



**COUNCIL MEETING OF
TUESDAY, JULY 9, 2024 6:30 P.M.
COUNCIL CHAMBERS, MUNICIPAL OFFICE
31C MAIN STREET, SACKVILLE NB**

In attendance were Mayor Andrew Black, Deputy Mayor Greg Martin and Councillors Allison Butcher, Matt Estabrooks, 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 Financial Services Michael Beal, Director of Engineering & Public Works Jon Eppell and Assistant Clerk Becky Goodwin.

1. CALL MEETING TO ORDER

Mayor Andrew Black called the meeting to order.

2. ADOPTION OF AGENDA

#24-143 MOVED BY COUNCILLOR MATT ESTABROOKS AND SECONDED BY COUNCILLOR BRUCE PHINNEY THAT COUNCIL APPROVE THE AGENDA OF THE REGULAR COUNCIL MEETING OF JULY 9, 2024 AS AMENDED AND MOVE INTO IN-CAMERA IN ACCORDANCE WITH SECTION 68 (1)(C)&(D) OF THE LOCAL GOVERNANCE ACT. MOTION CARRIED.

3. CLOSED SESSION

Councillor Debbie Wiggins-Colwell left the meeting.

a. P-2024-04 (a)

Councillor Debbie Wiggins-Colwell returned to the meeting.

P-2024-04 (b)

b. PA-2024-02

Director of Active Living & Culture Matt Pryde, Director of Community & Corporate Services Kieran Miller, Communications Officer Jeremy McLaughlin, Manager of Tourism & Business Development Ron Kelly Spurles and Dorchester Fire Chief Greg Partridge joined the meeting.

Also, in attendance were eleven (11) 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.

4. CONFLICT OF INTEREST DECLARATION

Mayor Andrew Black asked if there were any disclosure of interest. Councillor Debbie Wiggins-Colwell declared a conflict for agenda item P-2024-04(a).

Councillor Debbie Wiggins-Colwell left the meeting.

#24-144 MOVED BY COUNCILLOR MATT ESTABROOKS AND SECONDED BY COUNCILLOR BARRY HICKS THAT COUNCIL RATIFY THE DIRECTION GIVEN REGARDING FILE NO. P-2024-04A AS PRESENTED IN-CAMERA AT THE REGULAR COUNCIL MEETING OF JULY 9, 2024. MOTION CARRIED.

Councillor Debbie Wiggins-Colwell returned to the meeting.

5. PUBLIC AND ADMINISTRATIVE PRESENTATIONS

- a. BY-LAW NO. 2024-15, A BY-LAW RELATING TO LOITERING AND SOLICITING IN TANTRAMAR – NICOLE BULMER
- b. MOUNT ALLISON STUDENT UNION – LUCY RAE
- c. INFRASTRUCTURE FUNDING FOR HOUSING – NATALIE DONAHER

6. ADOPTION OF MINUTES

#24-145 MOVED BY COUNCILLOR DEBBIE WIGGINS-COLWELL AND SECONDED BY DEPUTY MAYOR GREG MARTIN THAT COUNCIL ADOPT THE MINUTES OF THE REGULAR COUNCIL MEETING OF JUNE 11, 2024, AS CIRCULATED. MOTION CARRIED.

#24-146 MOVED BY DEPUTY MAYOR GREG MARTIN AND SECONDED BY COUNCILLOR BARRY HICKS THAT COUNCIL ADOPT THE MINUTES OF THE COMMITTEE OF THE WHOLE MEETING OF JUNE 24, 2024 AS CIRCULATED. MOTION CARRIED.

#24-147 MOVED BY COUNCILLOR MATT ESTABROOKS AND SECONDED BY COUNCILLOR BARRY HICKS THAT COUNCIL ADOPT THE MINUTES OF THE SPECIAL MEETING OF COUNCIL OF JUNE 26, 2024 AS CIRCULATED. MOTION CARRIED.

7. CONSENT AGENDA

#24-148 MOVED BY COUNCILLOR MATT ESTABROOKS AND SECONDED BY COUNCILLOR ALLISON BUTCHER THAT COUNCIL APPROVE THE CONSENT AGENDA OF JULY 9, 2024. MOTION CARRIED.

