

**SPECIAL MEETING OF COUNCIL
TUESDAY, JUNE 7, 2022, AT 6:30 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, Kenneth Hicks, Bruce Phinney and Michael Tower. Also, in attendance were CAO Jamie Burke, Clerk Donna Beal, Treasurer Michael Beal, Assistant Clerk Becky Goodwin, Assistant Treasurer Elizabeth Hartling, Senior Manager of Corporate Projects Kieran Miller, Superintendent of Public Works Michelle Sherwood, Manager of Recreation Programs and Events Matt Pryde, Climate Change Coordinator Kirsti Mrazek and Sgt. Paul Gagné.

Also, in attendance were Eighteen (18) members of the public.

CALL MEETING TO ORDER

Mayor Shawn Mesheau called the meeting to order.

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

Mayor Shawn Mesheau provided a statement, acknowledging Nursing Home Week from June 5-11, 2022, noting that nursing home employees and operators deserve our most sincere appreciation for their tireless work in this critical time, before, during and beyond the pandemic and thanks all the Nursing Home worker in New Brunswick for their contribution in ensuring that our most vulnerable seniors are receiving the level of care they deserve.

APPROVAL OF AGENDA

MOVED BY COUNCILLOR MICHAEL TOWER AND SECONDED BY DEPUTY MAYOR ANDREW BLACK THAT COUNCIL APPROVE THE AGENDA OF THE SPECIAL MEETING OF COUNCIL OF JUNE 7, 2022, AS CIRCULATED. MOTION CARRIED.

1. RCMP Quarterly Report

Sgt. Paul Gagné, Staff Sergeant of the Sackville RCMP presented the RCMP – J Division Quarter 4 Report. Sgt. Gagné reviewed J Division and Town of Sackville priorities and highlighted initiatives. Sgt. Gagné also reviewed the calls for service, chargeable offences, statistics by detachment and collision overview. The quarterly report is available for review on the Town's [webpage](#).

Sgt. Paul Gagné left the meeting.

2. Presentation – 2021 Audit

Treasurer Michael Beal noted that the auditors were in during Fall 2021 to perform interim work then back in the Spring of 2022 to complete and finalize the 2021 audit. Mr. Beal also noted that draft statements were sent to Council and once Council approves the audit, will be made available to the Public.

Mr. Beal welcomed Andrew Boudreau of Baker Tilly Canada, formerly Stevenson & Partners to present the audit before final approval. A motion will be brought forward for at the Regular Council Meeting of June 14, 2022, Council to consider approving the 2021 Audit and to appoint auditors for 2022.

3. Presentation – CBDC

Ms. Jocelyne Brown from the Community Business Development Corporation (CBDC) presented to Council on how the program works and reviewed opportunity for business skills training and other programs provided by the CBDC. Ms. Brown informed Council that the CBDC is a not-for-profit organization funded by ACOA that has been working in rural Canada for 35 years. As a CBDC, they believe in their people and care about the social and economic well-being of rural communities. Ms. Brown reviewed loan programs and evaluation process that is available through the CBDC and reviewed the Self-Employment Benefit program. A full copy of Ms. Brown's presentation can be found on our [webpage](#).

4. Presentation – Matt Litvak

Mr. Matt Litvak presented to Council on his concerns with the current industrial development at 318 Walker Road. Mr. Litvak presented on the current public notification process for the by-law amendment requested for this location, and proposed solutions for moving forward. He presented his view of concerns and costs versus benefits and asked several questions regarding the development including emergency plans in the event of an accident and the ability of the Sackville Fire Department to respond to any emergency calls at the site. Environmental Engineer Bonnie Swift also presented about combustible dust explosions that can occur in a plastics facility. A full copy of Mr. Litvak's presentation can be found on our [webpage](#).

Following the presentation from Mr. Litvak, CAO Jamie Burke responded to the concerns regarding the public notification requirements and indicated that the suggestions within the presentation are items to be considered during the municipal plan review process.

5. Presentation – Climate Change Advisory Committee Update

Mr. Richard Elliott, member of the Climate Change Advisory Committee (CCAC) presented the committee's first report to Council. Mr. Elliott provided a background on the CCAC noting that it was originally created by Council in 2021 as the lead community group in response to the climate crisis in Sackville. Council has since approved the Terms of Reference and appointed its' membership with operations beginning in January 2022. Mr. Elliott continued by presenting the operating approaches and procedures, how the committee is developing a climate change vision and planning to support the vision. Mr. Elliott reviewed the Committee's budget priorities for the 2023 Budget year along with other committee-initiated priorities. A full copy of Mr. Elliott's presentation can be found on our [webpage](#).

