

**COUNCIL MEETING OF  
TUESDAY, JULY 11, 2023, 6:30 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 Director of Legislative Services Donna Beal and Assistant Clerk Becky Goodwin.

1. CALL MEETING TO ORDER

Mayor Andrew Black called the meeting to order.

2. ADOPTION OF AGENDA

#23-137 MOVED BY COUNCILLOR JOGH GOGUEN AND SECONDED BY DEPUTY MAYOR GREG MARTIN THAT COUNCIL APPROVE THE AGENDA OF THE REGULAR COUNCIL MEETING OF JULY 11, 2023, AS CIRCULATED AND MOVE INTO IN-CAMERA IN ACCORDANCE WITH SECTION 68(1)(J) OF THE LOCAL GOVERNANCE ACT. MOTION CARRIED.

3. CLOSED SESSION

a. HR-2023-05

Mayor Andrew Black noted a recess until 7:00 P.M.

**Public**

Chief Administrative Officer Jennifer Borne, Director of Engineering and Public Works Jon Eppell, Director of Community & Corporate Services Kieran Miller, Director of Active Living & Culture Matt Pryde, Corporate Compliance Analyst Kate Carroll, Assistant Treasurer Elizabeth Hartling, Dorchester Fire Chief Greg Partridge, and Planner Lori Bickford joined the meeting.

Also, in attendance were twelve (12) members 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.

Mayor Andrew Black drew the winning name for the Local Shopping Spree from the Building Tantramar's Brand Community Survey. The winner was Dale Creelman

4. CONFLICT OF INTEREST DECLARATION

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

5. PUBLIC AND ADMINISTRATION PRESENTATIONS

- a. CHIMNEY SWIFTS – GRAHAM SORENSON, BIRDS CANADA
- b. STREET SAFETY – AUSTIN TRENHOLM

6. ADOPTION OF MINUTES

#23-138 MOVED BY COUNCILLOR JOSH GOGUEN AND SECONDED BY COUNCILLOR BARRY HICKS THAT COUNCIL ADOPT THE MINUTES OF THE REGULAR COUNCIL MEETING OF JUNE 13, 2023, AS CIRCULATED. MOTION CARRIED.

#23-139 MOVED BY COUNCILLOR JOSH GOGUEN AND SECONDED BY COUNCILLOR ALLISON BUTCHER THAT COUNCIL ADOPT THE MINUTES OF THE COMMITTEE OF THE WHOLE MEETING OF JUNE 27, 2023 AS CIRCULATED. MOTION CARRIED.

7. MOTION RE: POLICY 713

#23-140 MOVED BY COUNCILLOR MICHAEL TOWER AND SECONDED BY COUNCILLOR JOSH GOGUEN THAT WHEREAS NB POLICY # 713 SET A MINIMUM REQUIREMENT FOR SCHOOL DISTRICTS TO CREATE A SAFE, WELCOMING AND AFFIRMATIVE SCHOOL ENVIRONMENT FOR ALL STUDENTS, FAMILIES AND ALLIES WHO IDENTIFY OR ARE PERCEIVED AS 2SLGBTQ+

WHEREAS DISTRICT COUNCILS IN THE ANGLOPHONE SOUTH AND EAST AS WELL AS IN THE FRANCOPHONE SOUTH AND NORTH VOTED TO STAY WITH THE ORIGINAL MANDATED POLICY 713, AND TO RESPECT THE STUDENTS' NAMES AND PRONOUNS IN THE CLASSROOM REGARDLESS OF AGE OR PARENTAL CONSENT STATUS.

WHEREAS SCHOOL PSYCHOLOGIST HAVE SPOKEN OUT AGAINST THE PROPOSED CHANGES, SAYING THEY WERE NOT CONSULTED AND IT FORCES THEM TO BE COMPLICIT IN HARMING CHILDREN BY DENYING THEIR REQUEST TO RESPECT THEIR IDENTITY

WHEREAS THE NB CAUCUS VOTED 26 TO 20 TO REVERSE THE PROVINCIAL GOVERNMENTS PLANS TO CHANGE POLICY 713.

WHEREAS THE SAFETY OF CHILDREN IN OUR SCHOOLS SHOULD BE OF THE UTMOST CONCERN.

WHEREAS THE PROPOSED CHANGES TO POLICY 713 EFFECT SOME OF THE CITIZENS OF TANTRAMAR, ESPECIALLY YOUTH WHO NEED TO HAVE A VOICE, WHICH IS REASON ENOUGH TO SPEAK UP.

