

**COUNCIL MEETING OF  
MONDAY, JULY 8, 2019, 2019 5:30 P.M.  
COUNCIL CHAMBERS, TOWN HALL**

In attendance were Mayor John Higham, Deputy Mayor Ron Aiken, Councillors Bruce Phinney, Allison Butcher, Andrew Black, Bill Evans, Shawn Mesheau and Michael Tower. Also, in attendance were CAO Phil Handrahan, Clerk Donna Beal, Assistant Clerk Becky Goodwin and Solicitor James LeMesurier.

CALL MEETING TO ORDER

Mayor John Higham called the meeting to order.

APPROVAL OF AGENDA

#19-114 MOVED BY COUNCILLOR BRUCE PHINNEY AND SECONDED BY  
COUNCILLOR ALLISON BUTCHER THAT COUNCIL APPROVE THE AGENDA OF THE  
REGULAR COUNCIL MEETING OF JULY 8, 2019, AS CIRCULATE AND MOVE INTO  
IN-CAMERA. MOTION CARRIED.

**1. IN-CAMERA**

- (a) L-2016-01 – Solicitor James LeMesurier spoke with Mayor and Council on item L-2016-01.

Solicitor James LeMesurier left the meeting.

- (b) HR-2019-02

Mayor John Higham closed the In-Camera discussion and noted a recess until 7:00 p.m.

**PUBLIC – 7:00 p.m.**

Joining the meeting were Treasurer Michael Beal, Senior Manager Corporate Projects Jamie Burke, Manager of Tourism & Business Development Ron Kelly-Spurles, Manager of Recreation Programs & Events Matt Pryde, Superintendent Public Works Todd Hicks, Manager of Parks & Facilities Todd Cole, Assistant Treasurer Elizabeth Hartling, Fire Chief Craig Bowser, Deputy Fire Chief Mike Green and Planner Lori Bickford.

**Mayor John Higham called the meeting to order**

Also attending were approximately 20 residents.

## 2. BORDERTOWN PRIZE DRAW

Mayor John Higham drew the winner of the Bordertown Prize Draw. The winning name was Mary Williams.

## 3. QUESTION PERIOD

Resident Shelley Chase asked several questions regarding the planning of Canada Day festivities. Shelley will email her questions and staff will respond accordingly.

Resident Wendy Alder asked what the \$72,000 for Cattail Ridge area covered. Treasurer Michael Beal responded. She also asked for staff to explain what Sanitary Trunk Sewer from Squire to Devon covered. Treasurer Michael Beal responded.

Resident Wendy Alder asked how staff decide which roads are to be including in paving projects. Superintendent Public Works Todd Hicks responded.

Resident Wendy Alder asked without designated highway funding, how long do we leave the provincial roads within the Town before the Town does the work. Treasurer Michael Beal responded.

Resident Wendy Alder mentioned that the DTI Exit 506 sign is still down and asked for an update. Senior Manager Jamie Burke responded.

Resident Wendy Alder provided a history on the AVGP Cougar and asked why Council agreed to have concerned residents present their concerns and halt installation of the Cougar. Mayor John Higham responded.

## 4. DISCLOSURE OF INTEREST

Mayor John Higham asked if there were any Disclosures of Interest to Declare. Mayor John Higham noted that during the motion regarding the amendment to the Town of Sackville Zoning By-Law to permit Micro-cultivation of Cannabis in the Agriculture/Conservation Zone, Senior Manager Jamie Burke will be stepping out of the meeting.

## 5. MINUTES

Approval of Minutes – Regular Council Meeting – June 10, 2019

#19-115 MOVED BY COUNCILLOR BILL EVANS AND SECONDED BY COUNCILLOR ALLISON BUTCHER THAT COUNCIL ADOPT THE MINUTES OF THE

REGULAR COUNCIL MEETING OF JUNE 10, 2019 AS CIRCULATED. MOTION CARRIED.