- i. RFD 2024-068 – POLICY 2024-15 TVMCC SIGN RENTAL POLICY
- ii. RFD 2024-069 – MOONLIGHT MADNESS 2024
- iii. RFD 2024-070 – FARMER’S MARKET FALL FAIR LIQUOR LICENSE

8. REPORTS FROM ADMINISTRATION

- a) REMOVAL OF DEVELOPMENT AGREEMENT MALLARD DRIVE SACKVILLE

#24-149 MOVED BY COUNCILLOR MATT ESTABROOKS AND SECONDED BY COUNCILLOR BRUCE PHINNEY THAT WHEREAS 734163 NB INC. IS THE OWNER OF THE PROPERTY KNOWN AS CIVIC ADDRESS 24 MALLARD DRIVE, SACKVILLE BEING PID NUMBER 70406426;

AND WHEREAS PAYZANT BUILDING PRODUCTS LIMITED IS THE OWNER OF THE PROPERTY KNOWN AS CIVIC ADDRESS 19 MALLARD DRIVE, SACKVILLE BEING PID 70406434;

AND WHEREAS BOTH PROPERTIES ARE ZONED HIGHWAY COMMERCIAL, WITH TERMS AND CONDITIONS IMPOSED UNDER A DEVELOPMENT AGREEMENT ADOPTED UNDER BY-LAW NO. 181-J, PASSED ON JUNE 14, 2004 AND REGISTERED AS REGISTRY NO. 18547969;

AND WHEREAS BY-LAW NO. 181-L, PASSED ON FEBRUARY 14, 2005 AND REGISTERED AS REGISTRY NO. 19937946 AMENDED THE TERMS AND CONDITIONS OF THE DEVELOPMENT AGREEMENT;

BE IT RESOLVED THAT THE COUNCIL OF TANTRAMAR, PURSUANT TO SECTION 59 OF THE COMMUNITY PLANNING ACT, HEREBY REPEALS THE DEVELOPMENT AGREEMENT REGISTERED AS REGISTRY NO. 18547969 IN THE WESTMORLAND REGISTRY OFFICE AND AMENDING AGREEMENT REGISTERED AS REGISTRY NO. 19937946. MOTION CARRIED.

b) POLICY 2024-11 – CONFIDENTIALITY POLICY

#24-150 MOVED BY COUNCILLOR ALLISON BUTCHER AND SECONDED BY COUNCILLOR MICHAEL TOWER THAT COUNCIL APPROVE POLICY 2024-11 CONFIDENTIALITY POLICY. AYE VOTES RECORDED BY MAYOR ANDREW BLACK, DEPUTY MAYOR GREG MARTIN AND COUNCILLORS ALLISON BUTCHER, MATT ESTABROOKS, BARRY HICKS, MICHAEL TOWER AND DEBBIE WIGGINS-COLWELL. NAY VOTE RECORDED BY COUNCILLOR BRUCE PHINNEY. MOTION CARRIED.

c) CAPITAL BORROWING – M. BEAL

#24-151 MOVED BY COUNCILLOR BARRY HICKS AND SECONDED BY COUNCILLOR MATT ESTABROOKS THAT BE IT RESOLVED THAT THE TREASURER BE AUTHORIZED TO ISSUE AND SELL TO THE NEW BRUNSWICK MUNICIPAL FINANCE CORPORATION A MUNICIPALITY OF TANTRAMAR DEBENTURE IN THE PRINCIPAL AMOUNT OF \$343,000 ON SUCH TERMS AND CONDITIONS AS ARE RECOMMENDED BY THE NEW BRUNSWICK MUNICIPAL FINANCE CORPORATION, AND BE IT RESOLVED THAT THE MUNICIPALITY OF TANTRAMAR AGREE TO ISSUE POST-DATED CHEQUES PAYABLE TO THE NEW BRUNSWICK MUNICIPAL FINANCE CORPORATION AS AND WHEN THEY ARE REQUESTED IN PAYMENT OF PRINCIPAL AND INTEREST CHARGES ON THE ABOVE DEBENTURE. MOTION CARRIED.

