

Village of New Maryland
Council
16 August 2023

Present: Mayor Judy Wilson-Shee Deputy Mayor Tim Scammell
Councillor Laurie Pearson Councillor Alex Scholten
Councillor Mariet van Groenewoud Cynthia Geldart, CAO/Clerk
Shawna Cyr-Basque, Assistant Clerk

Absent: Councillor Mike Pope

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1. Call to Order

Mayor Judy Wilson-Shee called the meeting to order at 7:30 p.m. with the acknowledgement that the land on which we gather is the traditional unceded territory of the Wolastoqiyik and Mi'kmaq people and that we should live and work on this land in relationships of peace, friendship and mutual respect. She explained that the meeting was being recorded for broadcast.

2. Approval of the Agenda

MOVED BY Councillor Mariet van Groenewoud and **seconded by** Deputy Mayor Tim Scammell that the agenda be approved as distributed. **MOTION CARRIED.**

3. Approval of the Minutes

MOVED BY Councillor Alex Scholten and **seconded by** Councillor Mariet van Groenewoud that the minutes of the regular session of Council on 19 July 2023 be approved as circulated, with the correction to a grammatical error noted on page 7. **MOTION CARRIED.**

MOVED BY Councillor Alex Scholten and **seconded by** Councillor Mariet van Groenewoud that the minutes of the special session of Council on 19 July 2023 be approved as circulated. **MOTION CARRIED.**

4. Disclosure of Interest

No *Disclosures of Interest* were declared.

5. Presentations

There were no presentations.

6. Proclamations

There were no proclamations.

7. Correspondence

There was no correspondence to read into the record.

8. Mayor's Comments

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

- July 20: New Maryland Heritage Association (NMHA) meeting;
- July 23: Pride Parade;
- July 25: Ice Cream social (*MLA Jeff Carr, Deputy Mayor Tim Scammell, Councillor Laurie Pearson, Councillor Alex Scholten and Councillor Mariet van Groenewoud attended as well*);
- July 27: virtual meeting with the Minister responsible for Local Government and Local Governance Reform, Glen Savoie, Chief Executive Officers and Chairs of the Regional Service Commissions (RSC). The Mayor commented that the Capital Region Service Commission's (CRSC) top priorities were shared as follows:

- collaboration with the province to advance the mandated services and recognition that files in each region are at different stages; CRSC appreciated the province's support with the "Regional Services Support Fund" and noted that further support would be required for infrastructure, housing and regional transportation; as well as the increased operating costs and potential long-term expenses for municipalities as a result of the mandated services; these are considerable expenses and it is preferable to address these matters in a timely and cost-effective manner;
 - prioritize and focus on continued communication and training; the training offered by the province during the past winter and spring led newly elected officials and staff to a mutual level of understanding and the CRSC encouraged that momentum moving forward; there are gaps in the understanding of the RSC's roles and a few elected officials, Chief Executive Officers, Chief Administrative Officers and Clerks have since moved on; it is necessary to ensure that everyone is aware of the same information; the CRSC considers this to be an opportunity to further collaborate with communities on a continued "process improvement" initiative;
 - the new "Industry Led Recycling" reform was implemented quickly and it created challenges for municipalities who had to terminate their current collection contracts; it was also noted that the procedure overlaps with the budget process and concerns related to loss of employment were shared; and
 - Mayor Wilson-Shee informed the Minister of the CRSC's desire for him to maintain an open mind and be receptive to suggestions for each community's needs;
- July 29: Highland Games;
 - August 07: New Brunswick Day Celebration hosted by the City of Fredericton;
 - August 09: Capital Region Service Commission (CRSC) Oversight Committee meeting;
 - August 09: met with MP Jenica Atwin, federal staff members and Public Works Supervisor Rockland Miller along Highway 101 to record a video on the Sunrise Wellfield Development project. Discussions were held on the operational component of the works and the Integrated Bilateral Agreement (IBA) funding process and the importance of government collaborations to ensure the success of projects;
 - August 10: met with Ignite's Leadership team (*Cynthia Geldart, CAO/Clerk attended as well*);
 - August 10: Ignite Newcomer Summit held at the Fredericton Convention Centre;
 - August 14: Forum hosted by MP Jenica Atwin and the Liberal Riding Association to discuss federal and local issues that impact seniors held at the Grant Harvey Centre. (*Councillor Mariet van Groenewoud attended as well*);
 - August 15: Acadian flag raising ceremony held at Victoria Hall (*Jeff Carr, MLA, Deputy Mayor Scammell and Councillor Mariet van Groenewoud attended as well*);
 - August 15: Blueberry Social; Deputy Mayor Tim Scammell provided opening remarks on the Mayor's behalf and the Mayor provided closing remarks (*Jeff Carr, MLA, Councillor Alex Scholten and Councillor Mariet van Groenewoud attended as well*);
 - August 15: Acadian flag raising ceremony held at Centre Communautaire Saint-Anne; and
 - August 16: unveiled mural entitled "Glooscap and the Giant Beaver" located at the Fredericton International Airport departure gate. The piece was commissioned to artist Percy Sacobie, a nationally recognized local Wolastoqiyik artist from St. Mary's First Nation. The mural depicts a generations-old cultural hero of the Atlantic Canada Indigenous people.