6. 2023 Budget Priorities

Treasurer Michael Beal presented on the 2023 Budget Priorities required by the Facilitator of Entity 40 (Tantramar). Mr. Beal reviewed the normal operations of the Town of Sackville as priorities including maintaining existing service levels for Sackville resident, continue General Capital with Capital out of Revenue in the amount \$1,3500.000 for 2023, continuing to build

reserve funds, Utility Capital Projects of \$467,000 for 2023, \$280,000 into Utility Capital Reserve Fund, apply for lagoon upgrades and continue improving and funding Climate Change Initiatives.

Mr. Beal continued with review of the requests from the Public, Council and results from the resident survey and included them in the priorities of the Town of Sackville. These items include the position of Climate Change Coordinator, continued support of the Community Development Grant program, a future permanent location for the Sackville Farmers' Market and looking at ways to help with affordable housing strategies. Mr. Beal feels these recommendations towards the 2023 Budget Priorities would be an appropriate starting point to inform the Facilitator of Entity 40 of, to begin the budgetary process.

#22-119 MOVED BY COUNCILLOR BILL EVANS AND SECONDED BY COUNCILLOR MICHAEL TOWER THAT COUNCIL ENDORSE THE 2023 BUDGET PRIORITIES AS PRESENTED THIS EVENING AND AUTHORIZE THESE TO BE SUBMITTED TO THE FACILATOR FOR ENTITY 40 (TANTRAMAR) AS THE TOWN OF SACKVILLE'S PRIORITIES FOR THE 2023 BUDGET WITH THE UNDERSTANDING ADDITIONAL PRIORITIES MAY ARISE AS WELL AS ENSURING THE PRIORITIES ARE ABLE TO BE IMPLEMENTED WHILE MAINTAINING OR LIMITED THE CHANGE IN TAX RATE FOR THE CURRENT CITIZENS OF THE TOWN OF SACKVILLE.

7. Trunk Sewer Renewal

Superintendent of Public Works Michelle Sherwood provided an overview of her report, noting that Council has approved \$222,000 in the 2022 Utility budget for trunk sewer renewal work between Weldon Street and Princess Street, as the existing trunk sewer line is in need of replacement and upgrading. Englobe has completed drawings for the project under the direction of our former Town Engineer. Given the position is currently vacant and in order to move the project forward, staff are recommending that the Town contract Englobe for engineering services for the Trunk Sewer Renewal project in the estimated cost of \$28,300 plus HST. This work will include the pre-easement documents and meeting with residents, stamped design engineering package and tender consultation, construction project management, allowance for compaction testing during construction and post construction drawings. A motion will be brought forward at the Regular Council Meeting of June 14, 2022 for Council to consider authorizing the Mayor and Clerk to sign and seal the engineering services agreement with Englobe for the Trunk Sewer Renewal between Weldon Street and Princess Street.

8. Plug-In NB Charging Rebates for Business Initiative Application

Climate Change Coordinator Kirsti Mrazek provided an overview of her report, noting that as part of the 2022 capital budget, Council approved \$108,100 for an electric vehicle charger. Over the past several months, Staff have been exploring funding opportunities and completing preparatory work to install an EV charging station in the downtown area. Project costs include the purchase of the EV Charger and an initial upfront investment in order to provide the proper electrical supply and related infrastructure to power the EV Charger. After potential funding opportunities, staff are estimating the work will cost \$29,285.69 HST Included. Staff are recommending various motions related to the EV Charger including the authorization to apply for funding programs, the purchase of a level 3 EV Charger and the installation of the EV Charger infrastructure. These motions will be brought forward at the Regular Council Meeting of June 14, 2022, for Council to consider.

9. Poet Laureate

Manager of Recreation Programs and Events Matt Pryde provided an overview of his report, noting that in May 2022, Council approved a new Terms of Reference for the Poet Laureate position that outlines the application and appointment process, the responsibilities and the honorarium each year for the work completed. Upon approval of the Terms of Reference, there was a public call for applications, with three strong applications submitted. All applications were reviewed by a selection committee made up of three local poets. The selection committee has recommended that Laura K. Watson be appointed as the next Poet Laureate for the Town of Sackville. A motion will be brought forward at the Regular Council Meeting of June 14, 2022, for council to consider appointing Laura K. Watson as the Town of Sackville's Poet Laureate for a 3-year term beginning immediately and ending on June 30, 2025.

10. Chalk Festival

Manager of Recreation Programs and Events Matt Pryde provided an overview of his report, noting that the Town of Sackville will be hosting the fourth edition of the Sackville Street Chalk Art Festival on August 26-27, 2022. The festival will include music, workshops, professional chalk artists, kid's activities and programming and some larger 3D art pieces being created live on Bridge Street. To accommodate the festival, Staff are requesting the closure of Bridge Street from Main Street to Lorne Street from Friday, August 26th at 1:00 p.m. to Sunday, August 28th at noon. A motion will be brought forward at the Regular Council Meeting of June 14, 2022, for Council to consider the approval of the street closure for the Street Chalk Art Festival.

