

**COUNCIL MEETING OF  
TUESDAY, AUGUST 8, 2023, 7:00 P.M.  
COUNCIL CHAMBERS, TOWN HALL  
31C MAIN STREET, SACKVILLE NB**

In attendance were Mayor Andrew Black, Deputy Mayor Greg Martin and Councillors Allison Butcher, Matt Estabrooks, Josh Goguen, Barry Hicks, Bruce Phinney, Michael Tower, and Debbie Wiggins-Colwell. Also, in attendance were Chief Administrative Officer Jennifer Borne, Director of Legislative Services Donna Beal, Director of Engineering and Public Works Jon Eppell, Director of Active Living & Culture Matt Pryde, Manager of Tourism and Business Development Ron Kelly Spurles and Communications Officer Jeremy McLaughlin.

Also, in attendance was one member of the Public.

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

1. CALL MEETING TO ORDER

Mayor Andrew Black called the meeting to order.

2. ADOPTION OF AGENDA

#23-161 MOVED BY DEPUTY MAYOR GREG MARTIN AND SECONDED BY COUNCILLOR MATT ESTABROOKS THAT COUNCIL APPROVE THE AGENDA OF THE REGULAR COUNCIL MEETING OF AUGUST 8, 2023, AS CIRCULATED. MOTION CARRIED.

3. CONFLICT OF INTEREST DECLARATION

Mayor Andrew Black asked if there were any Disclosures of Interest. There were none.

4. PUBLIC AND ADMINISTRATION PRESENTATIONS

There were no presentations during this meeting.

5. ADOPTION OF MINUTES

#23-162 MOVED BY COUNCILLOR ALLISON BUTCHER AND SECONDED BY COUNCILLOR BARRY HICKS THAT COUNCIL ADOPT THE MINUTES OF THE REGULAR COUNCIL MEETING OF JULY 11, 2023, AS CIRCULATED. MOTION CARRIED.

#23-163 MOVED BY COUNCILLOR DEBBIE WIGGINS-COLWELL AND SECONDED BY COUNCILLOR JOSH GOGUEN THAT COUNCIL ADOPT THE MINUTES OF THE SPECIAL MEETING OF COUNCIL OF JULY 19, 2023 AS CIRCULATED. MOTION CARRIED.

#23-164 MOVED BY COUNCILLOR BARRY HICKS AND SECONDED BY COUNCILLOR MATT ESTABROOKS THAT COUNCIL ADOPT THE MINUTES OF THE COMMITTEE OF THE WHOLE MEETING OF JULY 25, 2023 AS CIRCULATED. MOTION CARRIED.

6. CONSENT AGENDA

A) TANTRAMAR GAS TAX PROGRAM

#23-165 MOVED BY COUNCILLOR ALLISON BUTCHER AND SECONDED BY COUNCILLOR BARRY HICKS THAT COUNCIL APPROVE THE DOCUMENT ENTITLED TANTRAMAR 2023 CAPITAL INVESTMENT PLAN FOR THE GTF ADMINISTRATIVE AGREEMENT. MOTION CARRIED.

#23-166 MOVED BY COUNCILLOR ALLISON BUTCHER AND SECONDED BY COUNCILLOR DEBBIE WIGGINS-COLWELL THAT COUNCIL APPROVE THE DOCUMENT ENTITLED PROJECT APPLICATION FORM FOR TANTRAMAR FOR THE OUTDOOR RINK OUTBUILDING. MOTION CARRIED.

B) DORCHESTER PLAYGROUND EQUIPMENT

#23-167 MOVED BY COUNCILLOR MICHAEL TOWER AND SECONDED BY COUNCILLOR ALLISON BUTCHER THAT COUNCIL APPROVE THE REMOVAL AND REPLACEMENT OF PLAYGROUND EQUIPMENT AT RICHARD PARK, DORCHESTER IN THE AMOUNT OF \$60,739.55 HST INCLUDED. MOTION CARRIED.

C) PRIDE PARADE STREET CLOSURE

#23-168 MOVED BY COUNCILLOR JOSH GOGUEN AND SECONDED BY COUNCILLOR MATT ESTABROOKS THAT COUNCIL APPROVE THE CLOSURE OF YORK STREET FROM SALEM TO MAIN STREET, AND MAIN STREET FROM YORK TO DUFFERIN STREET ON SATURDAY SEPTEMBER 16, 2023, FROM APPROXIMATELY 4:00 P.M.-5:00 P.M. TO ACCOMMODATE THE PRIDE PARADE. MOTION CARRIED.