BE IT RESOLVED THAT COUNCIL AUTHORIZE THE MAYOR TO WRITE A LETTER TO PREMIER BLAINE HIGGS ASKING HIM TO STOP THE PROPOSED CHANGES, MAINTAIN THE ORIGINAL POLICY 713 AND CONSULT WITH THE SCHOOL PSYCHOLOGIST, TEACHERS, PARENTS AND STUDENTS. AYE VOTES RECORDED BY COUNCILLORS ALLISON BUTCHER, JOSH GOGUEN AND MICHAEL TOWER. NAY VOTES RECORDED BY MAYOR ANDREW BLACK, DEPUTY MAYOR GREG MARTIN AND COUNCILLORS MATT ESTABROOKS, BARRY HICKS, BRUCE PHINNEY AND DEBBIE WIGGINS-COLWELL. MOTION DEFEATED.

8. CONSENT AGENDA

A) SANDPIPER FESTIVAL STREET CLOSURE

#23-141 MOVED BY COUNCILLOR ALLISON BUTCHER AND SECONDED BY DEPUTY MAYOR GREG MARTIN THAT COUNCIL APPROVE THE CLOSURE OF CAPE ROAD FROM 3508 CAPE ROAD TO THE INTERSECTION WITH HIGHWAY 106 IN DORCHESTER FROM APPROXIMATELY 10:00 A.M. – 8:30 P.M. ON SATURDAY AUGUST 12, 2023 TO ACCOMMODATE THE SANDPIPER FESTIVAL. MOTION CARRIED.

B) AGRISPIRIT FUNDS – GREATER DORCHESTER MOVING FORWARD

#23-142 MOVED BY COUNCILLOR BARRY HICKS AND SECONDED BY COUNCILLOR BRUCE PHINNEY THAT COUNCIL ACCEPT A MAXIMUM OF \$25,000.00 FROM THE AGRISPIRIT GRANT PROGRAM WHICH THE MUNICIPALITY WILL THEN DONATE TO GREATER DORCHESTER MOVING FORWARD. MOTION CARRIED.

C) RINK CAMERA UPGRADES

#23-143 MOVED BY DEPUTY MAYOR GREG MARTIN AND SECONDED BY COUNCILLOR MICHAEL TOWER THAT COUNCIL APPROVE THE PURCHASE AND INSTALLATION OF SECURITY CAMERAS AT 182 MAIN STREET, SACKVILLE FROM WESTMORLAND ALARM IN THE AMOUNT OF \$14,995.00 PLUS HST. MOTION CARRIED.

D) TVMCC ZAMBONI REPLACEMENT

#23-144 MOVED BY COUNCILLOR ALLISON BUTCHER AND SECONDED BY COUNCILLOR MATT ESTABROOKS THAT COUNCIL APPROVE THE PURCHASE OF A 2023 ZAMBONI 650LI ELECTRIC ICE RESURFACER FROM SAUNDERS EQUIPMENT IN THE AMOUNT OF \$182,195.00 PLUS HST. MOTION CARRIED.

E) SACKVILLE WATER TREATMENT PLANT FILTER MEDIA

#23-145 MOVED BY COUNCILLOR MATT ESTABROOKS AND SECONDED BY COUNCILLOR BRUCE PHINNEY THAT COUNCIL APPROVE THE PURCHASE OF THE SACKVILLE WATER TREATMENT PLANT FILTER MEDIA AT A COST OF \$27,000.40 (\$25,364.00 PLUS 10% VEOLIA MARK-UP) INCLUDING DELIVERY PLUS HST. MOTION CARRIED.

F) TENDER TAN-2023-05 RESURFACING OF VARIOUS STREETS

#23-146 MOVED BY COUNCILLOR JOSH GOGUEN AND SECONDED BY COUNCILLOR BRUCE PHINNEY THAT COUNCIL AWARD TENDER TAN-2023-05 ASPHALT RESURFACING OF VARIOUS STREETS TO THE LOWEST BIDDER DEXTER CONSTRUCTION COMPANY LIMITED., PART OF THE MUNICIPAL GROUP OF COMPANIES (COSTIN PAVING & CONSTRUCTION LTD.) IN THE INCREASED AMOUNT OF \$561,000.00 PLUS HST. MOTION CARRIED.

G) ECONOMIC DEVELOPMENT INCENTIVE PROGRAM – QUEST CAPITAL 35 MAIN STREET

#23-147 MOVED BY COUNCILLOR MICHAEL TOWER AND SECONDED BY COUNCILLOR BARRY HICKS THAT COUNCIL APPROVE THE ECONOMIC DEVELOPMENT INCENTIVE PROGRAM APPLICATION FROM QUEST CAPITAL FOR A MIXED-USE DEVELOPMENT AT 35 MAIN STREET (PID 00965657). MOTION CARRIED.

H) DORCHESTER BUNKER GEAR REPLACEMENT

#23-148 MOVED BY COUNCILLOR DEBBIE WIGGINS-COLWELL AND SECONDED BY COUNCILLOR MATT ESTABROOKS THAT COUNCIL APPROVE THE PURCHASE OF TWO SETS OF BUNKER GEAR FOR THE DORCHESTER FIRE DEPARTMENT FROM MORNING PRIDE IN THE AMOUNT OF \$10,884.75 HST INCLUDED. MOTION CARRIED.

