

**COUNCIL MEETING OF
MONDAY, MARCH 14, 2022 7:00 P.M.
COUNCIL CHAMBERS, TOWN HALL**

In attendance were Mayor Shawn Mesheau, Deputy Mayor Andrew Black and Councillors Allison Butcher, Sabine Dietz, Matt Estabrooks, Bill Evans, Bruce Phinney and Michael Tower. Also, in attendance were CAO Jamie Burke, Clerk Donna Beal, Fire Chief Craig Bowser, Senior Manager of Corporate Projects Kieran Miller, Assistant Treasurer Elizabeth Hartling, Town Engineer Dwayne Acton, Superintendent of Public Works Michelle Sherwood, Manager of Recreation Programs and Events Matt Pryde, Manager of Tourism and Business Development Ron Kelly Spurles and Planner Lori Bickford
Attending virtually was Councillor Kenneth Hicks.

There were also eleven (11) residents in attendance.

1. CALL MEETING TO ORDER

Mayor Shawn Mesheau called the meeting to order.

2. LAND ACKNOWLEDGEMENT

Mayor Shawn Mesheau acknowledged that we are located within the territory of Mi'kma'ki, the unceded, ancestral territory of the Mi'kmaq people.

3. APPROVAL OF AGENDA

#22-043 MOVED BY COUNCILLOR SABINE DIETZ AND SECONDED BY DEPUTY MAYOR ANDREW BLACK THAT COUNCIL APPROVE THE AGENDA OF THE REGULAR COUNCIL MEETING OF MARCH 14, 2022, AS AMENDED. AYE VOTES RECORDED BY DEPUTY MAYOR ANDREW BLACK AND COUNCILLORS ALLISON BUTCHER, SABINE DIETZ, BILL EVANS, KENNETH HICKS, BRUCE PHINNEY AND MICHAEL TOWER. NAY VOTE RECORDED BY COUNCILLOR MATT ESTABROOKS. MOTION DEFEATED.

#22-044 MOVED BY COUNCILLOR SABINE DIETZ AND SECONDED BY DEPUTY MAYOR ANDREW BLACK THAT COUNCIL APPROVE THE AGENDA OF THE REGULAR COUNCIL MEETING OF MARCH 14, 2022, AS CIRCULATED. MOTION CARRIED.

4. QUESTIONS PERIOD

Joanne Carter asked how the pump worked during the recent flooding on Lorne Street due to heavy rainfall and quick melt. Town Engineer Dwayne Acton responded that the pump was not installed as it had been removed due to the high risk of vandalism. He added that even if it was installed, it wouldn't have changed the flooding that much due to the inlet structure of the pump,

as the water must reach a certain level for it to work. He also noted that a structure would be constructed and placed over the pump to keep it secure.

Joanne Carter asked for the balance of the current Utility Capital Reserve account for the future upgrades to the Lagoons. CAO Jamie Burke responded that they would report publicly on the status of the account at the next Regular Council Meeting and that the finance department will respond to her question when the information is available.

Susan Gourley asked if Councillors agreed with the report given on the Animal Control By-Law provided to Council at the Special Meeting of Council on March 7, 2022. Mayor Shawn Mesheau responded that the report was provided to Council and discussion was had at the Special Meeting of Council and a motion will be brought forward for Council to consider forwarding the changes to the Animal Control By-Law request to the Climate Change Committee.

Keith Carter asked if the Town has enough employees to cover the Water Distribution Agreement with Mount Allison University. CAO Jamie Burke responded that a response would be provided during the report and motion, later in the evening.

Keith Carter asked why the full Workplace Assessment for the Fire Department and the Organization have not been released. CAO Jamie Burke responded that the report is Human Resources in nature and is protected under Right to Information and Protection of Privacy Act. Those that participated in the assessment do so openly and there is trust in the process, as they were speaking in private. Recommendations from the Fire Department Assessment were provided to Council and Members of the Fire Department, and the recommendations from the Organization Workplace Assessment will also be presented to Council and all Staff.

5. DISCLOSURE OF INTEREST

Mayor Shawn Mesheau asked if there were any Disclosures of Interest to Declare. Councillor Matt Estabrooks and Town Engineer Dwayne Acton will leave the meeting during the motion and discussion on the Mount Allison Water Distribution System. CAO Jamie Burke noted that as part of his employment contract, he does from time to time teach at Mount Allison University, however, he is not currently teaching and therefore will not be stepping out during the Mount Allison Water Distribution System discussion.