D) CIVIC CENTRE FITNESS EQUIPMENT

#23-169 MOVED BY COUNCILLOR BRUCE PHINNEY AND SECONDED BY COUNCILLOR MATT ESTABROOKS THAT COUNCIL APPROVE THE PURCHASE AND INSTALLATION OF FITNESS EQUIPMENT FOR THE TANTRAMAR VETERANS MEMORIAL CIVIC CENTRE FROM SPARTAN FITNESS IN THE AMOUNT OF \$12,187.05 PLUS HST FOR FOUR COMMERCIAL PIECES OF EQUIPMENT INCLUDING TWO TREADMILLS, 1 ELLIPTICAL AND 1 STATIONARY BIKE THROUGH A DONATION KINDLY RECEIVED FROM MONERIS. MOTION CARRIED.

E) KARCHER SCRUBBER CIVIC CENTRE

#23-170 MOVED BY COUNCILLOR BRUCE PHINNEY AND SECONDED BY COUNCILLOR JOSH GOGUEN THAT COUNCIL APPROVE THE PURCHASE OF A B40W BP WALK BEHIND SCRUBBER FOR THE TANTRAMAR VETERANS MEMORIAL CIVIC CENTRE FROM PROTECH/D & M PRODUCTS IN THE AMOUNT OF \$9,699.99 PLUS HST. MOTION CARRIED.

F) SACKVILLE LIBRARY ROOF REPLACEMENT

#23-171 MOVED BY COUNCILLOR MICHAEL TOWER AND SECONDED BY COUNCILLOR BARRY HICKS THAT COUNCIL AWARD THE CONTRACT WITH DON BEAL IN THE AMOUNT OF \$29,900.00 HST INCLUDED FOR THE EMERGENCY ROOF REPLACEMENT AT THE SACKVILLE LIBRARY. MOTION CARRIED.

G) PUBLIC WORKS BACKHOE REPLACEMENT

#23-172 MOVED BY COUNCILLOR BARRY HICKS AND SECONDED BY COUNCILLOR DEBBIE WIGGINS-COLWELL THAT COUNCIL APPROVE THE PURCHASE OF A NEW 2023 CASE 580SV BACKHOE WITH ATTACHMENTS IN THE AMOUNT OF \$194,545.00 PLUS HST FROM MARITIME CASE AND AUTHORIZE THE DISPOSAL OF THE 2011 JOHN DEERE BACKHOE MODEL 310SJ VIN 1T0310SJCB0201054. MOTION CARRIED.

H) DORCHESTER WATER TREATMENT PLANT CONTRACT

#23-173 MOVED BY COUNCILLOR BRUCE PHINNEY AND SECONDED BY DEPUTY MAYOR GREG MARTIN THAT COUNCIL APPROVE THE AMENDMENT OF THE OPERATION AND MAINTENANCE AGREEMENT FOR WATER TREATMENT FACILITIES PROPOSED BY VEOLIA AS PRESENTED AT THE COMMITTEE OF THE WHOLE MEETING OF JULY 25, 2023 IN ADDITION TO THE CONTRACT EXTENSION TO BOTH LOCATIONS FROM MAY 1, 2024 TO SEPTEMBER 30, 2024. A NAY VOTE WAS RECORDED FROM COUNCILLOR DEBBIE WIGGINS-COLWELL. MOTION CARRIED.

I) PUBLIC WORKS FLEET UPGRADE – HALF TON TRUCK

#23-174 MOVED BY COUNCILLOR MATT ESTABROOKS AND SECONDED BY COUNCILLOR JOSH GOGUEN THAT COUNCIL AUTHORIZE THE PURCHASE OF A FOUR-WHEEL DRIVE HYBRID PLUG-IN SUV UP TO THE BUDGET AMOUNT OF \$55,000.00 PLUS HST AND AUTHORIZE THE DISPOSAL OF THE 2012 DODGE 1500 HALF-TON TRUCK VIN 3C6JD7DP8CG229381. MOTION CARRIED.

J) ECONOMIC DEVELOPMENT INCENTIVE PROGRAM – J.N. LAFFORD REALTY INC.

#23-175 MOVED BY COUNCILLOR MICHAEL TOWER AND SECONDED BY COUNCILLOR ALLISON BUTCHER THAT COUNCIL APPROVE THE ECONOMIC DEVELOPMENT INCENTIVE PROGRAM APPLICATION FROM J.N. LAFFORD REALTY INC., FOR 131 MAIN STREET (PID 00969048). NAYS VOTES WERE RECORDED FROM COUNCILLOR JOSH GOGUEN AND COUNCILLOR BRUCE PHINNEY. MOTION CARRIED.