d) SACKVILLE WATER TREATMENT PUMPHOUSE #1 & #2 – J. EPELL

#24-152 MOVED BY COUNCILLOR MATT ESTABROOKS AND SECONDED BY COUNCILLOR DEPUTY MAYOR GREG MARTIN THAT COUNCIL APPROVE THE REPLACEMENT OF SACKVILLE WATER PUMPHOUSES #1 AND #2 AT THE SACKVILLE WATER TREATMENT PLANT BY RETAINING EASTERN WELL DRILLERS AT \$55,000 PLUS HST, TANTRAMAR ELECTRIC AT \$35,000 PLUS HST AND VEOLIA AT \$22,000 PLUS HST. MOTION CARRIED.

e) FORT BEAUSEJOUR SPECIAL ACTIVITY LICENSE – M. PRYDE

#24-153 MOVED BY DEPUTY MAYOR GREG MARTIN AND SECONDED BY COUNCILLOR MICHAEL TOWER THAT COUNCIL AUTHORIZE THE MAYOR AND CLERK TO SIGN AND SEAL THE SPECIAL ACTIVITY

LICENCE FROM FORT BEAUSEJOUR CUMBERLAND NATIONAL HISTORIC SITE OF CANADA IN ORDER FOR TANTRAMAR TO HOST THE 2024 ACADIAN DAY CELEBRATIONS. MOTION CARRIED.

f) MOTION FROM COUNCILLOR MICHAEL TOWER

#24-154 MOVED BY COUNCILLOR MICHAEL TOWER AND SECONDED BY DEPUTY MAYOR GREG MARTIN THAT COUNCIL REQUEST STAFF TO DRAFT A PUBLIC ART PROGRAM THAT WOULD ENABLE ARTISTS TO DISPLAY THEIR WORK FOR A PERIOD OF TIME AT A MUNICIPAL FACILITY. MOTION CARRIED.

g) LORNE STREET PHASE III FUNDING & PROJECT – J. EPELL

#24-155 MOVED BY COUNCILLOR ALLISON BUTCHER AND SECONDED BY COUNCILLOR DEBBIE WIGGINS-COLWELL THAT COUNCIL APPROVE AN INCREASE IN THE AWARD AMOUNT TO BEALE AND INCH FOR TENDER 2022-09 LORNE STREET STORM WATER MITIGATION PHASE III RETENTION POND NO. 3 AND CULVERT CROSSING BY \$172,200 PLUS HST TO A TOTAL \$5,438,855.29 HST INCLUDED. MOTION CARRIED.

h) POLICY 2024-14 ICE SKATING PROTECTIVE HELMET POLICY

#24-156 MOVED BY COUNCILLOR MATT ESTABROOKS AND SECONDED BY DEPUTY MAYOR GREG MARTIN THAT COUNCIL APPROVE POLICY 2024-14 ICE SKATING PROTECTIVE HELMET POLICY. MOTION CARRIED.

i) UPCOMING COUNCIL MEETING SCHEDULE

#24-157 MOVED BY COUNCILLOR ALISON BUTCHER AND SECONDED BY COUNCILLOR MATT ESTABROOKS THAT COUNCIL CANCEL THE MONDAY, JULY 22, 2024 COMMITTEE OF THE WHOLE AND THE TUESDAY, AUGUST 13, 2024 REGULAR COUNCIL MEETING AND MOVE THE SEPTEMBER REGULAR COUNCIL MEETING TO MONDAY, SEPTEMBER 9, 2024. MOTION CARRIED.

j) REDESIGNATION AND REZONING OF BEALE AND INCH PROPERTY

#24-158 MOVED BY COUNCILLOR MATT ESTABROOKS AND SECONDED BY COUNCILLOR BARRY HICKS THAT WHEREAS COUNCIL HAS CONSIDERED AN APPLICATION FROM BEALE AND INCH CONSTRUCTION LTD TO AMEND BY-LAW NO 243, THE TOWN OF SACKVILLE MUNICIPAL PLAN BY CHANGING THE DESIGNATION ON THE PROPERTY KNOWN AS PID 70667639 FROM URBAN RESIDENTIAL TO INDUSTRIAL/BUSINESS PARK ON THE FUTURE LAND USE MAP;