9. Comments by Members of Council

Councillor Alex Scholten provided an update of the meetings and events that he attended:

- July 18: Union of the Municipalities of New Brunswick (UMNB) Conference Committee to discuss conference presentations, invited speakers and the conference agenda; conference to be held in early November 2023;

- July 18: Accessibility NB assessment of his business located in Fredericton. He noted that he raised the topic not as a Council activity, however as awareness to all businesses in NB that Accessibility NB has established a funding program; there is no cost for the service and they provide an assessment report as well as advice on available support to assist in the upgrade of business accessibility. He further commented that it is a great service and he highly recommended it;
- July 20: participated in a meeting with the UMNb Executive Director to discuss membership dues for 2024 in light of municipal reforms, the reduced number of municipalities in the province and uniting the 3 (three) municipal associations to ensure their input is received on how municipal reforms can be more effective; and
- August 09: UMNb Municipal Reform Committee meeting to discuss concerns related to municipal reforms and other topics such as the Fiscal Summit hosted by the Department of Environment and Local Government to be held in September 2023, the recently enacted Local Governance Commission and the regulations related to the skills and qualifications of its members. He noted that stakeholders and staff will be invited.

Councillor Scholten recognized the life and community service of the former Mayor of Doaktown and former President of UMNb, Mr. Bev Gaston, who passed away on Sunday, 13 August 2023. He explained that he worked with Mr. Gaston on the UMNb Board of Directors and remembered him as a caring and passionate champion for his community and all municipalities in the province. He was a true gentleman who showed respect to everyone and would be tremendously missed. Councillor Scholten expressed his sincere condolences to Mr. Gaston's family, friends and to the residents of Doaktown.

10. Planning Advisory Committee (PAC)

Deputy Mayor Tim Scammell provided a summary of the Planning Advisory Committee (PAC) meeting of Monday, 14 August 2023.

- The June 2023 summary report included 12 (twelve) building permits issued for residential renovation projects. There were 14 (fourteen) building permits issued in July 2023 for residential renovations projects and the replacement of the exterior entrance doors at the New Maryland Elementary School.
- Deputy Mayor Scammell explained that in accordance with the *Community Planning Act* (the *Act*), the PAC elects a Chair and Vice-Chair from its membership and Council appoints the elected members to the positions by resolution. Section 6(2) of the *Act* states that "the Chair and Vice-Chair of an advisory committee be appointed for a term of 1 (one)-year and are eligible for re-election or re-designation."
- Julie Clarke was re-elected as Chair and Sam McEwan was re-elected as Vice-Chair at the Monday, 14 August 2023 PAC meeting. The resolutions of Council to formalize the appointments and terms of office will be submitted for adoption at the formal Council meeting being held on Wednesday, 20 September 2023.
- Staff reviewed a letter that was sent to notify an Applicant of the Development Officer's approval of a variance application to permit a shed to be located on a portion of a public utility easement, as consented to by NB Power.
- The Applicant for the re-zoning and variance approvals for 196 Phillips Drive, his Planning Consultant and residents were present at the meeting (*Mayor Wilson-Shee and Councillor Mariet van Groenewoud also attended*). Residents shared their perspectives on the proposed re-zoning of the subject property to a Residential Zone Three (R-3) to enable development of a 20 (twenty)-unit, 2 (two)-storey apartment building and a 28 (twenty-eight)-unit, 2 (two)-storey apartment building. The PAC acknowledged the residents' input and requested staff to forward their recommendation to Council for consideration of a revised concept of 2 (two) 20 (twenty)-unit, 2 (two)-storey apartment buildings and to consider the application with the following terms and conditions:

- the re-zoning of the property to Residential (R-3) be approved subject to a Section 59 agreement on landscape buffering requirements with the use of deciduous and coniferous plantings on the north and west boundaries of the site and are to be shown on a landscaping plan to the satisfaction of the Development Officer;
 - the site shall be developed subject to the PAC's recommended building scale and setback adjustments, to eliminate the need for further variance approvals and to the satisfaction of the Development Officer;
 - the building designs and exterior finishes to be incorporated into the subdivision plan and addressed through a registered access agreement;
 - firefighting requirements shall be to the satisfaction of the Fire Chief, Village Engineer and Council;
 - municipal water capacity to be allocated and held for the development for a period of 5 (five)-years upon any enactment of the requested amendment and subject to the registration of a Section 59 zoning agreement; and
 - all construction to be in accordance with all applicable Village by-laws and policies.
- The Chair thanked the residents for attending. Staff explained that a Public Hearing will be held on Wednesday, 13 September 2023 and that public notification would be advertised to inform residents of further opportunity to present their perspectives to Council.

MOVED BY Deputy Mayor Tim Scammell and **seconded by** Councillor Mariet van Groenewoud the adoption of the Planning Advisory Committee report as presented. **MOTION CARRIED.**

11. Emergency Response Plan (ERP) Committee

There was no report.

12. Project Reports / Updates

12.(i) Recreation & Leisure Services Department Updates

Councillor Alex Scholten provided an update of the Recreation & Leisure Services Department activities.

- There are 2 (two) weeks of "Day Camp" left and it was an active, fun-filled summer for the counsellors and campers. The end of summer party will be held on the week of 21 August 2023 and includes activities such as cooking, camper's choice games and crafts. Staff reminded residents that the New Maryland Centre property would be closed to the public from 9:00 a.m. to 4:00 p.m., Monday to Friday, during the final 2 (two) weeks of camp to ensure campers and counsellors' safety. Staff were commended for their hard work, professionalism and enthusiasm as they finalized the most successful summer to date.
- Staff have received 3 (three) entries for the "Miracle-Gro Best Garden" contest and participants will be awarded prizes which include lawn signs, Miracle-Gro products, as well as congratulatory letters.
- There are 4 (four) spots remaining in the "Babysitter Course" scheduled for Thursday, 24 August 2023 at Victoria Hall. There is a fillable registration form available on the Village website, as well as an e-transfer option for payment of the \$60.00 (*sixty dollar*) course fee.
- The Recreation maintenance summer students had a busy and productive summer and most students will complete their term by Friday, 01 September 2023. Staff thanked them for their hard work over the past 4 (four)-months.
- The Recreation and Leisure Services Department received funding from the Canadian Parks and Recreation Association (CRPA) to hire a seasonal maintenance employee from late August 2023 to December 2023. The position will work with the Recreation Foreman and applicants must be between the ages of 15 (fifteen) and 30 (thirty) to apply. Staff are accepting applications until Monday, 21

August 2023 and the position start date is on Monday, 28 August 2023. The job description is available on the Village website and social media.

- Councillor Scholten reminded residents that the “Honour our Veterans” banner program will accept applications until Friday, 25 August 2023 and the final banner designs will be submitted by Friday, 01 September 2023. The banners will be displayed in October until mid-November. Staff have received 2 (two) new banner orders and there is currently space for an additional 8 (eight).

MOVED BY Councillor Alex Scholten and **seconded by** Deputy Mayor Tim Scammell the adoption of the Recreation & Leisure Services Department report as presented. **MOTION CARRIED.**

Mayor Wilson-Shee thanked the Recreation Coordinator for her effort and hard work organizing the Village socials and acknowledged that a lot of detail and thought goes into the preparation of events.

12. (ii) Public Works Department Updates

Councillor Laurie Pearson provided an update of the activities of the Public Works Department.

- Staff investigated 17 (seventeen) Public Works reports during the month of July 2023. The reports were inquiries from residents regarding culver repair, stormwater drainage, walking trail damage, pothole repair, grass trimming and low powerlines. The reports were investigated and will be completed to the satisfaction of residents and staff.
- Staff monitored the speed radars and identified that most motorists are being respectful of the posted 40 (forty) kilometers per hour speed limit; Councillor Pearson reminded residents that the school year will soon commence and of the importance to respect the speed limits and be mindful of pedestrians.
- Public Works staff continued with a variety of spring maintenance activities. Councillor Pearson commented that she is appreciative of their continued hard work.
- Charters Construction Ltd. continued work on Contract 6, Water Distribution Main, for the Sunrise Wellfield Development project. Approximately 1100 (eleven hundred) meters of water main have been installed along the west side of the New Maryland Highway, from south of the New Maryland Pharmacy to Phillips Drive south. A base coat of asphalt was applied from the Irving gas station to the beginning of the project. Traffic was reduced to 1 (one) lane throughout the construction zone.
- Councillor Pearson concluded her report by thanking everyone for their continued cooperation and patience during the projects and reminded residents to take caution when driving through the construction zone. Construction is expected to be completed at the end of October.