Approval of Minutes – Special Meeting of Council – July 2, 2019

#19-116 MOVED BY COUNCILLOR BILL EVANS AND SECONDED BY DEPUTY MAYOR RON AIKEN THAT COUNCIL ADOPT THE MINUTES OF THE SPECIAL MEETING OF COUNCIL OF JULY 2, 2019 AS CIRCULATED. MOTION CARRIED.

6. BUSINESS ARISING FROM THE MINUTES

Mayor John Higham asked if there was any business arising from the minutes. There was none.

7. SOUTHEAST REGIONAL SERVICES

i) Regional Service Commission – Mayor John Higham

Deputy Mayor Aiken provided details of the June 2019 Southeast Regional Service Commission meeting which included a motion urging others to ban single use plastics, a motion to purchase additional equipment to extract methane gas at ECO360 and a presentation from the Inspection Enforcement Branch of NB on a new committee consisting of Non-RCMP agencies including gaming, tobacco, motor vehicle and missing persons.

ii) Planning – Lori Bickford

Planner Lori Bickford provided highlights of the report noting that it could be found on page 14 of the Council Package.

Senior Manager Jamie Burke left the meeting

#19-117 MOVED BY COUNCILLOR ANDREW BLACK AND SECONDED BY COUNCILLOR BILL EVANS THAT COUNCIL GIVE FIRST READING IN NAME ONLY TO BY-LAW NO. 244H, A BY-LAW TO AMEND BY-LAW NO. 244, TOWN OF SACKVILLE ZONING BY-LAW. MOTION CARRIED.

#19-118 MOVED BY COUNCILLOR ANDREW BLACK AND SECONDED BY COUNCILLOR MICHAEL TOWER THAT COUNCIL GIVE SECOND READING SECTION BY SECTION TO BY-LAW NO. 244H, A BY-LAW TO AMEND BY-LAW NO. 244, TOWN OF SACKVILLE ZONING BY-LAW.

The Council of the Town of Sackville, under the authority vested in it by Section 53 and in accordance with Section 59 of the Community Planning Act, SNB 2017, c.19, amends By-law No. 244, the Town of Sackville Zoning By-law and enacts as follows:

1. By-law No 244 is amended by CHANGING the text of Part 1, Section 1.1, the definition of

“Agricultural Use, means general farming and, without limiting the generality of the foregoing, shall include uses such as the general cultivation of land and associated production, conditioning, processing and storing of field crops, vegetables, fruit, nursery stock, pasturing of livestock and the selling of such produce on the premises and includes a farm dwelling, accessory buildings and uses. Such uses do not include a cannery, abattoir, raising of fur bearing animals or the growing of controlled substances. Existing agricultural operations are permitted in all zones;”

and REPLACING it with the following:

Agricultural Use, means general farming and, without limiting the generality of the foregoing, shall include uses such as the general cultivation of land and associated production, conditioning, processing and storing of field crops, vegetables, fruit, nursery stock, pasturing of livestock and the selling of such produce on the premises and includes a farm dwelling, accessory buildings and uses. Such uses do not include a cannery, abattoir or the raising of fur bearing animals. Existing agricultural operations are permitted in all zones;”.

2. By-law No. 244 is amended by ADDING the following text to Part 1, Section 1.1, Definitions:

“Micro-cultivation means the small-scale growing of cannabis plants and harvesting material from those plants, as well as associated activities to a maximum cultivation area as permitted under federal regulation.”

“Standard cultivation means the large-scale growing of cannabis plants and harvesting material from those plants, as well as associated activities.”

3. By-law No 244 is amended by ADDING the following text to Part 16, Section 16.1 a) Permitted Uses in the Agriculture/Conservation Zone:

ix) micro-cultivation

4. By-law No. 244 is further amended by ADDING the following text to Part 15, Section 15.1 a) Permitted Uses in the Industrial/Business Park Zone:

xiv) standard or micro-cultivation.