9. REPORTS FROM ADMINISTRATION

A) DORCHESTER LIFT STATION 1 REPLACEMENT

#23-149 MOVED BY COUNCILLOR ALLISON BUTCHER AND SECONDED BY DEPUTY MAYOR GREG MARTIN THAT COUNCIL APPROVE THE RETENTION OF ENGLOBE CORP. FOR THE DESIGN OF THE DORCHESTER LIFT STATION 1 REPLACEMENT IN THE AMOUNT OF \$118,000.00 PLUS HST. MOTION CARRIED.

B) UPGRADE TO EXISTING NBDTI ABOITEAU AB-01

#23-150 MOVED BY COUNCILLOR MATT ESTABROOKS AND SECONDED BY COUNCILLOR JOSH GOGUEN THAT COUNCIL APPROVE THE RETENTION OF ENGLOBE CORP. FOR THE DESIGN OF THE UPGRADES TO THE EXISTING NBDTI ABOITEAU AB-01 IN THE AMOUNT OF \$69,000.00 PLUS HST. MOTION CARRIED.

#23-151 MOVED BY COUNCILLOR MATT ESTABROOKS AND SECONDED BY COUNCILLOR BARRY HICKS THAT COUNCIL AWARD THE CONSTRUCTION PHASE ENGINEERING SERVICES FOR THE UPGRADES TO THE EXISTING NBDTI ABOITEAU AB-01 TO ENGLOBE CORP. IN THE AMOUNT OF \$117,000.00 PLUS HST SUBJECT TO THE APPROVAL, SIGNING AND SEALING OF AN AGREEMENT WITH THE NEW BRUNSWICK DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE. MOTION CARRIED.

10. BY-LAWS

A) BY-LAW NO. 2023-08, A BY-LAW TO REGULATE PURCHASING, TENDERING AND DISPOSAL OF SURPLUS PROPERTY, EQUIPMENT AND MATERIALS

#23-152 MOVED BY COUNCILLOR JOSH GOGUEN AND SECONDED BY COUNCILLOR ALLISON BUTCHER THAT COUNCIL GIVE SECOND READING SECTION BY SECTION TO BY-LAW NO. 2023-08, A BY-LAW TO REGULATE PURCHASING, LEASING, TENDERING AND DISPOSAL OF SURPLUS PROPERTY, EQUIPMENT AND MATERIALS.

**BY-LAW NO. 2023-08, A BY-LAW REGULATE PURCHASING, LEASING, TENDERING AND DISPOSAL OF SURPLUS PROPERTY, EQUIPMENT AND MATERIALS**

Be It Enacted By Tantramar As Follows:

- |                                      |                 |
|--------------------------------------|-----------------|
| 1. Purchasing, leasing and tendering | 5. Appendix "a" |
| 2. Disposal                          | 6. Appendix "b" |
| 3. Repeal                            | 7. Appendix "c" |
| 4. Effective date                    | 8. Appendix "d" |

MOTION CARRIED.

#23-153 MOVED BY COUNCILLOR JOSH GOGUEN AND SECONDED BY COUNCILLOR MATT ESTABROOKS THAT COUNCIL GIVE THIRD AND FINAL READING TO BY-LAW NO. 2023-08, A BY-LAW TO REGULATE PURCHASING, LEASING, TENDERING AND DISPOSAL OF SURPLUS PROPERTY, EQUIPMENT AND MATERIALS. MOTION CARRIED.

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

#23-154 MOVED BY COUNCILLOR MATT ESTABROOKS AND SECONDED BY COUNCILLOR BARRY HICKS THAT COUNCIL GIVE FIRST READING IN NAME ONLY TO BY-LAW NO. 244N, A BY-LAW TO AMEND BY-LAW NO. 244 TOWN OF SACKVILLE ZONING BY-LAW. AYE VOTES RECORDED BY MAYOR ANDREW BLACK, DEPUTY MAYOR GREG MARTIN AND COUNCILLORS ALLISON BUTCHER, MATT ESTABROOKS, JOSH GOGUEN, BARRY HICKS, MICHAEL TOWER AND DEBBIE WIGGINS-COLWELL. NAY VOTE RECORDED BY COUNCILLOR BRUCE PHINNEY. MOTION CARRIED.