6. MINUTES

Approval of Minutes – Regular Council Meeting – February 14, 2022

#22-045 MOVED BY COUNCILLOR BILL EVANS AND SECONDED BY COUNCILLOR ALLISON BUTCHER THAT COUNCIL ADOPT THE MINUTES OF THE REGULAR COUNCIL MEETING OF FEBRUARY 14, 2022 AS CIRCULATED. MOTION CARRIED.

Approval of Minutes – Special Meeting of Council – February 28, 2022

#22-046 MOVED BY DEPUTY MAYOR ANDREW BLACK AND SECONDED BY COUNCILLOR SABINE DIETZ THAT COUNCIL ADOPT THE MINUTES OF THE SPECIAL MEETING OF COUNCIL OF FEBRUARY 28, 2022 AS CIRCULATED. MOTION CARRIED.

Approval of Minutes – Special Meeting of Council – March 7, 2022

#22-047 MOVED BY COUNCILLOR MICHAEL TOWER AND SECONDED BY COUNCILLOR BILL EVANS THAT COUNCIL ADOPT THE MINUTES OF THE SPECIAL MEETING OF COUNCIL OF MARCH 7, 2022 AS CIRCULATED. MOTION CARRIED.

7. BUSINESS ARISING FROM THE MINUTES

Councillor Sabine Dietz began a discussion about Local Governance Reform including the boundaries and the request for an additional Councillor for the Sackville ward and the dismay that has been felt that Sackville will not have five (5) Councillors. Mayor Shawn Mesheau noted that he and Deputy Mayor Andrew Black will convey the message that their next advisory committee meeting scheduled for March 15, 2022.

#22-048 MOVED BY COUNCILLOR SABINE DIETZ AND SECONDED BY COUNCILLOR BILL EVANS THAT A LETTER BE SENT TO MINISTER DANIEL ALLAIN AND THE ENTITY 40 FACILITATOR NOTING COUNCILS' OBJECTION REGARDING THE REMOVAL OF 2 LARGE PORTIONS OF LAND WITHIN ENTITY 40, WHILE BEING TOLD THAT CHANGES TO BOUNDARIES WERE NOT ABLE TO MOVE FORWARD. AYE VOTES RECORDED BY DEPUTY MAYOR ANDREW BLACK AND COUNCILLORS ALLISON BUTCHER, SABINE DIETZ, BILL EVANS, KENNETH HICKS AND MICHAEL TOWER. NAY VOTES RECORDED BY COUNCILLORS MATT ESTABROOKS AND BRUCE PHINNEY. MOTION CARRIED.

#22-049 MOVED BY COUNCILLOR SABINE DIETZ AND SECONDED BY COUNCILLOR BILL EVANS THAT A LETTER BE SENT TO MINISTER DANIEL ALLAIN AND THE ENTITY 40 FACILITATOR THAT THE TOWN OF SACKVILLE WOULD FORMALLY REQUEST THAT THERE WILL BE FIVE (5) COUNCILLORS FOR THE SACKVILLE BOUNDARIES TO SHOW REPRESENTATION BY POPULATION. AYE VOTES RECORDED BY DEPUTY MAYOR ANDREW BLACK AND COUNCILLORS ALLISON BUTCHER, SABINE DIETZ, BILL EVANS, KENNETH HICKS AND MICHAEL TOWER. NAY VOTES RECORDED BY COUNCILLORS MATT ESTABROOKS AND BRUCE PHINNEY. MOTION CARRIED.

8. SOUTHEAST REGIONAL SERVICES

- i) Regional Service Commission

Mayor Shawn Mesheau noted that there was no meeting for the month of February.

ii) Planning

Planner Lori Bickford noted that the Report could be found on page 21 of the Council Package.

iii) Public Hearing – Municipal Plan and Zoning By-Law

A public hearing was held regarding an application to amend the Municipal Plan & Zoning By-Law to repeal the text in Part 15, Section 15.2 b) of the Zoning Requirements and adding additional text, as it relates to municipal water and sewer hookup in an industrial zone, to allow development in the unserved industrial area off exit 500.