MOVED BY Councillor Laurie Pearson and **seconded by** Councillor Alex Scholten the adoption of the Public Works Department report as presented. **MOTION CARRIED.**

Councillor Pearson commented that as a resident she appreciated how smooth it has been driving through the construction zones.

12. (iii) Development Services Department

Councillor Mariet van Groenewoud explained that she had 2 (two) motions to bring forward. The first motion was for the assumption of a portion of the works for Centennial Gardens Subdivision - Phase 3 (three) lot services. In 2021, Centennial Heights Development Ltd. installed new water, storm sewer and sanitary sewer infrastructure to service 19 (nineteen) residential building lots on Boxwood Lane and Kimberley Street, as the third and final phase of the subdivision. On Wednesday, 16 June 2021, Council approved a resolution for acceptance of the lot services portion of the works and the commencement of a 1 (one)-year warranty period, as well as the retention of a warranty security to be held by the Village. In July 2022, an inspection was completed by the Village Engineer and staff noted a list of deficiencies that required correction by the developer's contractor. The deficiencies have since been satisfactorily addressed. A resolution of Council is

required for the Village's assumption of the works, to terminate the warranty period and to authorize the Village Treasurer to release the related warranty security. Upon assumption by Council, the Village would inherit responsibility for the ongoing operation and maintenance of the referenced portions of the works.

MOVED BY Councillor Mariet van Groenewoud and **seconded by** Deputy Mayor Tim Scammell 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 entered into between the Council for the Village of New Maryland and Centennial Heights Development Ltd. for the development of Centennial Gardens Subdivision – Phase 3 (three), consisting of 19 (nineteen) residential building lots (Lots 1 to 5, Lots 27 to 39 and Lot 49), 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 stormwater management facilities, drainage swales and ditches, as enumerated in the said development agreement, the Council for the Village of New Maryland, on the recommendation of the Village Engineer and senior staff agrees to assume portions of the works completed to date, being the lot services, roadway base, and stormwater management infrastructure; terminate the warranty period for the same; and to authorize the Village Treasurer to release the warranty security held by the Village in relation to those portions of the works. **MOTION CARRIED.**

The second motion was for the acceptance of a portion of the works for Centennial Gardens Subdivision - Phase 3 (three) surface works. Centennial Heights Development Ltd. completed construction of the concrete curbs, roadway asphalt, sidewalks and boulevard landscaping along Boxwood Lane and the portion of Kimberley Street, as the third and final phase of the residential development. The Village Engineer verified that the surface works constructed by the developer have been completed. Quality assurance test results on the roadway asphalt had revealed minor deviations from the required specifications. The Village Engineer recommended that Council accept the completed surface works subject to an extension of the 1 (one)-year warranty period to a 3 (three)-year period, to allow for an extended observation of the performance of the asphalt component. With the exception of a few minor deficiency list items, the works are in a state worthy of acceptance by Council. A warranty security would continue to be held by the Village to ensure the developer's completion of any outstanding work or repairs required during the warranty periods.

MOVED BY Councillor Mariet van Groenewoud and **seconded by** Councillor 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 entered into between the Council for the Village of New Maryland and Centennial Heights Development Ltd. for the development of Centennial Gardens Subdivision - Phase 3 (three), consisting of 19 (nineteen) residential building lots (Lots 1 to 5, Lots 27 to 39, and Lot 49), 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 stormwater management facilities, drainage swales and ditches, as enumerated in the said development agreement, on the recommendation of the Village Engineer and senior staff, Village Council hereby resolves to accept the referenced portions of surface works, commence an extended 3 (three)-year warranty period for the roadway asphalt, and commence a 1 (one)-year warranty period or the balance of the surface works, with such periods to expire on 16 August 2026 and 16 August 2024, respectively, and to authorize the Village Treasurer to transact, in an amount specified by the Village Engineer, a partial reduction to the related financial securities held by the Village. **MOTION CARRIED.**

12. (iv) New Maryland Fire Department

Councillor Laurie Pearson explained that she had a motion to bring forward. The *New Maryland Fire Department By-law No. 20*, Section 6, provides a list of the duties and responsibilities of the Deputy Fire Chief. In the absence of the Fire Chief, the Deputy Fire Chief assumes all of the powers and performs all of the duties of the Fire Chief and would also be a point of contact for the Chief Administrative Officer.