AYES VOTES WERE RECORDED FROM DEPUTY MAYOR RON AIKEN AND COUNCILLORS MICHAEL TOWER, SHAWN MESHEAU, BILL EVANS, ANDREW BLACK AND ALLISON BUTCHER. A NAY VOTE WAS RECORDED BY COUNCILLOR BRUCE PHINNEY. MOTION CARRIED.

Senior Manager Jamie Burke rejoined the meeting.

## 8. REPORTS

### A) MAYOR'S REPORT

Mayor John Higham provided a brief outline of the Mayors activities during the last month. This included several radio, TV and print interviews on Memorial Park; CBC Radio interview on the Chamber of Commerce meeting and an interview with the Canadian Press on the Tantramar Dyke study. The Mayor also attended many events in the month of June including the TRHS Graduation Ceremony, the Annual Meeting for Open Sky, Waterfowl Park 30<sup>th</sup> anniversary celebration, Lund Park commemoration and the Chamber of Commerce session. The Mayor spoke on community supported education and the upcoming meeting with UMN, DTI and CN regarding railway flooding.

### B) CAO'S REPORT

CAO Phil Handrahan noted that his Report could be found on page 15 of the Council Package and provided a summary noting that full details could be found in Department Reports.

### C) Finance & Administration

Liaison Councillors Michael Tower and Ron Aiken

#### i) BILLS AND PAYROLL – JUNE

#19-119 MOVED BY DEPUTY MAYOR RON AIKEN AND SECONDED BY COUNCILLOR MICHAEL TOWER THAT COUNCIL ACCEPT THE BILLS AND PAYROLL FOR THE MONTH OF JUNE 2019 AS FOLLOWS: GENERAL GOVERNMENT \$888,734.84; GENERAL CAPITAL \$1,188,653.52; UTILITY GOVERNMENT \$218,456.49; UTILITY CAPITAL \$21,122.75; AND SALARIES \$225,223.27. MOTION CARRIED

#### i) Report from Finance and Administration

Deputy Mayor Ron Aiken noted that the Finance Report could be found on page 19 of the Council Package and gave details of the Report and noted that the By-Law and Animal Control Reports were also included.

#19-120 MOVED BY DEPUTY MAYOR RON AIKEN AND SECONDED BY COUNCILLOR BILL EVANS THAT THE DOCUMENT ENTITLED REVISED TOWN OF SACKVILLE FIVE YEAR CAPITAL INVESTMENT PLAN FOR THE GTF ADMINISTRATIVE AGREEMENT 2019-2024 BE ADOPTED. MOTION CARRIED.

#19-121 MOVED BY DEPUTY MAYOR RON AIKEN AND SECONDED BY COUNCILLOR MICHAEL TOWER THAT COUNCIL SETTLE THE UNCONNECTED WATER AND SEWER ACCOUNT KNOWN AS 2440-067 AS DIRECTED AT THE IN-CAMERA DISCUSSION OF JULY 2, 2019. MOTION CARRIED.

- D) Tourism & Business Development
  - Liaison Councillors Michael Tower and Shawn Mesheau
  - a. Report from Tourism & Business Development

Councillor Michael Tower gave a summary of the Tourism & Business Development Report found on page 27 of the Council Package.

- E) Public Property & Facilities
  - Liaison Councillors Bruce Phinney and Bill Evans
  - a. Report Public Property & Facilities

Councillor Bill Evans provided a brief overview of the Public Property and Facilities Report found on page 37 of the Council Package.

#19-122 MOVED BY COUNCILLOR BILL EVANS AND SECONDED BY COUNCILLOR ANDREW BLACK THAT COUNCIL AUTHORIZE THE MAYOR AND CLERK TO SIGN AND SEAL THE TWO CN AGREEMENTS AS PRESENTED AT JULY 2, 2019 SPECIAL MEETING OF COUNCIL, FOR THE UPGRADE OF TWO CN CROSSINGS IDENTIFIED AS CRESCENT STREET AT MILEAGE 86.55 AND CRESCENT STREET AT MILEAGE 85.85. MOTION CARRIED.