#22-050 MOVED BY DEPUTY MAYOR ANDREW BLACK AND SECONDED BY COUNCILLOR MATT ESTABROOKS THAT COUNCIL GIVE FIRST READING IN NAME ONLY TO BY-LAW NO. 244-M A BY-LAW TO AMEND BY-LAW NO. 244 THE TOWN OF SACKVILLE ZONING BY-LAW. MOTION CARRIED.

iv) Plan 360 Staff Report – Subdivision

#22-051 MOVED BY DEPUTY MAYOR ANDREW BLACK AND SECONDED BY COUNCILLOR MATT ESTABROOKS THAT COUNCIL ACCEPT THE LOCAL GOVERNMENT SERVICE EASEMENTS AS IDENTIFIED ON THE ALCOCK & CLEPHAN SUBDIVISION PLAN SUBMITTED BY WSP. MOTION CARRIED.

9. PROCLAMATION – MOUNTIE DAY 2022

GIVEN THE MANY OUTSTANDING ACCOMPLISHMENTS OF MOUNT ALLISON ATHLETICS I AM HEREBY DECLARING MARCH 31, 2022 AS OUR EIGHTH ANNUAL “MOUNTIE DAY”, IN RECOGNITION OF THE IMPORTANT CONTRIBUTION THAT MOUNT ALLISON ATHLETICS MAKES TO OUR COMMUNITY.

IN DOING SO, I ENCOURAGE OUR COUNCIL, OUR STAFF AND THE ENTIRE SACKVILLE COMMUNITY TO SHOW YOUR SUPPORT FOR MOUNT ALLISON ATHLETICS ON MARCH 31ST AND WEAR YOUR GARNET AND GOLD, SHOW YOUR SUPPORT IN YOUR HOME AND BUSINESS WINDOWS AND MOST OF ALL, TO CONTINUE TO SUPPORT OUR ATHLETICS AND THE VARIOUS ATHLETIC PROGRAMS. TO SHOW OUR SUPPORT, THE TOWN WILL PROUDLY FLY THE MOUNT ALLISON ATHLETICS FLAG ON MARCH 31ST.

10. REPORTS

A) MAYOR’S REPORT

Mayor Shawn Mesheu provided highlights of his report noting that the report could be found on page 29 of the Council Package.

Councillor Sabine Dietz provided an update on the Rural Health Action Group noting that the group met on March 3, 2022, and that the project charter has been finalized with goals and

objectives clearly set. The report covered items such as progress on the five priority areas, community funding and incentives, morale of hospital staff, communications, and future health services design.

B) CAO'S REPORT

CAO Jamie Burke noted that the CAO Report could be found on page 30 of the Council Package and provided a summary noting that full details could be found in Department Reports.

Planner Lori Bickford left the meeting

C) Finance & Administration

i) BILLS AND PAYROLL – FEBRUARY

#22-052 MOVED BY COUNCILLOR BILL EVANS AND SECONDED BY COUNCILLOR SABINE DIETZ THAT COUNCIL ACCEPT THE BILLS AND PAYROLL FOR THE MONTH OF FEBRUARY 2022 AS FOLLOWS: GENERAL GOVERNMENT \$403,100.78; GENERAL CAPITAL \$2,810.49; UTILITY GOVERNMENT \$34,582.02; UTILITY CAPITAL \$1,655.31; AND SALARIES \$206,616.22. MOTION CARRIED.

ii) Report from Finance and Administration

Councillor Bill Evans noted that the Finance Report could be found on page 36 of the Council Package and gave details of the Report and noted that the Animal Control Reports were also included.

#22-053 MOVED BY COUNCILLOR BILL EVANS AND SECONDED BY COUNCILLOR MATT ESTABROOKS THAT THE TREASURER BE AUTHORIZED TO ISSUE AND SELL TO THE NEW BRUNSWICK MUNICIPAL FINANCE CORPORATION A MUNICIPALITY OF SACKVILLE DEBENTURE IN THE PRINCIPLE AMOUNT OF \$310,000 ON SUCH TERMS AND CONDITIONS AS ARE RECOMMENDED BY THE NEW BRUNSWICK MUNICIPAL FINANCE CORPORATION, AND BE IT RESOLVED THAT THE MUNICIPALITY OF SACKVILLE AGREE TO ISSUE POST-DATED CHEQUES PAYABLE TO THE NEW BRUNSWICK MUNICIPAL FINANCE COPROTATION AS AND WHEN THEY ARE REQUESTED IN PAYMENT OF PRINCIPAL AND INTEREST CHARGES ON THE ABOVE DEBENTURE. MOTION CARRIED.