MOVED BY Councillor Laurie Pearson and **seconded by** Deputy Mayor Tim Scammell the following Resolution of Council: ***Be It Resolved That*** the Village of New Maryland, as per the recommendation of the Chief Administrative Officer and Fire Chief, hereby appoints Lorne Dalton as the Village of New Maryland Deputy Fire Chief, for a period of 1 (one)-year, effective immediately, as per Section 6 of the *New Maryland Fire Department By-law No. 20*. **MOTION CARRIED.**

13. Approval of the Treasurer's Report

MOVED BY Councillor Mariet van Groenewoud and **seconded by** Councillor Alex Scholten the following Resolution of Council: ***Be It Resolved That*** the Treasurer's Report be adopted as follows: payments made in the month of July 2023 from the General Operating account by cheques and direct payments **\$659,780.52** (*six hundred and fifty-nine thousand, seven hundred and eighty dollars and fifty-two cents*); from the Water & Sewer Operating account **\$32,655.64** (*thirty-two thousand, six hundred and fifty-five dollars and sixty-four cents*); and from the Water & Sewer Capital account **\$485,341.22** (*four hundred and eighty-five thousand, three hundred and forty-one dollars and twenty-two cents*). **MOTION CARRIED.**

14. Public Input / Inquires

No input and/or inquiries were brought forward.

15. New Business

(i) Third and Final Readings of *Municipal Plan By-law Amendment No. 03-01-2023*:

MOVED BY Deputy Mayor Tim Scammell and **seconded by** Councillor Mariet van Groenewoud to read *Municipal Plan By-law Amendment No. 03-01-2023*, for the third time, this reading by summary, pursuant to Section 15(4) of the *Local Governance Act*. **MOTION CARRIED.**

Deputy Mayor Scammell read the following summary: *By-law Amendment No. 03-01-2023* is comprised of general amendments to the *Municipal Plan By-law*: harmonized with recently amended provincial legislation; identified the New Maryland Highway "Design Standard Corridor"; introduced urban design standards and guidelines in regards to new residential development and public realm improvements along New Maryland Highway; clarified "Unserviced Development" provisions; introduced the "Development Charges" concept; revised collector street locations shown on the Future Land Use Map; and changed the Land Use Designation from "Commercial" to "Residential" for the properties at civic numbers 284, 472 and 482 New Maryland Highway.

MOVED BY Deputy Mayor Tim Scammell and **seconded by** Councillor Alex Scholten to read *Municipal Plan By-law Amendment No. 03-01-2023*, for the final time, this reading by title only, thereby enacting the by-law. **MOTION CARRIED.**

Deputy Mayor Scammell read the title *By-law Amendment No. 03-01-2023*.

(ii) Third and Final Readings of *Zoning By-law Amendment No. 04-01-2023*:

MOVED BY Deputy Mayor Tim Scammell and **seconded by** Councillor Mariet van Groenewoud *Zoning By-law Amendment No. 04-01-2023*, for the third time, this reading by summary, pursuant to Section 15(4) of the *Local Governance Act*. **MOTION CARRIED.**

Deputy Mayor Scammell read the following summary: *By-law Amendment No. 04-01-2023* is comprised of general amendments to the *Zoning By-law*: introduced development permits; added and revised terms in the “definitions” section; encouraged affordable housing through related density bonus provisions; regulated short-term rentals, single-room occupancies and the keeping of backyard hens; introduced a new “Residential Main Street Zone Four (R-4); added urban design standards to the Community Commercial Zone; created a “Central Corridor Overlay Zone” within which design standards and guidelines will enhance the rural charm appearance of the new development, and the Village’s own construction and renewal of public spaces, along the New Maryland Highway, and changed the zoning designation from “Commercial” to “Residential” for the properties at civic numbers 284, 472, and 482 New Maryland Highway.

MOVED BY Deputy Mayor Tim Scammell and **seconded by** Councillor Alex Scholten to read *Zoning By-law Amendment No. 04-01-2023*, for the final time, this reading by title only, thereby enacting the by-law. **MOTION CARRIED.**

Councillor Alex Scholten read the title *By-law Amendment No. 04-01-2023*.

16. Date, Time and Location of Next Meeting

The next formal Council meeting is scheduled for Wednesday, 20 September 2023 at 7:30 p.m. in Council Chamber.

17. Motion for Adjournment

MOVED BY Deputy Mayor Tim Scammell and **seconded by** Councillor Mariet van Groenewoud to adjourn the meeting. **MOTION CARRIED.**

The meeting adjourned at 8:04 p.m.

Respectfully submitted,

Shawna Cyr-Basque

Shawna Cyr-Basque
Assistant Clerk

Judy Wilson-Shee
Judy Wilson-Shee
Mayor



Cynthia Geldart
Cynthia Geldart
CAO/Clerk