#19-123 MOVED BY COUNCILLOR BILL EVANS AND SECONDED BY COUNCILLOR MICHAEL TOWER THAT COUNCIL APPROVE THE ADDITIONAL BREAKDOWN FOR THE 2019 GAS TAX FUND FOR PAVING PROJECTS IN THE ADDITIONAL AMOUNT OF \$289,000.00 WITH THE FOLLOWING STREETS AND ESTIMATED DISTANCES TO BE COMPLETED:

- a. STANLEY/WALKER 400 METERS (COMPLETE 2019 ALLOCATION)
- b. GORDON STREET 85 METERS
- c. FORD LANE 85 METERS
- d. CRESTVIEW AVENUE 55 METERS
- e. CLARENCE STREET 250 METERS
- f. PRINGLE STREET 250 METERS
- g. RECTORY LANE 140 METERS
- h. OGDEN MILL ROAD 600 METERS. MOTION CARRIED

- F) Recreation Programs & Events
  - Liaison Councillors Joyce O'Neil and Bruce Phinney
  - a. Report Recreation Programs & Events

Councillor Bruce Phinney provided an overview of the Recreation Programs & Events Report found on page 40 of the Council Package.

#19-124 MOVED BY COUNCILLOR BRUCE PHINNEY AND SECONDED BY COUNCILLOR BILL EVANS THAT COUNCIL AUTHORIZE THE MAYOR AND CLERK

TO SIGN AND SEAL THE NB POWER POLE AGREEMENT ALLOWING ONE (1) 3 X 20 FOOT BANNER TO BE ATTACHED TO NB POWER UTILITY POLE ON BRIDGE STREET NEAR THE MARSHLAND'S INN PROMOTING FALL FAIR 2019. MOTION CARRIED.

#19-125 MOVED BY COUNCILLOR BRUCE PHINNEY AND SECONDED BY COUNCILLOR MICHAEL TOWER THAT COUNCIL AUTHORIZE THE MAYOR AND CLERK TO SIGN AND SEAL THE AGREEMENT WITH M.A.C. FIREWORKS INC., FOR A COMMERCIALY-ORGANIZED AND OPERATED FIREWORKS DISPLAY TAKING PLACE DURING FALL FAIR ON FRIDAY SEPTEMBER 20, 2019 WITH A RAIN DATE OF SATURDAY SEPTEMBER 21, 2019. MOTION CARRIED.

#19-126 MOVED BY COUNCILLOR BRUCE PHINNEY AND SECONDED BY COUNCILLOR ALLISON BUTCHER THAT COUNCIL AUTHORIZE THE MAYOR AND CLERK TO SIGN AND SEAL AN AGREEMENT AS PRESENTED AT THE JULY 2, 2019 SPECIAL MEETING OF COUNCIL, BETWEEN THE TOWN OF SACKVILLE AND MOUNT ALLISON UNIVERSITY STIPULATING THAT MOUNT ALLISON UNIVERSITY GRANTS TO THE TOWN OF SACKVILLE THE RIGHT TO UTILIZE THE GRASSED PROPERTY WEST OF KING STREET PARKING LOT TO ALLOW HINCHEY'S AMUSEMENTS AND GROUND ZERO LASER TAG ACCESS TO THE FIELD ON MONDAY, SEPTEMBER 16, 2019 UP TO AND INCLUDING MONDAY, SEPTEMBER 23, 2019. MOTION CARRIED.

G) Public Safety

Liaison Councillors Joyce O'Neil and Allison Butcher

- a. Report Public Safety
  - Fire/EMO, RCMP/CPO

Councillor Allison Butcher provided an overview of the Fire/EMO Report and details of the RCMP/CPO Report found on page 43 of the Council Package.

