Forbes property. The permanent fence has not yet been installed and the NMCSG would like to see those funds redirected to the boardwalk repair expenses. When the NMCSG was established, it was determined that they would not contribute funds to a project or seek out financial programs and grants without Council approval of the project. Therefore, a motion of Council is required to approve the golf tournament proceeds to be contributed to the boardwalk repair project. A motion of Council is also required to use reserve funds for a purpose other than the original purpose. Council agreed in principle to these requests from the NMCSG during the Council-In-Committee meeting of May 08th, 2019. **MOTION CARRIED.**

(iii) Approve re-designation of reserve funds for the NM Centre trail boardwalk repairs

MOVED BY Councillor Paul LeBlanc and seconded by Councillor Tim Scammell the following resolution of Council:

Be It Resolved That the Council for the Village of New Maryland re-designate the amount of \$5,221.46 (*five thousand, two-hundred and twenty-one dollars and forty-six cents*), currently held in reserve funds, from the Community Garden Fence to the New Maryland Centre Trail Boardwalk Repair project. **MOTION CARRIED.**

(iv) Approve NMCSG funding for lighting for the Village office

MOVED BY Councillor Mike Pope and seconded by Councillor Tim Scammell the following resolution of Council:

Be It Resolved That the Council for the Village of New Maryland approves the New Maryland Community Support Group to donate funds in the amount of \$2,705.81 (*two thousand seven hundred five dollars and eighty-one cents*) toward the cost of the purchase and installation of 19 dals smart panel lights for the Village office.

Discussion:

Councillor Pope clarified that at Council's request, staff members have researched exterior lighting options for the front of the Village office that can light up in different colours that would correspond with proclamations that are read throughout the year (red for Heart month, yellow for Daffodil month, etc.). Staff's research was presented to Council at the April 24th Council-in-Committee meeting, and Council approved staff's recommendation to purchase and install nineteen 4-inch dals smart panel lights at a cost of \$2,705.81 (not including HST). As this is a non-budgeted item, Council discussed funding options. Mayor Wilson-Shee and Councillor Scammell announced that the New Maryland Community Support Group would like to cover the cost of the coloured lighting (not including HST). Mayor Wilson-Shee clarified that the New Maryland Community Support Group does not spend money on projects or search for funding

opportunities without Council's approval. Council agreed that the NMCSG can make a donation toward the cost of the purchase and installation of the lighting, and that a formal motion be made at the May Council meeting. **MOTION CARRIED.**

16. DATE, TIME AND LOCATION OF NEXT MEETING

The next regular session of Council is scheduled for Wednesday, 19 June 2019 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 8:26 pm.

Respectfully submitted,

Karen Taylor
Assistant Clerk

Cynthia Geldart
CAO/Clerk

Judy Wilson-Shee
Mayor