Question Period

Bruce Wark asked in light of the climate crisis in Sackville, what considerations did Council give regarding the climate lens prior to council's approval of the text amendment in By-Law No. 244-M, allowing industrial development without access to the Town's water and sewer systems. CAO Jamie Burke responded that there is on-going work in applying the climate lens with any work the Town does and staff continue to work with the climate change advisory committee to work towards sustainability. Mayor Shawn Mesheau responded that a process was followed for the development and is the responsibility of Plan360 and items such as the climate lens for developments can be discussed during the review of the Municipal Plan.

Bruce Wark asked how many members of Council were aware of the planned AIL development on Walker Road prior to approving the text amendment in By-Law No. 244-M. CAO Jamie Burke responded that the text amendment was not site specific and was adjusted for all industrial areas of the Town and that a development plan had not been submitted during the text amendment process. Councillor Bill Evans responded that the text amendment was solely to correct a text issue for an industrial area, now allowing for development to occur if Town water and sewer services were not provided in the industrial area.

Bruce Wark asked Mayor Shawn Mesheau how he would respond to those indicating that the mayor should have declared a conflict of interest with the development. Mayor Shawn Mesheau responded that he is no in a conflict of interest regarding the subject.

Erica Butler asked if the community planning act limits what a municipality can do in terms of public notification. CAO Jamie Burke responded that there are several things that a municipality must do listed in the community planning act. Mr. Burke responded that he doesn't believe there are any municipalities in New Brunswick that would go outside of those requirements and impose additional requirements on a developer.

Erica Butler asked if Sackville does in fact do more than is required by law. CAO Jamie Burke responded by clarifying that Sackville does live stream council meeting and they are readily available online. If a resident misses a meeting, they are able to review the meeting and still participate in the process without waiting for the meeting minutes to be approved by Council at the next Council meeting.

Erica Butler asked if the decision to not notify residents within a 100-metres because the size of the zone was a decision of Plan360, or Town of Sackville Staff. CAO Jamie Burke responded that Plan360 is responsible for the administration of all planning documentation, and the process used is very typical with text amendments.

Erica Butler asked if the municipality has the ability, or can Council add additional text in their zoning by-law that would bring a higher standard to provincially regulated requirements during a municipal plan review. CAO Jamie Burke responded that the Town ultimately must work within the parameters that province provides the municipality. Legal advisors would say that the Town needs to follow provincial legislation. Mr. Burke continued that Council does have the ability to impose additional requirements to a developer, like what was done for the text amendment in By-Law No. 244-M. Councillor Bill Evans later responded that a municipality cannot grant access where the Provincial Government has denied assess, nor could the municipality ban something that the province has allowed, however a municipality could be more restrictive in their By-Law.

Erica Butler asked if the Town could add a requirement in an industrial zone that any developer would need to host a public engagement session in advance to breaking ground. CAO Jamie Burke responded that this is something that has been taken note of for the reform process and that we may see some modernization within the act but ensured the residents that during the municipal plan review, the province will be asked about that type of requirement. Councillor Bill Evans responded that Council cannot make a developer have a public presentation, however they could encourage a developer to present publicly.

Erica Butler asked that given the tight timeline for the newly sworn in Council to approve the 2023 Budget, would they have time to make changes to the proposed budget. CAO Jamie Burke responded that based on what the municipality has heard, there would be no ability to make changes. If that information changes, it will be clearly communicated to all of Council.

Fred Coulter asked if Council was aware of the development prior to approving the text amendment. Mayor Shawn Mesheau responded that the question has already been asked by Mr. Wark and responded to. CAO Jamie Burke responded that the application for the text amendment was made under two individual's names, and not a company name, and this was included in the public package as presented by the Southeast Regional Service Commission. Councillor Allison

Butcher responded that the decision on the text amendment was related to the entire zoning area and not specific to one development.

Peter Smith asked what will happen when residents begin to lose equity in home and property because of the planned development on Walker Road. Mayor Shawn Mesheau responded that through the municipal plan review process in 2004-2005, the area along Walker Road was designated an industrial area, and residents should have been informed prior to purchasing homes and properties in that area. When the municipality reviews changes to the municipal plan, they review areas for development, whether it be residential, institutional, or industrial. However, the municipality does not control how assessments are completed and indicated that public engagement will occur during the next municipal plan review. CAO Jamie Burke responded that the Town does not conduct the assessments on property, that it is the responsibility of the province, and the final assessment would only be made after the project had been completed.

Motion

MOVED BY COUNCILLOR MICHAEL TOWER AND SECONDED BY COUNCILLOR BRUCE PHINNEY THAT COUNCIL ADJOURN THE SPECIAL MEETING OF COUNCIL OF JUNE 7, 2022. MOTION CARRIED.

Mayor

Clerk

Assistant Clerk