#23-155 MOVED BY COUNCILLOR MATT ESTABROOKS AND SECONDED BY COUNCILLOR BARRY HICKS THAT COUNCIL GIVE SECOND READING IN ITS ENTIRETY TO BY-LAW NO. 244N, 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 REPEALING THE REGULATORY TABLE IN PART 11: URBAN RESIDENTIAL 3 ZONE: R3, SECTION 11.2 WHICH SETS THE BUILDING/STRUCTURE HEIGHT AT 15.3 M (50 FT) AND REPLACING IT WITH THE FOLLOWING TABLE:

<b>Urban Residential 3 (R3) Zone</b>	Detached Dwelling Unit	Two Unit Dwelling	Vertically Attached Dwelling Unit	Multiple Unit Dwelling
Minimum Lot Size Outside Lot: Inner Lot:	540 sq m (5813 sq ft)	659.6 sq m (7100 sq ft)	464.5 sq m (5000 sq ft) 185.8 sq m (2000 sq ft)	640.0 sq m (6900 sq ft) + 93 sq m (1000 sq ft) for each unit over 2
Minimum Lot Frontage Outside Lot: Inner Lot:	18.3 m (60 ft)	22 m (72 ft)	15.3 m (50 ft) 6.1 m (20 ft)	30.5 m (100 ft)

Minimum Front or Flankage Yard	7.6 m (25 ft)	7.6 m (25 ft)	7.6 m (25 ft)	10.1 m (33 ft)
Minimum Side Yard	2.7 m (9 ft)	2.7 m (9 ft)	4.0 m (13.2 ft)	6.1 m (20 ft)
a) Major	1.2 m (4 ft)	1.2 m (4 ft)	0 m	
b) Minor			0 m	
c) Inner Lot Setback				

Minimum Rear Yard	7.6 m (25 ft)	7.6 m (25 ft)	7.6 m (25 ft)	10.7 m (35 ft)
Maximum Lot Coverage	50%	50%	50%	33.3%

Building/Structure Height **19.8 m (65 ft)**

AYE VOTES RECORDED BY MAYOR ANDREW BLACK, DEPUTY MAYOR GREG MARTIN AND COUNCILLORS ALLISON BUTCHER, MATT ESTABROOKS, JOSH GOGUEN, BARRY HICKS, MICHAEL TOWER AND DEBBIE WIGGINS-COLWELL. NAY VOTE RECORDED BY COUNCILLOR BRUCE PHINNEY. MOTION CARRIED.

C) BY-LAW NO. 2440, A BY-LAW TO AMEND BY-LAW NO. 244, TOWN OF SACKVILLE ZONING BY-LAW

#23-156 MOVED BY COUNCILLOR ALLISON BUTCHER AND SECONDED BY COUNCILLOR MICHAEL TOWER THAT COUNCIL GIVE FIRST READING IN NAME ONLY TO BY-LAW NO. 2440, A BY-LAW TO AMEND BY-LAW NO. 244 TOWN OF SACKVILLE ZONING BY-LAW. AYE VOTES RECORDED BY MAYOR ANDREW BLACK, DEPUTY MAYOR GREG MARTIN AND COUNCILLORS ALLISON BUTCHER, MATT ESTABROOKS, JOSH GOGUEN, BARRY HICKS, MICHAEL TOWER AND DEBBIE WIGGINS-COLWELL. NAY VOTE RECORDED BY COUNCILLOR BRUCE PHINNEY. MOTION CARRIED.

#23-157 MOVED BY COUNCILLOR ALLISON BUTCHER AND SECONDED BY COUNCILLOR DEBBIE WIGGINS-COLWELL THAT COUNCIL GIVE SECOND READING IN ITS ENTIRETY TO BY-LAW NO. 2440, 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, THE TOWN OF SACKVILLE ZONING BY-LAW, IS AMENDED BY CHANGING THE ZONING AS SHOWN ON THE ZONING MAP FIGURE "1" OF THE TOWN OF SACKVILLE ZONING BY-LAW FOR THE PORTION OF THE LANDS INDICATED BY THE SHADED AREA ON SCHEDULE "A" ATTACHED HERETO AND FORMING PART HEREOF, FROM RESIDENTIAL HISTORIC COMMERCIAL (RHC) TO URBAN RESIDENTIAL 3 (R3). AYE VOTES RECORDED BY MAYOR ANDREW BLACK, DEPUTY MAYOR GREG MARTIN AND COUNCILLORS ALLISON BUTCHER, MATT ESTABROOKS, JOSH GOGUEN, BARRY HICKS, MICHAEL TOWER AND DEBBIE WIGGINS-COLWELL. NAY VOTE RECORDED BY COUNCILLOR BRUCE PHINNEY. MOTION CARRIED.

## 11. NOTICE OF MOTION AND RESOLUTION

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

12. ADJOURNMENT

#23-158 MOVED BY COUNCILLOR MICHAEL TOWER AND SECONDED BY COUNCILLOR BRUCE PHINNEY THAT COUNCIL ADJOURN THE REGULAR COUNCIL MEETING OF JULY 11, 2023. MOTION CARRIED.

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Mayor

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Clerk

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Assistant Clerk