7. REPORTS FROM ADMINISTRATION

A) TENDER TAN-2023-06 QUEENS ROAD RESURFACING AND CULVERT RENEWAL

#23-176 MOVED BY COUNCILLOR MATT ESTABROOKS AND SECONDED BY COUNCILLOR BRUCE PHINNEY THAT COUNCIL AWARD TENDER NO. TAN-2023-06 QUEENS ROAD RESURFACING AND CULVERT RENEWAL TO THE LOWEST BIDDER DEXTER CONSTRUCTION COMPANY LIMITED IN THE AMOUNT OF \$357,900.00 PLUS HST PLUS A CONTINGENCY OF \$47,982.35 PLUS HST FOR A TOTAL OF 405,882.35 PLUS HST. MOTION CARRIED.

B) DORCHESTER LIFT STATION AGREEMENT

#23-177 MOVED BY COUNCILLOR DEBBIE WIGGINS-COLWELL AND SECONDED BY COUNCILLOR MATT ESTABROOKS THAT COUNCIL AUTHORIZE THE MAYOR AND CLERK TO SIGN AND SEAL THE NEW BRUNSWICK INTEGRATED BILATERAL AGREEMENT FOR PROJECT ENTITLED "TANTRAMAR – LIFT STATION UPGRADES." MOTION CARRIED.

C) LORNE STREET PHASE III – RETENTION POND 3 – WETLAND COMPENSATION

#23-178 MOVED BY COUNCILLOR MATT ESTABROOKS AND SECONDED BY DEPUTY MAYOR GREG MARTIN THAT COUNCIL APPROVE ENTERING INTO A PROFESSIONAL SERVICES AGREEMENT WITH DUCKS UNLIMITED CANADA AT THE COST OF \$206,050.00 FOR THE WETLAND COMPENSATION OF THE LORNE STREET PHASE III PROJECT AND AUTHORIZE THE MAYOR AND CLERK TO SIGN AND SEAL THE AGREEMENT. A NAY VOTE WAS RECORDED FROM COUNCILLOR BRUCE PHINNEY. MOTION CARRIED.

D) CLIMATLANTIC LETTER OF SUPPORT

#23-179 MOVED BY DEPUTY MAYOR GREG MARTIN AND SECONDED BY COUNCILLOR MICHAEL TOWER THAT COUNCIL AUTHORIZE THE MAYOR TO SEND A LETTER OF SUPPORT ON BEHALF OF TANTRAMAR TO CLIMATLANTIC IN REGARD TO A STAKEHOLDER MEETING FOR THE CHIGNECTO ISTHMUS. A NAY VOTE WAS RECORDED FROM COUNCILLOR BRUCE PHINNEY. MOTION CARRIED.

8. BY-LAWS

A) BY-LAW NO. 244P, A BY-LAW TO AMEND BY-LAW NO. 244, TOWN OF SACKVILLE ZONING BY-LAW

#23-180 MOVED BY COUNCILLOR BARRY HICKS AND SECONDED BY COUNCILLOR JOSH GOGUEN THAT COUNCIL GIVE FIRST READING IN NAME ONLY TO BY-LAW NO.244-P, A BY-LAW TO AMEND BY-LAW NO. 244 TOWN OF SACKVILLE ZONING BY-LAW. MOTION CARRIED.

#23-181 MOVED BY COUNCILLOR BARRY HICKS AND SECONDED BY COUNCILLOR MICHAEL TOWER COUNCIL GIVE SECOND READING IN ITS ENTIRETY TO BY-LAW NO. 244-P, A BY-LAW TO AMEND BY-LAW NO. 244 TOWN OF SACKVILLE ZONING BY-LAW.

THE COUNCIL OF TANTRAMAR 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 ADDING THE DEFINITION OF DRIVE THRU RESTAURANT TO SECTION 1.1 DEFINITIONS OF PART1: TITLE AND DEFINITIONS AS FOLLOWS:

“DRIVE THRU RESTAURANT, MEANS AN ACCESS ROUTE ADJACENT TO AN ESTABLISHMENT THAT IS DESIGNED FOR VEHICLES TO TRAVEL AND ENABLE CUSTOMERS TO ORDER AND OBTAIN FOOD AND/OR BEVERAGE SERVICES WHILE IN THEIR VEHICLE.”