H) Policy/By-Law

Liaison Councillors Andrew Black and Allison Butcher

- a. Report Policy/By-Law

Councillor Andrew Black noted that the Policy/By-Law Report could be found on page 47 of the Council Package and gave an overview of the report.

#19-127 MOVED BY COUNCILLOR ANDREW BLACK AND SECONDED BY COUNCILLOR ALLISON BUTCHER THAT COUNCIL GIVE FIRST READING IN NAME ONLY TO BY-LAW NO. 268 A BY-LAW RESPECTING THE BONDING OF OFFICERS AND EMPLOYEES. MOTION CARRIED.

#19-128 MOVED BY COUNCILLOR ANDREW BLACK AND SECONDED BY COUNCILLOR MICHAEL TOWER THAT COUNCIL APPROVE POLICY NO. 2019-01.

TOWN OF SACKVILLE WORKPLACE HARASSMENT AND VIOLENCE POLICY.  
MOTION CARRIED.

- I) Personnel
  - Liaison Councillors Bill Evans and Andrew Black
  - a. Report Personnel

Councillor Andrew Black noted that the Personnel Report could be found on page 79 of the Council Package.

#19-129 MOVED BY COUNCILLOR ANDREW BLACK AND SECONDED BY COUNCILLOR BILL EVANS THAT COUNCIL AUTHORIZE THE FOLLOWING PEOPLE TO ATTEND THE UNION OF MUNICIPALITIES OF NEW BRUNSWICK CONFERENCE IN FREDERICTON, NB FROM OCTOBER 4-6, 2019 AND REPORT BACK TO COUNCIL; MAYOR JOHN HIGHAM, DEPUTY MAYOR RON AIKEN, COUNCILLORS BRUCE PHINNEY, ALLISON BUTCHER, ANDREW BLACK, BILL EVANS, SHAWN MESHEAU AND MICHAEL TOWER. MOTION CARRIED.

#19-130 MOVED BY COUNCILLOR ANDREW BLACK AND SECONDED BY COUNCILLOR BILL EVANS THAT COUNCIL APPROVE THE PERSONNEL REPORT AS PRESENTED TO COUNCIL AT THE JULY 8, 2019 COUNCIL MEETING AND AUTHORIZES THE MAYOR AND TOWN CLERK TO SIGN AND SEAL THE AGREEMENT AS PRESENTED. MOTION CARRIED.

- J) Corporate Affairs & Strategic Development
  - Liaison Councillors Ron Aiken and Shawn Mesheau
  - a. Report Corporate Affairs & Strategic Development

Deputy Mayor Ron Aiken provided a brief overview of key points within the Corporate Affairs and Strategic Development Report found on page 80 of the package.

9. NEW BUSINESS

Mayor John Higham asked if there was any New Business, there was none.

10. QUESTION PERIOD

Shelley Chase asked several questions regarding the Bordertown Festival. Manager of Tourism & Business Development Ron Kelly-Spurles responded. Mayor John Higham suggested that Ms. Chase and Manager Ron Kelly-Spurles have a conversation regarding the Bordertown Festival.

Wendy Alder asked if there were any additional staff costs for the Bordertown Festival and how businesses were chosen to be contacted regarding the festival. Manager of Tourism & Business Development Ron Kelly-Spurles responded.



Jeska Grue asked what the process is to set up a parks committee and if Council have decided on the structure of the committee. Mayor John Higham responded that there needs to be more discussion on the matter and any future decisions would come from Council.

11. ADJOURN

#19-131 MOVED BY COUNCILLOR MICHAEL TOWER AND SECONDED BY COUNCILLOR BRUCE PHINNEY THAT COUNCIL ADJOURN THE REGULAR COUNCIL MEETING OF JULY 8, 2019. MOTION CARRIED.

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Mayor

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Clerk

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Assistant Clerk