AND WHEREAS COUNCIL HAS AGREED TO CONSIDER REZONING WITH CONDITIONS THE AFOREMENTIONED PROPERTY FROM URBAN RESIDENTIAL 1 TO INDUSTRIAL/ BUSINESS PARK ZONE;

BE IT RESOLVED THAT THE COUNCIL OF TANTRAMAR DIRECTS THAT THE APPROPRIATE BY-LAWS BE PREPARED TO AMEND THE MUNICIPAL PLAN AND ZONING BY-LAW AS IT PERTAINS TO THE ABOVE NOTED CHANGES; THAT THE PROPOSED BY-LAWS BE REFERRED TO THE SOUTHEAST

PLANNING REVIEW AND ADJUSTMENT COMMITTEE FOR THEIR VIEWS; THAT THE NOTICE OF INTENTION REQUIREMENTS OF THE *COMMUNITY PLANNING ACT* BE FULFILLED WITH RESPECT TO THE PROPOSED AMENDMENTS, AND SETS THE COMMITTEE OF THE WHOLE MEETING ON **AUGUST 26, 2024** AT 3:00 PM, IN THE COUNCIL CHAMBERS AT THE MUNICIPAL OFFICE, 31 MAIN STREET, 2ND FLOOR, SACKVILLE NB AS THE DATE, TIME AND PLACE FOR THE **PUBLIC PRESENTATION** OF COUNCIL'S INTENT TO AMEND THE MUNICIPAL PLAN AND SETS THE REGULAR COMMITTEE OF THE WHOLE MEETING ON **SEPTEMBER 23, 2024**, AT 3:00 PM, IN THE COUNCIL CHAMBERS AT THE MUNICIPAL OFFICE, 31 MAIN STREET, 2ND FLOOR, SACKVILLE NB AS THE DATE, TIME AND PLACE FOR THE **PUBLIC HEARING** OF CONSIDERATION OF OBJECTIONS TO THE PROPOSED BY-LAWS. MOTION CARRIED.

9. BY-LAWS

- a) BY-LAW NO. 2012-002B, A BY-LAW TO AMEND BY-LAW NO. 2012-002 THE VILLAGE OF DORCHESTER ZONING BY-LAW

#24-159 MOVED BY COUNCILLOR DEBBIE WIGGINS-COLWELL AND SECONDED BY COUNCILLOR MICHAEL TOWER THAT COUNCIL GIVE FIRST READING IN NAME ONLY TO BY-LAW NO. 2012-002B, A BY-LAW TO AMEND BY-LAW NO. 2012-002 THE VILLAGE OF DORCHESTER ZONING BY-LAW. MOTION CARRIED.

#24-160 MOVED BY COUNCILLOR DEBBIE WIGGINS-COLWELL AND SECONDED BY COUNCILLOR MICHAEL TOWER THAT COUNCIL GIVE SECOND READING IN ITS ENTIRETY TO BY-LAW NO. 2012-002B, A BY-LAW TO AMEND BY-LAW NO. 2012-002 THE VILLAGE OF DORCHESTER 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. 2012-002, the Village of Dorchester Zoning By-law and enacts as follows:

1. By-law No 2012-002, the Village of Dorchester Zoning By-law is amended by ADDING to Part 7: Village Core Zone, 7.1 Uses a) permitted uses, the following:

xxi) Day care facilities

MOTION CARRIED.

- b) BY-LAW NO. 2024-13, A BY-LAW RELATING TO THE PROMOTION OF HEALTH AND SAFETY OF RESIDENTS OF TANTRAMAR

#24-161 MOVED BY COUNCILLOR ALLISON BUTCHER AND SECONDED BY COUNCILLOR MATT ESTABROOKS THAT COUNCIL GIVE SECOND READING SECTION BY SECTION TO BY-LAW NO. 2024-13, A BY-LAW RELATING TO THE PROMOTION OF HEALTH AND SAFETY OF RESIDENTS OF TANTRAMAR.