#22-054 MOVED BY COUNCILLOR BILL EVANS AND SECONDED BY COUNCILLOR MICHAEL TOWER THAT COUNCIL APPROVE THE PURCHASE OF CITYWIDE MAINTENANCE MANAGER, PHASE 2 OF THE CITYWIDE ASSET MANAGEMENT SOFTWARE WITH PSD CITYWIDE INC IN THE AMOUNT OF \$54,400 PLUS HST. MOTION CARRIED.

D) Tourism & Business Development

a. Report from Tourism & Business Development

Manager of Tourism and Business Development Ron Kelly Spurles gave a summary of the Tourism & Business Development report found on page 49 of the Council Package.

E) Public Property & Facilities

Councillor Matt Estabrooks provided a brief overview of the Public Property and Facilities report found on page 50 of the Council Package.

#22-055 MOVED BY COUNCILLOR MATT ESTABROOKS AND SECONDED BY COUNCILLOR BRUCE PHINNEY THAT COUNCIL AWARD TENDER NO. 2022-01, 2022 STREET ASPHALT PATCHING TO THE LOWEST BIDDER MACDONALD PAVING & CONSTRUCTION, A DIVISION OF MILLER PAVING LIMITED, MONCTON, NB, IN THE REDUCED AMOUNT OF \$322,000.00 HST INCLUDED. MOTION CARRIED.

#22-056 MOVED BY COUNCILLOR MATT ESTABROOKS AND SECONDED BY COUNCILLOR MICHAEL TOWER THAT COUNCIL AWARD RFP NO. 2022-03 THE SUPPLY OF ONE LATEST MODEL VACUUM STREET SWEEPER VEHICLE TO THE LOWEST BIDDER SAUNDERS EQUIPMENT LTD., FREDERICTON, NB IN THE AMOUNT OF \$401,093.55 HST INCLUDED AND FURTHERMORE AUTHORIZE THE SALE OF THE SURPLUS EXISTING 1999 JOHNSON STREET SWEEPER SERIAL NUMBER 49H67FAA1XHB70798, STERLING CHASSIS SC7000. MOTION CARRIED.

Councillor Matt Estabrooks and Town Engineer Dwayne Acton left the meeting.

#22-057 MOVED BY COUNCILLOR BILL EVANS AND SECONDED BY COUNCILLOR SABINE DIETZ THAT COUNCIL APPROVE THE AGREEMENT BETWEEN THE TOWN OF SACKVILLE AND MOUNT ALLISON UNIVERSITY EFFECTIVE APRIL 1, 2022 IN RELATION TO MOUNT ALLISON UNIVERSITY WATER DISTRIBUTION SYSTEM AND AUTHORIZE THE MAYOR AND CLERK TO SIGN AND SEAL THE AGREEMENT. AYE VOTES RECORDED BY DEPUTY MAYOR ANDREW BLACK AND COUNCILLORS ALLISON BUTCHER, SABINE DIETZ, BILL EVANS, KENNETH HICKS AND MICHAEL TOWER. NAY VOTE RECORDED BY COUNCILLOR BRUCE PHINNEY. MOTION CARRIED

Councillor Matt Estabrooks and Town Engineer Dwayne Acton returned to the meeting.

F) Recreation Programs & Events

Councillor Allison Butcher provided an overview of the Recreation Programs & Events report found on page 69 of the Council Package.

G) Public Safety

Deputy Mayor Andrew Black provided an overview of the Public Safety report found on page 81 of the Council Package.

H) Policy/By-Law

Councillor Bruce Phinney noted that the Policy/By-Law report could be found on page 84 of the Council Package.

#22-058 MOVED BY COUNCILLOR BRUCE PHINNEY AND SECONDED BY COUNCILLOR MATT ESTABROOKS THAT COUNCIL GIVE SECOND READING SECTION BY SECTION TO BY-LAW NO 284, A BY-LAW RESPECTING THE DUTIES AND POWERS OF THE CHIEF ADMINISTRATIVE OFFICER AND THE RELATIONSHIP BETWEEN COUNCIL, THE CHIEF ADMINISTRATIVE OFFICER AND THE EMPLOYEES OF THE TOWN.