2. BY-LAW NO 244 IS FURTHER AMENDED BY ADDING TO PART 6: HIGHWAY COMMERCIAL ZONE: HC, 6.1 USES A) PERMITTED USES, THE FOLLOWING:

“XI) DRIVE THRU RESTAURANT”

3. BY-LAW NO 244 IS FURTHER AMENDED BY ADDING TO PART 6: HIGHWAY COMMERCIAL ZONE: HC, 6.1 USES, AS FOLLOWS:

“E) ANY DRIVE THRU RESTAURANT SHALL INCORPORATE THE FOLLOWING DESIGN STANDARDS:

- i) BUSINESSES PROVIDING DRIVE THRU SERVICES SHALL PROVIDE THE MINIMUM STACKING FOR VEHICLE QUEUING ON THE PROPERTY OF THE ESTABLISHMENT AS FOLLOWS:
  - a. ELEVEN (11) INBOUND QUEUING SPACES FOR VEHICLES APPROACHING THE ORDER BOARD
  - b. TWO (2) OUTBOUND QUEUING SPACES ON THE EXIT SIDE OF THE PICK-UP WINDOW;
- ii) QUEUING SPACES SHALL BE A MINIMUM OF 6.5 METRES IN LENGTH AND 3 METRES IN WIDTH.
- iii) QUEUING LANES SHALL BE CLEARLY DEFINED BY RAISED CURBS, LANDSCAPING OR OTHER TRAFFIC DEVICES TO ENSURE TRAFFIC SEPARATION BETWEEN DRIVE THRU LANES AND GENERAL ON SITE TRAFFIC AREAS SUCH AS BUT NOT LIMITED TO PARKING LOTS, LANEWAYS AND ACCESSES.
- iv) QUEUING LANE EXITS SHALL ENSURE CLEAR VISIBILITY FOR VEHICLES EXITING THE SITE
- v) WHEN THE ENTRANCE TO THE MAIN BUILDING REQUIRES CROSSING OF THE QUEUING LANE BY PEDESTRIANS, A PEDESTRIAN CROSSING THAT IS DISTINGUISHED FROM THE QUEUING LANE BY EITHER A CHANGE IN PAVING MATERIALS, COLOUR, TEXTURE OR HEIGHT MUST BE PROVIDED.
- vi) A QUEUING/TRAFFIC STUDY SHALL BE REQUIRED WHERE:
  - a. THE EXPECTED NUMBER OF DRIVE-THRU VEHICLE TRIPS WILL EXCEED 40 VEHICLES PER HOUR DURING PEAK HOUR PERIODS, OR
  - b. LESS THAN THE MINIMUM REQUIRED QUEUING SPACES ARE PROVIDED.

4. FURTHER, BY-LAW NO 244 IS AMENDED BY ADDING TO PART 6: HIGHWAY COMMERCIAL ZONE: HC AS FOLLOWS:

6.3 TRAFFIC IMPACT STUDY

“A) ANY DEVELOPMENT OR REDEVELOPMENT IDENTIFIED IN THE FOLLOWING TRIP GENERATION TABLE SHALL PROVIDE A TRAFFIC IMPACT STUDY PREPARED BY A PROFESSIONAL TRAFFIC ENGINEER, BY AND AT THE COST OF THE DEVELOPER:

LAND USE TYPE	ESTIMATED DEVELOPMENT-GENERATION TRIPS
FAST-FOOD RESTAURANT OR COFFEE SHOP	275 M2 (3,000 FT2)
DESTINATION RETAIL	557 M2 (6,000 FT2)
GAS STATION OR CONVENIENCE MARKET	SEVEN FUELING POSITIONS

B) ALL OTHER LAND USE TYPES ANTICIPATED TO GENERATE MORE THAN 100 ADDITIONAL PEAK HOUR TRIPS AS CALCULATED BY A PROFESSIONAL TRAFFIC ENGINEER USING THE MOST RECENT EDITION OF THE INSTITUTE OF TRANSPORTATION ENGINEERS TRIP GENERATION MANUAL WILL BE SUBJECT TO A TRAFFIC IMPACT STUDY, BY AND AT THE COST OF THE DEVELOPER, BEFORE THE ISSUANCE OF A

DEVELOPMENT PERMIT, AND THE DEVELOPER SHALL BE REQUIRED TO IMPLEMENT THE RECOMMENDATIONS OF THE STUDY.

MOTION CARRIED.

9. NOTICE OF MOTION AND RESOLUTION

Director of Legislative Services Donna Beal noted that there was no notice of motions received by the Clerk's Office.

10. ADJOURNMENT

#23-182 MOVED BY COUNCILLOR BRUCE PHINNEY AND SECONDED BY COUNCILLOR MICHAEL TOWER THAT COUNCIL ADJOURN THE REGULAR COUNCIL MEETING OF AUGUST 8, 2023. MOTION CARRIED.

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Mayor

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Clerk