By-Law No. 2024-13, A By-Law Relating to the Promotion of Health and Safety of the Residents of Tantramar

Section 1 – Definitions

Section 2 – General Provisions

Section 3 – Air Rifle, Firearms, Spring Guns

Section 4 – Penalties

Section 5 – Repeal

Section 6 – Enactment

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

#24-162 MOVED BY COUNCILLOR ALLISON BUTCHER AND SECONDED BY DEPUTY MAYOR GREG MARTIN THAT COUNCIL GIVE THIRD AND FINAL READING TO BY-LAW NO. 2024-13, A BY-LAW RELATING TO THE PROMOTION OF HEALTH AND SAFETY OF THE RESIDENTS OF TANTRAMAR. AYE VOTES RECODED BY MAYOR ANDREW BLACK, DEPUTY MAYOR GREG MARTIN AND COUNCILLORS ALLISON BUTCHER, MATT ESTABROOKS, BARRY HICKS, MICHAEL TOWER AND DEBBIE WIGGINS-COLWELL. NAY VOTE RECORDED BY COUNCILLOR BRUCE PHINNEY. MOTION CARRIED.

c) BY-LAW NO. 2024-15, A BY-LAW RELATING TO LOITERING AND SOLICITING IN TANTRAMAR

#24-163 MOVED BY COUNCILLOR MATT ESTABROOKS AND SECONDED BY COUNCILLOR BARRY HICKS THAT COUNCIL GIVE FIRST READING IN NAME ONLY TO BY-LAW NO. 2024-15 A BY-LAW RELATING TO LOITERING AND SOLICITING IN TANTRAMAR. AYE VOTES RECODED BY MAYOR ANDREW BLACK, DEPUTY MAYOR GREG MARTIN AND COUNCILLORS ALLISON BUTCHER, MATT ESTABROOKS, BARRY HICKS AND MICHAEL TOWER. NAY VOTES RECORDED BY COUNCILLOR BRUCE PHINNEY AND DEBBIE WIGGINS-COLWELL. MOTION CARRIED. MOTION CARRIED.

#24-164 MOVED BY COUNCILLOR MATT ESTABROOKS AND SECONDED BY DEPUTY MAYOR GREG MARTIN THAT COUNCIL GIVE SECOND READING SECTION BY SECTION TO BY-LAW NO. 2024-15 A BY-LAW RELATING TO LOITERING AND SOLICITING IN TANTRAMAR.

By-Law No. 2024-14, A By-Law Relating to Loitering and Soliciting in Tantramar

Section 1 – Definitions

Section 2 – General Provisions

Section 3 - Penalty

Section 4 - Repeal

Section 5 – Enactment

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

d) BY-LAW NO. 2024-14, A BY-LAW RESPECTING THE ADOPTION AND INTERPRETATION OF BY-LAWS IN TANTRAMAR

#24-165 MOVED BY DEPUTY MAYOR GREG MARTIN AND SECONDED BY COUNCILLOR MATT ESTABROOKS THAT COUNCIL GIVE THIRD AND FINAL READING TO BY-LAW NO. 2024-14, A BY-LAW RESPECTING THE ADOPTION AND INTERPRETATION OF BY-LAWS. MOTION CARRIED.

10. MAYOR & COUNCILLOR STATEMENTS & INQUIRIES

Debbie Wiggins-Colwell provided a statement regarding medical first responders and the new TMR dispatching system and inquired if the environmental assessment for the former Village Office could be shared publicly.

Michael Tower provided a statement on the importance of applying for housing and infrastructure funding.

Mayor Andrew Black congratulated Janelle Dixon, daughter of Point De Bute Fire Chief Jeff Dixon on being selected as an Indigo Youth Ambassador.

11. NOTICE OF MOTION

a) NOTICE OF MOTION FROM COUNCILLOR MATT ESTABROOKS

Councillor Matt Estabrooks served notice of motion regarding a tall grass by-law.

12. ADJOURNMENT

#24-166 MOVED BY COUNCILLOR MICHAEL TOWER AND SECONDED BY COUNCILLOR BRUCE PHINNEY THAT COUNCIL ADJOURN THE REGULAR COUNCIL MEETING OF JULY 9, 2024. MOTION CARRIED.

MAYOR

DIRECTOR OF LEGISLATIVE SERVICES

ASSISTANT CLERK