Public notice is hereby given that the Town Council of the Town of Sackville proposes to enact the following By-Law:

BY-LAW NO. 284, A BY-LAW RESPECTING THE DUTIES AND POWERS OF THE CHIEF ADMINISTRATIVE OFFICER AND THE RELATIONSHIP BETWEEN COUNCIL, THE CHIEF ADMINISTRATIVE OFFICER AND THE EMPLOYEES OF THE TOWN

Section 1 – Definitions

Section 2 – Appointment of the Chief Administrative Officer

Section 3 – Full time appointment of the Chief Administrative Officer

Section 4 – Relationship between Council, the Chief Administrative Officer, and the employees of the Town

Section 5 – Responsibilities of the Chief Administrative Officer

Section 6 – Other positions held by the Chief Administrative Officer

Section 8 – Repeal. AYE VOTES RECORDED BY DEPUTY MAYOR ANDREW BLACK AND COUNCILLORS ALLISON BUTCHER, SABINE DIETZ, MATT ESTABROOKS, BILL EVANS, KENNETH HICKS AND MICHAEL TOWER. NAY VOTE RECORDED BY COUNCILLOR BRUCE PHINNEY. MOTION CARRIED.

#22-059 MOVED BY COUNCILLOR BRUCE PHINNEY AND SECONDED BY COUNCILLOR MICHAEL TOWER THAT COUNCIL GIVE THIRD AND FINAL READING TO BY-LAW NO 284, A BY-LAW RESPECTING THE DUTIES AND POWERS OF THE CHIEF ADMINISTRATIVE OFFICER AND THE RELATIONSHIP BETWEEN COUNCIL, THE CHIEF ADMINISTRATIVE OFFICER AND THE EMPLOYEES OF THE TOWN. AYE VOTES RECORDED BY DEPUTY MAYOR ANDREW BLACK AND COUNCILLORS ALLISON BUTCHER, SABINE DIETZ, MATT ESTABROOKS, BILL EVANS, KENNETH HICKS AND MICHAEL TOWER. NAY VOTE RECORDED BY COUNCILLOR BRUCE PHINNEY. MOTION CARRIED.

#22-060 MOVED BY COUNCILLOR BRUCE PHINNEY AND SECONDED BY COUNCILLOR SABINE DIETZ THAT COUNCIL APPROVE POLICY NO. 2022-04, RESPONSIBILITIES FOR TOWN OWNED VEHICLES AND REPEAL POLICY NO. 01/98 EMPLOYEE RESPONSIBILITY FOR TOWN VEHICLES AND POLICY NO. 2011-01 IDLING POLICY – TOWN OWNED VEHICLES. MOTION CARRIED.

#22-061 MOVED BY COUNCILLOR BRUCE PHINNEY AND SECONDED BY COUNCILLOR SABINE DIETZ THAT COUNCIL MAKE A REQUEST TO THE CLIMATE CHANGE ADVISORY COMMITTEE TO PROVIDE FEEDBACK ON THE PROPOSED CHANGES TO THE ANIMAL CONTROL BY-LAW. AYE VOTES RECORDED BY DEPUTY MAYOR ANDREW BLACK AND COUNCILLORS ALLISON BUTCHER, SABINE DIETZ, BILL EVANS AND MICHAEL TOWER. NAY VOTES RECORDED BY COUNCILLORS MATT ESTABROOKS, KENNETH HICKS AND BRUCE PHINNEY. MOTION CARRIED.

I) Human Resources

Councillor Sabine Dietz noted that the Human Resources Report could be found on page 88 of the Council Package.

J) Corporate Affairs & Strategic Development

Councillor Michael Tower provided a brief overview of key points within the Corporate Affairs and Strategic Development Report found on page 89 of the package.

11. NEW BUSINESS

Mayor Shawn Mesheau asked if there was any New Business, there was none.

12. QUESTION PERIOD

Erica Butler asked clarifying questions about the water distribution agreement with Mount Allison University. Superintendent of Public Works Michelle Sherwood responded that the Town will be providing the water sampling and when repairs are required to be done by a contractor, the Town will be overseeing the repairs required by Mount Allison.

13. ADJOURN

#22-062 MOVED BY COUNCILLOR MICHAEL TOWER AND SECONDED BY COUNCILLOR BRUCE PHINNEY THAT COUNCIL ADJOURN THE REGULAR COUNCIL MEETING OF MARCH 14, 2022. MOTION CARRIED.

Mayor

Clerk